
FIRST SESSION 1999
OFFICERS AND MEMBERS
OF
THE SENATE OF THE NORTH CAROLINA
\ GENERAL ASSEMBLY
1999 SESSION

DENNIS A. WICKER, President .................................................. Sanford
MARC BASNIGHT, President Pro Tempore .................................. Manteo
FRANK W. BALLANCE, JR., Deputy President Pro Tempore .......... Warrenton
JANET B. PRUITT, Principal Clerk ............................................ Raleigh
leroY CLARK, JR., Reading Clerk ............................................. Wendell
CECIL GOINS, Sergeant-at-Arms ............................................ Raleigh

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<th>DISTRICT</th>
<th>NAME OF SENATOR</th>
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<td>MARC BASNIGHT (D)</td>
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<td>42</td>
<td>ROBERT C. CARPENTER (R)</td>
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SENATE JOURNAL

1999 SESSION

FIRST DAY

Senate Chamber
Wednesday, January 27, 1999

In accordance with law, as set forth in the Constitution of the State of North Carolina and G.S. 120-11.1, the Senate of the General Assembly of North Carolina assembles this day at the hour of 12:00 Noon in the Senate Chamber of the Legislative Building in the City of Raleigh.

The Honorable Dennis A. Wicker, Lieutenant Governor, calls the Senate to order.

The President extends privileges of the floor to the spouses of the Senators-elect and to the individuals invited by a Senator-elect and requests that they be seated beside their spouse or host.

The President recognizes the Sergeant-at-Arms of the 1997 Session of the General Assembly who announces the presence of the Chief Justice of the Supreme Court of North Carolina, an Associate Justice (Ret.) of the Supreme Court of North Carolina, and a Judge of the North Carolina Court of Appeals at the doors of the Senate and await his direction. The President directs the Sergeant-at-Arms to open the doors of the Senate and to escort the members of the Judiciary to their seats.

The President directs the Sergeant-at-Arms of the 1997 Session of the General Assembly to open the doors of the Senate and to escort the members of The University of North Carolina Loreleis to the Well of the Senate.

The President introduces The Reverend Sally Bates, Associate Pastor of Hayes Barton Methodist Church, who is serving as Senate Chaplain for the 1999 Session of the General Assembly, who offers prayer as follows:

"Gracious Lord God, as we open this Senate Session of the General Assembly and begin again our journey together, we recall how in the wilderness campaign, Moses watched as Joshua battled the Amalekites. Whenever Moses held up his hands, Joshua prevailed for Israel, and whenever Moses lowered his hands the enemy prevailed. But as the battle wore on, Moses' hands soon grew weary and so his brother, Aaron, and his assistant, Hur, held up his faltering hands, one on one side and one on the other, so that Moses' hands were steady until the going down of the sun.

"How shall we prevail, Oh God, without these good people to sustain us, our families and colleagues who have gathered around us on this day and who sit, quite literally, to our left and to our right, to uphold us in our duties, to steady our hands, and to whisper words of encouragement for the long journey which lies ahead. They are your instruments of grace to us. May we always be worthy of their love and trust.

"Bless this gathering of Your Public Servants, from the greatest to the least, with Your Spirit of Truth. Grant us wise, discerning hearts and keep us ever mindful that regardless of what the pollsters proclaim, it is You whom we are ultimately called to serve. For it is in Your Holy Name that we pray, Amen."
PRESENTATION OF THE COLORS

The Chair orders the Sergeant-at-Arms of the 1997 Session to open the doors of the Chamber for the presentation of the Colors by the Color Guard Unit of the Army Junior ROTC, Plymouth High School, Plymouth, North Carolina. (See Appendix.)

PLEDGE OF ALLEGIANCE

Led by the Lieutenant Governor, the Senators-elect, distinguished guests, and all of those present remain standing and pledge allegiance to the flag of the United States of America.

NATIONAL ANTHEM

The President recognizes The University of North Carolina Loreleis, who sing the National Anthem. (See Appendix.)

The President extends special privileges of the floor to Alisa O’Quinn Wicker, wife of the Lieutenant Governor.

CALL OF THE ROLL

The Chair directs the Reading Clerk of the 1997 Session to call the roll by Senatorial District, and the following Senators-elect appear with the proper certificates of election received from the Secretary of State, The Honorable Elaine Marshall:

I, Elaine F. Marshall, Secretary of State of the State of North Carolina, do hereby certify that the State Board of Elections met Tuesday, the 24th day of November, A.D., 1998, in accordance with Chapter 163 of the General Statutes of North Carolina, at which time the Board did open, canvass and judicially determine the returns of votes cast in the election held on Tuesday, November 3rd, 1998, and certified to me the persons duly elected as members of the Senate from the various Senate Districts comprising of more than one county, and all others have been certified to me in the abstracts by the State Board of Elections as having the highest number of votes cast in the election for the Senate from districts composed of one county only, for the General Assembly of 1999, to wit:

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<th>DISTRICT</th>
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<td>First District</td>
<td>Marc Basnight</td>
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<td>Second District</td>
<td>Frank W. Ballance, Jr.</td>
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<td>Charles W. “Charlie” Albertson</td>
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<td>Sixth District</td>
<td>R. L. “Bob” Martin</td>
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<td>Luther Henry Jordan, Jr.</td>
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<td>Virginia Foxx</td>
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January 27, 1999
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal.

DONE IN OFFICE at Raleigh, this 20th day of January, 1999.

(SEAL)

S/Elaine F. Marshall
Secretary of State

The President of the Senate recognizes The Honorable Burley B. Mitchell, Jr., Chief Justice of the Supreme Court of North Carolina, who administers the following Oath of Office, to which those present respond and subscribe:

"I do solemnly swear or affirm that I will support the Constitution and laws of the United States, and I do solemnly and sincerely swear or affirm 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 and sincerely swear or affirm that I will faithfully discharge the duties of my office as a member of the Senate of the 1999 General Assembly of the State of North Carolina to the best of my knowledge and ability, so help me, God."

With fifty Senators answering the call of the roll, the President declares a quorum present and qualified.

_The President extends the privileges of the floor to Congresswoman Eva Clayton and to The Honorable Elaine F. Marshall, Secretary of State and former State Senator. Courtesies of the gallery are extended to The Honorable Robert B. Morgan, father-in-law of Senator Reeves and former U.S. Senator, North Carolina Attorney General, and State Senator._

**ORGANIZATION OF THE SENATE**

The President announces that the Senate stands ready to proceed with the election of officers, and declares the floor open for nominations for President _Pro Tempore_ of the Senate, pursuant to Article II, Section 14(1) of the _North Carolina Constitution._

The President recognizes Senator Martin of Pitt who offers the following nomination and remarks:

"Thank you Mr. President. Ladies and Gentlemen of the Senate, I rise to nominate our good friend, our President _Pro Tem_, and our leader for the last six years as President _Pro Tem_ of the 1999-2000 Session of the General Assembly. This, Mr. President, is going to be an historic Session, not only for Marc, but for this Body in that after these next two years, he will have served longer than any President _Pro Tem_ of the State Senate. It's not by chance that Marc has served this long as our leader. He has earned the right to lead this Body. He's done it in an old fashioned way, he worked for it. In the Senate, he did an excellent job. Any man that can put together two budgets, take it to the House and get it approved without too much quibbling, has got to be good. Marc's performance in these roles was outstanding and it claimed the attention of the leadership. In 1991, the President _Pro Tempore_ at that time, State Senator Henson Barnes of Wayne County, called on Marc as the President _Pro Tem_ of the Senate, and the rest of the story, as Paul Harvey would say, is history. Marc has been the author of several legislative efforts that have caught our attention, the author of the Clean Water Trust Fund with a dedicated source of income which was quite unusual, the Clean Water Responsibility Act. He's been voted for several times the most effective Senator in this Body; he has been a proponent of good jobs and especially a proponent of not only secondary higher education, but higher education in the State of North Carolina. He has had many other honors, too numerous to try to enumerate here at this time. As President of this Body and as a leader of this Body and the desire to promote good government, Marc on his own accord, he's traveled this State, length and breath of it promoting good government and the State Senate and our cause. He's stopped, he's made speeches, he's stopped by every filling station, every restaurant, or convenient market he could find a crowd to talk to and discuss state government with them. And his knowledge is from the man on the street, as well as from inside the beltline. That's one thing that helps him a great deal. His door is always open to every member of this Body, as you know already. Those of you who are new, I can assure you that he's instructed his staff, when you call to let him know that you are on the phone and

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he will be with you, which is quite unusual for a man in a big job. When we are in doubt, we, every team, as you know when the score is tied the minutes are getting short and we need a man to go to, they always pick out a man to go to with the basketball. And this is true with Marc. In our times when we need more, when we need some guidance and some counseling, he’s our go-to candidate. Marc, we need Marc to continue this splendid leadership that he has provided for us during the past six years and Ladies and Gentlemen of the Senate, I nominate our friend Senator Marc Basnight for the Office of President Pro Tempore of the North Carolina Senate for the 1999 General Assembly, and I urge your unanimous support for this nomination. Thank you.”

The President recognizes Senator Martin of Guilford who seconds the nomination and offers the following remarks:

“Thank you, Mr. President. Members of the Senate and guests, Senator Marc Basnight has given this Body and the State of North Carolina, tremendous leadership in times that have been difficult and turbulent and in times of plenty, and times of celebration, and he has done a tremendous job at doing so. I would also say to you that he has led this Body, the North Carolina Senate, in a manner that has exhibited understanding, compassion, and we’ve depended upon his great ability and strength in providing the type of leadership that we need. He’s been able to develop the types of consensus and civility, maintaining civility which is important in these days in this Body. As a result of his strong leadership, the members of this great North Carolina Senate are proud to have him as our leader and as our friend, and I am very proud and honored to second the nomination of Senator Marc Basnight as President Pro Tempore of the North Carolina Senate for the 1999-2000 Session of the North Carolina General Assembly. Thank you.”

“Mr. President, might I also be recognized to move that the nomination of Senator Marc Basnight as President Pro Tempore be closed, that it be closed on the said one name, and he be nominated and elected by acclamation.”

The motion offered by Senator Martin of Guilford that the nominations be closed and that Senator Marc Basnight be elected President Pro Tempore by acclamation prevails.

The President declares Senator Basnight elected President Pro Tempore and appoints Senator Hoyle of Gaston, Senator Lucas of Durham, Senator Perdue of Craven, and Senator Soles of Columbus to escort the President Pro Tempore-elect to the Well of the Senate. Senator Hoyle presents Senator Basnight to the President. The Sergeant-at-Arms escorts Senator Basnight’s daughter, Vickie Basnight, to the Well of the Senate to join Senator Basnight as he receives the Oath of Office. The Honorable Burley B. Mitchell, Jr., Chief Justice of the Supreme Court of North Carolina administers the prescribed Oath of Office.

The President recognizes Senator Marc Basnight, President Pro Tempore, who addresses the membership from the Well of the Senate and offers the following remarks:

“Thank you Chief Justice Mitchell. Many thanks to my good Senate friends, Bill Martin and Senator Bob Martin, my seatmate for many years, my escort committee composed of Senators Hoyle, Lucas, Perdue, and Soles.

“Welcome to all of you, Senators, and thank you for joining me as members of the 1999-2000 General Assembly – the last of this century.

“After the Duke-St. John’s game on Sunday, I went to walk on the beach and enjoyed some of the...of the ocean that particular day, but because of the reminding of the Duke
game, one of our good Senate members was telling me that he was happy, and this particular member, Senator Horton, was a graduate of Carolina, that Duke had won. The reason he was so happy, he did not want to see Duke have two games in a row losing in mid-season.

“I know, as you know, how hard all of you have worked to get here today. And I know that the reason for all that hard work is your desire to do what is right and what is good for our State. So let me be the first to congratulate you and your families and my family. Yet even with all the excitement of this opening day with our friends and families here, we should take a moment to remember those who have gone before us — those leaders who have made great contributions to this State.

“But we also should remember that North Carolina will enter the new millennium on our watch, and that in the days and weeks ahead of us we will make our own legacy as leaders. What legacy will that be? Certainly the promise of our future is unlimited. But we will never make good on that promise if we keep our eyes on the day-to-day struggles that occupy so much of our time here. Instead, I challenge you - no, I dare you - to look beyond those struggles and think of the future during this season. Think of the children here in this Chamber and the thousands of other children across this State, Senator Perdue, and the love that so many of you have for their future and what they will become. Soon, all of us will be gone and they will be in our place, looking back on our work, taking our measure as leaders and asking ‘How well did they do in paving the way for our future?’ So far, I think we are doing a pretty good job.

“We have made tremendous progress in our schools. North Carolina’s test scores gained more than any other schools in the Nation last year. Our teachers’ salaries are on their way to the national average next year as well. Our good schools are rewarded for success, and our struggling schools get extra help so our children can learn equally so. At the same time, crime is falling in our streets and our schools are safer today. Across North Carolina, people are coming together to assure that our young children are healthy and ready to start school. So we have much to be proud of, but there is much more to be done.

“We must continue to work to provide the best education possible to North Carolina’s sons and daughters - all of them, no matter what age, no matter what race, no matter how poor or how rich, no matter where they live. We must be able to say to them ‘If you work hard and study and do your part, we will do our part so that you can get a good education. We will make it possible for you to go to a State University or a Community College so that you can gain a share of the prosperity that North Carolina is now enjoying.’

“Keeping our part of that bargain will be a challenge. More than 25,000 new children will join 1.2 million children in North Carolina public schools this year. More than a quarter of a million students will enroll at our universities and community colleges by the year 2005. All of these students need books, good teachers, computers if they are to compete in the next century’s economy.

“Now let me stop here and say that recently there’s been a lot of talk about tax increases and budget shortfalls and predictions about the state budget. But I want to be perfectly clear about something. Last year many of us made a promise to voters that we would improve this State’s schools by raising teachers’ salaries, increasing accountability, and helping prepare North Carolina’s preschoolers for kindergarten. Y’all can talk about budget projections and recurring dollars and continuation budgets until the cows come home, but we will keep that promise before this session ends. It’s that simple.

“When I was first elected to this office upon your agreement in 1993, North Carolina was just turning the corner from one of its worst financial times ever. It was a time of worry and fear and concern of the future for all of us jointly together. Six years later, North Carolina thrives as we see and experience it today. We have the lowest
unemployment rates in decades, and we are among the Nation’s leaders in industry, in population growth, and in higher education.

"Today, I ask you to look with me to the next century and vow that we will again make the right decisions, the courageous ones. We must keep the course we have set. We must educate our children and preserve our heritage. We must be strong in protecting the environment that we all cherish and love so very much, and we must reach our hand out to those who cannot help themselves.

"If we do those things, then the children of today – the Senators and Representatives of tomorrow – will look back and say of us, ‘Those men and women were not just politicians, they were stewards of the future’ and they, those future leaders, will in turn be inspired to protect and preserve what we have given them. And that, my fellow Senators, will be our legacy, that by keeping our eyes on the future, we inspired those who came after us to do the same.

"Thank you for electing me your leader. And again, congratulations to each and every one of you and God’s speed in your endeavors.”

*Privileges of the floor are extended to Mrs. Lou Mitchell, wife of Chief Justice Burley B. Mitchell, Jr., and to Ben King, serving as interpreter in the Senate.*

**ADOPTION OF RULES**

Senator Rand submits S.R. 1, A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE REGULAR SESSIONS OF THE 1999 GENERAL ASSEMBLY OF NORTH CAROLINA, for adoption. Upon motion of Senator Rand, S.R. 1 is placed before the Senate for immediate consideration. Senator Rand explains the following Rules which are revised from the 1997 Senate Rules: Senate Rules 2, 15, 17, 23, 29(h), 30, 32, 36, 39(a), 40(a), 40.1, 41, 42.1, 42.3A, 42.3B, 47, 53, 57, 60, 63, 66, 71, 74, and 76.

Upon motion of Senator Rand, the resolution is adopted (50-0).

The text of the Resolution is as follows:

Be it resolved by the Senate:

Section 1. The permanent rules for the Regular Sessions of the Senate shall be as follows:

**PERMANENT RULES OF**

**THE REGULAR SESSIONS OF THE SENATE**

**1999 GENERAL ASSEMBLY OF NORTH CAROLINA**

I. Order of Business, Rules 1-7
II. Conduct of Debate, Rules 8-17
III. Motions, Rules 18-24
IV. Voting, Rules 25-30
V. Committees, Rules 31-37
VI. Handling Bills, Rules 38-59.2
VII. Legislative Officers and Employees, Rules 60-65
VIII. General Rules, Rules 66-77.

I. Order of Business

**RULE 1. Rules controlling the Senate of North Carolina and its committees.** -- The following rules shall govern and control all actions and procedures of the Senate and its committees.

**RULE 2. Convening hour.** -- The Presiding Officer shall take the Chair at the hour fixed by the Senate upon adjournment on the preceding legislative day, and shall call the members to order. In case the Senate adjourned on the preceding legislative day

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without having fixed the hour of reconvening, the Senate shall reconvene on the next legislative day at 2:00 p.m., except that if the next legislative day is Monday, time for convening shall be 7:00 p.m.

RULE 3. Opening the session. -- The Presiding Officer shall, upon order being obtained, have the sessions of the Senate opened with prayer.

RULE 4. Convening and presiding in absence of President. -- In the absence of the President, the President Pro Tempore shall convene or reconvene the Senate and preside, and during such time shall be vested with all powers of the President except that of casting a vote in case of tie when he has already voted on the question as a Senator. In the event of the absence of the President and President Pro Tempore at any time fixed for the reconvening of the Senate, the Deputy President Pro Tempore of the Senate, the Principal Clerk of the Senate, or in their absence also, the Chairman of the Senate Committee on Rules and Operations of the Senate, shall call the Senate to order and designate some member to act as Presiding Officer.

RULE 5. Quorum. -- (a) A quorum consists of a majority of all the qualified members of the Senate.

(b) When a lesser number than a quorum convenes, the Senators present may send the Sergeant-at-Arms or any person, for any or all absent Senators, as a majority of the Senators present determines.

RULE 6. Approval of Journal. -- After the prayer, and upon appearance of a quorum, the Presiding Officer shall cause the Journal of the preceding day to be read and approved, unless the President Pro Tempore or, in his absence, the Deputy President Pro Tempore of the Senate or some member of the Senate by motion sustained by a majority of the members present, has the reading thereof dispensed with and the same approved as written.

RULE 7. Order of business. -- After approval of the Journal, the order of business shall be as follows:

(1) Reports of standing committees.
(2) Reports of select committees.
(3) Introduction of bills, petitions, and resolutions.
(4) Messages from the House of Representatives.
(5) Veto Messages from the Governor.
(6) Unfinished business of preceding day.
(7) Special orders.
(8) General orders:
   a. Local bills in numerical order, Senate bills first.
      1. Third reading roll call and electronic voting system votes.
      2. Second reading roll call and electronic voting system votes.
      4. Third reading viva voce.
   b. Public bills in numerical order, Senate bills first.
      1. Third reading roll call and electronic voting system votes.
      2. Second reading roll call and electronic voting system votes.
      4. Third reading viva voce.

II. Conduct of Debate

RULE 8. Presiding Officer to maintain order. -- The Presiding Officer shall have general direction of the Hall of the Senate and shall be authorized to take such
action as is necessary to maintain order, and in case of any disturbance or disorderly conduct in the galleries or lobbies, he shall have the power to order those areas cleared.

RULE 9. **Substitution for Presiding Officer.** -- The Presiding Officer, while in the Senate Chamber, shall have the right to call on any member of the Senate to perform the duties of the Chair.

RULE 10. **Points of order.** -- (a) The Presiding Officer shall preserve order and decorum and proceed with the business of the Senate according to the rules adopted. He shall decide all questions of order, subject to an appeal to the Senate by any member, on which appeal no member shall speak more than once unless by leave of the Senate. A two-thirds vote of the membership of the Senate present and voting is necessary to sustain any appeal from the ruling of the Presiding Officer.

(b) In the event the Senate Rules do not provide for, or cover any point of order raised by any Senator, the rules of the United States House of Representatives shall govern.

(c) When a Senator is called to order he shall take his seat until the Presiding Officer determines whether he was in order or not; if decided to be out of order, he shall not proceed without the permission of the Senate; and every question of order shall be decided by the Presiding Officer, subject to an appeal to the Senate by any Senator; and if a Senator is called to order for words spoken, the words to which an exception is made shall be immediately taken down in writing by the Principal Clerk, so that the Presiding Officer or Senate may be better able to judge the matter.

RULE 11. **Debating and voting by Lieutenant Governor.** -- The Lieutenant Governor, as President of the Senate, being a Constitutional Officer shall not have the right to debate any question or to address the Senate upon any proposition unless by permission of the majority of members present and shall have the right to vote only when there is a tie vote upon any question or election.

RULE 12. **Obtaining recognition.** -- (a) When any Senator is about to speak in debate or deliver any matter to the Senate, he shall rise from his seat and respectfully address the Presiding Officer. No member shall speak further until recognized by the Presiding Officer. The Presiding Officer shall recognize the first to rise and, when two or more members rise at the same time, the Presiding Officer shall name the member to speak.

(b) A Senator who has the floor may yield the floor to another Senator only for the purpose of allowing another Senator to state a question. Only the Presiding Officer may award the floor to any Senator.

(c) A Senator who has obtained the floor may be interrupted only for the following reasons:

1. A request that the member speaking yield for a question,
2. A point of order, or
3. A parliamentary inquiry.
4. When a Senator refers to a bill, the bill number and short title must be used.

RULE 13. **(Reserved for future use).**

RULE 14. **Limitations on individual debate.** -- (a) No Senator shall speak on the same reading more than twice on the main question, nor longer than 30 minutes for the first speech and 15 minutes for the second speech. No Senator shall speak on the same reading more than once on any motion or appeal, and then no longer than 10 minutes.

(b) By permission of the Presiding Officer, any member of the Senate may address the Senate from the well of the Senate.

RULE 15. **Questions of personal privilege.** -- Upon recognition by the Presiding Officer for that purpose, any Senator may as the last order of the Senate's business that day speak to a question of personal privilege for a time not exceeding three
minutes. Personal privilege may not be used to explain a vote, debate a bill, or in any way disrupt the regular business of the Senate. Personal privilege shall not be used to solicit support or sponsors for any bill. The Presiding Officer shall determine if the question raised is one of privilege and shall, without the point of order being raised, enforce this rule.

RULE 16. (Reserved for future use).

RULE 17. General decorum. -- (a) Male Senators and male visitors shall uncover their heads upon entering the Senate Chamber while the Senate is in session and shall continue uncovered during their continuance in the Chamber, unless one's religion requires his head to be covered.

(b) No derogatory remark reflecting personally upon any Senator shall be in order upon the floor of the Senate unless preceded by a motion or resolution of censure.

(c) When the Presiding Officer is putting a question, or a division by counting is in progress, no Senator shall walk out of or across the Chamber, nor when a Senator is speaking, pass between him and the Presiding Officer.

(d) When a motion to adjourn or for recess is affirmatively determined, no member or officer shall leave his place until adjournment or recess is declared by the Presiding Officer.

(e) Smoking shall not be allowed in the galleries of the Senate during sessions.

(f) No remark soliciting the donation of funds for the support of any person or organization shall be in order upon the floor of the Senate, unless the remark has some relevance to a bill or resolution before the body. No article of any kind soliciting business or donations may be placed by any person anywhere in the Senate Chamber or in any Senate office.

(g) Food or beverage shall not be permitted in the Senate Chamber, either on the floor or in the galleries; however, after the Senate has remained in session for a period of one hour, food and beverage shall be allowed upon the floor of the Senate.

(h) Reading of newspapers, magazines, periodicals, or books shall not be acceptable while the Senate is in session. This rule does not prohibit the use of quotations during debate or for personal privilege.

(i) The operation of wireless telephones on the floor or in the gallery is prohibited while the Senate is in session.

(j) No member of the Senate shall place any item on another Senator's chamber desk or in another Senator's office unless the item conspicuously displays the name of the Senator placing the item.

III. Motions

RULE 18. Motions generally. -- Any motion shall be reduced to writing, if requested by the Presiding Officer or a Senator, and read by the Presiding Officer or Reading Clerk before the same is debated. Any motion may be withdrawn by the introducer at any time before decision or amendment. No motion relating to a bill shall be in order which does not identify the bill by its number and short title. Except as otherwise specifically provided in these rules, no second is required.

RULE 19. Motion; order of precedence. -- When a question is before the Senate no motion shall be received except those herein specified, which motions shall have precedence as follows:

(1) To adjourn.
(2) To lay on the table.
(3) For the previous question.
(4) To postpone indefinitely.
(5) To postpone to a certain day.
(6) To commit to a standing committee.

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(7) To commit to a select committee.
(8) To amend.

RULE 20. Motions requiring a second. -- The motions to adjourn, to lay on the table, and to call for the previous question shall be seconded and decided without debate.

RULE 21. Motions to postpone to certain day and to commit. -- The respective motions to postpone to a certain day or to commit to a standing or select committee shall preclude debate on the main question.

RULE 22. Motion to substitute. -- Subject to Rule 19, a member may offer a motion to substitute to any motion, except the motions for the previous question, to table or to adjourn. No motion to substitute shall be offered to a motion to substitute.

RULE 23. Motion for previous question. -- (a) The previous question may be moved upon a pending single motion, any pending amendment or amendments, and/or the pending bill to its passage on that reading or all readings or the pending resolution to its adoption. An authorized Senator moving the previous question shall specify to what the motion applies. Unless specifically limited, the motion shall be deemed to apply to the bill or resolution along with any pending amendments to its passage.

(b) The previous question shall be as follows: "Shall the main question be now put?" and until it is decided shall preclude all amendments and debate. If this question is decided in the affirmative, the "main question" shall be on the passage of the bill, resolution, or other matter under consideration; but when amendments are pending, the question shall be taken upon such amendments in their inverse order, without further debate or amendment.

(c) Only one of the following Senators may move the previous question:
(1) The chairman of the committee submitting the report on the bill or other matter under consideration,
(2) The member introducing the bill or other matter under consideration,
(3) The member in charge of the measure, who shall be designated by the chairman of the committee reporting the same to the Senate at the time the bill or other matter under consideration is reported to the Senate or taken up for consideration, or
(4) The Chairman of the Committee on Rules and Operations of the Senate.

RULE 24. Motion to reconsider. -- (a) When a question has been once put and decided, any Senator who voted in the majority may move to reconsider the vote thereof. No motion for the reconsideration of any vote shall be in order after the bill, resolution, or other matter upon which the vote was taken has gone out of the possession of the Senate. No motion for reconsideration shall be in order unless made on the same day or in the next following legislative day on which the vote took place. When the next legislative day has by motion of the Senate been restricted as to matters which may be considered, a motion to reconsider shall be in order on the next succeeding day upon which regular business is conducted. No question shall be reconsidered more than once.

(b) Notwithstanding subsection (a) of this rule, a motion to reconsider is in order at any time if made by the Chairman or, in his absence, the Vice-Chairman of the Committee on Rules and Operations of the Senate for the sole purpose of correcting grammatical errors in bills in the possession of the Senate.

IV. Voting

RULE 25. Use of electronic voting system. -- (a) Votes on the following questions shall be taken on the electronic voting system, and the ayes and noes shall be recorded on the Journal:

(1) All questions on which the Constitution of North Carolina requires that the ayes and noes be taken and recorded on the Journal;

(2) All questions on which a call for the ayes and noes under Rule 26(b) has been sustained;
(3) Second and third readings of bills proposing amendment of the Constitution of North Carolina; and

(4) The vote on approval of a bill that was vetoed by the Governor.

(b) Votes on the following questions shall be taken on the electronic voting system, and the resulting totals shall be recorded on the Journal:

(1) Second reading of all public bills, all amendments to public bills offered after second reading, third reading if a public bill was amended after second reading, and all conference reports on public bills.

(2) Any other question upon direction of the Presiding Officer or upon motion of any Senator supported by one-fifth of the Senators present.

(c) When the electronic voting system is used, the Presiding Officer shall fix and announce the time, not to exceed one minute, which shall be allowed for voting on the question before the Senate. The system shall be set to lock automatically and to record the vote when that time has expired. Once the system has locked and recorded a vote, the vote shall be printed by the system.

(d) The voting station at each Senator's desk in the Chamber shall be used only by the Senator to whom the station is assigned. Under no circumstances shall any other person vote at a Senator's station. It is a breach of the ethical obligation of a Senator either to request that another vote at the requesting Senator's station, or to vote at another Senator's station. The Presiding Officer shall enforce this rule without exception.

(e) When the electronic voting system is used, the Presiding Officer shall state the question and shall then state substantially the following: "All in favor vote 'aye'; all opposed vote 'no'; ______ seconds will be allowed for voting on this question; the Clerk will record the vote." After the machine locks and records the vote, the Presiding Officer shall announce the vote and declare the result.

(f) One copy of the machine printout of the vote record shall be filed in the office of the Principal Clerk, and one copy shall be filed in the Legislative Library where it shall be open to public inspection.

(g) When the Presiding Officer ascertains that the electronic voting system is inoperative before a vote is taken or while a vote is being taken on the electronic system, he shall announce that fact to the Senate, and any partial electronic system voting record shall be voided. In such a case, if the Constitution of North Carolina or the Rules of the Senate require a call of the ayes and noes, the Clerk shall call the roll of the Senate, and the ayes and noes shall be taken manually and shall be recorded on the Journal. All other votes shall be taken as prescribed in Senate Rule 26. If, after a vote is taken on the electronic system, it is discovered that a malfunction caused an error in the electronic system printout, the Presiding Officer shall direct the Reading Clerk and the Principal Clerk to verify and correct the print-out record and so advise the Senate.

(h) For the purpose of identifying motions on which the vote is taken on the electronic system (the identification codes having no relation to the order of precedence of motions), the motions are coded as follows:

1. To lay on the table.
2. For the previous question.
3. To postpone indefinitely.
4. To postpone to a day certain.
5. To refer to a committee.
6. To reconsider.
7. To adopt.
8. To concur.
9. To take from the table.
10. Miscellaneous.

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RULE 26. Voice votes; call for ayes and noes. -- (a) When the electronic voting system is not used, all votes on which a call of the roll of the Senate is not required shall be taken by voice vote. The question shall be put as follows: "Those in favor say 'aye'," and, after the affirmative vote is expressed, "Opposed 'no';" after which the Presiding Officer shall announce the result. If a division on any vote is desired, it must be called for immediately before the result of the voting is announced on any question, and upon such call, the Presiding Officer shall require the members to stand and be counted for and against the proposition under consideration.

(b) The ayes and the noes may be called for on any question before the vote is taken. If a Senator desires the ayes and noes recorded on the Journal on a question, he shall address the Presiding Officer and obtain recognition and say, "Upon that question I call for the ayes and noes." Whereupon the Presiding Officer shall say, "Is the call sustained?" If one-fifth of the remaining Senators present then stand, the vote shall be taken on the electronic voting system if it is operative, and the ayes and noes shall be recorded on the Journal. If the electronic voting system is inoperative, the roll of the Senate shall be called and the ayes and noes taken manually and recorded on the Journal. If fewer than one-fifth of the Senators present stand to sustain the call, the Presiding Officer shall announce, "An insufficient number up" and a vote by electronic voting or by voice, whichever is appropriate under the Rules of the Senate, shall be taken.

RULE 27. Pairs. -- (a) If a Senator is paired with another Senator on a question, the Senator shall announce the pair as follows: "Mr. President, I desire to announce a pair. If Senator ______ were present, he would vote ______; I would vote ______(the opposite)." The Senator shall send forward at that time a written statement of the pair on a form provided by the Principal Clerk and neither member of the pair shall vote on the question. A pair shall be announced before the vote is taken viva voce, or if the electronic voting system is used, before the machine is unlocked. The Clerk shall record the pair on the Journal when the Constitution or Rules of the Senate require a call of the roll and shall record on the electronic system printout all pairs announced.

(b) This rule does not apply to committee or subcommittee proceedings.

RULE 28. Dividing question. -- (a) If any question contains several distinct propositions, a Senator may move that the question be divided. The motion shall:

(1) Be in writing,
(2) Be submitted to the Principal Clerk at the time the motion is made, and
(3) Clearly state how the question is to be divided.

The motion shall be adopted by majority vote of the Senators present and voting.

(b) If the motion to divide the question is adopted, then there shall be no further amendment or debate on any of the distinct propositions.

(c) If the question is divided and any part thereof fails, then the bill or resolution and any pending amendments shall be removed from the calendar and referred to the committee from which the bill or resolution was reported.

(d) Only one motion to divide the question shall be in order during consideration of a bill or resolution.

RULE 29. Duty to vote; excuses. -- (a) Every Senator who is within the Senate Chamber when the question is stated by the Presiding Officer shall vote thereon unless he is excused by the Senate.

(b) A Senator who is a member of a committee shall, upon request, be excused from deliberations and voting on the bill while it is before the committee. The Senator must make the request to the chair of the committee when the bill is first taken up for consideration and before any motion or vote on the bill or any amendment to the bill. The Senator making the request for excuse in committee must renew his request for excuse on the floor of the Senate as set forth in this rule.
(c) Any Senator may move to be excused at any time from voting on any matter. The Senator may make a brief statement of the reasons for the motion which question shall be taken without debate on the motion.

(d) The Senator may send forward to the Principal Clerk, on a form provided by the Clerk, a concise statement of the reason for the motion, and the Clerk shall include this statement in the Journal.

(e) The Senator so excused shall not debate the bill or any amendment to the bill, vote on the bill, offer or vote on any amendment to the bill, or offer or vote on any motion concerning the bill at that reading, any subsequent reading, or any subsequent consideration of the bill.

(f) A Senator may move that his excuse from deliberations on a particular bill be withdrawn, which question shall be determined without debate.

(g) A motion to be excused or for the withdrawal of an excuse shall be taken without debate.

(h) A motion by any Senator to change that Senator's vote must be made on the same legislative day as the vote is taken.

RULE 30. Explanation of vote. -- Any Senator may, as the last order of the Senate's business that day, explain his vote on any bill that day by obtaining permission of the Presiding Officer after the final vote is taken. No more than three minutes shall be consumed in such explanation.

V. Committees

RULE 31. Appointment of committees. -- The President Pro Tempore of the Senate shall have the exclusive right and authority to appoint the membership of all committees, regular and select, and to appoint committee chairmen and vice-chairmen and to establish select committees, but this does not exclude the right of the Senate by resolution to establish select committees. Upon the recommendation of the Committee on Rules and Operations of the Senate, the Senate may authorize by majority vote of the Senators present and voting a change in the number of standing committees.

RULE 32. List of standing/select committees. -- (a) The standing committees shall be:

Agriculture/Environment/Natural Resources
Appropriations/Base Budget
   Appropriations on Department of Transportation
   Appropriations on Education/Higher Education
   Appropriations on General Government
   Appropriations on Human Resources
   Appropriations on Justice and Public Safety
   Appropriations on Natural and Economic Resources
Children & Human Resources
Commerce
Education/Higher Education
Finance
Health Care
Information Technology
Insurance
Judiciary I
Judiciary II
State and Local Government
Pensions & Retirement and Aging
Rules and Operations of the Senate
Transportation
Ways & Means.

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(b) The select committees shall be:

Tobacco Settlement Issues

RULE 33. Notice of committee meetings. -- (a) Public notice of all committee meetings shall be given in the Senate. The required notice may be waived as to any meeting by the attendance at that meeting of all of the members of the committee, or by personal waiver.

(b) The chairman of the committee shall notify or cause to be notified the sponsor of each bill which is set for hearing or consideration before the committee as to the date, time, and place of that meeting.

(c) The published calendar shall reflect those committee notices received in the Office of the Principal Clerk prior to 3:30 p.m. or as announced in the daily session.

RULE 34. Membership of committees; quorum. -- (a) Membership on standing committees shall consist of not more than 20 nor fewer than five Senators, including the chairmen and vice-chairmen and ranking minority members; provided that:

(1) The Appropriations/Base Budget and Finance Committee shall not be limited as to membership, and

(2) The Commerce Committee shall consist of 22 members.

The President Pro Tempore shall have the exclusive right and authority to determine the total number of members and the number of members of each political party of each committee. No Senator shall hold membership on more than 12 standing committees unless the Committee on Rules and Operations of the Senate provides otherwise.

A quorum of the Appropriations/Base Budget, Ways and Means, and Finance Committees shall consist of a majority of the committee. A quorum of any other committee shall consist of either the chairman and five members or a majority of the committee, whichever is fewer.

(b) The President Pro Tempore may serve as an ex officio member of each Senate committee and subcommittee.

RULE 35. Roll call vote in committee. -- No roll call vote may be taken in any committee. The committee chairman may vote in committee.

RULE 36. Standing committee and standing subcommittee meetings. -- No committee or subcommittee shall hold a secret meeting. All meetings of committees and subcommittees shall be open to the public, except as provided in G.S. 143-318.14A(e). In no event shall final action be taken by any committee or subcommittee except in open session.

RULE 36.1. Committee minutes to Legislative Library. -- The chairman of a committee shall insure that written minutes are compiled for each of the committee's meetings. The minutes shall indicate the number of members present and the actions taken by the committee at the meeting. Not later than 30 days after the adjournment of each session of the General Assembly, the chairman shall deliver the minutes to the Legislative Library. The President Pro Tempore of the Senate may grant a reasonable extension of time for filing said minutes upon application of the committee chairman.

RULE 37. (Reserved for interim operations rule).

VI. Handling Bills

RULE 38. Application of rules. -- All provisions of these rules applying to bills shall apply also to resolutions, memorials, andpetitions.

RULE 39. Form and copies of bills. -- (a) Unless variation is authorized by the Committee on Rules and Operations of the Senate, bills submitted for introduction shall be in a computer-typed form prepared by the Legislative Services Office and approved by the Committee on Rules and Operations of the Senate.

(b) Whenever a bill is introduced, 25 copies shall be submitted to the Principal Clerk. Any bill submitted without the required number of copies shall be immediately returned to the introducer.
RULE 39.1. Public and local bills; availability of copies of bills. -- A public bill is a bill affecting 15 or more counties. A local bill is one affecting fewer than 15 counties. No public bill and, upon objection by a member, no local bill may be considered unless copies of the bill have been made available to the entire membership of the Senate.

RULE 40. Introduction of bills. -- (a) Every bill filed for introduction shall contain on the outside cover the title of the document and the name of the Senator or Senators presenting it. Bills shall be delivered by the primary sponsor of the document or with the prescribed authorization form signed by the primary sponsor to the Office of the Senate Principal Clerk who shall receive them during regular session according to the following schedule:

Monday until 30 minutes after adjournment; and
Any other day the Senate holds a session until 3:00 p.m.
All bills shall be numbered by the Office of the Principal Clerk when filed and shall be considered introduced when presented to the Senate on the next following legislative day for the first reading.
(b) All memorializing, celebration, commendation, and commemoration resolutions, except those which solely honor the memory of deceased persons or a North Carolina institution, or both, shall be excluded from introduction and consideration in the Senate.

RULE 40.1. Deadlines on filing for introduction of bills and resolutions. - (a) All local bills and resolutions must be filed for introduction not later than Wednesday, March 24, 1999; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that day and filed for introduction in the Senate before 3:00 p.m. on Wednesday, March 31, 1999, shall be treated as if it had been filed for introduction under this rule.
(b) All public bills and resolutions, except those honoring the memory of deceased persons or adjourning the General Assembly, must be filed for introduction not later than April 7, 1999; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that day and filed for introduction in the Senate before 3:00 p.m. on Wednesday, April 14, 1999, shall be treated as if it had been filed for introduction under this rule.
(c) A two-thirds vote of the membership of the Senate present and voting shall be required to file for introduction any bill or resolution after the dates established by this rule.
(d) This rule shall not apply to any appropriations, finance, or local bills filed in reconvened session following the adjournment of the first year of the biennial session.

RULE 41. Crossover bill deadline. -- In order to be eligible for consideration by the Senate during the 1999 or 2000 Regular Sessions of the 1999 General Assembly, all House bills other than those required to be referred to the Committee on Finance or the Committee on Appropriations/Base Budget by Rule 42, or adjournment resolutions must be received and read on the floor of the Senate as a message from the House no later than April 29, 1999; provided that a message from the House received by the next legislative day stating that a bill has passed its third reading and is being engrossed shall comply with the requirements of this rule and provided that the House accepts Senate bills ordered engrossed on the next legislative day.

RULE 41.1. Relationship between Committee on Ways and Means and other committees dealing with money matters; relationship between these other committees dealing with money matters. -- In those instances specified herein, the Committee on Ways and Means shall have responsibility for final consideration of bills dealing with money matters before the bills are considered on the floor of the Senate. Upon the agreement of a chairman of any two of the following committees: Appropriations/Base
Budget, Finance, and Ways and Means, any bill which is reported favorably from the Committee on Appropriations/Base Budget, or the Committee on Finance shall be re-referred by the Presiding Officer to the Committee on Ways and Means for consideration. Bills referred to the Committee on Appropriations/Base Budget pursuant to Rule 43 may be referred by the Chairman of the Committee on Appropriations/Base Budget to the Appropriations Committee on the Department of Transportation, the Appropriations Committee on Education, the Appropriations Committee on General Government, the Appropriations Committee on Human Resources, the Appropriations Committee on Justice and Public Safety, or the Appropriations Committee on Natural and Economic Resources for a report back to the Committee on Appropriations/Base Budget.

RULE 42. Reference of appropriation and finance bills. -- (a) All bills introduced in the Senate providing for appropriations from the State, or any subdivision thereof, shall, before being considered by the Senate, be referred to the Committee on Appropriations/Base Budget and bills referred to other committees carrying any such provisions shall be reported to the Senate as being bills to be referred to the Appropriations/Base Budget Committee before proper action may be taken by the Senate.

(b) All bills introduced in the Senate providing for bond issues, imposing or raising fees or other revenues payable to the State, its agencies, its licensing boards, or any of its subdivisions, levying taxes, or in any manner affecting the taxing power of the State or any subdivision thereof, shall, before being considered by the Senate, be referred to the Committee on Finance, and bills referred to other committees carrying any such provisions shall be reported to the Senate as being bills to be referred to the Committee on Finance before proper action may be taken by the Senate.

(c) This rule shall not apply to bills imposing civil penalties, criminal fines, forfeitures, or penalties for infractions.

RULE 42.1. Fiscal notes. -- (a) A chairman of the Appropriations/Base Budget Committee, or of the Finance Committee, or of the Rules and Operations of the Senate Committee, or of the Ways and Means Committee, upon the floor of the Senate, may request that a fiscal analysis be made of a bill, resolution, or an amendment to a bill or resolution which is in the possession of the Senate and that a fiscal note be attached to the measure, when in the opinion of that chairman the fiscal effects of that measure are not apparent from the language of the measure. No bill, resolution, or amendment for which a fiscal note has been requested may be considered for passage prior to the fiscal note being attached to it.

(b) The fiscal note shall be filed and attached to the bill, resolution, or amendment within two legislative days of the request. If it is impossible to prepare a fiscal note within two legislative days, the Director of Fiscal Research shall, in writing, so advise the Presiding Officer, the Principal Clerk, and the member introducing or proposing the measure and shall indicate the time when the fiscal note will be ready.

(c) The fiscal note shall be prepared by the Fiscal Research Division on a form approved by the Chairman of the Rules and Operations of the Senate Committee as to content and form and signed by the staff member or members preparing it. If no estimate in dollars is possible, the fiscal note shall indicate the reasons that no estimate is provided. The fiscal note shall not comment on the merit but may identify technical problems. The Fiscal Research Division shall make the fiscal note available to the membership of the Senate.

(d) A sponsor of a bill, resolution, or amendment may deliver a copy of that member's bill, resolution, or amendment to the Fiscal Research Division for the preparation of a fiscal note. The sponsor shall attach the fiscal note to the bill when he files the bill or resolution or to the amendment when the sponsor moves its adoption.

(e) The sponsor of a bill, resolution, or amendment to which a fiscal note is attached who objects to the estimates and information provided may reduce to writing the
objections. These objections shall be appended to the fiscal note attached to the bill, resolution, or amendment and to the copies of the fiscal note available to the membership.

(f) Subsection (a) of this rule shall not apply to the Current Operations Appropriations Bill or the Capital Improvement Appropriations Bill. This rule shall not apply to a bill, resolution, or amendment requiring an actuarial note under these rules.

RULE 42.2. Actuarial notes. -- (a) Every bill or resolution proposing any change in the law relative to any:

(1) State, municipal, or other retirement system funded in whole or in part out of public funds; or

(2) Program of hospital, medical, disability, or related benefits provided for teachers and State employees, funded in whole or in part by State funds, shall have attached to it at the time of its consideration by any committee a brief explanatory statement or note which shall include a reliable estimate of the financial and actuarial effect of the proposed change to that retirement or pension system. The actuarial note shall be attached to the jacket of each proposed bill or resolution which is reported favorably by any committee, shall be separate therefrom, and shall be clearly designated as an actuarial note. Upon its introduction, a bill described in subdivision (a)(1) of this rule shall be referred to the Committee on Pensions and Retirement and Aging.

(b) The sponsor of the bill or resolution shall present a copy of the measure, with his request for an actuarial note, to the Fiscal Research Division which shall prepare the actuarial note as promptly as possible but not later than two weeks after the request is made. Actuarial notes shall be prepared in the order of receipt of request and shall be transmitted to the sponsor of the measure. The actuarial note of the Fiscal Research Division shall be prepared and signed by an actuary.

(c) The sponsor of the bill or resolution shall also present a copy of the measure to the chief administrative officer of the retirement or pension system affected by the measure. The chief administrative officer shall have an actuarial note prepared by the system's actuary on the measure and shall transmit the note to the sponsor of the measure not later than two weeks after the request is received. The actuarial note shall be attached to the jacket of the measure.

(d) The note shall be factual and shall, if possible, provide a reliable estimate of both the immediate effect and, if determinable, the long-range fiscal and actuarial effect of the measure. If, after careful investigation, it is determined that no dollar estimate is possible, the note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given. No comment or opinion shall be included in the actuarial note with regard to the merits of the measure for which the note is prepared. Technical and mechanical defects in the measure may be noted.

(e) When any committee reports a measure to which an actuarial note is attached at the time of committee consideration, with any amendment of such nature as would substantially affect the cost to or the revenues of any retirement or pension system, the chairman of the committee reporting the measure shall obtain from the Fiscal Research Division an actuarial note of the fiscal and actuarial effect of the proposed amendment. The actuarial note shall be attached to the jacket of the measure. An amendment to any bill or resolution shall not be in order if the amendment affects the costs to or the revenues of a system or program described in subdivision (a)(1) of this rule, unless the amendment is accompanied by an actuarial note, prepared by the Fiscal Research Division, as to the actuarial effect of the amendment.

(f) The Fiscal Research Division shall make all relevant actuarial notes available to the membership of the Senate.

RULE 42.3. Assessment reports. -- (a) Licensing Boards. Every legislative proposal introduced in the Senate proposing the establishment of an occupational or professional licensing board or a study for the need to establish such a board shall have

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attached to the jacket of the original bill at the time of its consideration on second or third readings by the Senate or by any committee of the Senate prior to a favorable report, an assessment report from the Legislative Committee on New Licensing Boards, pursuant to Article 18A of Chapter 120 of the General Statutes. The assessment report shall not constitute any part of the expression of legislative intent proposed by the formation of a licensing board.

Upon receipt of the request, the Legislative Committee on New Licensing Boards shall prepare and return the assessment report as soon as possible but not later than 60 days, reserving the right to extend this time to 90 days. A supplementary report shall be prepared and submitted to the requesting Senator not later than 30 days after the receipt of the request.

(b) Municipal Incorporations. Every legislative proposal introduced in the Senate, or received in the Senate from the House, proposing the incorporation of a municipality shall have attached to the jacket of the original bill at the time of its consideration on second or third readings by the Senate or by any committee of the Senate prior to a favorable report, a recommendation from the Joint Legislative Commission on Municipal Incorporations, established by Article 20 of Chapter 120 of the General Statutes. The recommendation of the Joint Legislative Commission on Municipal Incorporations shall be made in accordance with the provisions and criteria set forth in Article 20 of Chapter 120 of the General Statutes and shall include the findings required to be made by G.S. 120-166 through G.S. 120-170.

RULE 42.3A. Proposed increases in incarceration. -- (a) Every bill, amendment, and resolution proposing any change in the law that could cause a net increase in the length of time for which persons are incarcerated or the number of persons incarcerated, whether by increasing penalties for violating existing laws, by criminalizing behavior, or by any other means, shall have attached to it at the time of its consideration by the Senate a fiscal note prepared by the Fiscal Research Division. The fiscal note shall be prepared in consultation with the Sentencing Policy and Advisory Commission and shall identify and estimate, for the first five fiscal years the proposed change would be in effect, all costs of the proposed net increase in incarceration, including capital outlay costs if the legislation would require increased cell space. If, after careful investigation, the Fiscal Research Division determines that no dollar estimate is possible, the note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given. No comment or opinion shall be included in the fiscal note with regard to the merits of the measure for which the note is prepared. However, technical and mechanical defects may be noted.

(b) The sponsor of each bill, amendment, or resolution to which this subsection applies shall present a copy of the bill, amendment, or resolution with the request for a fiscal note to the Fiscal Research Division. Upon receipt of the request and the copy of the bill, amendment, or resolution, the Fiscal Research Division shall prepare the fiscal note as promptly as possible. The Fiscal Research Division shall prepare the fiscal note and transmit it to the sponsor within two weeks after the request is made, unless the sponsor agrees to an extension of time.

(c) This fiscal note shall be attached to the original of each proposed bill, amendment, or resolution that is reported favorably by any committee, but shall be separate from the bill, amendment, or resolution and shall be clearly designated as a fiscal note. A fiscal note attached to a bill, amendment, or resolution pursuant to this subsection is not a part of the bill, amendment, or resolution and is not an expression of legislative intent proposed by the bill, amendment, or resolution.

(d) If a committee reports favorably a proposed bill or resolution with an amendment that proposes a change in the law that could cause a net increase in the length of time for which persons are incarcerated or the number of persons incarcerated, whether
by increasing penalties for violating existing laws, by criminalizing behavior, or by any other means, the Chair of the committee shall obtain from the Fiscal Research Division and attach to the amended bill or resolution a fiscal note as provided in this section.

RULE 42.4. Content of appropriations bills. -- (a) No provision changing existing law shall be contained in any of the following bills: (i) the Current Operations Appropriations Bill; (ii) the Capital Improvement Appropriations Bill; (iii) any bill generally revising appropriations for the second fiscal year of a biennium.

(b) No amendment to any bill listed in subsection (a) of this rule shall be in order if the language is prohibited by that subsection.

(c) Notwithstanding subsections (a) and (b) of this section, any of the bills listed in subsection (a) of this section or an amendment to such bill may change existing law if the change:

(1) Alters expenditures or salaries;
(2) Changes the scope or character of a program which must be reduced, increased, or changed because of an increase or decrease of funds appropriated for the program or because of changes in federal law or regulation; or
(3) Modifies any function of State government which necessitates a transfer of funds from one department to another;

provided, that for a provision to be in order under this subsection, it must be recommended to the General Assembly in a written report adopted by the Appropriations/Base Budget Committee before or at the same time the bill is reported, or if such provision is contained in a floor amendment, the sponsor of the amendment must present to the Principal Clerk at or before the time the amendment is offered an explanation of the amendment for distribution to each member of the Senate.

RULE 42.5. Appropriations/Base Budget Committee meetings. -- Notwithstanding the provisions of G.S. 143-14, and pursuant to the last sentence thereof, the Appropriations/Base Budget Chairman may in his or her sole discretion direct that the Appropriations/Base Budget Committee or its subcommittees or both may consider the budget and the budget plan including all appropriations in separate meetings from the House of Representatives and may do all things set forth in said statute separately from the House of Representatives.

RULE 43. First reading; reference to committee. -- All bills filed for introduction and all House bills received in the office of the Principal Clerk not later than one and one-half hours preceding the convening of the Senate, upon presentation to the Senate, shall be read in regular order of business by their number and title which shall constitute the first reading of the bill. The Chairman of the Committee on Rules and Operations of the Senate or, in his absence, the Vice-Chairman of the Committee shall refer to a Senate committee all bills introduced in the Senate or received from the House of Representatives. Upon the referral being made, the Chairman of the Committee on Rules and Operations of the Senate shall notify the Principal Clerk of the Senate of the referral, and the Reading Clerk shall announce the referral of the bill. The Principal Clerk shall inform the Presiding Officer of the referral. The title and referral shall be entered upon the Journal.

Bills may be referred to more than one committee serially, i.e. "S.B. ________ is referred to the Committee on Finance and upon a favorable report referred to the Appropriations/Base Budget Committee."

RULE 44. Bills to receive three readings. -- Every bill shall receive three readings before being passed, and the Presiding Officer shall give notice at each reading whether it be the first, second, or third. The Reading Clerk shall announce the referral as set forth in Rule 43. No bill shall be amended upon the floor of the Senate, except under
Rule 45.1, until it has been twice read. Senate simple resolutions shall not require three readings.

RULE 45. Reports of committees. -- Every Senator presenting a report of a committee shall endorse the report with the name of the committee and, in case of a minority report, with the names of the members making the report. The report of the committee shall show that a quorum of the committee was present and a majority of those present voted in favor of the report. Every report of the committee upon a bill or resolution shall stand upon the general orders with the bill or resolution. No committee shall report a bill or resolution without prejudice.

RULE 45.1. Action on amendment or committee substitute. -- If any committee recommends adoption of an amendment or committee substitute of a bill or resolution, the amendment or committee substitute shall be considered adopted upon the reading of the committee report and shall be engrossed. The bill or resolution, as amended, or its adopted committee substitute shall be placed on the calendar for the next legislative day or re-referred if the bill or resolution was serially referred. The committee substitute's original bill or resolution shall lie on the table.

Notwithstanding any other provision of this rule, a committee substitute for a simple resolution shall be placed on the calendar for the next legislative day for a vote on its adoption.

RULE 46. Unfavorable report by committee. -- (a) All bills reported unfavorably by the committee to which they were referred, and having no minority report, shall lie upon the table, but may be taken from the table and placed upon the calendar by a two-thirds vote of the membership of the Senate present and voting.

(b) When a bill is reported by a committee with an unfavorable report, but accompanied by a minority report, signed by at least three members of the committee who were present and who voted on the bill when the bill was considered in committee, then the minority report shall be placed on the calendar and considered the following day, and the question before the Senate shall be "The adoption of the minority report." If the minority report is adopted by a majority vote of the membership of the Senate, the bill shall be placed upon the calendar; if the minority report is not adopted, the bill shall lie upon the table.

RULE 47. Recall of bill from committee and discharge petition. -- (a) Notwithstanding anything to the contrary, only the President Pro Tempore, the Chairman of the Committee on Rules and Operations of the Senate, or the chairman of a committee to which a bill or other matter is assigned may, with the consent of a majority of the membership of the Senate present and voting, recall the measure to be referred to another committee or the floor.

(b) A motion to discharge a committee from consideration of a bill or resolution may be filed with the Principal Clerk if accompanied by a petition signed by three-fifths of the members of the Senate asking that the committee be discharged from further consideration of the bill or resolution. No petition may be circulated for signatures until 10 legislative days after the bill has been referred to the committee. No petition may be circulated for signature until notice has been given on the floor of the Senate that the petition is to be circulated. If such a motion accompanied by a valid petition is filed, the Principal Clerk shall place that motion on the calendar for the next legislative day as a special order of business. If the motion is adopted by a majority of the Senate, then the committee to which the bill or resolution has been referred is discharged from further consideration of the bill or resolution, and that bill or resolution is placed on the calendar for the next legislative day as a special order of business. If the committee had, prior to discharge, adopted any amendment or committee substitute for the bill, it shall be in order to offer that amendment or substitute on the floor as if it were a committee amendment or substitute. The Principal Clerk shall provide a form for discharge petitions.
(c) This rule shall not be temporarily suspended.

RULE 48. Calendar; order to be followed. -- The Presiding Officer and the Principal Clerk of the Senate shall see that all bills are acted upon by the Senate in the order in which they stand upon the calendar, unless otherwise ordered as hereinafter provided. The published calendar shall include all bills reported favorably from committees, or reported with a minority report attached, or placed on the calendar on motion: Provided, that the published local calendar may carry the number of each bill, the county or counties referred to, and an abbreviated statement of the title of the bill.

RULE 49. (Reserved).

RULE 50. Third reading requirements. -- No bill on its third reading shall be acted upon out of the regular order in which it stands on the calendar, and no bill shall be acted upon on its third reading the same day on which it passed its second reading, unless so ordered by two-thirds of the membership of the Senate present and voting.

RULE 51. Special orders. -- Any bill or other matter in consideration before the Senate may be made a special order for a subsequent day or hour by a vote of the majority of the Senators voting, and if action on the bill is not completed on that day, it shall be returned to its place on the calendar, unless it is made a special order for another day; and when a special order is under consideration it shall take precedence over any special order or subsequent order for the day, but such subsequent order may be taken up immediately after the previous special order has been disposed of.

RULE 52. Procedure when necessary number of Senators not present. -- If, on taking the question on a bill, it appears that a constitutional quorum is not present, or if the bill requires a vote of a certain proportion of all the Senators to pass it, and it appears that such number is not present, the bill shall be again read and the question taken thereon; if the bill fails a second time for the want of the necessary number being present and voting, the bill shall not be finally lost, but shall be returned to the calendar in its proper order.

RULE 53. Effect of defeated bill. -- (a) After a bill has been tabled, or has failed to pass on any of its readings, the contents of such bill or the principal provisions of its subject matter shall not be embodied in any other measure. After an amendment has been tabled or defeated on the Senate floor, the contents of such amendment or the principal provisions of its subject matter shall not be embodied in any other measure. Upon the point of order being raised and sustained by the Presiding Officer, such measure shall be laid upon the table and shall not be taken therefrom except by a vote of two-thirds of the membership of the Senate present and voting: Provided, no local bill shall be held by the Presiding Officer as embodying the provisions, or being identical with any statewide measure which has been laid upon the table or failed to pass any of its readings.

(b) When a bill has been postponed indefinitely by the Senate, the bill shall lie upon the table and shall not be taken therefrom except by a vote of two-thirds of the membership of the Senate present and voting.

RULE 54. Taking bill from table. -- No bill which has been laid upon the table shall be taken therefrom except by a vote of two-thirds of the membership of the Senate present and voting.

RULE 54.1. Bill title. -- The title of each bill shall adequately and fairly reflect its subject matter.

RULE 55. Amending titles of bills. -- When a bill is materially modified or the scope of its application extended or decreased, or if the county or counties to which it applies is changed, the title of the bill shall be changed by the Senator introducing the bill or by the committee having it in charge, or by the Principal Clerk, so as to indicate the full purport of the bill as amended and the county or counties to which it applies.

RULE 56. Corrections of typographical errors in bills. -- The Enrolling Clerk is authorized to make corrections of typographical errors in the text of bills at any
time prior to ratification. Before the correction is made, the Enrolling Clerk shall have the approval of the Chairman of the Committee on Rules and Operations of the Senate or, in his absence, the Vice-Chairman of said Committee.

RULE 56.1. Amendments and committee substitutes adopted by the House to bills originating in the Senate. -- (a) Whenever the House has adopted an amendment or a committee substitute for a bill originating in the Senate, and has returned the bill to the Senate for concurrence in that amendment or committee substitute, the Senate may not concur in that amendment or committee substitute until the next legislative day following the day on which the Senate receives that measure.

(b) The Chairman of the Rules and Operations Committee of the Senate may, or upon motion supported by a majority of the Senate present and voting shall refer the bill to an appropriate committee for consideration of the amendment or committee substitute.

(c) The Presiding Officer shall, in placing the bill on the calendar, rule whether the amendment or committee substitute is a material amendment under Article II, Section 23, of the State's Constitution. If the measure is referred to committee, the committee shall:

(1) Report the bill with the recommendation either that the Senate do concur or that the Senate do not concur; and

(2) Advise the Presiding Officer as to whether or not the amendment or committee substitute is a material amendment under Article II, Section 23, of the State's Constitution.

(d) If the amendment or committee substitute for a bill is not a material amendment, the question before the Senate shall be concurrence. In the event there is more than one House amendment, the question shall be concurrence in all the House amendments and the question may not be divided, notwithstanding Rule 28. The question which shall be put before the Senate by the Presiding Officer shall be: "Does the Senate concur in the House amendments (committee substitute) to S.B. ____?".

(e) If the amendment or committee substitute for a bill is a material amendment, the receiving of that bill on messages shall constitute first reading and the question before the Senate shall be concurrence on second reading. If the motion is passed, the question then shall be concurrence on third reading on the next legislative day.

(f) No committee substitute adopted by the House to a bill originating in the Senate may be amended by the Senate.

RULE 57. Conference committee. -- Whenever the Senate fails to concur in amendments or committee substitutes put by the House to a bill originating in the Senate, or whenever the House of Representatives fails to concur in amendments or committee substitutes put by the Senate to a bill originating in the House, a conference committee shall be appointed by the President Pro Tempore of the Senate or in his absence the Deputy President Pro Tempore, upon motion, and the bill under consideration shall thereupon go to and be considered by the joint conferees on the part of the Senate and House of Representatives. Senate conferees shall include the primary sponsor of the bill. In considering matters in difference between the Senate and House committed to the conferees, only such matters as are in difference between the two houses shall be considered by the conferees, and the conference report shall deal only with such matters. In conference committee, the Senate's position shall be determined by a majority of the Senate conferees. The conference report shall not be amended.

RULE 57.1. Germaneness of amendment. -- All amendments and committee substitutes shall be germane to the original subject matter of the bill. The question of germaneness is in order at any time the measure is before the body prior to final action on the measure.

RULE 58. Certification of passage of bills. -- The Principal Clerk shall certify the passage of bills by the Senate, with the date thereof, together with the fact

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whether passed by vote of three-fifths or two-thirds of the membership of the Senate present and voting, whenever such vote may be required by the Constitution or laws of the State.

RULE 59. Transmittal of bills to House. -- No bill shall be sent from the Senate on the day of its passage except on the last day of the session, unless otherwise ordered by a vote of two-thirds of the membership of the Senate present and voting.

RULE 59.1. Engrossment. -- Bills and resolutions, except those making appropriations, which originate in the Senate and which are amended shall be engrossed before being sent to the House.

RULE 59.2. Vetted Bills. -- (a) The Principal Clerk is designated the Senate Officer to receive bills vetoed by the Governor. The veto message shall be read in the Senate on the next legislative day following its receipt by the Principal Clerk.

(b) Upon a veto message being read in the Senate, the Chairman of the Committee on Rules and Operations of the Senate shall either refer the bill and the Governor's objections and veto message to committee or place the bill on the calendar for a day certain.

VII. Legislative Officers and Employees

RULE 60. Pages. -- (a) The President Pro Tempore of the Senate shall appoint pages. The President Pro Tempore, or such person as he may designate, shall supervise the pages and assign them to their duties. Each page shall be at least 15 years of age or be in the ninth grade at the time of service.

(b) Members may designate honorary pages by a statement delivered to the Principal Clerk who will have a certificate issued therefor.

RULE 61. Sergeants-at-Arms. -- (a) There shall be 15 positions of Assistant Sergeants-at-Arms to be appointed, upon the recommendation of the President Pro Tempore, by the Sergeant-at-Arms who are to work under his or her supervision and to be assigned such duties and powers as he or she shall direct.

(b) The Sergeant-at-Arms shall be responsible for the safety of the members and employees of the Senate while in the Senate Chamber, or any place in which the Senate or its committees are in session.

(c) The Sergeant-at-Arms shall serve all warrants and subpoenas issued by orders of the Senate and signed by the Presiding Officer of the Senate, and said warrants and subpoenas shall be returnable to the Principal Clerk of the Senate.

RULE 62. Principal Clerk's staff. -- The Principal Clerk of the Senate shall employ all necessary employees and clerks required to carry out the duties of his or her office. The Principal Clerk shall have supervision and control, and shall assign such duties and powers as he or she shall direct to his or her employees and clerks.

RULE 63. Committee assistants and legislative assistants. -- (a) Each committee shall have a committee assistant. The committee assistant to a committee shall serve as legislative assistant to the chairman of that committee.

(b) Each member shall be assigned a legislative assistant, unless he or she has a committee assistant to serve as his or her legislative assistant.

(c) The selection of committee assistants, legislative assistants, and office assistants shall be the prerogative of the individual member. Such committee assistants and legislative assistants shall file initial applications for employment with the Supervisor of Clerks and shall receive compensation as prescribed by the Legislative Services Commission. The employment period of committee assistants, legislative assistants, and office assistants shall comply with the period as established by the Legislative Services Commission unless employment for an extended period is approved by the President Pro Tempore. The committee assistants, legislative assistants, and office assistants shall adhere to such uniform regulations and other conditions of employment (including
retention) under the direction of the Director of Senate Legislative Assistants as the Committee on Rules and Operations of the Senate shall adopt.

(d) The Director of Senate Legislative Assistants and any assistants shall be appointed by the President Pro Tempore of the Senate.

RULE 64. Senate Journal. -- The Principal Clerk shall prepare and be responsible for the Journal. The President Pro Tempore or, in his absence, the Deputy President Pro Tempore shall examine the Journal to determine if the proceedings of the previous day have been correctly recorded.

RULE 65. Deputy President Pro Tempore. -- The Senate shall elect a Deputy President Pro Tempore. Upon the death, resignation, or removal from office of the President Pro Tempore, the Senate shall elect one of its members to succeed to that office.

VIII. General Rules

RULE 66. President to sign papers. -- All acts, addresses, and resolutions, and all warrants and subpoenas issued by order of the Senate shall be signed by the President or by the President Pro Tempore or Deputy President Pro Tempore presiding in his absence.

RULE 67. Admission to the floor of the Senate. -- No person, except members of the Senate, members of the House of Representatives, staff of the General Assembly; staff of the Lieutenant Governor; Judges of the Supreme Court, Court of Appeals, and Superior Courts; the Governor and members of the Council of State; former members of the General Assembly; and persons particularly invited and extended the privileges of the floor by the Presiding Officer, shall be admitted to the floor of the Senate during its session. Notwithstanding any other provision of these rules, no registered lobbyist shall be admitted to the floor of the Senate or Senate Chamber while the Senate is in session. When the Senate is not in daily session, the President Pro Tempore shall determine the privileges of the floor.

RULE 67A. Restricted admission to the floor of the Senate prior to the daily session. -- No person, except members of the Senate, members of the House of Representatives, staff of the General Assembly; the staff of the Lieutenant Governor; Judges of the Supreme Court, Court of Appeals, and Superior Courts; the Governor and members of the Council of State; former members of the General Assembly; and persons particularly invited and extended the privileges of the floor by a member of the Senate or the Presiding Officer, shall be admitted to or remain on the floor of the Senate within 15 minutes prior to the Senate's scheduled daily session. Notwithstanding any other provision of this rule, no registered lobbyist shall be admitted to or remain on the floor of the Senate within 15 minutes prior to the Senate's scheduled daily session.

RULE 67.1. Recognition for extending courtesies. -- (a) Courtesies of the floor and galleries shall be extended only by the Presiding Officer on his own motion or upon the written request of a member of the Senate to former members of the General Assembly or to distinguished visitors.

(b) The Presiding Officer, upon written request at intervals between various orders of business, may extend courtesies to schools or other special large groups visiting in the galleries while they are present, and the Presiding Officer shall, at such times as he deems appropriate, express to those visitors in the galleries the pleasure of the Senate for their presence.

RULE 68. Privileges of the floor. -- Any group or individual other than members of the Senate who desires to make remarks upon the floor of the Senate will first obtain approval of the President Pro Tempore or, in his absence, the Deputy President Pro Tempore of the Senate.

RULE 69. News media. -- The President Pro Tempore is authorized to assign area and equipment on the floor of the Senate for the use of the representatives of news
media, and the President shall provide regulations for the operation of the representatives of the news media on the floor of the Senate.

RULE 70. Absence without leave. -- No Senator or officer of the Senate shall depart the service of the Senate without leave, or receive pay as a Senator or officer for the time he is absent without leave.

RULE 71. Placing material on Senators' desks or in Senators' offices. -- Any person other than a member of the Senate desiring to place articles of any kind on or about desks in the Senate Chamber or in the offices of the members of the Senate shall make written application to and obtain written approval from the Principal Clerk.

RULE 72. Assignment of seats; offices. -- (a) The President Pro Tempore of the Senate shall assign seats in the Senate Chamber to the members elected. The President Pro Tempore, when assigning seats, shall give preferential consideration to the respective members according to the length of service which each member has rendered in the Senate. No incumbent appointed to fill an unexpired term in the immediate preceding session shall retain the seat if requested by a Senator elected to said session.

(b) Not later than two weeks after the initial committee assignments become final, the President Pro Tempore of the Senate is authorized to make assignments of committee rooms and offices to designated committees, chairmen, and members of the Senate. In making such assignments of individual offices, the President Pro Tempore may give preferential consideration to the respective members according to the length of service which each member has rendered in the Senate.

RULE 73. Administrative rules and regulations involving Senate employees. -- All administrative rules, regulations, and orders involving all individuals employed to perform duties for the Senate, other than those appointed by the Principal Clerk and the Sergeant-at-Arms, shall be first approved by the Committee on Rules and Operations of the Senate.

RULE 74. Public hearings. -- Any Senator may request in writing a public hearing by the committee considering the bill on a public bill. Requests may be granted in the discretion of the chairman. Notice shall be given not less than five calendar days prior to public hearings. Such notices shall be issued as information for the press and the information shall be posted in the places designated by the Principal Clerk.

RULE 75. Public hearings, filing of written statements. -- Persons desiring to appear and be heard at a public hearing are encouraged to file with the chairman of the committee a brief or a written statement of the remarks to be made at least 24 hours before the time of the hearing.

RULE 76. Voting in joint sessions. -- When the Senate sits jointly with the House, either in committee or in joint session, the Senate reserves the right to vote separately.

RULE 77. Alterations, suspension or rescission of rules. -- (a) These rules may not be permanently rescinded or altered except by Senate simple resolution passed by a two-thirds vote of the membership of the Senate. The introducer of the resolution must, on the floor of the Senate, give notice of his intent to introduce the resolution on the legislative day preceding its introduction.

(b) Except as otherwise provided herein, the Senate, upon two-thirds vote of the membership of the Senate present and voting, may temporarily suspend any of these rules.

Section 2. This resolution is effective upon adoption.

ELECTION OF OFFICER ESTABLISHED BY THE SENATE RULES

Pursuant to Senate Rule 65, the President declares the floor open to receive nominations for Deputy President Pro Tempore and recognizes Senator Dannelly of January 27, 1999
Mecklenburg County who offers the following nomination and remarks:

"Thank you, Mr. President. Ladies and Gentlemen of the Senate, I stand to place in nomination for Deputy President Pro Tempore a young man who, back in 1942, was born in the Town of Windsor, Bertie County, North Carolina, and he was born to the parents of Frank Winston and Alice Eason Ballance. He graduated from Etheridge High School, from North Carolina Central University Undergraduate School, and North Carolina Central University Law School. He is the Principal in the law firm of Frank W. Ballance and Associates, P.A. He served in the House of Representatives from 1983 to 1986. In 1989 he graduated to the "upper Chamber" of the General Assembly, this Senate, and has served here since then. He belongs to the NAACP, the North Carolina State Bar, the North Carolina Association of Trial Lawyers, and the North Carolina Association of Black Lawyers. He serves on the Boards of Trustees for North Carolina Central University and Elizabeth City State University. Frank is known to champion the causes of those citizens in our great State who feel that somebody has let them down – that no one listens to them. He makes sure that their voices are heard. On January 29, 1997, this Senate made history when we voted to make Frank Ballance the first African-American Deputy President Pro Tempore in North Carolina, not because he's African-American, but because he is imminently qualified. And during that term (the last term) he served masterfully with the highest degree of integrity and fairness. I am proud to again nominate Senator Frank W. Ballance, Jr., for the Office of Deputy President Pro Tempore for the 1999-2000 Session of this great North Carolina Senate. Thank you, Mr. President."

The Chair recognizes Senator Perdue of Craven County who seconds the nomination and offers the following remarks:

"Thank you, Mr. President and members of the Senate and all of our special guests and family. It is my great honor and privilege this afternoon to be allowed to second the nomination of Frank W. Ballance. Frank wears a lot of hats for all of us in this room and across North Carolina. I believe if he were here, first of all, he would want us to say he's a good daddy and a good husband. He's been a real role model across the State doing those two things and his bride will attest to that today. But more than that, he has been a very successful attorney and a real inspiration for folks all over the State. But I think the thing he would want us to say the most loudly and the most clearly is that he is a true, true, Christian, a minister with the highest calling, a gift of God. He does that best and most frequently, I believe. Frank has been my friend for fifteen years and those years have certainly gone quickly. During that time, his leadership and commitment to hope for all of the people, every single person in this great State, has inspired me and so very many folks in North Carolina. As you walk across any of the hundred counties you can see the shadow that Frank Ballance has cast on so many folks who really didn't know there was an opportunity and a hope to be in North Carolina. His presence is felt everywhere, even today in Congress where our good friend, Eva Clayton, listens to Frank and to many others daily and for that, we are grateful, Eva. Frank believes totally with every bone in his body that North Carolina is today and must always remain the State where there is true opportunity for the weak to grow strong and the strong to grow great. Mr. President and members of the Senate, it is really a great honor to second the nomination of Frank Ballance for Deputy President Pro Tempore of the 1999 Senate and with that I would like to move that the nominations be closed and that the nomination of Senator Ballance for this position be accepted by acclamation."

The motion offered by Senator Perdue that the nominations be closed and that Senator Frank Ballance be elected Deputy President Pro Tempore by acclamation prevails.

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The President declares Senator Frank W. Ballance, Jr. elected Deputy President Pro Tempore and appoints Senator Albertson, Senator Jordan, Senator Lucas, and Senator Phillips, to escort the Deputy President Pro Tempore-elect to the Well of the Senate. Senator Albertson presents Senator Ballance to the President. The President directs the Sergeant-at-Arms to escort Commissioner Bernadine Ballance, a member of the Industrial Commission and the wife of Senator Ballance, to the Well of the Senate where she joins Senator Ballance as he receives the prescribed Oath of Office. The Honorable James A. Wynn, Jr., Judge of the North Carolina Court of Appeals, General Court of Justice, administers the prescribed Oath of Office.

The President recognizes Senator Ballance, Deputy President Pro Tempore, who offers the following remarks:

"Thank you, Mr. President, members of the Senate, friends. "Langston Hughes asked me to tell you that I, Too, Sing America. "I'm the darker brother. They send me to the kitchen when company comes, but I laugh and eat and grow strong. Next time, they won't dare say to me 'eat in the kitchen.' Besides, they'll see how handsome I am and know that I, too, sing America.'

"Mr. President, two years ago on January 29, 1997, I stood before this Senate to accept your trust and confidence exhibited by your electing me as Deputy President Pro Tempore of this great Body. I did so then with pride and I accept today with that same pride but, Senator Rand, with a lot more humility. I talked then about common ground between races as well as political parties for all of the citizens upon which we could build a better North Carolina. This year I would suggest to you that we follow the example of Dr. Martin Luther King, Jr. as echoed across the State of North Carolina and across the Nation just nine days ago as we celebrated his birthday and his legacy. As we remember Dr. King, let us commit ourselves this Session of the 1999 General Assembly for North Carolina, to sit down together at the table of brotherhood.

"As I stand here today, I'd like to say thank you. First, to a God who is able, the great I Am. Then to my family, my wife, Bernadine; my mother, Sister Alice Ballance; other family members who are here; to Congresswoman, Eva Clayton of the First District; to friends who are too numerous to call, but I do just want to mention some clergy that I asked to come and they are here. We call upon them so often for spiritual and political guidance, Dr. Robert Holloman, Reverend Charles Tyner, Reverend Lenwood Long, Reverend Jeremiah Webb, Reverend Robert Webb, Dr. Thomas Walker, and Reverend Pressley. Thank you very much for coming. I also called some of my sheriffs in my district and I asked them to come by. Sheriff Johnny Williams is here from Warren County, Sheriff Juan Vaughn from Hertford County is here, Sheriff Jim Davis from Hoke County is here. Thank ya'll very much for coming. District Attorney, The Honorable David Waters, I told him I was going to talk about him and asked him if he would come down and he is here somewhere. A personal thanks to you, Judge Wynn, for coming in at the last minute. Senator Basnight, you have to know that I'd asked Judge Cy Grant, he's on the Calendar to give this Oath. He called me last night from Jacksonville in Onslow County and said that he has a jury that's out on a murder case and he couldn't get up to Raleigh, but I thank him in his absence and I thank Judge Wynn. Then I would say to my Senate colleagues, Senator Basnight, a special thank you for your leadership and your friendship. North Carolina is a better State because of your service here. Senators Dannelly and Perdue, thank you for your kind and gracious remarks. To the members of my escort committee, thank you very much. To all of my colleagues on both sides of the aisle, the families, friends and all, thank you so much. I am grateful for this second opportunity to do a better job, Senator Basnight, than I did last time.

January 27, 1999
There is yet much work to be done and I pledge to do my very best on behalf of the people, not only of my district, but to the State of North Carolina. Senator Basnight has eloquently laid out our agenda for this Session. I support that agenda fully. I do want to mention just three or four things briefly that we want to look at also. On the subject of taxes, and I talked to my tax consultant, Senator John Kerr, about this. We talk a lot about taxes and tax cuts, but I remember that two thousand years ago Joseph (ya'll remember him) and Mary left home in Galilee and traveled four days’ journey to Bethlehem to pay taxes and to list taxes because the King had sent out a decree. Thus, the Savior of the World, rather than being born at the Galilee Memorial Hospital or at home, was born in a stable in Bethlehem. Two thousands years later we have made little progress in how we collect our property taxes. Citizens still have to make the trip (of course you can send it in the mail) down to the courthouse to list your taxes, but the problem is this. In many counties around North Carolina, if you don’t go down to list in January, they will charge you a ten percent late listing fee. Senator Kerr, let’s work on that a little bit.

“At one our Universities in the Triangle, when it rains it pours – all over the equipment in the biology building and the science labs. We can and we must do better.

“Across the State of North Carolina, there are issues of vital concern to working men and women, workplace safety we have addressed, unemployment benefits, etc. As you campaign across North Carolina, you will see many working people who will have difficulty shaking your hand, not because they don’t want to but because they suffer with carpal tunnel syndrome or maybe some other ergonomic related injury which now constitutes one-third of all workplace injuries. We have a good system in place to handle work related injuries, it’s known as the Industrial Commission, but we can and we must improve the system.

“In the trial of criminal cases in our State, should the prosecuting attorney, and that’s why I invited Mr. Waters to hear this, should the prosecuting attorney have the power to select the Judge of his choice who will hear the case – and in some cases delay the trial for months or maybe even years or should we have some impartial method of calendaring criminal trials?

“There are many other issues that we shall consider during this Session such as gender equity in employment as well as appointments to boards and commissions. Senator Basnight, I want to be the first to say that you have set a great example here in the North Carolina Senate and we in the other parts of North Carolina should follow your example.

“Finally, no one while traveling on Interstate 85 in Warren or, Senator Gulley, in Durham or, Senator Martin, in Guilford Counties or even in Cumberland County should ever have to worry that they will be stopped by members of our fine highway patrol because of the color of his or her skin. There should not be a crime called ‘driving while black.’

“We face many issues in this State both large and small. I am confident, however, that this Senate and indeed this General Assembly will heed the words of Dr. Martin Luther King, Jr. and remember his vision for an America for all of us, rich and poor, black and white, Native American, Jew or Gentile can join hands and sit down together at the table of brotherhood. North Carolina and the Nation deserve nothing less.

“In the coming weeks and months let us pledge to join hands to build a better North Carolina for all of its citizens. Thank you very much.”

ELECTION OF STATUTORY OFFICERS

Pursuant to G.S. 120.37, the President declares the floor open to receive nominations for the Office of Principal Clerk.

The President recognizes Senator Lee of Orange County who offers the following
nomination and remarks:

"Thank you Mr. President. Members of the Senate, I’m delighted to rise and place in nomination the name of Janet B. Pruitt for the Office of Principal Clerk. For those of us who have served previously in the Senate during the 1997 Session, we have come to appreciate the quiet, but effective manner by which Janet Pruitt has gone about carrying out her duties and responsibilities as Principal Clerk. For those of you who are new, this is one of the most important positions, since the Principal Clerk is responsible for the record keeping, relating and profiling the actions of this Body, and cataloguing major decisions made by the Senate and ultimately the Legislature.

“Janet Pruitt has occupied this position with great distinction and has performed in a very stellar fashion. She was well prepared when she was elected by this Body to Principal Clerk in 1997, having performed in a number of positions here in the North Carolina Senate. The Principal Clerk I would like to compare to a piece of software that is relatively new that many of us install on our computers. It is designed to work in the background, to seek out problems with software operations, to attack viruses and other defects that might creep into the computer. That is the Principal Clerk. That person performs in the background, sitting here at this desk many times unnoticed, but very methodically searching out to ensure that this Body performs in a way that any defects that might appear are caught and are handled properly. That software also works when the computer is not operating. So does the Principal Clerk. When we adjourn in this Body, Janet and her staff retreat to their office suite and continue to examine records, compare documents for the next day’s agenda, work to check and recheck decisions that are made to ensure that this Body is performing, and they work until late in the night.

“Janet has certainly performed as a most effective Principal Clerk. She deserves our support. She has earned our trust. She has our unquestionable confidence, and she has performed in a very stellar fashion. In that regard and on that basis, Mr. President and members of the Senate, I am delighted to place in nomination for your consideration for the Office of Principal Clerk, Janet B. Pruitt.”

The President recognizes Senator Plyler of Union County who seconds the nomination and offers the following remarks:

"Thank you, Mr. President. Members of the Senate, I rise to second the motion for the nomination and election of the Principal Clerk of the North Carolina General Assembly for this biennium. I would like to say to all of the Senators and to their guests, their families and everyone, that Janet Pruitt is a true hard-working young lady that really and truly keeps this Senate in line and advised on the things that are necessary for the operation of the Senate through the Principal Clerk’s Office. Janet has been for two years the Principal Clerk and I would say that it has been hundreds of times that she has given good advice to each and every member of this North Carolina Senate.

“As Senator Lee has said, she is a hard-working lady. She does work late at night. She is here early in the morning and on the farm, we used to say that a ‘man’s work was from sun to sun and a woman’s work was never done.’ Here I would say that the Senators’ work is from sun to sun and Janet Pruitt and her staff’s work is never done. I am real honored to be able to place and second the nomination of Janet Pruitt for the Principal Clerk of the North Carolina Senate for the years of 1999 and 2000. Therefore, Mr. President and members of the Senate, I would like to move that the nominations be closed and that Janet Pruitt be elected by acclamation for Senate Clerk for the years in this next biennium. Thank you very much.”

The motion by Senator Plyler that the nominations be closed and that Janet B. Pruitt be
elected Principal Clerk of the 1999 Senate by acclamation prevails. The President declares Janet B. Pruitt duly elected and appoints Senator Cochrane, Senator Dalton, and Senator Lee to escort the Principal Clerk-elect, Janet B. Pruitt, to the Well of the Senate. The Honorable Dennis A. Wicker, Lieutenant Governor of the State of North Carolina, administers the prescribed Oath of Office and directs the Principal Clerk to assume her seat.

The President declares the floor open to receive nominations for the Office of Reading Clerk. The President recognizes Senator Miller of Wake County who offers the following nomination and remarks:

"Thank you Mr. President. In nominating Janet Pruitt, the Principal Clerk, Senator Lee ably described the duties of the Office of Principal Clerk and how Janet Pruitt had so capably performed those duties in the last two years. Few of us have thought very much of the Office of Reading Clerk. For all of us, even Senator Soles, the office has simply been always just Roy Clark's job. The office is undoubtedly centuries old, older even than Senator Soles or Roy Clark. It undoubtedly dates from the time before word processors or photocopiers when bills and amendments were read in their entirety on the Senate floor. But we still have a Reading Clerk and why should we change? Why would we do without Roy Clark's dramatic rendition of intrinsically tedious material? Why would we so diminish our proceedings? We should not. Mr. President, members of the Senate, I nominate for the Office of Reading Clerk of the 1999 Senate, LeRoy Clark, Jr."

The President recognizes Senator Reeves of Wake County who seconds the nomination and offers the following remarks:

"Thank you, Mr. President. Members of the Senate, I rise to second the nomination just made. Senator Miller, my seatmate and co-worker in Wake County, alluded to the length of service that LeRoy Clark has given to this Senate Chamber and to the State Senate. I'm going to point out, Senator Carter, that LeRoy Clark has been doing this job since before this building was erected and since before you and I were born. I don't point that out to crow about my age or your age, Senator Carter. I just point it out to honor the length of service that LeRoy Clark has given to this State and to this Senate. It is, therefore, my pleasure to second the nomination made by my seatmate and good friend, Brad Miller, of LeRoy Clark as Reading Clerk, and I move that the nominations be closed and that the nomination of LeRoy Clark, Jr. for the Reading Clerk of the 1999 Senate be accepted by acclamation."

The motion offered by Senator Reeves that the nominations be closed and that LeRoy Clark be elected Reading Clerk of the 1999 Senate by acclamation prevails. The President declares LeRoy Clark duly elected and appoints Senator Miller and Senator Reeves to escort the Reading Clerk-elect to the Well of the Senate. Senator Miller is recognized and presents the Reading Clerk-elect, LeRoy Clark. The Honorable Willis D. Whichard, Associate Justice (Ret.) of the Supreme Court of North Carolina, administers the prescribed Oath of Office.

The President declares the floor open to receive nominations for the Office of Sergeant-at-Arms. The President recognizes Senator Rand of Cumberland County who offers the following nomination and remarks:

"Thank you, Mr. President. Ladies and gentlemen of the Senate, it's my pleasure to rise today to speak to you of my good friend, Cecil Goins. More than thirty years now,
I've been blessed to have such a good friend. Cecil is a native of Southern Pines in Moore County. He and his wife, LaVern, now live here in Wake County. LaVern is retired from the Wake County School system. They have two daughters, one an attorney in Asheville and one is a university professor in Virginia. Cecil graduated from North Carolina A&T State University. He served as a commissioned officer in the United States Army and he served with distinction throughout the United States as a member of the United States Marshal Service. He is now retired from the Marshal Service and has served for the last three terms as the Sergeant-At-Arms of this Senate. It is now my pleasure to nominate Cecil R. Goins for the position of Sergeant-At-Arms for the hundred and forty-third Session of the North Carolina Senate. Thank you, Mr. President.”

The President recognizes Senator Ballance of Warren County who seconds the nomination and offers the following remarks:

“Thank you Mr. President. Cecil Goins is dedicated to this Senate. He’s a fine and dedicated Sergeant-At-Arms and I’m pleased to second his nomination and, Mr. President, move that the nominations be closed on the said name and that Cecil Goins be elected by acclamation.”

The motion of Senator Ballance that the nominations be closed and that Cecil Goins be elected Sergeant-at-Arms of the 1999 Senate by acclamation prevails. The President declares Cecil Goins duly elected and appoints Senator Forrester, Senator Martin of Guilford, and Senator Plyler to escort the Sergeant-at-Arms-elect to the Well of the Senate. Senator Plyler is recognized and presents the Sergeant-at-Arms-elect, Cecil Goins. The Honorable James A. Wynn, Jr., Judge, North Carolina Court of Appeals, administers the prescribed Oath of Office and the President directs the Sergeant-at-Arms to assume his seat.

RECOGNITION OF PARTY OFFICERS

The President directs the Reading Clerk to read as follows:

North Carolina General Assembly
Senate Chamber
State Legislative Building
Raleigh 27601-1096
January 4, 1999

The Honorable Dennis A. Wicker
President of the Senate
State Legislative Building
Raleigh, North Carolina 27601

Dear President Wicker:

This is to advise you that the Senate Democratic Caucus met on November 30, 1998, with 32 members present and nominated the following officers for the 1999 Session of the General Assembly:

President Pro Tempore – Senator Marc Basnight
Deputy President Pro Tempore – Senator Frank Ballance

January 27, 1999
Caucus Chairman – Senator R. C. Soles
Majority Leader – Senator Roy Cooper
Majority Whip – Senator Luther Jordan
Caucus Secretary – Senator Jeanne Lucas
Principal Clerk – Ms. Janet Pruitt
Reading Clerk – Mr. LeRoy Clark, Jr.
Sergeant-at-Arms – Mr. Cecil Goins

Sincerely,
S/Jeanne Lucas
Secretary, Democratic Caucus

North Carolina General Assembly
Senate Chamber
State Legislative Building
Raleigh 27601-2808

MEMORANDUM

To: Janet Pruitt
   Senate Principal Clerk

From: Patrick J. Ballantine

January 21, 1999

Please be advised that the officials elected at the Republican Caucus for the 1999-2000 Session are as follows:

Senate Minority Leader - Patrick J. Ballantine
Senate Minority Whip - James S. Forrester, M.D.

The President recognizes the Caucus leaders and Senator Ballantine offers the following remarks:

"As Senator Frank Ballance so eloquently proclaimed, we must look for common ground upon which we can build a better North Carolina. Senator Basnight, we look forward to a very productive, bipartisan, and hopefully, short Legislative Session."

REMARKS BY THE LIEUTENANT GOVERNOR

The President of the Senate, The Honorable Dennis A. Wicker, offers the following remarks:

"The Chair at this time would like to make some remarks as is custom in the Senate. Mr. President Pro Tempore, thank you very much for your excellent and superb leadership. To Members of the Senate, family members, friends and guests, it is my distinct pleasure to welcome you to the opening of the 1999 North Carolina General Assembly. Today, in the tradition that goes back for more than two centuries, we reconvene this time for the last Session of the century. I pledge to fulfill my continuing responsibility to be fair, to maintain order, and to uphold the best traditions of North Carolina’s oldest governing Body. But all of us here also have a new and respectful responsibility. When the Session ends, when the lights go down and the Chambers are empty, what will they say we set as our priority in the twenty-first century? I believe that..."
priority must be education. Our progress in education has made North Carolina a model for the Nation. But we have only just begun to give our kids the best schools in America. We still have to do more and in education, we must not fall short because of a financial shortfall. The answer in my view is not to raise taxes and hurt our economic growth. Therefore, I urge you to consider and pass a state lottery dedicated absolutely to education. And if you oppose that, I ask you to at least let the people vote on a lottery in a referendum. I know this may offend certain powerful and special groups and I understand their objections are sincere and strong but I believe we have to put our children's future first. Let's make the maximum investment in education without raising taxes. Let's pass the state lottery so we can do as much as possible to make our schools the best they can be in the twenty-first century. But let's not pass the lottery to pay for a budget shortfall. Members of the Senate, that would be a big mistake! Putting one dime of lottery money into existing programs or general fund would be a big mistake, a big mistake that thirty-six other states have already made. Only Georgia has done it right. They have earmarked every lottery dollar for new programs in education. Programs that provide free kindergarten to every child and college scholarships to every deserving student. If this State is going to have the lottery, make education the winner. North Carolina should follow Georgia's example. Use the lottery to pay for new initiatives we need in education. Don't make that big mistake. Don't let a lottery supplant existing education dollars. Today you begin with a clean slate. Keep in mind that during this Session you will be writing your legacy - a legacy that could provide one of the most significant boosts to education in recent history. The future generations are counting on us to do the right thing. We must continue to strengthen our commitment to education even if it requires thinking and acting in new ways. Thank you and now let's go to work for North Carolina."

The President orders a special message sent to the House of Representatives informing that Honorable Body that the Senate is organized and ready to proceed with the business of this First Regular Session of the 1999 General Assembly.

INTRODUCTION OF A RESOLUTION

A resolution filed for introduction is presented to the Senate, read the first time, and disposed of, as follows:

By Senators Rand, Albertson, Ballance, Carter, Clodfelter, Cooper, Dalton, Dannelly, Garrou, Hagan, Hoyle, Jordan, Lucas, Martin of Pitt, Metcalf, Miller, Odom, Phillips, Plyler, Purcell, Reeves, Robinson, Shaw of Cumberland, Soles, Warren, Weinstein and Wellons:

S.J.R. 11, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES.

Upon motion of Senator Rand, the rules are suspended and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second (50-0) and third readings and is ordered sent by special message to the House of Representatives.

RECONSIDERATION

Senator Rand offers a motion, seconded by Senator Cooper, that the vote by which Senator Basnight was elected President Pro Tempore of the Senate be reconsidered and

January 27, 1999
further moves that the motion to reconsider do lie upon the table, which motions prevail (49-0).

The President of the Senate extends courtesies of the floor to Dr. Harold King Rust II from Wilmington, North Carolina, who is serving the Senate as Doctor of the Day, and to Sandra Wilder from Lewisville, North Carolina, who is serving the Senate as Nurse of the Day.

The President extends privileges of the floor to Jim Richardson, former Senator from Mecklenburg County.

1999 – 2000 SENATE COMMITTEE CHAIRS

Pursuant to Senate Rules 31 and 32, Senator Basnight, President Pro Tempore, announces the following Committees and appointments of the Committee Chairs for the 1999-2000 Session:

**Agriculture/Environment/Natural Resources**
- Senator Charlie Albertson

**Appropriations/Base Budget**
- Senator Aaron Plyler
- Senator Beverly Perdue
- Senator Fountain Odom

**Appropriations Subcommittees:**
- Natural and Economic Resources
- Senator Bob Martin
- Senator Howard Lee
- Senator Walter Dalton
- Senator Luther Jordan
- Senator Ed Warren
- Senator Bill Martin
- Senator Wib Gulley

- Education/Higher Education
- Senator Jeanne Lucas
- Senator R. C. Soles

- Department of Transportation
- Senator Walter Dalton

- General Government
- Senator John Kerr
- Senator David Hoyle

- Human Resources
- Senator William Purcell

- Justice and Public Safety
- Senator Eric Reeves

**Children & Human Resources**
- Senator Howard Lee

**Commerce**
- Senator Walter Dalton

**Education/Higher Education**
- Senator John Kerr
- Senator Allen Wellons

**Finance**
- Senator David Hoyle

**Health Care**
- Senator Roy Cooper

**Information Technology**
- Senator Brad Miller

**Insurance**
- Senator Jim Phillips

**Judiciary I**
- Senator Tony Rand

**Judiciary II**
- Senator Ellie Kinnaird

**Pensions & Retirement and Aging**
- Senator Larry Shaw

**Rules & Operations of the Senate**

**State & Local Government**

**Transportation**

January 27, 1999
Upon motion of Senator Basnight, seconded by Senator Harris, the Senate adjourns at 1:52 P.M. to meet tomorrow, Thursday, January 28, at 10:00 A.M.

SECOND DAY

Senator Chamber
Thursday, January 28, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"God of truth and light, You have been made known to us through the power of Your Word. If, as the Gospel of John declares, the Word is the agent of creation and the embodiment of grace and truth, then surely our language ought to echo the beauty, the concreteness and the power of the One who has spoken us into being.

"Instill in us a reverence for the flood of speech which will fill the Chamber this day, and teach us as well to cherish the sacredness of a timely silence. Touch our uncertain lips with a burning coal from Your Holy Altar. We make our prayer in Your Holy Name. Amen."

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Wednesday, January 27, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Edward Spires Stanton from Sanford, North Carolina, who is serving the Senate as Doctor of the Day, and to Eric Johnson from Winterville, North Carolina, who is serving the Senate as Nurse of the Day.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:


S.B. 2, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT THE EXCELLENT SCHOOLS ACT.

Referred to Appropriations/Base Budget Committee.

By Senators Lee, Albertson, Ballance, Carter, Clodfelter, Cooper, Dalton, Dannelly, Garrou, Garwood, Gulley, Hagan, Harris, Hoyle, Jordan, Kerr, Kinnaird, Lucas, Martin of

January 28, 1999
Guilford, Martin of Pitt, Metcalf, Miller, Odom, Perdue, Phillips, Plyler, Purcell, Rand, Reeves, Robinson, Soles, Warren, Weinstein and Wellons:

**S.B. 3**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE SMART START PROGRAM.
Referred to Appropriations/Base Budget Committee.


**S.B. 4**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT THE JUVENILE JUSTICE INITIATIVES ENACTED BY THE 1998 REGULAR SESSION OF THE 1997 GENERAL ASSEMBLY.
Referred to Appropriations/Base Budget Committee.


**S.B. 5**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PERFORMANCE BONUSES UNDER THE ABC'S OF PUBLIC EDUCATION PROGRAM.
Referred to Appropriations/Base Budget Committee.

By Senators Rand, Albertson, Ballance, Carter, Clodfelter, Cooper, Dalton, Dannely, Garrou, Gulley, Harris, Jordan, Kerr, Kinnaird, Lucas, Martin of Guilford, Martin of Pitt, Metcalf, Miller, Odom, Phillips, Plyler, Purcell, Robinson, Soles, Warren, Weinstein and Wellons:

**S.B. 6**, A BILL TO BE ENTITLED AN ACT TO APPROVE THE CREATION OF THE NONPROFIT CORPORATION ESTABLISHED PURSUANT TO COURT ORDER FOR THE PURPOSES OF RECEIPT AND DISTRIBUTION OF FIFTY PERCENT OF THE FUNDS RECEIVED BY THE STATE IN STATE OF NORTH CAROLINA V. PHILIP MORRIS INCORPORATED, ET AL.
Referred to Rules and Operations of the Senate Committee.


**S.B. 7**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS OF NORTH CAROLINA TO IMPROVE THE QUALITY OF THE ENVIRONMENT OF THE STATE AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Hoyle, Ballance, Carter, Cooper, Dalton, Dannely, Jordan, Kerr, Lee, Lucas, Martin of Pitt, Odom, Perdue, Phillips, Plyler, Purcell, Rand, Reeves, Robinson, Soles, Warren and Wellons:

**S.B. 8**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT AN ACT TO AMEND THE CONSTITUTION TO LIMIT THE LENGTH OF LEGISLATIVE SESSIONS AND TO PROVIDE FOUR-YEAR TERMS FOR MEMBERS OF THE SENATE.
Referred to Judiciary II Committee.

January 28, 1999
By Senators Hoyle, Garwood, Kerr and Purcell:
S.B. 9, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LENGTH OF LEGISLATIVE SESSIONS AND TO PROVIDE FOUR-YEAR TERMS FOR MEMBERS OF THE SENATE.
Referred to Judiciary II Committee.

By Senators Perdue, Albertson, Ballance, Carter, Cooper, Dalton, Dannelly, Garrou, Gulley, Harris, Hoyle, Jordan, Kerr, Kinnaird, Lucas, Martin of Guilford, Martin of Pitt, Metcalf, Miller, Odom, Phillips, Plyler, Purcell, Rand, Reeves, Robinson, Soles, Warren, Weinstein and Wellons:
S.B. 10, A BILL TO BE ENTITLED AN ACT TO ENACT REFORMS IN THE LONG-TERM CARE INDUSTRY IN ORDER TO IMPROVE QUALITY OF CARE, INCREASE PROTECTION OF RESIDENTS, AND STRENGTHEN STATE OVERSIGHT OF INDUSTRY PRACTICES.
Referred to Health Care Committee.

By Senators Odom, Ballance, Carter, Clodfelter, Dannelly, Gulley, Hartsell, Hoyle, Jordan, Kerr, Kinnaird, Lee, Lucas, Martin of Guilford, Miller, Phillips, Plyler, Purcell, Rand, Reeves, Shaw of Cumberland, Warren, Weinstein and Wellons:
S.B. 12, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR GUBERNATORIAL NOMINATION OF JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT OF APPEALS, LEGISLATIVE CONFIRMATION, AND RETENTION BY VOTE OF THE PEOPLE.
Referred to Judiciary I Committee.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

House of Representatives
January 27, 1999

Mr. President:

It is ordered that a message be sent to the Senate informing your Honorable Body that the House of Representatives is organized and is now ready to proceed with the public business and has elected the following officers:

Speaker: James B. Black
Speaker Pro Tempore: Joe Hackney
Principal Clerk: Denise G. Weeks

and pursuant to House Rule 45(c), the Speaker has appointed:

Sergeant-At-Arms: Robert R. Samuels

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

Majority Leader: Philip A. Baddour, Jr.
Majority Whips: Beverly Earle and Andrew T. Dedmon

January 28, 1999
Ms. Janet Pruitt
Principal Clerk of the Senate
North Carolina General Assembly
Legislative Building
16 West Jones Street
Raleigh, NC 27603-5925

Dear Ms. Pruitt:

Pursuant to General Statute 62-10, I hereby appoint Mr. Robert Koger to serve as a member of the North Carolina Utilities Commission and submit his name for confirmation by the North Carolina General Assembly. Mr. Koger will complete the unexpired term of Commissioner Allyson K. Duncan. His term shall begin immediately upon taking the oath of office and he shall continue to serve on an interim basis pending legislative confirmation. His term shall expire June 30, 1999.

My warmest personal regards.

Sincerely,
S/James B. Hunt Jr.

Referred to Commerce Committee.

EXECUTIVE ORDERS

Executive Orders received in the Office of the Senate Principal Clerk are presented to the Senate and read as follows:

Executive Order Number 141, Extending Executive Orders.

Executive Order Number 142, Amending Executive Order Number 16, the Geographic Information Coordinating Council and the Center for Geographic Information and Analysis.

Executive Order Number 143, Establishing the North Carolina Information Highway
Council of Advisors and the North Carolina Information Highway Policy Committee.

SENATE PAGES

The President recognizes the following pages serving in the Senate this week:

Jacqueline Yvette Bennett, Durham; Julie Bright, Garner; Paul Curry, Angier; Melissa Renee' Gwalthney, Raleigh; Emily Harrison, Cary; Jennifer Leonard, Castalia; Erin Magnuson, Wake Forest; Jeanne Bagley Morris, Raleigh; Jennifer E. New, Raleigh; Ryan Baskins Roberson, Raleigh; James Terez Sherrod, Raleigh; Daniel Strayer, Raleigh; Chad Swanson, Angier; and Kevin Neal Wester, Louisburg.

Upon motion of Senator Basnight, seconded by Senator Carter, the Senate adjourns subject to ratification of bills, to meet Monday, February 1, at 6:30 P.M.

ENROLLED RESOLUTION

The Enrolling Clerk reports the following resolution duly ratified, properly enrolled and presented to the Office of the Secretary of State:

S.J.R. 11, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES. (Res. 1)

Pursuant to the adjournment motion by Senator Basnight prevailing earlier, the Senate adjourns at 12:12 P.M.

THIRD DAY

Senate Chamber
Monday, February 1, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"God of strength, our Mighty Fortress, we firmly place our trust in You, for we are like creatures of the sea. We feel the impulse of public opinion as if it were the coastal tide which we can neither fully understand nor fully control. We are pulled and lifted up just as relentlessly as we are swept down. Set us on firm footings, we pray.

"Give us a sound faith to ground us, that we might strike our roots deep into the bedrock of Your being and stand firm when the storms of controversy threaten to uproot us. For we seek only to know Your Will and Your way, and it is in Your Holy Name that we pray. Amen."

With unanimous consent, the President grants leaves of absence for tonight to Senator Horton and Senator Odom.
Senator Basnight, President Pro Tempore, announces the Journal of Thursday, January 28, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Richard Vernon Liles, Jr. from Albemarle, North Carolina, who is serving the Senate as Doctor of the Day, and to Dennis Sherrod from Raleigh, North Carolina, who is serving the Senate as Nurse of the Day.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Metcalf and Carter:
S.B. 13, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BLUE RIDGE AREA MENTAL HEALTH CENTER TO INCREASE CONTRACTED BED UTILIZATION AT FIRST STEP FARM OF WESTERN NORTH CAROLINA, INC.
Referred to Appropriations/Base Budget Committee.

By Senators Metcalf and Carter:
S.B. 14, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE SMALL BUSINESS CENTER AT ASHEVILLE-BUNCOMBE TECHNICAL COMMUNITY COLLEGE.
Referred to Appropriations/Base Budget Committee.

By Senators Carter and Metcalf:
S.B. 15, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PURPOSE OF UNDERWRITING THE KITUWAH FESTIVAL.
Referred to Appropriations/Base Budget Committee.

By Senators Carter and Metcalf:
S.B. 16, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS TO THE HIGHSMITH CENTER AT THE UNIVERSITY OF NORTH CAROLINA AT ASHEVILLE.
Referred to Appropriations/Base Budget Committee.

The hour having arrived, pursuant to S.J.R. 11, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, the President orders a special message sent to the House of Representatives informing that Honorable Body that the Senate stands ready to repair to the Hall of the House of Representatives, there to sit in Joint Session with that Honorable Body for the purpose of receiving a message from The Honorable James B. Hunt, Jr., Governor.

APPOINTMENT OF ESCORT COMMITTEE

The President recognizes Senator Basnight, President Pro Tempore, who appoints Senator Soles, Chairman; Senator Ballance; Senator Cooper; Senator Plyler; Senator

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Perdue; and Senator Forrester as the Committee to escort The Honorable James B. Hunt, Jr., to the Joint Session of the General Assembly.

REPORT TO GENERAL ASSEMBLY

A Board, Commission, or Agency directed to report to the General Assembly submits a report which is ordered placed on file in the Legislative Library, as follows:


SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S.J.R. 11 House of Representatives February 1, 1999

Mr. President:

Pursuant to S.J.R. 11, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, the Speaker appoints the following members of the House of Representatives to serve with a like Committee of the Senate to escort Governor James B. Hunt, Jr. to the Joint Session:

Representative Hackney, Chair
Representative Baddour,
Representative Wright,
Representative Earle, and
Representative Dedmon

Respectfully,
S/Denise Weeks
Principal Clerk

The following special message is received from the House of Representatives:

S.J.R. 11 House of Representatives February 1, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the message that pursuant to S.J.R. 11, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE

February 1, 1999
AND HOUSE OF REPRESENTATIVES, the House stands ready to receive your Honorable Body in Joint Session.

Respectfully,
S/Denise Weeks
Principal Clerk

Senator Basnight offers a motion in accordance with S.J.R. 11, that the Senate stand in recess to repair to the Hall of the House of Representatives, there to sit in Joint Session for the purpose of receiving the State-of-the-State Address from The Honorable James B. Hunt, Jr., Governor, and further moves that, upon dissolution of the Joint Session, the Senate return to the Senate Chamber for further consideration of business, which motions prevail.

The President declares the Senate in recess. The Senate, preceded by its officers, repairs to the Hall of the House of Representatives.

JOINT SESSION

With members of the House of Representatives standing, the Senate is received in the Hall of the House of Representatives.

The Speaker of the House of Representatives presides and recognizes the Sergeant-at-Arms of the House of Representatives who announces the members of the North Carolina General Court of Justice. The Speaker directs the Sergeant-at-Arms of the House of Representatives to open the doors and escort the members of the Judiciary to their seats.

The Speaker recognizes the Sergeant-at-Arms of the House of Representatives who announces the members of the Council of State and the Governor’s Cabinet. The Speaker directs the Sergeant-at-Arms to open the doors of the House of Representatives and escort the members of the Council of State and the Governor’s Cabinet to their seats.

The Speaker extends the courtesies of the gallery to Mrs. Carolyn Hunt, wife of Governor Hunt, Mrs. Alisa Wicker, wife of Lieutenant Governor Wicker, and all invited guests.

The Speaker relinquishes the gavel to Lieutenant Governor Dennis A. Wicker, President of the Senate, who presides.

The President of the Senate calls the Joint Session of the General Assembly to order.

The President of the Senate recognizes the Sergeant-at-Arms of the House of Representatives, who announces the presence of His Excellency, Governor James B. Hunt, Jr. The President directs the Sergeants-at-Arms of the House of Representatives and the Senate and the Committees appointed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives to escort the Governor to the Well of the House of Representatives. Senator Soles presents the Governor to the President of the Senate. The President presents His Excellency, Governor James B. Hunt, Jr., who delivers the State-of-the-State Address to the 1999 General Assembly.

February 1, 1999
STATE-OF-THE-STATE ADDRESS

"First in America: A Goal for North Carolina’s Schools"

"Mr. President, Mr. Speaker, Mr. President Pro Tem, Members of the General Assembly, distinguished guests and my fellow North Carolinians.

"With great pride and gratitude, I report to you tonight that the state of our State has never been better. Our economy has never been stronger. In the past six years, North Carolina has created more than six hundred thousand new jobs. Industrial investment has totaled thirty-five billion dollars, and last year reached an all-time high of nearly eight billion dollars. Unemployment is the lowest it’s been in thirty years. We’ve brought in new industries and new jobs - some of them paying sixty thousand dollars a year - to the most hard-pressed areas of North Carolina. Because of what this Legislature has done, we are building one of the strongest economies in North Carolina, anywhere in America.

"The violent crime rate is down. It’s down fifteen percent. We’ve cut North Carolina’s welfare rolls in half. Our teenage pregnancy rate is the lowest in twenty years. Smart Start has provided child care and preventive health care for more than one hundred thousand children. And we’re putting more money and more effort into cleaning up our rivers and coastal waters than ever before. Because of what this Legislature has done, North Carolina is becoming an even better place to live and to raise a family.

"This has truly been a decade of remarkable progress. But the most remarkable progress - and the progress that should make us proudest - has come in our schools. President Clinton may have surprised you in the State of the Union address when he said that North Carolina students had made the biggest gains in test scores in the nation. That may surprise you, but it’s true. North Carolina’s not just leading the South, North Carolina is leading the nation in education reform.

"Now, that’s not just Jim Hunt bragging on us. That’s what the National Education Goals Panel says. The Goals Panel is a bipartisan group of state and federal leaders started in 1990 by President Bush and the nation’s Governors. They reported in December that North Carolina’s schools have made more progress in more areas than any other state. Let me give you some facts that you may not know:

"First, on math and reading tests given nationwide to fourth and eighth-graders, our students are making the highest gains of any state, and for the first time they’re scoring above the national average.

"Second, a national study ranked North Carolina one of the two top states in improving teaching. Oh, by the way, we have more National Board Certified Teachers than any other state in America.

"Third, the National Goals Panel say we were one of the top two states in business and community support for public education.

"Fourth, our SAT scores have gone up more than any other state in the last ten years - they’re up thirty-four points.

"Fifth, we’ve increased the percentage of students graduating from high school, we’ve doubled the number who scored high on advanced placement tests and increased the

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number of college students, especially minorities and women, earning degrees in math and science.

"Sixth, the school violence rate is down nineteen percent, and the number of guns found in schools has been cut by two-thirds.

"Seventh, with Smart Start, we’re doing more than any other state to make sure that our children start school healthy and ready to learn. The number of babies born with health problems is down, and the number of children with immunizations is up. Just since October, this State has provided health insurance and health care to thirty-eight thousand children who didn’t have it before.

"Eighth, we’re raising the salaries and standards of teachers, and we are the first state to require computer proficiency for high school graduation.

"Ninth, we’re holding ourselves accountable for results. Education Week magazine says that no state is doing more than North Carolina to put in place a real and meaningful set of accountability measures.

"Tenth, Education Week ranks us as one of the twelve top states in public education overall.

"Folks, that is what we’re doing in North Carolina schools and we ought to be proud of it. But you know none of that tells the full story about what North Carolina has done. You have to look at what’s happening in our communities - like Rutherford County, Senator Dalton. Before Smart Start, the county had a long waiting list for day care, no care for children with special needs, not one AA-quality child care center.

"Today, after four years of Smart Start, there are twelve AA care centers. Seventy-one families that couldn’t afford child care are getting it today. Over one hundred child care spaces have been created for parents who work second and third shifts and weekends. Seventy Head Start spots have been created. And the county is working with a nonprofit to establish a new day care center for seventy-five children, half of them children with special needs. I want to urge every single legislator here tonight to go see what Smart Start is doing in your district, and I urge you to go visit your schools and see for yourself the progress they’re making.

"Lenoir County schools raised the rate of students performing at grade level from sixty-two percent to ninety-three percent. Johnston County has raised the percentage of students in the third through eighth grades who are scoring at grade level from sixty-five percent to ninety percent, and a high proportion of those are African-American students.

"There’s a school in Kannapolis - Representative Richard Moore, you and I visited Wilson Elementary School, where more than half the kids come from low-income families. But they have gone from being the lowest math and reading scores in that school system to being the highest. That’s the kind of progress that’s happening all across North Carolina and we ought to be very proud of it.

"So, the President was right when he said North Carolina is leading the nation, and the credit goes to teachers and students, parents, and principals. And, the credit goes to the Members of this General Assembly, on both sides of the aisle, who made a commitment to excellent schools. Because of you, it’s working in North Carolina. Now, it’s working.
because we’re doing what we set out to do. When the ‘90s began, North Carolina had begun falling behind. There had been too much start-and-stop reform. Like a lot of states, we’d jumped on a new reform bandwagon every couple of years, a ‘flavor of the month’ approach. It wasn’t working. We were determined to stop that slide. We decided we could do better. We decided to set clear goals and priorities. We vowed to stick with them. We pledged to sustain our efforts year after year.

“That is what we have done. Our work has paid off. The Members of this Legislature have kept their commitment to excellence in education and our schools are getting better because you made that commitment. Now folks, we’ve come a long way. But think how far we have to go. And think, if we can make this kind of improvement in this decade, what can we do in the decade ahead?

“So as we celebrate our progress, let’s resolve to finish what we started. Let’s finish building this foundation. Let’s not be satisfied with what we’ve done in this decade. Let’s aim even higher in the next decade. Let’s aim higher than we’ve ever dreamed of. I believe that if we can lead the nation in education progress, we can lead the nation in education period.

“So tonight, I’m announcing a new initiative to set new goals for our schools. I challenge North Carolinians to raise our sights and raise our schools to an even higher level. Let’s commit ourselves to this ambitious goal.

“By the year 2010, North Carolina will build the best system of public schools of any state in America. By the end of the first decade of the Twenty-first Century, we will be first in education in this Nation.

“You heard me right. The best system of public education in America, the best schools. First in education. Now, what does that mean? It means being first in preparing our young people for the Twenty-first Century economy. It means being first in educating and equipping them to compete with anybody anywhere. It means being first in out-working and out-thinking our competitors all across the nation and all around the world.

“How do we get there by 2010? The same way we got here. First, set clear goals. Then set benchmarks so we can measure our progress and compare ourselves to other states. Then get to work.

“To get us started, I will this week issue an Executive Order directing the North Carolina Education Cabinet to develop a set of First in America School Goals. These goals will set out exactly what we believe it will take to be First in America by 2010. They should include these measures of true excellence in education:

“First, getting young children ready to start school.

“Second, putting in rigorous academic standards.

“Third, ensuring that all teachers are trained in the subjects they teach.

“Fourth, requiring all teachers to undergo stringent evaluations throughout their careers.

“Fifth, turning around schools where students aren’t learning.

“Sixth, enforcing tough discipline policies.
“Seventh, requiring meaningful high school graduation exams.

“Eighth, getting parents, businesses, and communities involved in the schools.

“Ninth, finding a volunteer mentor for every child who needs one; and

“Tenth, developing a report card -- for every school and for our State. Parents and taxpayers need information about individual schools -- things like test scores, school safety, graduation rates, and teacher qualifications. And, just as we use a report card to measure the progress of our children, we need a report card that measures the progress of our State. We need a single sheet of paper that will tell us how we’re doing and whether we’re on track to be First in America by 2010.

“The Education Cabinet is the right group to do it. It was created by the Legislature. It is chaired by the Governor. It includes the Superintendent of Public Instruction, the Chairman of the State Board of Education, the President of the University of North Carolina System, and the President of the Community College System. Our private colleges and universities are also represented.

“The Education Cabinet is made up of our best and brightest education leaders and I want, and we need, their leadership on this. Some of them are here tonight. They’re up sitting in the gallery with the First Lady. And speaking of leadership, my wife, Carolyn, has been a teacher in our schools, she’s been a school board member, and every week she mentors two students in Wake County’s schools. I’d like to salute her leadership tonight.

“With her are Molly Broad, President of our University System. She is the Nation’s leader in building strong partnerships between universities and public schools and charting the way into a high-tech future. Martin Lancaster, President of our State Community Colleges. He’s working hard to make sure we get and keep the very best faculty for our community colleges, faculty who can train our workers and help us bring in good jobs. Mike Ward, Superintendent of Public Instruction. He’s in the schools every day with an absolute determination to see that every child in North Carolina gets a good education. Phil Kirk, Chairman of our State Board of Education, one of our strongest leaders and strongest voices for public schools. Phil knows how much the business community needs good schools, and how much the schools need the support of our business leaders.

“Also with them are Ben Ruffin, Chairman of the UNC Board of Governors; Hope Williams, President of our Independent Colleges & Universities; Ashley Thrift, Chairman of North Carolina’s Smart Start; Rebecca Hoyle of Jacksonville, our State Teacher of the Year; Pandora Bell of Greensboro, Principal of the Year; Jerry Weast of Greensboro, Superintendent of the Year; and other leaders of our State’s teachers, principals, superintendents, school boards and parents. Folks, we are blessed in having their leadership and I hope you will join me in thanking them for all they do for North Carolina.

“The Education Cabinet, along with our fine State Board of Education and our State’s parents, educators, business leaders, and others, can make sure that we can address the entire education system. It can make sure that all parts of our system are working together. I will ask the Education Cabinet to develop these First in America School Goals by the start of the next school year, September 1, 1999. Then let’s get to work meeting them. And folks, let’s set North Carolina on a new course for the future.
"Never before, never in any of our memory, in our history have we set such an ambitious goal. And never before have we needed a statewide effort of this scope. Our future is at stake. Now, let me tell you how I look at the future. I look at it in terms of my new grandson Jonas, who was born January fifth, and I think of it in terms of my other grandchildren -- including Hannah and Joseph who are here tonight. Now, I want the same things for them that you want for your children and your grandchildren. Think about your children and grandchildren right now. What do you want for them?

"We want them to go to a good, well-built, well-equipped, safe school. We want them to have good teachers every year in every class, caring, committed, excited, inspiring teachers. We want them to earn high school diplomas that mean they can think for a living. We want them to go to college and acquire the knowledge and skills they'll need to get a good job, have a good career, and be good citizens.

"Isn't that what every one of us wants for our children and grandchildren? Folks, it's what we ought to want for every single child in North Carolina.

"Now, let me say something here that a few of you may want to applaud. This is my final State-of-the-State speech, and these are my final two years as Governor. I promise!

"But I do not see these two years as the end of anything. I see them as a beginning. And I'm going to devote every ounce of my energy to this cause.

"If you'll make this commitment to excellence in education, I will do everything I can to see that the next Governor and the next General Assembly, and the next and the next keep it.

"I may not be running for anything, but I haven't run out of ambition for North Carolina. I'm not interested in building a legacy. I am interested in building our future. Now, some people are going to say that we can't do this. I say 'bull', and my wife won't let me say anything more.

"The same people said North Carolina couldn't afford to raise teachers' salaries to the national average. But if this Legislature passes the final two steps of the Excellent Schools Act, North Carolina will reach the national average in teacher salaries next year. This Legislature made that commitment, and it's clear that this Legislature is going to keep it.

"We launched a war against crime in 1994. The skeptics said there was nothing we could do about crime. We just had to accept it. We didn't accept it. We put more violent criminals in prison, we more than doubled the time felons stay behind bars and today, more than twenty thousand inmates are working. Crime is down in North Carolina and our people are safer. This Legislature made that commitment and this Legislature kept it.

"We said replace welfare with Work First. The skeptics said it couldn't be done. Today Work First is working. More than one hundred eighty thousand North Carolinians are living on a paycheck instead of a welfare check. This Legislature made that commitment and this Legislature kept it.

"And boy, did the cynics scoff when we said give every child in North Carolina a smart start and do it without a big bureaucracy. Today, instead of hundreds of bureaucrats in Raleigh, we've got thousands of caring, dedicated citizens across this State working to
give babies and young children better health care, better child care and better early education. Folks, this Legislature made that commitment and this Legislature kept it.

"And they said we couldn’t do it all and cut taxes, too. Wrong again. North Carolina cut taxes by 1.5 billion dollars. No state near our size cut taxes more. The people of North Carolina are keeping more of their money, and they’re getting more for their money. This Legislature made that commitment, and this Legislature kept it.

“So when they tell you our schools can’t be first in America, just remember, they’ve been wrong about North Carolina before and they’re wrong again.

“But, I wouldn’t be too hard on them. After all, they’re probably the same folks who said that skinny kid from Laney High School in Wilmington would never make it in the ACC. They never imagined that Michael Jordan would become the greatest athlete in America. But if one young man from North Carolina can do all that, I don’t believe there’s any limit to what all of us in North Carolina can do together.

“We can reach the goal of being First in America by 2010. But first, we have to finish what we started six years ago. We have to finish building the foundation for the future. That means doing four things this year.

“First, Smart Start. It’s established now in one hundred counties, but we’re only halfway where we need to be. The last forty-five counties didn’t get it until last October. They’ve barely scratched the surface of what needs to be done for their children. Folks, Smart Start is one of the most innovative and successful new ideas in this country, and this year let’s make good on our commitment to give a smart start to every child in North Carolina.

“Second, let’s finish the job of raising teacher standards and teacher salaries. This year, folks, we’ll raise the bar for what it takes to become a teacher and to stay a teacher in North Carolina. At the same time, we’re raising the salary schedule and we’re giving extra pay for extra duties and accomplishments. In the next two years, we’ll get the average teacher salary up to forty-two thousand dollars. That ought to put us right at the national average, and that is enormous progress. But, folks, if we want to be First in America by 2010, we’re going to have to do even more in the years ahead. The real secret to good schools is simple - it’s good teachers. Let’s give our teachers in North Carolina the status, the respect, and the pay they deserve.

“Third, let’s make our schools havens for discipline and order, not disrespect and disruption. Parents shouldn’t have to take their children out of public schools to keep them safe. Instead, we ought to take troublemakers out of the classroom and put them in settings where they can learn the 3 R’s, plus respect and responsibility. Let’s make our schools safe places to learn in North Carolina - all of them.

“Fourth, and you’ve already acted on this, let’s end social promotions in North Carolina’s schools. Let’s put in place real standards and accountability. Let’s ensure that students are learning the basics, and let’s guarantee that a high school diploma means what it ought to mean. Let’s make North Carolina the first state in the nation to do all of these together.

“We must stop promoting students who haven’t learned and we must stop graduating students who aren’t ready. If they haven’t learned, it’s not right to pass them along for
somebody else. And, it’s not right for students to graduate with a high school diploma and not be able to get a job.

“Let me tell you what is right. It is right to identify the students who need help early, figure out what they need and focus on giving them the help they need, whether it’s after-school programs, Saturday classes or a volunteer mentor. Every child in North Carolina has a right to a good education, and let’s keep that commitment this year.

“So this is our foundation. Give every child a smart start. Develop and reward excellent teachers. Make schools safe places to learn. And make sure our students are learning. Now, some of you may say this is the same old stuff I’ve been saying for six years. You’re right, and let me tell you, the same old stuff is the right stuff. It’s time we stick to what works.

“So, next week I will submit a budget that puts our money where it ought to be. And we will have enough money to do the job.

“Court decisions have tied our hands to some extent. They’ve tied up a billion dollars over two years. But North Carolina’s economic growth is strong. It will give us enough money to deal with that problem and pay for our top priorities - Smart Start and Excellent Schools. In addition, I will keep my promise to you to recommend one hundred fifty million dollars in budget cuts each year. In fact, this year’s budget will have over two hundred million dollars in spending cuts.

“Even by conservative estimates, the growth of our economy over the next five years will give North Carolina a surplus at the end of that time of nearly nine hundred million dollars a year. The Legislature did not cut taxes too much and we do not need to raise taxes this year.

“We have the money we need, but we don’t have any money to waste. Every one of our education dollars must go to public education. I am unalterably opposed to taking money out of the public schools and giving it to private schools. If you want to see me use this veto pen, send me a voucher bill. We must put public schools first in North Carolina. That is the great tradition we inherit.

“Two hundred years ago, North Carolina was the first State in America to establish a public university, the people’s university. One hundred years ago, Governor Aycock and the Legislature committed North Carolina to build a new schoolhouse every day, the people’s schools. Nearly a half-century ago, it was my joy to work with him - Terry Sanford and this Legislature committed North Carolina to give every child a quality education.

“Now it’s our time. It’s our obligation to build on North Carolina’s tradition. It’s our opportunity to build a new future for our State and our people. It’s our turn to fulfill Governor Aycock’s promise - to give every child the opportunity ‘to burgeon out all that is within them.’ We must do it, and we must do it together.

“So I close tonight by asking you, the Members of this General Assembly, to accept this challenge. I ask you to make this commitment to the people’s schools. I ask you to dedicate North Carolina to the goal of being first in education.

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“I’m going to ask you personally, face to face, right here in this Chamber tonight. When I finish, I am not going to walk down the aisle as I’ve done many times and out the door. I will come to you, starting right over here, and I want to shake hands with every member who will accept this challenge. I will ask for your help.

“Let’s make this commitment - together. Let’s finish what we started just six years ago. Let’s finish building a new foundation for our future. Let’s set a bold new course for North Carolina at the beginning of a new century. Let’s set the goal of becoming first in education in America by 2010. Let’s resolve to give every single child the chance to realize the full measure of their potential and their dreams. Let’s secure for every one of them the promise that is North Carolina.

“Thank you, and God bless North Carolina.”

Upon the conclusion of his address, Governor Hunt greets the members of the 1999 General Assembly and departs from the Hall of the House of Representatives.

Upon motion of Senator Basnight, the Joint Session is dissolved and pursuant to the motion prevailing earlier, the Senate returns to the Senate Chamber for further consideration of business.

The Senate meets pursuant to recess and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

COMMITTEE REFERRAL RECALL


Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Select Committee on Tobacco Settlement Issues, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Select Committee on Tobacco Settlement Issues.

COMMITTEE APPOINTMENTS

Pursuant to Rules 31 and 34, Senator Basnight, President Pro Tempore announces the appointments of members to standing committees, as follows:

**AGRICULTURE/ENVIRONMENT/NATURAL RESOURCES**

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Chair: Senator Lucas
Vice-Chairs: Senator Dannelly
Senator Martin of Guilford
Senator Purcell
Ranking Minority: Senator Forrester
Members: Senators Allran, Cochrane, East, Foxx, Garrou, Hagan, Kerr, Moore, Phillips, Warren, and Wellons

Chair: Senator Soles
Vice-Chairs: Senator Cochrane
Senator Hoyle
Senator Lee
Senator Martin of Pitt
Senator Warren
Ranking Minority: Senator Ballantine
Members: Senators Ballance, Carpenter, Carrington, Carter, Dalton, Forrester, Foxx, Jordan, Kerr, Metcalf, Moore, Plyler, Purcell, Rand, Reeves, Rucho, Shaw of Cumberland, and Shaw of Guilford

Chair: Senator Dalton
Senator Lee
Vice-Chairs: Senator Dannelly
Senator Hartsell
Senator Hoyle
Senator Warren
Ranking Minority: Senator Allran
Members: Senators Carter, Cochrane, Cooper, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Horton, Lucas, Martin of Guilford, Perdue, Purcell, Robinson, and Rucho

Chair: Senator Hoyle
Vice-Chairs: Senator Kerr
Senator Cooper
Senator Shaw of Guilford
Senator Soles
Senator Weinstein
Ranking Minority: Senator Allran
Members: Senators Albertson, Ballantine, Clodfelter, Cochrane, Dalton, Dannelly, Foxx, Gulley, Hartsell, Lee, Metcalf, Miller, Perdue, Phillips, Purcell, Rand, Reeves, Rucho, Shaw of Cumberland, Webster, and Wellons

February 1, 1999
# HEALTH CARE

**Chair:** Senator Purcell  
**Vice-Chairs:** Senator Lucas  
Senator Martin of Guilford  
Senator Phillips  
**Ranking Minority:** Senator Rucho  
**Members:** Senators Cooper, Dannelly, Forrester, Garwood, Hagan, Hartsell, Metcalf, Miller, Moore, Perdue, Rucho, Warren, and Weinstein

# INFORMATION TECHNOLOGY

**Chair:** Senator Reeves  
**Vice-Chairs:** Senator Garrou  
Senator Shaw of Cumberland  
Senator Rand  
**Ranking Minority:** Senator Horton  
**Members:** Senators Carrington, Carter, Clodfelter, Cochrane, Foxx, Gulley, Harris, Hoyle, Jordan, Kerr, Lee, Martin of Pitt, and Wellons

# INSURANCE

**Chair:** Senator Wellons  
**Vice-Chairs:** Senator Harris  
Senator Martin of Pitt  
Senator Reeves  
Senator Soles  
**Ranking Minority:** Senator Carrington  
**Members:** Senators Ballance, Ballantine, East, Metcalf, Miller, Rand, and Webster

# JUDICIARY I

**Chair:** Senator Cooper  
**Vice-Chairs:** Senator Clodfelter  
Senator Hartsell  
Senator Soles  
**Ranking Minority:** Senator Carpenter  
**Members:** Senators Albertson, Allran, Ballantine, Carrington, Gulley, Hoyle, Lucas, Metcalf, Rand, and Wellons

# JUDICIARY II

**Chair:** Senator Miller  
**Vice-Chairs:** Senator Ballance  
Senator Dalton  
Senator Hagan  
Senator Odom  
**Ranking Minority:** Senator Shaw of Guilford  
**Members:** Senators Forrester, Horton, Kerr, Kinnaird, Lee, Martin of Guilford, Moore, Robinson, and Rucho

February 1, 1999
PENSIONS & RETIREMENT AND AGING
Chair: Senator Phillips
Vice-Chairs: Senator Kinnaird
Senator Shaw of Cumberland
Ranking Minority: Senator Moore
Members: Senators Albertson, Carpenter, Clodfelter, Jordan, Odom, Plyler, Shaw of Guilford, and Weinstein

RULES AND OPERATIONS OF THE SENATE
Chair: Senator Rand
Vice-Chairs: Senator Carrington
Senator Cooper
Senator Gulley
Ranking Minority: Senator Forrester
Members: Senators Albertson, Dalton, Horton, Hoyle, Jordan, Kinnaird, Martin of Pitt, Metcalf, Plyler, Rucho, and Soles

STATE AND LOCAL GOVERNMENT
Chair: Senator Kinnaird
Vice-Chairs: Senator Dalton
Senator Jordan
Senator Metcalf
Senator Miller
Ranking Minority: Senator Webster
Members: Senators Albertson, Ballance, Clodfelter, Garwood, Horton, Robinson, Shaw of Guilford, and Soles

TRANSPORTATION
Chair: Senator Shaw of Cumberland
Vice-Chairs: Senator Carpenter
Senator Gulley
Senator Lee
Ranking Minority: Senator Garwood
Members: Senators Carrington, Carter, Harris, Hartsell, Hoyle, Martin of Pitt, Odom, Plyler, Rand, and Rucho

WAYS & MEANS
Chair: Senator Dannelly
Vice-Chairs: Senator Kerr
Senator Lucas
Ranking Minority: Senator Allran
Members: Senators Ballance, Ballantine, Carrington, East, Hoyle, Martin of Pitt, Odom, Perdue, Plyler, Warren, Webster, and Weinstein

SELECT COMMITTEE ON TOBACCO SETTLEMENT ISSUES
Chair: Senator Weinstein
Vice-Chairs: Senator Albertson
Senator Perdue
Senator Warren
Senator Wellons
Senator Hartsell requests to be added as a sponsor of previously introduced legislation:

S.B. 3, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE SMART START PROGRAM.

Upon motion of Senator Basnight, seconded by Senator Robinson, the Senate adjourns at 8:23 P.M. to meet tomorrow, Tuesday, February 2, at 2:00 P.M.

FOURTH DAY

Senate Chamber
Tuesday, February 2, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“God of all creation, the Psalmist looked up into the abyss of the night sky at the moon and stars which You created, and marveled ‘...what are human beings that You are mindful of them and mortals that You care for them?’ So vast is Your domain, and yet how marvelous that You even acknowledge us!

“We are justly pleased that the educational achievements of North Carolina were lifted up as a model by the President in his recent State of the Union Address. It is a fine thing to be remembered well on national television. And yet, Lord, we were just wondering, do all the transcripts of our Senate committee meetings get across Your desk? Do the ways and means we employ to meet our legislative objectives honor You? Do the saints in Your hallowed halls remember our deliberations well?

“Keep us ever mindful that when You conferred upon us the authority to order Your creation, You conferred upon us a measure of Your divine dignity as well. May we continue to be worthy of so great a gift. We make our prayer in Your Holy Name. Amen.”

With unanimous consent, the President grants a leave of absence for today to Senator Odom.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Monday, February 1, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Robert Lee Jobe from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Dona
Caine from Raleigh, North Carolina, who is serving the Senate as Nurse of the Day.

**INTRODUCTION OF BILLS**

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Weinstein:
**S.B. 17, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DEFINITION OF "ECONOMIC DEVELOPMENT AND TOURIST DISTRICT."**
Referred to Finance Committee.

By Senators Lee and Kinnaird:
**S.B. 18, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CARTHAGE.**
Referred to State and Local Government Committee.

By Senators Rand, Albertson, Ballance, Carrington, Carter, Clodfelter, Cooper, Dannelly, Forrester, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Hoyle, Kerr, Kinnaird, Lee, Martin of Guilford, Metcalf, Miller, Perdue, Plyler, Purcell, Reeves, Robinson, Shaw of Guilford, Soles, Warren and Weinstein:
**S.B. 19, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A SCHOLARSHIP STUDENT WHO ATTENDS A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA SHALL BE TREATED AS A NORTH CAROLINA RESIDENT FOR ALL PURPOSES AND TO PROVIDE THAT A MEMBER OF THE MILITARY WHO ATTENDS A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA OR A COMMUNITY COLLEGE SHALL ONLY BE CHARGED THE IN-STATE TUITION RATE.**
Referred to Education/Higher Education Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

**S.B. 20, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LOW-WEALTH SCHOOL SYSTEMS' SUPPLEMENTAL FUNDING.**
Referred to Education/Higher Education Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Rand, Ballance, Dannelly, Lee, Martin of Guilford, Plyler, Reeves, Soles and Weinstein:
**S.B. 21, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR EDUCATIONAL PURPOSES.**
Referred to Finance Committee.

**SENATE PAGES**

The President recognizes the following pages serving in the Senate this week:

Whitney Alexandra Barkley, Cramerton; Elizabeth Bell, Laurinburg; David Cory Blackmon, Hatteras; Beau Bouharoun, Cary; Jamie Thomas Caviness, Newport; Daniel J.
Connors, Louisburg; Bobbie Lynne Grady, Mount Olive; Adam Anderson Horne, Lexington; John McDonald III, Durham; Joshua Carmichael McIntyre, Lumberton; Jeremy Newman, Durham; Clinton David Russell, Gastonia; Evelyn Kitchin Shytle, Laurinburg; Kerri Neil Sumner, Cramerton; Bobbie Jo Swinson, Mount Olive; and Ashley Brooke Turner, Mount Olive.

**CHANGES TO 1999 SENATE COMMITTEES**

Senator Basnight, President *Pro Tempore*, announces the following changes to the Senate Committees:

- Senator Martin of Guilford is appointed to the Select Committee on Tobacco Issues.
- Senator Shaw of Guilford is removed from the State and Local Government Committee and is appointed to the Transportation Committee.
- Senator Carter is appointed to the Judiciary I Committee.
- Senator Moore is removed from the Appropriations/Base Budget Committee and the Appropriations Subcommittee on Natural & Economic Resources and is appointed to the Finance Committee.
- Senator Rucho is removed from the Finance Committee.

Upon motion of Senator Basnight, seconded by Senator Hagan, the Senate adjourns at 2:17 P.M. to meet tomorrow, Wednesday, February 3, at 2:00 P.M.

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**FIFTH DAY**

Senate Chamber

Wednesday, February 3, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by Jeremy Newman, Senate Page from Durham, North Carolina, as follows:

"Dear Heavenly Father, thank You for letting us stand here today and represent You in Your Name. Thank You for all the blessed things You've done for us in our lifetime. Thank you for our health, our families, and opportunities You've given us. Thank You for all the grace and mercy You show us each day. You truly are the King of Kings and Lord of Lords.

"God, I pray today for the Senators in this room. Please give them the power, and strength, and the wisdom to carry out Your Will and not ours, to help the people of North Carolina live a better life. Lord, please lead them down a road of righteousness and a path away from the devil.

"We love you Lord. In Jesus' Name we pray, Amen."

With unanimous consent, the President grants leaves of absence for today to Senator Moore and Senator Odom.

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Tuesday, February 2, has been examined and is found to be correct. Upon his motion, the
Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Douglas Stephen from Durham, North Carolina, who is serving the Senate as Doctor of the Day.

**REPORT OF COMMITTEE**

A bill is reported from a select committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Weinstein for the Select Committee On Tobacco Settlement Issues:

**S.B. 6, A BILL TO BE ENTITLED AN ACT TO APPROVE THE CREATION OF THE NONPROFIT CORPORATION ESTABLISHED PURSUANT TO COURT ORDER FOR THE PURPOSES OF RECEIPT AND DISTRIBUTION OF FIFTY PERCENT OF THE FUNDS RECEIVED BY THE STATE IN STATE OF NORTH CAROLINA V. PHILIP MORRIS INCORPORATED, ET AL,** with a favorable report.

**INTRODUCTION OF BILLS**

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Rand and Shaw of Cumberland:

**S.B. 22, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CUMBERLAND COUNTY TO LEVY ONE-CENT LOCAL SALES AND USE TAXES FOR PUBLIC SCHOOL BUILDINGS.**

Referred to Finance Committee.

By Senators Plyler, Albertson, Cooper, Hartsell, Hoyle, Perdue, Purcell, Rand and Soles:

**S.B. 23, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGULATING MASS GATHERINGS.**

Referred to Commerce Committee.

By Senators Dalton, Ballance, Cooper, Hartsell, Horton, Lucas, Rand, Soles, Warren and Wellons:

**S.B. 24, A BILL TO BE ENTITLED AN ACT TO REQUIRE INSURERS TO PROVIDE INFORMATION PRIOR TO LITIGATION REGARDING POLICY PROVISIONS AND POLICY LIMITS UPON WRITTEN REQUEST AND TO GIVE AN INSURER WHO PROVIDES SUCH INFORMATION THE OPTION OF INITIATING MEDIATION WITH THE PERSON WHO SOUGHT THE INFORMATION.**

Referred to Judiciary II Committee.

By Senators Wellons, Ballance, Dalton, Dannelly, Garrou, Gulley, Hagan, Horton, Kerr, Lucas, Metcalf, Miller, Purcell, Rand, Reeves, Warren and Weinstein:

**S.B. 25, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ATTORNEY REPRESENTATION OF CHILDREN REPRESENTED BY GUARDIAN AD LITEM PROGRAM THROUGHOUT PROCEEDINGS OF THE CASE.**

Referred to Judiciary I Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

February 3, 1999
APPOINTMENT BY THE GOVERNOR

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

January 29, 1999

The Honorable Dennis Wicker
President of the Senate
State Capitol
Raleigh, North Carolina 27603

Dear Mr. President:

Pursuant to General Statute 53-92, I hereby appoint Hal D. Lingerfelt as Commissioner of Banks and submit his name for confirmation by the North Carolina General Assembly by joint resolution. Mr. Lingerfelt’s term will begin on April 1, 1999 and will expire on March 31, 2003.

Enclosed is a copy of Mr. Lingerfelt’s resume. Please feel free to contact him directly should you require additional information.

My warmest personal regards.

Sincerely,

S/James B. Hunt Jr.

The Chair extends the privileges of the floor to James D. Speed, former Senator from Franklin County.

REMOVAL OF BILL SPONSOR

Senator East requests by letter to the Principal Clerk that his name be removed as a sponsor on S.B. 20, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LOW-WEALTH SCHOOL SYSTEMS' SUPPLEMENTAL FUNDING.

Senator Carrington requests by letter to the Principal Clerk that his name be removed as a sponsor on S.B. 21, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR EDUCATIONAL PURPOSES.

Upon motion of Senator Basnight, seconded by Senator Metcalf, the Senate adjourns at 2:16 P.M. to meet tomorrow, Thursday, February 4, at 11:00 A.M.

SIXTH DAY

Senate Chamber
Thursday, February 4, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

February 4, 1999
Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Lord God, You called the boy Samuel, and after three biddings he replied, 'Speak Lord, for Your servant is listening.'

"It isn't easy to recognize that You may be present when we are strangely restless, seeking we know not what. You may be speaking to us when we are confronted with a disconcerting challenge. It is difficult to discern the sound of Your voice. Yet when we do stop to listen and acknowledge that what disturbs us may be You seeking us, we know that is still only the beginning. To move from hearing to doing is another thing altogether.

"When the time comes that there is a word for us to hear and a work for us to do, give us the will to answer as boldly as young Samuel did. 'Speak Lord, for Your servant is listening.' Amen."

With unanimous consent, the President grants leaves of absence for today to Senator Carrington and Senator Moore.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Wednesday, February 3, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. George Podgorny from Winston-Salem, North Carolina, who is serving the Senate as Doctor of the Day, and to Gale Phelps from Greenville, North Carolina, who is serving the Senate as Nurse of the Day.

INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:


S.B. 26, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON REIMBURSEMENT FOR SERVICES PROVIDED BY SCHOOL-BASED HEALTH CLINICS UNDER THE CHILDREN'S HEALTH INSURANCE PROGRAM.
Referred to Health Care Committee.

By Senator Kerr:
S.B. 27, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION AGAINST THE DEPARTMENT OF TRANSPORTATION USING BERMUDA GRASS ALONG CERTAIN ROADS.
Referred to Transportation Committee.

By Senator Kerr:
S.B. 28, A BILL TO BE ENTITLED AN ACT RELATING TO WAYNE COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Kerr:
S.B. 29, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION FEES COLLECTED UNDER THE COSMETIC ART ACT.
Referred to Finance Committee.

February 4, 1999
By Senator Kerr:
S.B. 30, A BILL TO BE ENTITLED AN ACT RELATING TO THE EIGHTH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Kerr:
S.B. 31, A BILL TO BE ENTITLED AN ACT RELATING TO GREENE COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senators Soles, Ballance, Kerr, Perdue, Plyler, Rand, Reeves and Warren:
S.J.R. 32, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF ROBERT KOGER MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION.
Referred to Commerce Committee.

By Senator Wellons:
S.B. 33, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF CLAYTON.
Referred to Finance Committee.

By Senators Cochrane, Carpenter, Dannelly, Martin of Pitt, Perdue and Purcell:
S.B. 34, A BILL TO BE ENTITLED AN ACT TO PROVIDE IMMUNITY FROM LIABILITY FOR CERTAIN LICENSED HEALTH CARE FACILITIES THAT PROVIDE TEMPORARY SHELTER OR SERVICES DURING DISASTERS AND EMERGENCIES.
Referred to Judiciary I Committee.

By Senators Martin of Pitt, Carpenter, Cochrane, Dannelly, Perdue and Purcell:
S.B. 35, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE USE OF FUNDS FOR ADULT SPECIAL ASSISTANCE FOR DEMONSTRATION PROJECT ON ALTERNATIVE LIVING ARRANGEMENTS.
Referred to Children & Human Resources Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Cochrane, Carpenter, Dannelly, Martin of Pitt, Perdue and Purcell:
S.B. 36, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ALZHEIMER'S ASSOCIATION CHAPTERS IN NORTH CAROLINA.
Referred to Appropriations/Base Budget Committee.

By Senators Cochrane, Carpenter, Dannelly, Martin of Pitt, Perdue and Purcell:
S.B. 37, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR HOUSING FOR ELDERLY PERSONS.
Referred to Appropriations/Base Budget Committee.

By Senators Carpenter, Cochrane, Dannelly, Martin of Pitt, Perdue and Purcell:
S.B. 38, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE STATE ADULT DAY CARE PROGRAM.
Referred to Appropriations/Base Budget Committee.

By Senators Purcell, Cochrane, Carpenter, Dannelly, Perdue and Martin of Pitt:
S.J.R. 39, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE
RESEARCH COMMISSION TO STUDY STATE MEDICAID RECOVERY POLICY AND LAW.

Referred to Rules and Operations of the Senate Committee.

By Senators Cochrane, Carpenter, Dannelly, Martin of Pitt, Perdue and Purcell:
S.B. 40, A BILL TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF PERSONS AUTHORIZED TO BE APPOINTED TO SUBCOMMITTEES OF THE NORTH CAROLINA STUDY COMMISSION ON AGING.
Referred to Pensions & Retirement and Aging Committee.

By Senators Reeves and Miller:
S.B. 41, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT EVERY DWELLING UNIT LEASED AS RENTAL PROPERTY IN CERTAIN CITIES BE FURNISHED WITH A SOURCE OF HEAT.
Referred to Judiciary II Committee.

CALENDAR

A bill on today's Calendar is taken up and disposed of, as follows:

S.B. 6, A BILL TO BE ENTITLED AN ACT TO APPROVE THE CREATION OF THE NONPROFIT CORPORATION ESTABLISHED PURSUANT TO COURT ORDER FOR THE PURPOSES OF RECEIPT AND DISTRIBUTION OF FIFTY PERCENT OF THE FUNDS RECEIVED BY THE STATE IN STATE OF NORTH CAROLINA V. PHILIP MORRIS INCORPORATED, ET AL.

Senator Hartsell offers Amendment No. 1 which is adopted (48-0).
Senator Webster offers Amendment No. 2 which is adopted (48-0).
Senator Horton offers Amendment No. 3.
Senator Horton calls the previous question on Amendment No. 3, seconded by Senator Rand. The call is sustained.
Amendment No. 3 fails of adoption (13-35).
Senator Webster offers Amendment No. 4.
Senator Rand offers Amendment No. 5, a substitute amendment to Amendment No. 4.
Senator Webster withdraws Amendment No. 4.
Senator Rand withdraws Substitute Amendment No. 5.
The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.
Upon motion of Senator Dalton, the remarks by Senator Hartsell and Senator Rand on S.B. 6 are spread upon the Journal as follows:

Senator Hartsell:

"Mr. President, members of the Senate, we have had a great deal of discussion with regard to appointments and with regard to the nature of the economically affected areas. Most of that has dealt with the growing areas. I, Cabarrus County, and I have to look out for my home folks, have a major manufacturing facility, as some other folks in this area have, the Philip Morris manufacturing facility, the largest in the world, which in its property tax revenues provides 17.5% of the entire property tax revenue of that county as it presently exists as of the end of the last fiscal year. And there’s no question we’ve had some problems with some tax issues. We’ve fully resolved those and everybody is doing fine there in that regard. But it has, this situation would have a dramatic impact or could have a dramatic impact upon my home county, in fact the city I live in, and I hope that we are not forgetting those manufacturing facilities, and those employees. There are 2,000
employees at that site, who would be dramatically affected by the resolution of this litigation. So my question, Senator Rand, is, and I know what the Attorney General said yesterday, but I want as a matter of record on the floor of this Body, some testimony to the effect, or record evidence to the effect that those manufacturing facilities and the people employed by them in those areas would, in all likelihood, also be economically affected, an economically affected region under these circumstances.”

Senator Rand:

“Thank you, Senator Hartsell. I, I certainly understand your concern as I do Senator Cochrane’s and Senator Garrou’s and Senator Webster’s and Senator Horton’s, those people that are in the regions that are, that are significantly impacted by tobacco manufacturing. And I think that clearly this is, we mean for this, those are tobacco dependent regions. I have been to that facility of which you speak, it is hugely important to your part of North Carolina and I understand that. And we do not in any way mean to restrict this, but to put this in place so that those, these funds can be available to assist in any sort of transitional help that might become necessary, or could be conceived by the mind of man. Because that’s, that’s why we want to have this in place. That’s why we want to make sure that as North Carolina goes forward and we do the things to protect North Carolina during this transitional period, that those areas will be directly spoken to, and also the other areas of North Carolina that are having a hard time. So I assure you that we do mean for that to be the case.”

The bill, as amended, passes its second reading (39-8).

Senator Rand objects to third reading of the measure. Pursuant to Rule 50, the President Pro Tempore orders the measure placed on the Calendar for Monday, February 8.

Upon motion of Senator Ballance, seconded by Senator Reeves, the Senate adjourns at 12:13 P.M. to meet Monday, February 8, at 7:00 P.M.

SEVENTH DAY

Senate Chamber
Monday, February 8, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“Merciful God, scripture tells us that the timid servant who buried his master’s talent in the field, was chided for his lack of initiative. On the day of reckoning, he returned his one talent, un tarnished and unused. Fearing failure he had opted for a conservative investment approach, because he knew of his master’s reputation as a strict account ant. What he had forgotten, of course, was what a generous sower of seeds his master was, what a risk taker he could be when it came to believing in the power of people to grow a new vision.

“The reward of work well done is still more work to do. God of great possibilities, grant us bold hearts to use well the gifts which You have entrusted to us. In Your Name we pray, Amen.”

February 8, 1999
With unanimous consent, the President grants leaves of absence for tonight to Senator Moore and Senator Odom.

Senator Basnight, President Pro Tempore, announces the Journal of Thursday, February 4, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Robert Powell Majors, Jr. from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Kathy Johnson from Raleigh, North Carolina, who is serving the Senate as Nurse of the Day.

INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Purcell and Plyler:
S.R. 42, A SENATE RESOLUTION HONORING THE ONE HUNDREDTH ANNIVERSARY OF THE FOUNDING OF SCOTLAND COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Dalton:
S.B. 43, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE THE TOWN OF ALEXANDER MILLS INTO THE TOWN OF FOREST CITY.
Referred to State and Local Government Committee and upon a favorable report, re-referred to the Finance Committee.

By Senator Soles:
S.B. 44, A BILL TO BE ENTITLED AN ACT RELATING TO THE 18TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Soles:
S.B. 45, A BILL TO BE ENTITLED AN ACT RELATING TO THE 18TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Soles:
S.B. 46, A BILL TO BE ENTITLED AN ACT RELATING TO THE EIGHTEENTH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Jordan:
S.B. 47, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MAPLE HILL SUBJECT TO A REFERENDUM.
Referred to State and Local Government Committee and upon a favorable report, re-referred to the Finance Committee.

By Senators Jordan, Ballantine, and Soles:
S.B. 48, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMUNITY COLLEGES FOR PLANNING AND INITIAL
DEVELOPMENT OF A REGIONAL PUBLIC SAFETY TRAINING CENTER AT THE NORTH CAMPUS OF THE CAPE FEAR COMMUNITY COLLEGE.
   Referred to Appropriations/Base Budget Committee.

By Senator Rand:
S.B. 49, A BILL TO BE ENTITLED AN ACT TO PROTECT THE DISTRICT ATTORNEY'S WORK PRODUCT DURING THE POSTCONVICTION PROCESS.
   Referred to Judiciary I Committee.

By Senators Metcalf and Carter:
S.B. 50, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES FOR THE CONTINUED CAPITAL DEVELOPMENT OF THE WESTERN NORTH CAROLINA AGRICULTURAL CENTER.
   Referred to Appropriations/Base Budget Committee.

By Senator Shaw of Cumberland:
S.B. 51, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING HIGHWAY SMALL PROJECT BIDDING AND TO PROVIDE AN ALTERNATIVE PROCEDURE FOR RESOLVING STATE CONTRACT DISPUTES.
   Referred to Commerce Committee.

By Senator Shaw of Cumberland:
S.B. 52, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A MARTIN LUTHER KING JR. AMPHITHEATER AND PARK IN CUMBERLAND COUNTY.
   Referred to Appropriations/Base Budget Committee.

S.R. 53, A SENATE RESOLUTION HONORING THE ONE HUNDREDTH ANNIVERSARY OF THE NORTH CAROLINA BAR ASSOCIATION
   Referred to Rules and Operations of the Senate Committee.

By Senators Ballantine and Allran:
S.J.R. 54, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE ITS STUDY OF COASTAL BEACH MOVEMENT AND STORM MITIGATION ISSUES.
   Referred to Rules and Operations of the Senate Committee.

Upon motion of Senator Carpenter, the Chair extends courtesies of the gallery to Norman Oglesby, President of Tri-County Community College, and to Mrs. Nell White and Mrs. Reba Jordan, Trustees of Tri-County Community College, Murphy, North Carolina.

The Senate recesses at 7:18 P.M. for the purpose of a meeting of the Rules and Operations of the Senate Committee to reconvene at 7:23 P.M.

February 8, 1999
RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Rand for the Rules and Operations of the Senate Committee:

S.R. 53, A SENATE RESOLUTION HONORING THE ONE HUNDREDTH ANNIVERSARY OF THE NORTH CAROLINA BAR ASSOCIATION, with an unfavorable report as to Senate Resolution, but favorable as to Committee Substitute Senate joint resolution.

Pursuant to Rule 45.1 the proposed Committee Substitute Senate joint resolution, which changes the title to read S.J.R. 53 (Committee Substitute), A JOINT RESOLUTION HONORING THE MEMORY OF PLATT D. WALKER, THE FIRST PRESIDENT OF THE NORTH CAROLINA BAR ASSOCIATION, ON THE ONE HUNDREDTH ANNIVERSARY OF THE NORTH CAROLINA BAR ASSOCIATION, is adopted and engrossed.

Upon motion of Senator Rand, the Committee Substitute Senate joint resolution is placed on the Calendar for tomorrow, Tuesday, February 9.

EXECUTIVE ORDER

An Executive Order received in the Office of the Senate Principal Clerk is presented to the Senate and read as follows:

Executive Order No. 144, First In America: A Goal for North Carolina’s Schools.

SENATE PAGES

The President recognizes the following pages serving in the Senate this week:

Narhaja Bond, Windsor; Quashawna S. Bond, Windsor; Jonavan E. Canty, Raleigh; Carrie Davenport, Forest City; Heather Michelle Funk, Asheboro; Empress Hughes, Raleigh; Herbert Bruce Hulse III, Goldsboro; Adam Swain Lassiter, Conway; Nicolaus McCall, Highlands; Carletha Robinson, Raleigh; Matthew A. Thompson, Goldsboro; Matthew Hawley Thompson, Lumberton; and Tracie Elizabeth Williams, Raleigh.

CALENDAR

A bill on tonight's Calendar is taken up and disposed of, as follows:

S.B. 6, A BILL TO BE ENTITLED AN ACT TO APPROVE THE CREATION OF THE NONPROFIT CORPORATION ESTABLISHED PURSUANT TO COURT ORDER FOR THE PURPOSES OF RECEIPT AND DISTRIBUTION OF FIFTY PERCENT OF THE FUNDS RECEIVED BY THE STATE IN STATE OF NORTH CAROLINA V. PHILIP MORRIS INCORPORATED, ET AL, as amended upon second reading on February 4.

February 8, 1999
Senator Shaw of Guilford announces a pair. If Senator Webster were present he would vote “no”; Senator Shaw votes “aye”.

The bill, as amended, passes its third reading (40-6) and is ordered engrossed and sent to the House of Representatives.

CHANGES TO 1999 SENATE COMMITTEES

Senator Basnight, President Pro Tempore, announces the following changes to the Senate Committees:

Senator Metcalf is removed from the State and Local Government Committee and is appointed as Vice-Chair of the Health Care Committee.

Upon motion of Senator Basnight, seconded by Senator Garrou, the Senate adjourns at 7:57 P.M. to meet tomorrow, Tuesday, February 9, at 1:00 P.M.

EIGHTH DAY

Senate Chamber
Tuesday, February 9, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“Gracious Lord God, we recall that when the woman at Bethany broke the vial of costly perfume on the head of Jesus, the dinner guests reacted with horror and disbelief. ‘What an impulsive and wasteful display’ they murmured. But Jesus silenced them saying, ‘Why do you trouble her? It is a fine thing she has done for me.’

‘Lord, we know that we should exercise a proper stewardship of all our resources, help us always to be wise and prudent managers. But help us also to recognize those rare moments when all rules may be overturned at the impulse of a loving heart. In Your Name we pray, Amen.”

With unanimous consent, the President grants leaves of absence for today to Senator Dannelly, Senator Moore, Senator Odom, and Senator Weinstein.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Monday, February 8, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Edwin Merrill Tomlin from Harrisburg, North Carolina, who is serving the Senate as Doctor of the Day.

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

February 9, 1999
By Senator Soles for the Commerce Committee:

S.B. 23, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGULATING MASS GATHERINGS, with a favorable report.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Cochrane, Dalton, Hartsell, Hoyle, Kerr and Webster:
S.B. 55, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES.
Referred to Finance Committee.

By Senator Lee:
S.B. 56, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET REGARDING THE AUTHORITY OF LOCAL GOVERNMENTAL UNITS TO ENTER INTO GUARANTEED ENERGY SAVINGS CONTRACTS FOR LOCAL PUBLIC FACILITIES AND TO EXTEND THE CURRENT MAXIMUM DURATION OF THESE CONTRACTS.
Referred to Education/Higher Education Committee.

By Senators Cooper, Albertson, Ballantine, Carpenter, Carter, Dalton, East, Forrester, Foxx, Garrou, Garwood, Harris, Hoyle, Lee, Lucas, Metcalf, Perdue, Phillips, Plyler, Purcell, Rand, Reeves, Rucho, Shaw of Guilford, Soles, Weinstein and Wellons:
S.B. 57, A BILL TO BE ENTITLED AN ACT PROVIDING FOR LOSS OF DRIVERS LICENSE WHEN CERTAIN PROVISIONAL LICENSEES COMMIT DESIGNATED ACTS.
Referred to Judiciary I Committee.

By Senator Shaw of Cumberland:
S.B. 58, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA BRIDGE AUTHORITY TO THE NORTH CAROLINA TOLL ROAD AND BRIDGE AUTHORITY, TO AUTHORIZE THE AUTHORITY TO CHARGE A TOLL ON A NORTH-SOUTH PRIMARILY RURAL INTERSTATE HIGHWAY, AND DIRECT USE OF INTERSTATE TOLL PROCEEDS TO EXPANSION AND MAINTENANCE OF THAT INTERSTATE AND FOR OTHER TRANSPORTATION PURPOSES.
Referred to Finance Committee.

S.B. 59, A BILL TO BE ENTITLED AN ACT TO AMEND THE PHARMACY PRACTICE ACT TO DEFINE THE TERM MOBILE PHARMACY AND TO ALLOW SUCH A PHARMACY TO REGISTER ANNUALLY WITH THE BOARD OF PHARMACY.
Referred to Commerce Committee.

February 9, 1999
A resolution on today's Calendar is taken up and disposed of, as follows:

**S.J.R. 53 (Committee Substitute), A JOINT RESOLUTION HONORING THE MEMORY OF PLATT D. WALKER, THE FIRST PRESIDENT OF THE NORTH CAROLINA BAR ASSOCIATION, ON THE ONE HUNDREDTH ANNIVERSARY OF THE NORTH CAROLINA BAR ASSOCIATION.**

The Committee Substitute joint resolution passes its second (46-0) and third readings with Members standing, and is ordered sent by special message to the House of Representatives.

Upon motion of Senator Basnight, seconded by Senator Clodfelter, the Senate adjourns at 1:33 P.M. to meet tomorrow, Wednesday, February 10, at 3:00 P.M.

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**NINTH DAY**

Senate Chamber  
Wednesday, February 10, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Lord God, You have told us that if we are to recognize the signs of Your Kingdom in our midst, we must be looking for the unexpected, a treasure hidden in a field, a tiny seed sprouting in the depths of the earth. But how can we carry the reality of Your Kingdom deep in our hearts?

"Perhaps if we can reach the day when there is no one toward whom we feel malice, no one we want to spite or put in their place, no victory we want to win over others, but only victories with and for others, surely then Lord, we will have entered Your Kingdom. Lead us in the ways of righteousness, in Your Name we pray, Amen."

With unanimous consent, the President grants a leave of absence for today to Senator Hagan.

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Tuesday, February 9, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Charles Otis Boyette from Belhaven, North Carolina, who is serving the Senate as Doctor of the Day, and to Jan Wolfe from Cary, North Carolina, who is serving the Senate as Nurse of the Day.

**ENROLLED RESOLUTION**

The Enrolling Clerk reports the following resolution duly ratified, properly enrolled,
and presented to the Office of the Secretary of State:


INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:


S.B. 60, A BILL TO BE ENTITLED AN ACT TO EXTEND THE LIFE OF THE HEART DISEASE AND STROKE PREVENTION TASK FORCE AND TO APPROPRIATE FUNDS FOR ITS WORK.

Referred to Appropriations/Base Budget Committee.

By Senators Warren, Albertson, Ballance, Cooper, Dannelly, Foxx, Hoyle, Kerr, Martin of Guilford, Martin of Pitt, Perdue, Plyler and Rand:

S.B. 61, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND.

Referred to Pensions & Retirement and Aging Committee.

By Senators Horton and Garwood:

S.B. 62, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS.

Referred to Judiciary II Committee.

By Senators Allran, Ballantine, Carpenter, Carrington, Cochrane, East, Forrester, Garwood and Rucho:

S.B. 63, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LENGTH OF LEGISLATIVE SESSIONS.

Referred to Judiciary II Committee.

By Senators Cooper, Albertson, Dannelly, Gulley, Hoyle, Martin of Pitt, Perdue, Rand, Soles and Warren:

S.B. 64, A BILL TO BE ENTITLED AN ACT TO SET THE SALARIES OF DISTRICT ATTORNEYS AT AN AMOUNT THAT IS THE MIDPOINT BETWEEN THE SALARY OF A SENIOR REGULAR RESIDENT SUPERIOR COURT JUDGE AND THE SALARY OF A CHIEF DISTRICT COURT JUDGE.

Referred to Appropriations/Base Budget Committee.

By Senators Purcell, Gulley, Allran, Clodfelter, Dannelly, Forrester, Garrou, Garwood, Hagan, Hartsell, Lee, Lucas, Martin of Guilford, Miller, Phillips, Reeves and Shaw of Cumberland:

S.B. 65, A BILL TO BE ENTITLED AN ACT TO ENHANCE MOTOR VEHICLE
OCCUPANT RESTRAINT SAFETY.
   Referred to Health Care Committee.

Senator Rand offers a motion that Rule 40 be suspended to allow the introduction of the following resolution, which motion prevails by a two-thirds majority vote.

By Senators Dalton and Lee:

S.R. 68, A SENATE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.
   Referred to Education/Higher Education Committee.

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Kerr for the Finance Committee:

S.B. 17, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DEFINITION OF “ECONOMIC DEVELOPMENT AND TOURIST DISTRICT”, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1526 is adopted and engrossed.

CALENDAR

A bill on today's Calendar is taken up and disposed of, as follows:

S.B. 23, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGULATING MASS GATHERINGS.

With unanimous consent, upon motion of Senator Soles, the bill is withdrawn from today's Calendar and is re-referred to the Commerce Committee.

Upon motion of Senator Basnight, seconded by Senator Rucho, the Senate adjourns at 3:30 P.M. to meet tomorrow, Thursday, February 11, at 11:00 A.M.

TENTH DAY

Senate Chamber
Thursday, February 11, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“God of Creation, we tend to forget that You fashioned us mortals not out of solid gold, but out of the dust of the earth. We are but common clay, and yet common clay

February 11, 1999
filled with the very breath of Your being. Your fingerprints have forever marked our hearts. Within these frail, earthen shells we call our bodies dwells something of eternity.

“Forgive us that we have so distorted the divine image that we bear. Remake us, and breathe Your Spirit anew into us that we may more truly reflect Your glory to the watching world. This we ask in Your Holy Name, Amen.”

With unanimous consent, the President grants leaves of absence for today to Senator East, Senator Odom, and Senator Webster.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Wednesday, February 10, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Sathya Jyothinagaram from Gastonia, North Carolina, who is serving the Senate as Doctor of the Day, and to Terri Lawler from Greenville, North Carolina, who is serving the Senate as Nurse of the Day.

REPORTS OF COMMITTEES

A bill and a resolution are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Dalton for the Education/Higher Education Committee:

**S.R. 68, A SENATE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, with a favorable report as to adoption.**

With unanimous consent, upon motion of Senator Dalton, the resolution is placed on today’s Calendar for adoption.

By Senator Purcell for the Health Care Committee:

**S.B. 26, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON REIMBURSEMENT FOR SERVICES PROVIDED BY SCHOOL-BASED HEALTH CLINICS UNDER THE CHILDREN’S HEALTH INSURANCE PROGRAM, with a favorable report.**

With unanimous consent, upon motion of Senator Purcell, the bill is placed on the Calendar for Tuesday, February 16.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Soles:

**S.B. 66, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA MUSEUM OF FORESTRY.**

Referred to Appropriations/Base Budget Committee.
By Senator Soles:
S.B. 67, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF CHADBourn FOR EMERGENCY WATER AND SEWER REPAIRS.
Referred to Appropriations/Base Budget Committee.

By Senators Cochrane and Phillips:
S.B. 69, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOUR-YEAR TERMS FOR THE MAYOR AND ALDERMEN OF THE TOWN OF CHINA GROVE.
Referred to State and Local Government Committee.

COMMITTEE REFERRAL RECALL


Pursuant to Rule 47(a), Senator Rand offers a motion that the resolution be withdrawn from the Rules and Operations of the Senate Committee and placed on the Calendar for Monday, February 15, which motion prevails with unanimous consent.

The Chair orders the resolution withdrawn from the Rules and Operations of the Senate Committee and places it on the Calendar for Monday, February 15.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 17 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE DEFINITION OF "ECONOMIC DEVELOPMENT AND TOURIST DISTRICT."

Senator Ballantine announces a pair. If Senator East were present, he would vote "no"; Senator Ballantine votes "aye".

The Committee Substitute bill passes its second (33-11) and third readings and is ordered sent to the House of Representatives.

S.R. 68, A SENATE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, placed earlier on today's Calendar.

Upon motion of Senator Dalton, the Senate Resolution is adopted (46-0). (See Appendix.)

The Chair extends the privileges of the floor to Leslie Winner, former Senator from Mecklenburg County.

Upon motion of Senator Basnight, seconded by Senator Purcell, the Senate adjourns at 11:33 A.M. to meet Monday, February 15, at 7:00 P.M.

ELEVENTH DAY

Senate Chamber
Monday, February 15, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

February 15, 1999
Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"God of Wisdom, You have called us to serve Your people and uphold the laws of this State, and we would be faithful to Your call. We have much in common with past generations of religious teachers who debated endlessly about the meaning of the law, but that is not always as easy as it seems.

"The leaders of the synagogue all agreed that God’s people must honor the Sabbath. There was no dissent on that issue. The greater question for them was how exactly they should do that. Save us from the temptation of wrangling over the worthy ends we seek to achieve when we know that discerning the best means to achieve those ends is the greater challenge. We pray in Your Name, Amen."

With unanimous consent, the President grants leaves of absence for tonight to Senator Carrington, Senator Gulley, Senator Martin of Pitt, and Senator Odom.

Senator Basnight, President Pro Tempore, announces the Journal of Thursday, February 11, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. George Patrick Henderson, Jr. from Pinehurst, North Carolina, who is serving the Senate as Doctor of the Day, and to Ernest Grant from Chapel Hill, North Carolina, who is serving the Senate as Nurse of the Day.

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

February 12, 1999

Ms. Janet Pruitt
Principal Clerk
North Carolina Senate
Legislative Building
Raleigh, North Carolina 27603-5925

Dear Ms. Pruitt:

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

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

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

a. Franklin Freeman;
b. Garland Garrett;
c. Kevin Howell;
d. Annette Ethridge; and,
e. Ashley Westbrook

February 15, 1999
Thank you for your attention to this matter.

My warmest personal regards.

Sincerely,
S/James B. Hunt Jr.

_The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor._

**CALENDAR**

A resolution on tonight’s Calendar is taken up and disposed of, as follows:

**S.R. 42, A SENATE RESOLUTION HONORING THE ONE HUNDREDTH ANNIVERSARY OF THE FOUNDING OF SCOTLAND COUNTY. (See Appendix.)**

With unanimous consent, upon motion of Senator Plyler and Senator Purcell, the remarks honoring the 100th Anniversary of the founding of Scotland County are spread upon the Journal, as follows:

**Senator Purcell:**

"Thank you, Mr. President. Ladies and gentlemen of the Senate. When I get through, you may have heard more about Scotland County than you want to know, but I assure you I will only take a few minutes. It has been said that when Scottish immigrants came to Wilmington in the early 1770’s, that someone had placed a sign on the mouth of the Cape Fear River that said, ‘The best land is 100 miles West of here,’ and so many of the settlers went up the Cape Fear River into what is, then was Cross Creek, is now known as Fayetteville, and some of them came on down into what we now know as Scotland County. I’ve also heard that that sign was not really in Wilmington, but it was in, on the banks of the Cape Fear River in Fayetteville, and the sign said that the best land is 40 miles south of here, and those who could read went on down into what is now known as Scotland County. Whatever the truth is, the early settlers of Scotland County were Highland Scots, and they were present as early as 1729 when the Province was separated into North and South Carolina. In 1861, a military unit was formed in Scotland County called the Scotch Boys, and they fought in practically every battle in Virginia with heavy casualties. General Sherman as you know went through Atlanta to Savannah to Columbia and then crossed over into North Carolina into Scotland, what is now Scotland County. And he camped at the Old Laurel Hill Presbyterian Church, and even today you can see the names of the Yankee soldiers who carved their names in the units in the steeple of this church. General Sherman destroyed the Morrison Rifle Factory, and sent a squad into Laurinburg and burned the railroad shop that had been moved there from Wilmington. From its beginning, agriculture has been the backbone of the Scotland County economy and today cotton, corn, and soybeans are the main products. However, today most people in Scotland County earn their living from the manufacturing industry. Presently, in the county we have industries such as West Point Stevens, Abbott Laboratories, Charles Craft, Rea Magnet Wire, Rockwell International which may have changed names to the Champion Sportswear Distribution Center, LOF Glass, which is the largest float glass company in the world, and the golf pride division of Eden Corporation where recently 75% of the golf club grips made in the world were made in Laurinburg. So if you’re a golfer, there’s a good chance that your golf club grips were made there. The Laurinburg-Maxton airport was a major glider training base back during World War II. It’s now a prime industrial site. John Buchanan and later Murdock Morrison manufactured custom..."
made rifles back in the 1800's. James Lynch invented the James Lynch cotton planter and it was patented in 1870, and John Blue developed a fertilizer distributor, both of which were used widely throughout the south for many years. Mr. William Quakenbush opened a school in Laurinburg in 1879. This outstanding teacher was honored by a monument that is still standing in front of the courthouse in Laurinburg. At one time he was the only educator in North Carolina to which, to whom a monument had been dedicated. Mr. Emanuel McDuffie established a school for black children in 1904. This school later became the Laurinburg Institute, with such notable, notable graduates as Dizzy Gillespie and outstanding basketball player, Charlie Scott. St. Andrews Presbyterian College provides an excellent liberal arts education with a world-wide student body. Edwin Gill, and many of you remember him, served for many years as Treasurer of the State of North Carolina, and I believe played a major role in North Carolina having a Balanced Budget Act. Federal Judge Dick Phillips served as Dean of the Law School at Chapel Hill for many years. I think we're all aware of the many contributions of Laurinburg native, Terry Sanford. I ask for your support of this brief Senate Resolution honoring the 100th Anniversary of the founding of Scotland County which I shall now read:

Whereas on February 20, 1899, Scotland County was formed from Richmond County; and

Whereas, Scotland County was named for the country of Scotland from which many of the early settlers of the area came; and

Whereas Scotland County is known for its contributions to education, agriculture, and industry; and

Whereas, the citizens of Scotland County have been actively preparing for the county's centennial celebration; Now, therefore, be it resolved by the Senate:

The North Carolina Senate honors the founders of Scotland County and joins the county's citizens in celebrating the county's 100th Anniversary.

The Principal Clerk shall transmit a certified copy of this resolution to the Chair of the Scotland County Board of Commissioners.

This resolution is effective upon adoption.' ”

Senator Plyler:

“Thank you, Mr. President. Ladies and gentlemen of the Senate, I would like to speak briefly on the resolution. Mr. President, members of the Senate, I along with Senator Purcell proudly represent Scotland County. We have seven counties in our district and it is always a pleasure when I leave Union County early in the morning to come to Scotland County for breakfast, or when I'm there at lunch with these fine people at the Rotary meetings, or some of the meetings that we have, hold at the courthouse, some of the forums. Always I am greeted very, very cordially with open arms and big smiles. You know Senator Purcell has told a lot about Scotland County and more so than I could ever attempt to tell. But I can say this, that of all the people that I have met in the State of North Carolina and other areas, these are some of the finest. They are aggressive as far as industry is concerned, their schools and, of course as Senator Purcell mentioned, St. Andrews, a private college there which has done a tremendous job for underprivileged children over the many years. I enjoy going through Scotland County and seeing the mass cotton fields there, the cotton pickers out in the fields and, of course, I can think about Frank Ballance. When I was a young boy, I came up in the cotton fields myself and thank God for those cotton pickers. They are wonderful. But I would like to whole-heartedly endorse this resolution for the 100th Anniversary on February 20, 1999, of the fine County of Scotland which I am proud to represent and I commend this resolution to you.”

February 15, 1999
Senator Rand:

"Thank you, Mr. President. Those of us who live in southeastern North Carolina take great pleasure in this resolution tonight. I'm glad that those people who learned to read and went to Scotland County have meant so much to our part of North Carolina. They learned to read really well. Terry Sanford and Dick Phillips came back to Fayetteville, so obviously they learned a great deal, Mr. President, from what they did. But they meant a great deal to North Carolina, and we take pride in sharing the good people of Scottish heritage who meant so much to southeastern North Carolina. The good works of the people of Scotland County have long been remembered in North Carolina for the things they have done, and I appreciate Senator Purcell and Senator Plyler bringing this before us tonight and would heartily endorse the resolution."

Senator Purcell:

"I'd like to speak briefly on the Resolution again, if I may. I always goof on things, but I really forgot to mention our real hero from the Laurinburg Institute, Sam Jones, who was a basketball player with the Boston Celtics. I'm sure most of you are familiar with him, but we take great pride in having him as a graduate of one of our schools."

Senator Forrester:

"Thank you, Mr. President. As a native of Scotland and a naturalized United States citizen, I much appreciate this resolution, more or less honoring my native Scots that help settle in this country. I grew up in Wilmington, New Hanover County, not the county involved, but I'm very proud of my heritage, and I want to thank Senator Purcell for introducing this resolution. Thank you."

Upon motion of Senator Purcell, Senate Resolution 42 is adopted (41-0).

The Chair extends courtesies of the gallery to members of the Scotland County Centennial Committee; Mary Odom, former Senator from Scotland County; Nancy Shelley, Chairperson of the Scotland County Board of Commissioners; Bo Butler, Mayor Pro Tem of Laurinburg, North Carolina; Judy Riggins; Fred Fox; George Whitehurst; Gail Wright; Joyce Braswell; Rene Snipes; John Stewart; Sarah Stewart; Betty Edens; Louise Monroe; Carrie McLean; Pinney Geffert; Clyde Marsh; and Katherine Allen.

COMMITTEE REFERRAL RECALL

S.B. 47, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MAPLE HILL SUBJECT TO A REFERENDUM, referred to the State and Local Government Committee on February 8.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the State and Local Government Committee and re-referred to the Rules and Operations of the Senate Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the State and Local Government Committee and re-refers the measure to the Rules and Operations of the Senate Committee.

SENATE PAGES

The President recognizes the following pages serving in the Senate this week:

Jacqueline Yvette Bennett, Durham; Danica W. Coleman, Raleigh; Luke Davis, Lumber Bridge; Brandon Carl Gaines, Lumberton; Andrew D. Hargrove, Raleigh; Jeremy B. Irwin, Clayton; Jessica A. Irwin, Clayton; Crystal Leftdwrige, Selma; Kate

February 15, 1999
Macesich, Raleigh; Catherine Warren McNeill, Raeford; William Brent Odom, Smithfield; Mason Lee Rhodes, Kinston; A. Paul Shergill, Kings Mountain; and Joanna Wilson, Chapel Hill.

Upon motion of Senator Ballance, seconded by Senator Jordan, the Senate adjourns, subject to introduction of bills, to meet tomorrow, Tuesday, February 16, at 2:00 P.M.

INTRODUCTION OF BILLS AND A RESOLUTION

Bills and a resolution filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Martin of Pitt:
S.B. 70, A BILL TO BE ENTITLED AN ACT RELATING TO THE 6TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Martin of Pitt:
S.B. 71, A BILL TO BE ENTITLED AN ACT RELATING TO THE 6TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Martin of Pitt:
S.B. 72, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS OF NORTH CAROLINA.
Referred to Rules and Operations of the Senate Committee.

By Senators Hartsell, Cochrane, Dalton, Hoyle, Kerr and Webster:
S.B. 73, A BILL TO BE ENTITLED AN ACT TO UPDATE THE METHOD FOR DETERMINING THE PRESENT-USE VALUE OF AGRICULTURAL AND HORTICULTURAL LAND TO MORE ACCURATELY REFLECT ITS VALUE AS FARMLAND.
Referred to Finance Committee.

By Senators Hoyle, Dalton, Hartsell, Kerr and Webster:
S.B. 74, A BILL TO BE ENTITLED AN ACT TO ADD FOUR NEW TAX ANALYSTS IN THE TAX RESEARCH DIVISION OF THE DEPARTMENT OF REVENUE.
Referred to Appropriations/Base Budget Committee.

By Senators Hoyle, Cochrane, Dalton, Hartsell, Kerr and Webster:
S.B. 75, A BILL TO BE ENTITLED AN ACT TO REQUIRE CORPORATIONS THAT ARE REQUIRED TO PAY FEDERAL-ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER TO PAY STATE-ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER.
Referred to Finance Committee.

By Senators Ballance, Ballantine, Cooper, Dannelly, Gulley, Jordan, Lee, Lucas, Martin of Guilford, Miller, Odom, Phillips, Reeves, Shaw of Cumberland and Soles:
S.B. 76, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF CRIMINAL STATISTICS TO COLLECT AND MAINTAIN STATISTICS ON

February 15, 1999
TRAFFIC LAW ENFORCEMENT.
Referred to Judiciary II Committee.

By Senators Hoyle, Albertson, Ballance, Ballantine, Carpenter, Carrington, Carter, Clodfelter, Dalton, Dannelly, East, Forrester, Foxx, Garrou, Gulley, Hartsell, Jordan, Kerr, Kinnaird, Lee, Lucas, Martin of Guilford, Metcalf, Miller, Odom, Perdue, Plyler, Purcell, Rand, Reeves, Rucho, Shaw of Guilford, Soles, Warren, Webster and Weinstein:

S.B. 77, A BILL TO BE ENTITLED AN ACT TO ENACT THE SURFACE TRANSPORTATION ACT OF 1999.
Referred to Rules and Operations of the Senate Committee.

By Senator Soles:
S.J.R. 78, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF HAL. D. LINGERFELT AS COMMISSIONER OF BANKS.
Referred to Commerce Committee.

By Senator Rand:
S.B. 79, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GOVERNOR AND LIEUTENANT GOVERNOR RUN AS A JOINT TICKET IN THE GENERAL ELECTION, TO CLARIFY THE STATUS OF ACTING GOVERNOR, AND TO PROVIDE THAT THE LIEUTENANT GOVERNOR SHALL BE NOMINATED BY PARTY EXECUTIVE COMMITTEE, RATHER THAN UNDER THE PRIMARY ACT.
Referred to Judiciary I Committee.

By Senator Rand:
S.B. 80, A BILL TO BE ENTITLED AN ACT RELATING TO THE 24TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Rand:
S.B. 81, A BILL TO BE ENTITLED AN ACT RELATING TO THE 24TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Rand:
S.B. 82, A BILL TO BE ENTITLED AN ACT RELATING TO THE 24TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Rand:
S.B. 83, A BILL TO BE ENTITLED AN ACT RELATING TO THE 24TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Jordan:
S.B. 84, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES FOR THE CAPITAL COSTS OF ESTABLISHING A FARMERS' MARKET IN WILMINGTON.
Referred to Appropriations/Base Budget Committee.

February 15, 1999
By Senator Jordan:
S.B. 85, A BILL TO BE ENTITLED AN ACT RELATING TO THE 7TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Jordan:
S.B. 86, A BILL TO BE ENTITLED AN ACT RELATING TO THE 7TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Jordan:
S.B. 87, A BILL TO BE ENTITLED AN ACT RELATING TO THE 7TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Jordan:
S.B. 88, A BILL TO BE ENTITLED AN ACT RELATING TO THE 7TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Jordan:
S.B. 89, A BILL TO BE ENTITLED AN ACT RELATING TO THE 7TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senators Forrester, Cochrane, Foxx, Garrou, Hagan, Kinnaird, Lucas, Perdue, and Purcell:
S.B. 90, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT INSURERS THAT PROVIDE HEALTH INSURANCE COVERAGE FOR PRESCRIPTION DRUGS PROVIDE COVERAGE FOR PRESCRIBED CONTRACEPTIVE DRUGS AND DEVICES AND FOR OUTPATIENT CONTRACEPTIVE SERVICES.
Referred to Health Care Committee.

S.B. 91, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROGRAM TO RAISE PUBLIC AWARENESS ABOUT THE PREVENTION, DIAGNOSIS, AND TREATMENT OF OSTEOPOROSIS.
Referred to Appropriations/Base Budget Committee.

By Senators Carpenter, Carter, Metcalf and Robinson:
S.B. 92, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR GENETIC HEALTH CARE SERVICES TO ASSIST IN THE PREVENTION OF INFANT MORTALITY AND OTHER DISEASES AND DISABILITIES RELATED TO GENETIC DISORDERS.
Referred to Appropriations/Base Budget Committee.

By Senators Shaw of Cumberland and Rand:
S.B. 93, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONSTRUCT A FINE ARTS CLASSROOM BUILDING AT
FAYETTEVILLE STATE UNIVERSITY.
Referred to Appropriations/Base Budget Committee.

By Senator Cochrane:
S.B. 94, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF THE COOLEEMEE TEXTILE HERITAGE HISTORIC SITE IN THE TOWN OF COOLEEMEE IN DAVIE COUNTY.
Referred to Appropriations/Base Budget Committee.

By Senators Lee, Cooper and Perdue:
S.B. 95, A BILL TO BE ENTITLED AN ACT TO MODIFY THE ELIGIBILITY REQUIREMENTS FOR MEMBERSHIP ON THE STATE BOARD OF COMMUNITY COLLAGES AND FOR MEMBERSHIP ON THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.
Referred to Education/Higher Education Committee.

By Senators Purcell and Plyler:
S.B. 96, A BILL TO BE ENTITLED AN ACT TO AMEND THE LOCAL LAWS IN THE 17TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senators Purcell and Plyler:
S.B. 97, A BILL TO BE ENTITLED AN ACT TO AMEND THE LOCAL LAWS IN THE 17TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senators Purcell and Plyler:
S.B. 98, A BILL TO BE ENTITLED AN ACT TO AMEND THE LOCAL LAWS IN THE 17TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senators Purcell and Plyler:
S.B. 99, A BILL TO BE ENTITLED AN ACT TO AMEND THE LOCAL LAWS IN THE 17TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senators Plyler and Purcell:
S.B. 100, A BILL TO BE ENTITLED AN ACT TO AMEND THE LOCAL LAWS CONCERNING THE SEVENTEENTH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senators Plyler and Purcell:
S.B. 101, A BILL TO BE ENTITLED AN ACT TO AMEND THE LOCAL LAWS CONCERNING THE SEVENTEENTH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

February 15, 1999
By Senators Plyler and Purcell:
S.B. 103, A BILL TO BE ENTITLED AN ACT TO AMEND THE LOCAL LAWS CONCERNING THE SEVENTEENTH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senators Plyler and Purcell:
S.B. 104, A BILL TO BE ENTITLED AN ACT TO AMEND THE LOCAL LAWS CONCERNING THE SEVENTEENTH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senators Plyler and Purcell:
S.B. 105, A BILL TO BE ENTITLED AN ACT TO AMEND THE LOCAL LAWS CONCERNING THE SEVENTEENTH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

Pursuant to Senator Ballance’s motion to adjourn having prevailed, the Senate adjourns at 7:53 P.M.

TWELFTH DAY

Senate Chamber
Tuesday, February 16, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Lord God, it occurs to us that perhaps we should quit reading that pile of newspapers we pour over before coming to work in this Chamber. The news is chronically depressing everywhere, and sometimes it drags us down before we even get to our seats.

"Help us when we get disheartened, to remember that it is this conflicted, broken world that You love and not some other perfect kingdom that we have constructed in our own imaginations. You are a God who delivers the world from chaos to order, from darkness to light, and from death to life. Give us new insight to see these magnificent possibilities as we read between the lines of the morning papers. It would make our jobs considerably more hopeful. In Your Name we pray. Amen."

With unanimous consent, the President grants leaves of absence for today to Senator Martin of Pitt and Senator Odom.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Monday, February 15, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Marion Wilson Griffin from Asheboro, North Carolina, who is serving the Senate as Doctor of the Day, and to Ed Kirkpatrick from Kinston, North Carolina, who is serving the Senate as Nurse of the Day.

February 16, 1999
REPORT OF COMMITTEE

A bill and a resolution are reported from a standing committee, read by their titles, together with the report accompanying them, and take their place on the Calendar, as follows:

By Senator Soles for the Commerce Committee:

S.J.R. 32, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF ROBERT KOGER MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, with a favorable report.

S.B. 23, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGULATING MASS GATHERINGS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6515 is adopted and engrossed.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Perdue:
S.B. 106, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS.
Referred to Appropriations/Base Budget Committee.

By Senator Perdue:
S.B. 107, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS.
Referred to Appropriations/Base Budget Committee.

By Senator Miller:
S.B. 108, A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE TO PROVIDE SCHOOL AND ACTIVITY BUSES FOR THE TRANSPORTATION NEEDS OF THE SPECIAL OLYMPICS.
Referred to State and Local Government Committee.

By Senator Miller:
S.B. 109, A BILL TO BE ENTITLED AN ACT TO REQUIRE MORE SPECIFIC DISCLOSURE OF LOBBYING.
Referred to Judiciary II Committee.

By Senators Warren, Albertson, Clodfelter, Dannelly, Harris, Hoyle, Lucas, Martin of Guilford, Purcell and Wellons:
S.B. 110, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE NORTH CAROLINA GEOGRAPHIC ALLIANCE.
Referred to Appropriations/Base Budget Committee.

By Senators Carter and Metcalf:
S.B. 111, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONSTRUCT AN ELEVATOR IN THE YMI CULTURAL CENTER
IN THE CITY OF ASHEVILLE.

Referred to Appropriations/Base Budget Committee.

CALENDAR

A bill on today's Calendar is taken up and disposed of, as follows:

S.B. 26, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON REIMBURSEMENT FOR SERVICES PROVIDED BY SCHOOL-BASED HEALTH CLINICS UNDER THE CHILDREN'S HEALTH INSURANCE PROGRAM.

The bill passes its second (44-3) and third readings and is ordered sent to the House of Representatives.

Upon motion of Senator Basnight, seconded by Senator Carpenter, the Senate adjourns at 2:32 P.M. to meet tomorrow, Wednesday, February 17, at 2:00 P.M.

THIRTEENTH DAY

Senate Chamber
Wednesday, February 17, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Spirit of truth, we are drowning in words in this Senate – committee meetings, bill drafts, e-mail, voice mail, chicken salad speeches. We confess that sometimes it feels like we live in the shadow of the Tower of Babel, where words are used to conceal meaning rather than make it plain.

"God of revelation, if in Your providence You confused the speech of Your proud people when they attempted to build so great a tower, You have also provided us the means by which we might overcome this vain confusion. May the words of our mouths and the meditations of our hearts be acceptable in Your sight, O God our Strength and our Redeemer. Amen."

With unanimous consent, the President grants a leave of absence for today to Senator Martin of Pitt.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Tuesday, February 16, 1999, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore of the Senate extends courtesies of the floor to Dr. Marsha Duke Fretwell from Wilmington, North Carolina, who is serving the Senate as Doctor of the Day.
REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hoyle for the Finance Committee:

S.B. 29, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION FEES COLLECTED UNDER THE COSMETIC ART ACT, with a favorable report.

S.B. 33, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF CLAYTON, with a favorable report.

By Senator Kinnaird for the State and Local Government Committee:

S.B. 43, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE THE TOWN OF ALEXANDER MILLS INTO THE TOWN OF FOREST CITY, with a favorable report.
Pursuant to Rule 43, the bill is re-referred to the Finance Committee.

S.B. 108, A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE TO PROVIDE SCHOOL AND ACTIVITY BUSES FOR THE TRANSPORTATION NEEDS OF THE SPECIAL OLYMPICS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.
Pursuant to Rule 45.1, the proposed Committee Substitute bill 6521 is adopted and engrossed.
With unanimous consent, upon motion of Senator Miller, the rules are suspended and the Committee Substitute bill is placed at the end of today’s Calendar.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Soles:
S.B. 112, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ESTABLISHMENT OF AN ADDITIONAL ASSISTANT DISTRICT ATTORNEY POSITION IN THE THIRTEENTH PROSECUTORIAL DISTRICT.
Referred to Appropriations/Base Budget Committee.

By Senators Metcalf and Carter:
S.B. 113, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT THE WESTERN NORTH CAROLINA FARMERS MARKET.
Referred to Appropriations/Base Budget Committee.

By Senators Hoyle and Forrester:
S.B. 114, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF THE HIGHLAND SCHOOL OF TECHNOLOGY IN GASTON COUNTY.
Referred to Appropriations/Base Budget Committee.

February 17, 1999
By Senators Garwood, Allran, Carpenter, Carter, Cochrane, Dalton, Forrester, Horton, Lee, Metcalf, Moore, Purcell and Rucho:

S.B. 115, A BILL TO BE ENTITLED AN ACT TO EXTEND FOR ONE YEAR THE DEADLINE FOR MATCHING COMMUNITY COLLEGE BOND FUNDS.
Referred to Finance Committee.

By Senators Dalton, Cochrane, Garwood, Hartsell, Hoyle, Kerr, Lucas and Webster:

S.B. 116, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE USE OF STAMPS TO INDICATE WHETHER THE EXCISE TAX ON CONVEYANCES HAS BEEN PAID AND TO MAKE THE PENALTIES THAT APPLY TO THIS TAX THE SAME AS FOR OTHER TAXES.
Referred to Finance Committee.

By Senator Soles:

S.B. 117, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS.
Referred to Rules and Operations of the Senate Committee.

By Senators Rucho, Allran, Ballantine, Foxx, Moore and Shaw of Guilford:

S.B. 118, A BILL TO BE ENTITLED AN ACT TO PERMIT CHILDREN TO ATTEND COMMUNITY SCHOOLS.
Referred to Education/Higher Education Committee.

By Senators Allran, Carpenter and Garwood:

S.B. 119, A BILL TO BE ENTITLED AN ACT TO CAUSE EACH SCHOOL BUS OWNED OR OPERATED BY SUCH LOCAL SCHOOL ADMINISTRATIVE UNIT TO BE INSPECTED AT LEAST ONCE EACH THIRTY-EIGHT DAYS DURING THE SCHOOL YEAR.
Referred to Transportation Committee.

By Senators Allran, Carpenter, Cochrane, Forrester, Foxx, Garwood, Hartsell, Jordan, Metcalf, Moore, Phillips and Shaw of Guilford:

S.B. 120, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES RELATED TO UNDERAGE DRINKING.
Referred to Judiciary I Committee.

By Senators Reeves and Miller:

S.B. 121, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EDUCATION CENTER AT THE CONTEMPORARY ART MUSEUM IN THE CITY OF RALEIGH.
Referred to Appropriations/Base Budget Committee.

CALENDAR

Bills and a resolution on today's Calendar are taken up and disposed of, as follows:

S.B. 23 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGULATING MASS GATHERINGS.
The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

February 17, 1999
S.J.R. 32, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF ROBERT KOGER MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION.

The joint resolution passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

S.B. 108 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE TO PROVIDE SCHOOL AND ACTIVITY BUSES FOR THE TRANSPORTATION NEEDS OF THE SPECIAL OLYMPICS, placed earlier on today’s Calendar.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent by special message to the House of Representatives.

Upon motion of Senator Ballance, seconded by Senator Soles, the Senate adjourns at 2:48 P.M. to meet tomorrow, Thursday, February 18, at 11:30 A.M.

FOURTEENTH DAY

Senate Chamber
Thursday, February 18, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“God of joy and mirth, You created the giraffe, the aardvark, and schools of leaping dolphin, so it is plain that You have the capacity to laugh with and through Your creation. That is good news for us, because as conscientious as we are, there are times when we take ourselves entirely too seriously.

“Give us the freedom and the maturity to laugh at ourselves from time to time as You do. Help us also to realize that we are not the permanent, artful garden ornaments we sometimes imagine ourselves to be, but only temporary, humble laborers in Your vineyard. Bless us with a good measure of laughter this day, in Your Name we pray. Amen.”

With unanimous consent, the President grants leaves of absence for today to Senator Hoyle, Senator Martin of Pitt, and Senator Weinstein.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Wednesday, February 17, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Noel Bruce McDevitt from Pinehurst, North Carolina, who is serving the Senate as Doctor of the Day, and to William Grau from Greenville, North Carolina, who is serving the Senate as Nurse of the Day.

February 18, 1999
Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Miller for the **Judiciary II Committee**:

**S.B. 41, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT EVERY DWELLING UNIT LEASED AS RENTAL PROPERTY IN CERTAIN CITIES BE FURNISHED WITH A SOURCE OF HEAT,** with a favorable report.

**S.B. 62, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS,** with a favorable report.

By Senator Dalton for the **Education/Higher Education Committee**:

North Carolina General Assembly
Senate Chamber
State Legislative Building
Raleigh 27601-2808

February 18, 1999

TO: Members of the Senate

FROM: Senators Dalton and Lee, Co-Chairs
Education/Higher Education Committee

RE: Board of Governors Nominees

Pursuant to Senate Resolution 68, the Education/Higher Education Committee has met and nominates the following individuals to serve in the six at-large positions on the Board of Governors of The University of North Carolina:

<table>
<thead>
<tr>
<th>NOMINEE</th>
<th>SENATE SPONSOR(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freeman Edward “Ed” Broadwell, Jr.</td>
<td>Senator Carter, Senator Metcalf</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>William T. Brown</td>
<td>Senator Rand, Senator Larry Shaw</td>
</tr>
<tr>
<td>William L. Burns, Jr.</td>
<td>Senator Gulley</td>
</tr>
<tr>
<td>C. Cliff Cameron</td>
<td>Senator Hoyle, Senator Plyler,</td>
</tr>
<tr>
<td></td>
<td>Senator Rand</td>
</tr>
<tr>
<td>McDuffie Cummings</td>
<td>Senator Weinstein</td>
</tr>
<tr>
<td>Robert V. Owens III</td>
<td>Senator Soles</td>
</tr>
<tr>
<td>Benjamin S. Ruffin</td>
<td>Senator Ballance</td>
</tr>
</tbody>
</table>

The Committee nominates the following individuals to serve in the two Minority Political Party Category positions on the Board of Governors of The University of North Carolina:

<table>
<thead>
<tr>
<th>NOMINEE</th>
<th>SENATE SPONSOR(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kelly Leonard</td>
<td>Senator Robinson</td>
</tr>
<tr>
<td>Teena Little</td>
<td>Senator Cochrane</td>
</tr>
</tbody>
</table>
Since the date of the committee meeting, the following individuals have withdrawn their consent to be nominated and shall not appear on the ballot:

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>McDuffie Cummings</td>
<td>(At-Large Category)</td>
</tr>
<tr>
<td>Kelly Leonard</td>
<td>(Political Minority Party Category)</td>
</tr>
<tr>
<td>Cary Caperton Owen</td>
<td>(Political Minority Party Category)</td>
</tr>
</tbody>
</table>

**ELECTION OF MEMBERS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA**

With the report of the Education/Higher Education Committee before the Body, and pursuant to G.S. 116-6 and S.R. 68, A SENATE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, the President recognizes Senator Dalton, Co-Chairman of Education/Higher Education Committee, to explain the voting rules. Senator Dalton announces that Senator Clodfelter, Senator Hagan, and Senator Hartsell will serve as his assistants to collect and canvass the ballots.

Senator Horton requests that his remarks regarding the report of the Education/Higher Education Committee be recorded as a part of the record as follows:

"Mr. President, I hate to lend a sour note to the affair that seems to be going on here, but I must record that I feel personally offended at the procedure that we have followed. The majority was advised at the Education Committee meeting that the Minority Party had caucused and selected the people that it wanted to represent it on the Board of Governors and, in spite of that, we find that the majority has, in effect, selected the minority's own candidates. This is why you see just two people there. The word was very clearly let out that the people selected by the Minority Party to represent them were simply not going to be part of the game. Mr. President, this isn't the sort of stability, the sort of collegiality that we are used to here and I regret it immensely. It is not as if the majority needed to do this. It's not as if they had any real worry whether there was a sufficient majority to run rough shod over the wishes of the minority to select their own representatives, and I guess it's the gratuitous aspect of it that strikes me harder than anything else. And I do want to record that and the protest that I think many of us feel that we have not been allowed to select our own people to represent the Minority Party in their own category."

Senator Dalton calls the previous question on the report, seconded by Senator Martin of Guilford. The call is sustained.

The ballots are distributed and the Senators proceed to vote by marking and signing their ballots.

Senator Dalton requests dismissal from the Chamber for himself and the appointed members to canvass the votes. The President excuses Senator Clodfelter, Senator Dalton, Senator Hagan, Senator Hartsell, and Senator Lee from the Chamber to canvass the votes.

**REPORTS OF COMMITTEES (Continued)**

By Senator Rand for the Rules and Operations of the Senate Committee:

S.B. 117, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP
INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Kinnaird:
S.B. 122, A BILL TO BE ENTITLED AN ACT RELATING TO THE 16TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Kinnaird:
S.B. 123, A BILL TO BE ENTITLED AN ACT RELATING TO THE 16TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Kinnaird:
S.B. 124, A BILL TO BE ENTITLED AN ACT RELATING TO THE 16TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Kinnaird:
S.B. 125, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS OF NORTH CAROLINA.
Referred to Rules and Operations of the Senate Committee.

By Senators Warren, Carpenter, Clodfelter, Cooper, Dannelly, Hoyle and Shaw of Cumberland:
S.B. 126, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A DIABETES CENTER AT EAST CAROLINA UNIVERSITY.
Referred to Appropriations/Base Budget Committee.

By Senator Hartsell:
S.B. 127, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.
Referred to Judiciary I Committee.

By Senator Hartsell:
S.B. 128, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW CONCERNING INTEREST ON MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.
Referred to Judiciary I Committee.

By Senator Hartsell:
S.B. 129, A BILL TO BE ENTITLED AN ACT TO REPEAL ARTICLE 6 OF THE UNIFORM COMMERCIAL CODE RELATING TO BULK TRANSFERS AND TO ENACT CONFORMING AMENDMENTS TO THE UNIFORM COMMERCIAL CODE AND OTHER SECTIONS OF THE GENERAL STATUTES, AS RECOMMENDED BY

February 18, 1999
THE GENERAL STATUTES COMMISSION.
Referred to Judiciary I Committee.

By Senators Wellons, Garrou, Harris and Warren:
S.B. 130, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE SUNSET ON USING SAVED EMPLOYER FICA CONTRIBUTIONS TO PAY THE ADMINISTRATIVE EXPENSES OF THE FLEXIBLE BENEFITS PROGRAM.
Referred to Finance Committee.

By Senators Robinson, Carter and Metcalf:
S.B. 131, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO NORTH CAROLINA INTERNATIONAL FOLK FESTIVAL, INC., FOR FOLKMOOT USA.
Referred to Appropriations/Base Budget Committee.

By Senators Jordan, Ballantine and Soles:
S.B. 132, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RENOVATE AND REPAIR CAPE FEAR COMMUNITY COLLEGE'S DOCK FACILITY THAT SUPPORTS A RESEARCH VESSEL USED FOR THE COLLEGE'S MARINE TECHNOLOGY PROGRAM.
Referred to Appropriations/Base Budget Committee.

By Senators Purcell and Plyler:
S.B. 133, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE SCOTLAND COUNTY SATELLITE OF RICHMOND COMMUNITY COLLEGE.
Referred to Appropriations/Base Budget Committee.

By Senators Allran, Ballantine, Carpenter, Forrester, Garwood, Jordan, Lucas, Moore, Rucho, Shaw of Guilford and Webster:
S.B. 134, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SCHOOL UTILITY COSTS.
Referred to Appropriations/Base Budget Committee.

By Senators Foxx, Allran, Ballantine, Carpenter, Carrington, Cochrane, East, Forrester, Garwood, Hartsell, Horton, Moore, Rucho, Shaw of Guilford and Webster:
S.B. 135, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE USE OF SPECIAL PROVISIONS TO APPROPRIATIONS ISSUES.
Referred to Appropriations/Base Budget Committee.

By Senators Shaw of Cumberland, Ballance, Ballantine, Jordan and Lucas:
S.B. 136, A BILL TO BE ENTITLED AN ACT TO DESIGNATE ENTERPRISE TAX ZONES AND PROVIDE INCENTIVES FOR BUSINESS DEVELOPMENT IN THE ZONES.
Referred to Finance Committee.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 29, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION FEES COLLECTED UNDER THE COSMETIC ART ACT.

February 18, 1999
With unanimous consent, upon motion of Senator Kerr, the bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, February 23.

**ANNOUNCEMENT OF MEMBERS ELECTED TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA**

Pursuant to S.R. 68, A SENATE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, and with forty-seven ballots having been properly completed, Senator Dalton, Co-Chairman of the Education/Higher Education Committee, announces the results of the election of the Board of Governors of the University of North Carolina, as follows:

**AT-LARGE CATEGORY – FOUR YEAR TERM**

Freeman Edward “Ed” Broadwell, Jr.
William T. Brown
William L. Burns, Jr.
C. Cliff Cameron
Robert V. Owens III
Benjamin S. Ruffin

**MINORITY POLITICAL PARTY CATEGORY – FOUR YEAR TERM**

Teena S. Little
Barbara S. Perry

The President declares Freeman Edward “Ed” Broadwell, Jr., William T. Brown, William L. Burns, Jr., C. Cliff Cameron, Robert V. Owens III, Benjamin S. Ruffin, Teena S. Little, and Barbara S. Perry duly elected to the Board of Governors of the University of North Carolina, and he further orders a special message sent to the House of Representatives informing that Honorable Body of such action. The President directs Senator Dalton and Senator Lee, Co-Chairmen of the Education/Higher Education Committee, to notify the Secretary of the Board of Governors of the University of North Carolina of the names of the persons elected by the Senate and the category and term for which each person was elected.

**CALENDAR (Continued)**

S.B. 33, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF CLAYTON, upon second reading.

The bill passes its second reading by roll-call vote, ayes 47, noes 0, as follows:


Voting in the negative: None.

The bill is ordered placed on the Calendar for Monday, February 22, upon third reading.

February 18, 1999
**ADDITIONAL SPONSOR**

Senator Carter requests to be added as a sponsor of previously introduced legislation:

**S.B. 76, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF CRIMINAL STATISTICS TO COLLECT AND MAINTAIN STATISTICS ON TRAFFIC LAW ENFORCEMENT.**

Upon motion of Senator Basnight, seconded by Senator Carrington, the Senate adjourns at 12:29 P.M. to meet Monday, February 22, at 7:00 P.M.

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**FIFTEENTH DAY**

Senate Chamber
Monday, February 22, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Bruce E. Stanley, Associate Director of Missions and Evangelism, Council on Ministries, United Methodist Church, Raleigh, North Carolina, as follows:

"Lord of us all, we acknowledge that You have created within us a desire for community. It is not Your Will that any of us be alone through either the joys or the heartbreaks in life. Help us then, this night and always, to create communities that are pleasing in Your sight. Help us to form a society where people are drawn together in common purpose. Let the laws that we fashion reflect Your Grace and Your Will. May North Carolina be a place where all find representation, especially those who are unable to give voice for themselves. Provide for us a spirit of wisdom that we might find right solutions. Give us then a spirit of courage that we might stay that course. Pour out all good things on these Your servants here. Amen."

With unanimous consent, the President grants leaves of absence for tonight to Senator Hoyle, Senator Odom, Senator Perdue, and Senator Plyler.

Senator Basnight, President Pro Tempore, announces the Journal of Thursday, February 18, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Joseph Michael Falsone from Chapel Hill, North Carolina, who is serving the Senate as Doctor of the Day, and to Susan Hohenhaus from Durham, North Carolina, who is serving the Senate as Nurse of the Day.

**CALENDAR**

Bills on tonight's Calendar are taken up and disposed of, as follows:

**S.B. 41, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT EVERY**

February 22, 1999
DWELLING UNIT LEASED AS RENTAL PROPERTY IN CERTAIN CITIES BE FURNISHED WITH A SOURCE OF HEAT.

With unanimous consent, upon motion of Senator Reeves, the bill is withdrawn from tonight’s Calendar and placed on the Calendar for tomorrow, Tuesday, February 23.

Senator Rand offers a motion to suspend Rule 7 to the end that the introduction of bills be placed as the last order of business tonight, which motion prevails with unanimous consent.

CALENDER (Continued)

S.B. 33, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF CLAYTON, upon third reading.

The bill passes its third reading by roll-call vote, ayes 44, noes 0, as follows:
Voting in the negative: None.
The bill is ordered sent to the House of Representatives.

S.B. 62, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS.

The bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives.

S.B. 117, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS.

The bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives.

RECOGNITION OF BLACK HISTORY MONTH

With unanimous consent, upon motion of Senator Jordan, the comments of the members of the Legislative Black Caucus, speaking to points of personal privilege commemorating Black History Month, are spread upon the Journal as follows:

Senator Ballance:
“Mr. President, as you know and the members of the Senate know, this is February, this is Black History month, and several years ago Dr. Carter Woodson started the celebration to highlight the contributions of African Americans to our society. By the time we arrive next Monday night, this month will be all gone and so we wanted to, the members of the Legislative Black Caucus in the Senate wanted to take this opportunity tonight to just have a few remarks by two of our members, beginning, if you would, Mr. President, recognize Senator Charlie Dannelly, and then after that, cleanup, Senator Jeannie Lucas.”

Senator Dannelly:
“Thank you, Mr. President, ladies and gentlemen of the Senate. I sorta took something from an advertisement by one of the companies in North Carolina, Bell South. I thought it
was quite appropriate and it expresses how a lot of us feel all the time, but particularly this month, February. The title of it is *I Am the Drum* and it reads:

"My roots are grounded deep in the soil of Africa. Centuries ago I arrived on the shores of America, bringing with me my culture and the voices of my people. Since that time, I have played a major role in every known civilization. I speak one language, transcending race, age, and gender. Just listen.'

"And as we celebrate the contributions of Negroes, Blacks, African Americans, and we’ve been called all those, I want to read to you some inventions by Black inventors, things, some of them I had no knowledge of and maybe you too, but we use some of them everyday, and think not who invented them. Most of these were done during the nineteenth century. The egg beater, Willie Johnson; the lemon squeezer, J. Thomas White; the mop, Thomas W. Stewart; the telephone transmitter and automatic cut-off switch, Granville T. Woods; the typewriter, Burridge and Marshman; the guitar, Robert F. Flemming, Jr.; the ice cream scoop, A. L. Crale; the hair brush, Lydia O. Newman; the wok, W. A. Martin, not our two Martins; peanut butter improvements and many, many more things from the peanut, George Washington Carver; sugar making, Norbert Rillieux; the doorknob, we use them everyday, O. Dorsey; furniture caster, O. A. Fisher; bicycle frame, L. R. Johnson; the lantern, Michael C. Harvey; the automatic fishing device, you fishermen, G. Cook; the keychain, F. J. Loudin; lawnmower, L. A. Burr, I wish he hadn’t invented that one; the stove, T. A. Carrington; the tricycle, M. A. Cherry; baby buggy, W. H. Richardson; the refrigerator, J. Standard; the elevator, Alexander Miles; fire escape ladder, J. W. Winters; the folding bed, L. C. Bailey; shampoo headrest, C. O. Bailiff; and just five from the twentieth century, just not even a thimblefull, air conditioning unit, Frederick M. Jones; straightening comb, Madam C. J. Walker; and the record player arm, Joseph Hunger Dickenson; thermostat control, Frederick M. Jones; and something half of us in here cannot do without now, the cellular car phone, Henry T. Sampson.

"As we use these things, think about it. Maybe they would not have been invented and we would be struggling today. Those are just some of the African-American contributions during our history in this country. Thank you."

Senator Lucas:

"Thank you, Mr. President. Mr. President and members of the Senate, in celebration of this month, I’ve asked the question, ‘Where do we go from here?’ It is always good for us to take time out and give reverence to events and things that occur in our lives that heighten our awareness about ourselves, about our history, and about our world. And as we wait with great anticipation of a better and more progressive future, it would be injudicious for us not to reflect on from where we have come in an effort to map the course of where we need to go.

"As African-Americans, our history here in America is as rich and as diverse as the soil on which we walk and stand. The legacy of our people bears countless stories of humility, of courage, of fortitude, and faith. It is through our history of great struggle that we have become a people inspired by hope, pride and progress. Frederick Douglas once said, ‘If there is no struggle, there is no progress.’ The hardships and battles that African-Americans have endured and won throughout history has left an invaluable impression, an unchanging impression on the fabric of American society.

"So why is this moment so important? What does it mean? What are we doing to continue this great legacy? History is a map. It helps us in understanding the point at which we stand and the destination in which we are headed. Those who fail to know and understand their history are destined to repeat it. We must remember that there are those in America who are seeking our support, our wisdom, our knowledge, as they go about their daily lives. So where do we go from here? It’s with a commitment from each of us to reach out to those and share our expertise, our skills, our wisdom, our knowledge, and
in closing, I simply call the names of Correta Scott King, of Rosa Parks, Myrlie Evers, Dorothy Height. The last statement I would make is, we must remember that no matter what, our destinies are interwoven, and we cannot expect this world to be better for some of us without doing what is necessary to make it better for all of us. Thank you.”

**SENATE PAGES**

The President recognizes the following pages serving in the Senate this week:

Carla Kristen Ainsley, Tarboro; James David Arnold, Fuquay-Varina; Kelly Arnold, Fayetteville; Chadwick Jonathan Barnhill, Raleigh; David Barnhill, Jamestown; Aaron Lee Bell, Robbins; Matthew Carpenter, Sylva; Andrew Brett Harr, Sylva; Benjamin L. McDonald, Raeford; Audra Leigh Noble, Tarboro; Bryan Patrick Roach, Raleigh; Patrick Lee Sellers, Edenton; Sarah Elizabeth Vinson, Faison; and Nikia L. Young, Wilmington.

Upon motion of Senator Basnight, seconded by Senator Rucho, the Senate adjourns subject to introduction of bills, to meet tomorrow, Tuesday, February 23, at 4:00 P.M.

**INTRODUCTION OF BILLS AND A RESOLUTION**

Bills and a resolution filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Metcalf and Carter:

**S.B. 137**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RENOVATE THE OTEEN CENTER IN THE CITY OF ASHEVILLE TO PROVIDE A PERMANENT HEADQUARTERS FOR THE WESTERN OFFICE OF THE NORTH CAROLINA DIVISION OF ARCHIVES AND HISTORY AND STORAGE SPACE FOR REGIONAL RECORDS.

Referred to Appropriations/Base Budget Committee.

By Senators Moore and Garwood:

**S.B. 138**, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF ALEXANDER COUNTY.

Referred to Rules and Operations of the Senate Committee.

By Senators Moore and Garwood:

**S.B. 139**, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF ALEXANDER COUNTY.

Referred to Rules and Operations of the Senate Committee.

By Senators Moore and Garwood:

**S.B. 140**, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF AVERY COUNTY.

Referred to Rules and Operations of the Senate Committee.

By Senators Moore and Garwood:

**S.B. 141**, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF AVERY COUNTY.

Referred to Rules and Operations of the Senate Committee.
By Senators Moore and Garwood:
S.B. 142, A BILL TO BE ENTITLED AN ACT RELATING TO THE
GOVERNANCE OF BURKE COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senators Moore and Garwood:
S.B. 143, A BILL TO BE ENTITLED AN ACT RELATING TO THE
GOVERNANCE OF BURKE COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senators Moore and Garwood:
S.B. 144, A BILL TO BE ENTITLED AN ACT RELATING TO THE
GOVERNANCE OF CALDWELL COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senators Moore and Garwood:
S.B. 145, A BILL TO BE ENTITLED AN ACT RELATING TO THE
GOVERNANCE OF CALDWELL COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senators Moore and Garwood:
S.B. 146, A BILL TO BE ENTITLED AN ACT RELATING TO THE
GOVERNANCE OF MITCHELL COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senators Moore and Garwood:
S.B. 147, A BILL TO BE ENTITLED AN ACT RELATING TO THE
GOVERNANCE OF MITCHELL COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senators Moore and Garwood:
S.B. 148, A BILL TO BE ENTITLED AN ACT RELATING TO THE
GOVERNANCE OF WILKES COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senators Moore and Garwood:
S.B. 149, A BILL TO BE ENTITLED AN ACT RELATING TO THE
GOVERNANCE OF WILKES COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senators Moore and Garwood:
S.B. 150, A BILL TO BE ENTITLED AN ACT RELATING TO THE
GOVERNANCE OF YADKIN COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senators Moore and Garwood:
S.B. 151, A BILL TO BE ENTITLED AN ACT RELATING TO THE
GOVERNANCE OF YADKIN COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Shaw of Guilford:
S.B. 152, A BILL TO BE ENTITLED AN ACT RELATING TO THE 19TH

February 22, 1999
SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Shaw of Guilford:
S.B. 153, A BILL TO BE ENTITLED AN ACT RELATING TO THE 19TH
SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Shaw of Guilford:
S.B. 154, A BILL TO BE ENTITLED AN ACT RELATING TO THE 19TH
SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Shaw of Guilford:
S.B. 155, A BILL TO BE ENTITLED AN ACT RELATING TO THE 19TH
SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Wellons:
S.B. 156, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON
THE AUTHORITY OF THE LAKE ROYALE COMMUNITY IN FRANKLIN AND
NASH COUNTIES TO REGULATE THE OPERATION OF CERTAIN MOTOR
VEHICLES AND TO ENHANCE THAT AUTHORITY.
Referred to Transportation Committee.

By Senators Lucas, Ballance, Ballantine, Carpenter, Carter, Cochrane, Dannelly,
Forrester, Garrou, Jordan, Kinnaird, Lee, Metcalf, Phillips, Shaw of Cumberland and
Wellons:
S.B. 157, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO
THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR ADDITIONAL
STAFF POSITIONS TO ENSURE REGULATORY COMPLIANCE OF ADULT CARE
HOMES.
Referred to Appropriations/Base Budget Committee.

By Senators Lucas, Ballance, Ballantine, Carter, Cochrane, Dannelly, Forrester,
Garrou, Jordan, Kinnaird, Lee, Metcalf, Phillips, Shaw of Cumberland and Wellons:
S.B. 158, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO
PROVIDE ADDITIONAL STAFF TO COUNTY DEPARTMENTS OF SOCIAL
SERVICES FOR ADULT PROTECTIVE SERVICES AND GUARDIANSHIP.
Referred to Appropriations/Base Budget Committee.

By Senators Lucas, Ballance, Ballantine, Carpenter, Carter, Cochrane, Dannelly,
Forrester, Garrou, Jordan, Kinnaird, Lee, Metcalf, Phillips, Shaw of Cumberland and
Wellons:
S.B. 159, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR
ADDITIONAL ADULT CARE HOME SPECIALISTS.
Referred to Appropriations/Base Budget Committee.

By Senators Perdue, Carpenter, Carter, Clodfelter, Cochrane, Cooper, Dannelly,
Forrester, Garrou, Garwood, Hagan, Hoyle, Kerr, Lucas, Martin of Guilford, Metcalf,
Miller, Plyler, Purcell, Rand, Reeves, Shaw of Cumberland, Soles and Warren:
S.B. 160, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH
CAROLINA BOARD OF NURSING TO ESTABLISH PROGRAMS TO AID THE REHABILITATION AND MONITORING OF NURSES WHO EXPERIENCE CERTAIN ADDICTIONS AND DISABILITIES.

Referred to Health Care Committee.

By Senators Carpenter, Allran, Ballantine, Carrington, Cochrane, East, Forrester, Foxx, Garwood, Horton, Moore, Rucho, Shaw of Guilford and Webster:

S.B. 161, A BILL TO BE ENTITLED AN ACT TO REPEAL THE ANNUAL TRANSFER OF ONE HUNDRED SEVENTY MILLION DOLLARS IN HIGHWAY USE TAX COLLECTIONS FROM THE HIGHWAY TRUST FUND TO THE GENERAL FUND AND TO PROVIDE THAT THOSE FUNDS SHALL BE USED BY THE DEPARTMENT OF TRANSPORTATION FOR HIGHWAY MAINTENANCE.

Referred to Appropriations/Base Budget Committee.

By Senator Hartsell:

S.J.R. 162, A JOINT RESOLUTION AUTHORIZING THE GENERAL STATUTES COMMISSION TO STUDY UNIFORM COMMERCIAL CODE REVISED ARTICLE 9 (SECURED TRANSACTIONS) AND TO REPORT TO THE 1999 GENERAL ASSEMBLY, REGULAR SESSION 2000, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to Rules and Operations of the Senate Committee.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 7:41 P.M.

SIXTEENTH DAY

Senate Chamber
Tuesday, February 23, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by Dr. Vernon C. Tyson, Former Senate Chaplain and Retired Minister, United Methodist Church, Raleigh, North Carolina, as follows:

"Eternal God, without whom life has no spiritual source, no high or holy purpose, but with whom there is power for the present and hope with vision aplenty for the future, we bow to seek Your face at the beginning of this weekly Session.

"Each of us come, carrying in our hearts those whose lives are more precious to us than our own, fathers and mothers, husbands and wives, children and grandchildren. We lift them up before you, asking your blessing.

"Bless also those whose votes of confidence have placed us in this Chamber of public trust.

"Grant us, therefore, such a wise diligence that at the close of this Session we may return to our homes with no need to be ashamed. Amen."

With unanimous consent, the President grants leaves of absence for today to Senator Hartsell, Senator Odom, and Senator Webster.
Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Monday, February 22, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Michael Stewart Lancaster from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Betty Wallace from Morehead City, North Carolina, who is serving the Senate as Nurse of the Day.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Martin of Pitt:
S.B. 163, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A MULTIPURPOSE BUILDING AT THE STATE FAIR.
Referred to Appropriations/Base Budget Committee.

By Senator Martin of Pitt:
S.B. 164, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE NORTH CAROLINA TECHNOLOGICAL DEVELOPMENT AUTHORITY.
Referred to Appropriations/Base Budget Committee.

By Senators Rand, Albertson, Allran, Ballance, Ballantine, Carpenter, Carrington, Carter, Cochrane, Cooper, Dalton, Dannelly, East, Forrester, Foxx, Garrou, Garwood, Hagan, Hartsell, Horton, Kerr, Lucas, Martin of Guilford, Martin of Pitt, Metcalf, Miller, Moore, Reeves, Robinson, Rucho, Shaw of Cumberland, Shaw of Guilford, Soles, Warren, Webster, Weinstein and Wellons:
S.B. 165, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR A FELONY AND STORED IN THE STATE DNA DATABASE AND TO ESTABLISH PILOT PROGRAMS TO IMPLEMENT THIS PROCEDURE.
Referred to Judiciary I Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

REPORTS OF COMMITTEES

Bills and a resolution are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Soles for the Commerce Committee:

S.J.R. 78, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF HAL D. LINGERFELT AS COMMISSIONER OF BANKS, with a favorable report.

S.B. 51, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING HIGHWAY SMALL PROJECT BIDDING AND TO PROVIDE AN ALTERNATIVE PROCEDURE FOR RESOLVING STATE CONTRACT DISPUTES,
with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3565, which changes the title to read, S.B. 51 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING HIGHWAY SMALL PROJECT BIDDING, is adopted and engrossed.

By Senator Miller for the Judiciary II Committee:

S.B. 8, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT AN ACT TO AMEND THE CONSTITUTION TO LIMIT THE LENGTH OF LEGISLATIVE SESSIONS AND TO PROVIDE FOUR-YEAR TERMS FOR MEMBERS OF THE SENATE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3562 is adopted and engrossed.

S.B. 9, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LENGTH OF LEGISLATIVE SESSIONS AND TO PROVIDE FOUR-YEAR TERMS FOR MEMBERS OF THE SENATE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6516 is adopted and engrossed.

**CALENDAR**

Bills on today's Calendar are taken up and disposed of, as follows:

**S.B. 29**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION FEES COLLECTED UNDER THE COSMETIC ART ACT.
Senator Kerr offers Amendment No. 1 which is adopted (46-0).
The bill, as amended, passes its second (46-0) and third readings and is ordered engrossed and sent to the House of Representatives.

**S.B. 41**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT EVERY DWELLING UNIT LEASED AS RENTAL PROPERTY IN CERTAIN CITIES BE FURNISHED WITH A SOURCE OF HEAT.
The bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

Upon motion of Senator Basnight, seconded by Senator Shaw of Guilford, the Senate adjourns at 4:36 P.M. to meet tomorrow, Wednesday, February 24, at 4:00 P.M.

**SEVENTEENTH DAY**

Senate Chamber
Wednesday, February 24, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

February 24, 1999
Prayer is offered by The Reverend Bruce E. Stanley, Associate Director of Missions and Evangelism, Council on Ministries, United Methodist Church, Raleigh, North Carolina, as follows:

“Lord of us all, renew these Your servants as they sit for yet another Session. Give them the desire to seek what is excellent instead of what is expedient, give them the strength to do that which is courageous instead of that which is convenient, give them the ability to represent the will of the people without repressing the whispers of their own conscience. We pray they might have quality in their decisions so that we in North Carolina might have quality in our days. Amen.”

With unanimous consent, the President grants leaves of absence for today to Senator Clodfelter, Senator Cochrane, Senator Dannelly, Senator Plyler, Senator Reeves, and Senator Shaw of Cumberland.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Tuesday, February 23, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Darlyne Menscor from Charlotte, North Carolina, who is serving the Senate as Doctor of the Day, and to Cathy Chapman from Burlington, North Carolina, who is serving the Senate as Nurse of the Day.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Cooper for the Judiciary I Committee:

S.B. 57, A BILL TO BE ENTITLED AN ACT PROVIDING FOR LOSS OF DRIVERS LICENSE WHEN CERTAIN PROVISIONAL LICENSEES COMMIT DESIGNATED ACTS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7525 which changes the title to read S.B. 57 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING FOR LOSS OF DRIVERS LICENSE PRIVILEGES BY CERTAIN PERSONS UNDER THE AGE OF EIGHTEEN FOR COMMITTING DESIGNATED ACTS, is adopted and engrossed.

S.B. 128, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW CONCERNING INTEREST ON MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2539 is adopted and engrossed.

With unanimous consent, upon motion of Senator Cooper, the Committee Substitute bill is placed on the Calendar for Wednesday, March 3.

By Senator Soles for the Commerce Committee:

February 24, 1999
S.B. 59, A BILL TO BE ENTITLED AN ACT TO AMEND THE PHARMACY PRACTICE ACT TO DEFINE THE TERM MOBILE PHARMACY AND TO ALLOW SUCH A PHARMACY TO REGISTER ANNUALLY WITH THE BOARD OF PHARMACY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6533, which changes the title to read S.B. 59 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PHARMACY PRACTICE ACT TO PERMIT CERTAIN NONPROFIT CORPORATIONS TO OPERATE MOBILE PHARMACIES AND TO ALLOW SUCH PHARMACIES TO REGISTER ANNUALLY WITH THE BOARD OF PHARMACY, is adopted and engrossed.

INTRODUCTION OF BILLS AND A RESOLUTION

Bills and a resolution filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Carpenter:
S.B. 166, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RENOVATE AND RESTORE THE FIRE-DAMAGED MACON COUNTY HISTORICAL MUSEUM.
Referred to Appropriations/Base Budget Committee.

By Senator Soles:
S.B. 167, A BILL TO BE ENTITLED AN ACT TO REENACT THE 1986 LAW PROVIDING FOR RISK-SHARING PLANS, TO AMEND THE IMMUNITY STATUTES FOR THE FAIR AND BEACH PLANS, AND TO MAKE A TECHNICAL AMENDMENT IN THE BEACH PLAN LAWS.
Referred to Insurance Committee.

By Senators Purcell and Plyler:
S.R. 168, A SENATE RESOLUTION HONORING THE LIFE AND MEMORY OF NOAH GIBSON FOR WHOM THE TOWN OF GIBSON IS NAMED, ON THE TOWN'S ONE HUNDREDTH ANNIVERSARY.
Referred to Rules and Operations of the Senate Committee.

CALENDAR

Bills and a resolution on today's Calendar are taken up and disposed of, as follows:

S.B. 8 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT AN ACT TO AMEND THE CONSTITUTION TO LIMIT THE LENGTH OF LEGISLATIVE SESSIONS AND TO PROVIDE FOUR-YEAR TERMS FOR MEMBERS OF THE SENATE.
Senator Hoyle offers Amendment No. 1 which is adopted (44-0).
The Committee Substitute bill, as amended, passes its second (42-2) and third readings and is ordered engrossed and sent to the House of Representatives.

S.B. 9 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT THE LENGTH OF LEGISLATIVE SESSIONS AND TO PROVIDE FOUR-YEAR TERMS FOR MEMBERS OF THE SENATE.
Senator Moore offers Amendment No. 1 which is adopted (44-0).

February 24, 1999
The Committee Substitute bill, as amended, passes its second reading by a three-fifths majority vote, ayes 42, noes 2, as follows:


Voting in the negative: Senators Foxx and Webster—2.

Having passed its second reading and receiving a three-fifths affirmative majority vote, the Committee Substitute bill, as amended, passes its third reading by roll call vote, ayes 41, noes 2, as follows:


Voting in the negative: Senators Foxx and Webster—2.

The Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives.

S.B. 51 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING HIGHWAY SMALL PROJECT BIDDING.

With unanimous consent, upon motion of Senator Ballance, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Monday, March 1.

*With unanimous consent, the President grants a leave of absence to Senator Shaw of Guilford for the remainder of today’s Session.*

S.J.R. 78, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF HAL. D. LINGERFELT AS COMMISSIONER OF BANKS.

*With unanimous consent, the President grants a leave of absence to Senator Gulley for the remainder of today’s Session.*

The joint resolution passes its second (41-0) and third readings and is ordered sent to the House of Representatives.

**COMMITTEE REFERRAL RECALL**


Pursuant to Rule 47(a), Senator Rand offers a motion that the resolution be withdrawn from the Rules and Operations of the Senate Committee and placed on the Calendar for Monday, March 1, which motion prevails with unanimous consent.

The Chair orders the resolution withdrawn from the Rules and Operations of the Senate Committee and places it on the Calendar for Monday, March 1.

Upon motion of Senator Basnight, seconded by Senator Albertson, the Senate adjourns at 5:02 P.M. to meet tomorrow, Thursday, February 25, at 12:00 Noon.

February 24, 1999
EIGHTEENTH DAY

Senate Chamber
Thursday, February 25, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by Dr. Vernon C. Tyson, Former Senate Chaplain and Retired Minister, United Methodist Church, Raleigh, North Carolina, as follows:

"Gracious God, from whom every good prayer comes, and who pours out on all who desire it, a spirit of gracious affection.
"Hear now the prayer of each heart bowed before Thee. As the sugar hides itself in the tea, bringing forth full flavor, wilt Thou, Oh Lord, hide Thyself in me! Amen."

With unanimous consent, the President grants leaves of absence for today to Senator Cochrane, Senator Dannelly, Senator Plyler, and Senator Shaw of Cumberland.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Wednesday, February 24, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Sandra Jane Fearrington from Apex, North Carolina, who is serving the Senate as Doctor of the Day, and to Ruth Miller from Greenville, North Carolina, who is serving the Senate as Nurse of the Day.

Upon motion of Senator Cooper, the President extends the courtesies of the gallery to the following Officers of the North Carolina Troopers Association: Charles Lindquist, Randy Sales, Tim Amburn, and Tommy Blakeney.

Upon motion of Senator Gulley and Senator Lucas, the President extends the courtesies of the gallery to Thomas McGee, Town Manager from Butner, North Carolina.

The Senate recesses at 12:15 P.M. for the purpose of a Finance Committee meeting to reconvene at 12:20 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Kerr for the Finance Committee:

S.B. 43, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE THE TOWN OF
ALEXANDER MILLS INTO THE TOWN OF FOREST CITY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6538 is adopted and engrossed.

With unanimous consent, upon motion of Senator Kerr, the rules are suspended and the Committee Substitute bill is placed on today’s Calendar, upon second reading.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Warren, Carpenter, Clodfelter, Cooper, Dannelly, Hoyle, Martin of Pitt and Shaw of Cumberland:
S.B. 169, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF THE SCIENCE AND TECHNOLOGY BUILDING AT EAST CAROLINA UNIVERSITY.
Referred to Appropriations/Base Budget Committee.

By Senators Carpenter and Ballance:
S.B. 170, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A LIMIT ON THE TIME A PERSON CAN BE IMPRISONED FOR CIVIL CONTEMPT AND TO RAISE THE STANDARD OF PROOF IN PROCEEDINGS FOR CIVIL CONTEMPT.
Referred to Judiciary I Committee.

By Senators Rand, Carpenter, Cooper, Kinnaird, Miller, Perdue and Soles:
S.B. 171, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL LONGEVITY FOR ASSISTANT DISTRICT ATTORNEYS AND ASSISTANT PUBLIC DEFENDERS.
Referred to Appropriations/Base Budget Committee.

By Senators Rand, Carpenter, Carrington, Cooper, Hoyle, Kerr, Miller, Perdue and Reeves:
S.B. 172, A BILL TO BE ENTITLED AN ACT TO MAKE THE POSSESSION OF BLUE LIGHTS ILLEGAL.
Referred to Judiciary I Committee.

By Senators Rand:
S.B. 173, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ISSUANCE OF CERTAIN ABC PERMITS IN DESIGNATED NATIONAL HISTORIC LANDMARK DISTRICTS.
Referred to Judiciary I Committee.

By Senators Phillips, Albertson, Allran, Ballance, Carpenter, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, Forrester, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Jordan, Kerr, Kinnaird, Lee, Lucas, Martin of Guilford, Martin of Pitt, Metcalf, Miller, Odom, Purcell, Reeves, Robinson, Rucho, Shaw of Cumberland, Warren and Wellons:
S.B. 174, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RENOVATE THE BACK SHOP AT THE NORTH CAROLINA TRANSPORTATION MUSEUM AT HISTORIC SPENCER SHOPS.
Referred to Appropriations/Base Budget Committee.
S.B. 43 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE THE TOWN OF ALEXANDER MILLS INTO THE TOWN OF FOREST CITY, placed earlier on today’s Calendar, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 46, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for Monday, March 1, upon third reading.

S.B. 57 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING FOR LOSS OF DRIVERS LICENSE PRIVILEGES BY CERTAIN PERSONS UNDER THE AGE OF EIGHTEEN FOR COMMITTING DESIGNATED ACTS.

Senator Cooper offers Amendment No. 1 which is adopted (45-0).

The Committee Substitute bill, as amended, passes its second (45-0) and third readings and is ordered engrossed and sent to the House of Representatives.

S.B. 59 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PHARMACY PRACTICE ACT TO PERMIT CERTAIN NONPROFIT CORPORATIONS TO OPERATE MOBILE PHARMACIES AND TO ALLOW SUCH PHARMACIES TO REGISTER ANNUALLY WITH THE BOARD OF PHARMACY.

The Committee Substitute bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives.

Upon motion of Senator Basnight, seconded by Senator Gulley, the Senate adjourns at 12:49 P.M. to meet Monday, March 1, at 8:00 P.M.

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NINETEENTH DAY

Senate Chamber
Monday, March 1, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Honorable Betsy Cochrane, Senator from Davie County, as follows:

“Heavenly Father, we come humbly into Your presence, grateful for the freedom that allows us to pray openly and often. First and foremost, we thank You for the many
blessings provided to all of us in this Chamber, for the families we cherish, for the communities we serve, for the work that makes us productive citizens. We are each one grateful for this opportunity of public service.

“We read in the Scriptures that we should be tolerant of one another and forgiving of each other. Please, Lord, strengthen our resolve to be more thoughtful of our peers and those who support our efforts. Most particularly, Father, forgive us when we fail to do so. Help us to think more on policy and less on politics, more on needs and less on expediency.

“You have blessed us mightily, giving each talents to be used for Your purpose in this Body.

“Almighty God, help us to know Your Will for our lives both here and at home, and give us wisdom and strength to fulfill our part of Your plan for this good earth.

“In the Holy Name of the Father we pray. Amen.”

With unanimous consent, the President Pro Tempore grants leaves of absence for tonight to Senator Moore, Senator Rucho, Senator Webster, and Senator Weinstein.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of Thursday, February 25, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore of the Senate extends courtesies of the floor to Dr. Thomas Barker Dameron from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Katheryn Jenifer from Fayetteville, North Carolina, who is serving the Senate as Nurse of the Day.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Hartsell:
S.B. 175, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE APPOINTMENT OF SUCCESSOR TRUSTEES TO CONFORM TO THE RULES OF CIVIL PROCEDURE AND TO UPDATE STATUTORY LANGUAGE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.
Referred to Judiciary I Committee.

By Senator Hartsell:
S.B. 176, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE FORFEITURE OF PROPERTY RIGHTS BY SLAYERS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.
Referred to Judiciary I Committee.

By Senators Hartsell and Carpenter:
S.B. 177, A BILL TO BE ENTITLED AN ACT TO ENACT THE UNIFORM TRANSFER ON DEATH (TOD) SECURITY REGISTRATION ACT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.
Referred to Judiciary I Committee.

By Senator Hartsell:
S.B. 178, A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH
CAROLINA UNIFORM PRUDENT INVESTOR ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to Judiciary I Committee.

By Senator Warren:
S.B. 179, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A NEW BUILDING AT BEAUFORT COUNTY COMMUNITY COLLEGE.

Referred to Appropriations/Base Budget Committee.

By Senators Hoyle and Forrester:
S.B. 180, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CAPITAL AND OPERATIONAL COSTS OF ESTABLISHING THE MOUNTAIN ISLAND EDUCATIONAL STATE FOREST TO BE LOCATED IN LINCOLN AND GASTON COUNTIES.

Referred to Appropriations/Base Budget Committee.

By Senator Hoyle:
S.B. 181, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF DALLAS TO ENACT A PROPERTY MAINTENANCE ORDINANCE AND TO ASSESS CERTAIN COSTS OF ENFORCEMENT AS A LIEN AGAINST THE PROPERTY.

Referred to Finance Committee.

S.B. 182, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DOMESTIC VIOLENCE COMMISSION AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.

Referred to Children & Human Resources Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Perdue, Albertson, Ballance, Ballantine, Carpenter, Clodfelter, Cooper, Dannelly, Forrester, Foxx, Gulley, Hartsell, Jordan, Lee, Lucas, Martin of Guilford, Miller, Odom, Purcell, Rand, Reeves, Warren, Weinstein and Wellons:
S.B. 183, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR DOMESTIC VIOLENCE PROGRAMS.

Referred to Appropriations/Base Budget Committee.

By Senators Martin of Pitt and Warren:
S.B. 184, A BILL TO BE ENTITLED AN ACT TO REDUCE THE PISTOL PERMIT FEE IN PITT COUNTY FROM TWENTY DOLLARS TO FIVE DOLLARS.

Referred to State and Local Government Committee.

By Senators Forrester, Allran, Ballantine, Carpenter, Carter, Cochrane, Foxx, Garwood, Gulley, Hoyle, Kinnaird, Martin of Pitt, Odom, Perdue, Purcell and Warren:
S.B. 185, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CERTAIN PRESCRIPTION DRUGS FOR LOW-INCOME PERSONS OVER AGE SIXTY-FIVE AND NOT ELIGIBLE FOR MEDICAID.

Referred to Appropriations/Base Budget Committee.

March 1, 1999
By Senators Rucho, Ballantine, Carpenter, Forrester, Foxx and Odom:

S.B. 186, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE ELECTION LAWS DESIGNED TO PREVENT LONG LINES AT THE POLLS ON ELECTION DAY.

Referred to Judiciary II Committee.

By Senator Albertson:

S.B. 187, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF WALLACE.

Referred to Rules and Operations of the Senate Committee.

By Senator Albertson:

S.B. 188, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO COMPLETE THE WANOCA OUTDOOR THEATER IN THE TOWN OF WALLACE.

Referred to Appropriations/Base Budget Committee.

By Senator Albertson:

S.B. 189, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DUPLIN COUNTY CENTER FOR LEADERSHIP.

Referred to Appropriations/Base Budget Committee.

By Senators Miller and Reeves:

S.B. 190, A BILL TO BE ENTITLED AN ACT TO RELOCATE THE NORTH CAROLINA GOVERNMENT COMPETITION COMMISSION FROM THE DEPARTMENT OF COMMERCE TO THE OFFICE OF STATE BUDGET AND MANAGEMENT.

Referred to State and Local Government Committee.

By Senator Reeves:

S.B. 191, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA TECHNOLOGICAL DEVELOPMENT AUTHORITY, INC.

Referred to Appropriations/Base Budget Committee.

By Senator Reeves:

S.B. 192, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FILING WITH THE SECRETARY OF STATE OF ALL MEMORANDA OF UNDERSTANDING AND AGREEMENTS OF A NONCOMMERCIAL NATURE BETWEEN THE STATE OF NORTH CAROLINA AND FOREIGN GOVERNMENTS.

Referred to Commerce Committee.

By Senators Hartsell and Soles:

S.B. 193, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO PERMIT CERTAIN EMPLOYEE RETIREMENT PLANS TO HOLD SECURITIES AS A LICENSEE AND TO REVISE THE DEFINITION OF A FOREIGN PROFESSIONAL CORPORATION THAT MAY BE AUTHORIZED TO DO BUSINESS IN THIS STATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to Judiciary I Committee.

By Senators Rand, Ballance, Carrington, Carter, Clodfelter, Cooper, Dalton, East, Forrester, Garrou, Garwood, Gulley, Hagan, Harris, Horton, Hoyle, Kinnaird, Lucas,
Metcalf, Odom, Perdue, Phillips, Purcell, Robinson and Weinstein:

S.B. 194, A BILL TO BE ENTITLED AN ACT TO CREATE THE NURSE LICENSURE COMPACT.
Referred to Health Care Committee.

By Senators Warren, Carter, Clodfelter, Gulley, Martin of Guilford and Martin of Pitt:
S.B. 195, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES TO SUPPORT THE NORTH CAROLINA ARTS COUNCIL.
Referred to Appropriations/Base Budget Committee.

By Senators Reeves and Miller:
S.B. 196, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE FULL FUNDING FOR THE COMPREHENSIVE COMPENSATION SYSTEM FOR STATE EMPLOYEES.
Referred to Appropriations/Base Budget Committee.

By Senators Cooper, Albertson, Carter, Clodfelter, Dalton, Garrou, Gulley, Hagan, Harris, Hoyle, Kinnaird, Lee, Lucas, Martin of Pitt, Metcalf, Miller, Odom, Perdue, Phillips, Purcell, Rand, Reeves, Weinstein and Wellons:
S.B. 197, A BILL TO BE ENTITLED AN ACT TO MODIFY THE GENERAL STATUTES TO IMPLEMENT CERTAIN RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON DOMESTIC VIOLENCE.
Referred to Judiciary I Committee.

By Senators Carter, Albertson, Ballance, Clodfelter, Cooper, Dalton, Forrester, Foxx, Gulley, Hagan, Harris, Jordan, Kinnaird, Lee, Martin of Guilford, Metcalf, Perdue, Rand, Reeves, Robinson, Soles, Warren, Weinstein and Wellons:
S.B. 198, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE ISSUANCE OF A NEW ADULT CARE HOME LICENSE TO AN APPLICANT WHO WAS THE LICENSEE OR ADMINISTRATOR OF AN ADULT CARE HOME THE LICENSE OF WHICH HAD BEEN REVOKED OR DOWNGRADED TO PROVISIONAL STATUS OR AGAINST WHICH A TYPE A PENALTY HAD BEEN ASSESSED.
Referred to Health Care Committee.

By Senator Odom:
S.B. 199, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS.
Referred to Rules and Operations of the Senate Committee.

By Senator Odom:
S.B. 200, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS.
Referred to Rules and Operations of the Senate Committee.

By Senator Odom:
S.B. 201, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS.
Referred to Rules and Operations of the Senate Committee.

By Senator Odom:
S.B. 202, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS.
Referred to Rules and Operations of the Senate Committee.

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The President Pro Tempore grants a leave of absence for tonight to Senator Carrington.

CALENDAR

Bills and a resolution on tonight's Calendar are taken up and disposed of, as follows:

S.B. 43 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE THE TOWN OF ALEXANDER MILLS INTO THE TOWN OF FOREST CITY, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 44, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives.

S.B. 51 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING HIGHWAY SMALL PROJECT BIDDING.

The Committee Substitute bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives.

S.R. 168, A SENATE RESOLUTION HONORING THE LIFE AND MEMORY OF NOAH GIBSON FOR WHOM THE TOWN OF GIBSON IS NAMED, ON THE TOWN'S ONE HUNDREDTH ANNIVERSARY. (See Appendix.)

With unanimous consent, upon motion of Senator Plyler, the resolution is read in its entirety and upon his further motion, the remarks of Senator Purcell and Senator Plyler speaking to the resolution are spread upon the Journal, as follows:

Senator Purcell:

“Thank you, Mr. President. Ladies and gentlemen of the Senate, I think all of my friends from Gibson have gone across to the House, but I want to say what I wanted to say anyway. I rise to ask you to support this Senate Resolution honoring a small town in Scotland County as they celebrate their one hundredth anniversary. Gibson is a small town in southwest Scotland County that was incorporated on February 28, 1899, just eight days after the formation of Scotland County. It has been said that when Gibson was first settled, the western border of Anson County was the Mississippi River. Whatever the truth may be, the early settlers in this community were Quakers but by 1800 most of them had left with the migration to Indiana and the northwest, and only the ones that stayed were those who married out of their faith. The Gibson-Scottish immigrants moved from Virginia and settled the area in the 1750’s led by Noah Gibson, and Noah Gibson is the man for whom the town was named, was a very successful merchant and also a very ardent Methodist. Together with his brother, Thomas, who was a Methodist minister, they created a strong hold of Methodism in the midst of a very strong Presbyterian community, and the Methodist have remained very strong in Gibson ever since. Throughout its history, Gibson has largely been a farming community with cotton gins and the Z. B. Pate General Merchandise Store, and this store was once owned by Edmond Pate who was a former member of the North Carolina Senate. I thank you for your support of this
resolution as we help the proud people of Gibson, population 563, celebrate their one hundredth anniversary."

Senator Plyler:
"Thank you Mr. President. Members of the Senate, I rise to speak briefly on the resolution. I am very familiar with Gibson. It's a mighty fine town with a lot of great people in it and, as Senator Purcell said, five hundred and something, five hundred and some people is a lot of people for a small town. And so I want you to know that I sincerely support this resolution honoring Noah Gibson and on the founding of the town on the 28th day of February in 1899. Gibson is right on the South Carolina border and has a lot of agriculture there, and other businesses that make anyone proud to live in Gibson and in Scotland County. So Mr. President and members of the Senate, I urge that you vote for this resolution and we will greatly appreciate it."

Upon motion of Senator Purcell, the Senate Resolution is adopted.

The President Pro Tempore extends the courtesies of the gallery to Bill Pearson, Mayor; Council Members Madeline Peele, Sadie Odom, Dan Liles, and Archie L. Herring; Ken Haney, Town Manager; and other citizens of Gibson, North Carolina.

SENATE PAGES
The President Pro Tempore recognizes the following pages serving in the Senate this week:

Brandon Thomas Barham, Wake Forest; Oscar Thomas Barham IV, Rolesville; Robert D. Basinger, China Grove; Amy Marie Bennett, Lansing; Jennifer A. Carter, Creswell; Steven Mark Edwards, Goldsboro; Joshua Parks Haney, Gastonia; Alexandra Jean Harper, Rougemont; Floyd Elbert Isenhour III, Landis; Katherine Kovach, Asheboro; Carrie Lethcoe, Fleetwood; William D. Price III, Monroe; Erin Ward Smith, Mt. Olive; and Ben York, Albemarle.

PERSONAL PRIVILEGE
Senator Metcalf rises to a point of personal privilege and offers remarks honoring former Speaker of the House, Representative Liston Ramsey. With unanimous consent, upon motion of Senator Cooper, the remarks of Senator Metcalf are spread upon the Journal, as follows:

Senator Metcalf:
"Thank you, Mr. President. Members of the Senate, I am ever mindful of the admonition of many of my colleagues here and friends that freshman Senators certainly have to exercise some caution and certainly a great deal of judgment before they rise to speak on this floor. I know the hour is late and the day has been long, but I would like to bring to your attention an event that happened in western North Carolina this weekend. It is very special and very significant to the people of western North Carolina. On Friday, the 26th of February, the family and friends and certainly all of his constituents celebrated the 80th birthday of former Speaker of the House, Liston Ramsey. Liston was first elected to the House in 1960 and, but for two years over the last thirty-eight, he has served rural Madison County with a great deal of dignity and a great deal of grace. We all know that over the years Liston has brought a great deal of power unto himself. But Liston was the kind of fellow, and he continues to be the kind of fellow who believes that you bring

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power unto yourself so you can help your people. When we think of Liston Ramsey back home, we think of Western Carolina University, we think of UNC-A, Western North Carolina Agricultural Center, the Farmer’s Market, the Arboretum, and so many, many others. I feel a certain closeness to Liston because my parents, too, were born in February, 1919, at the head of Laurel in Madison County, so I know the life that he has lived and where he came from. Over the years, he has meant a great deal to me. As a boy, I guess you could say he was my political hero. As I got older he was a mentor to me and to so many other young men and women in the mountains. Tonight I am, I’m honored beyond measure that I am a colleague in this Body with him, and I’m honored beyond measure, in a great deal of humility, that I am his State Senator. I would hope that over the next two or three days that should you see Liston, that you will certainly wish him a happy birthday, thank him for his forty years of service to the people of western North Carolina, the people of North Carolina, and certainly to this Body. And you might also wish him another forty years. Thank you, Mr. President.”

ADDITIONAL SPONSOR

Senator Foxx requests to be added as a sponsor of previously introduced legislation:

S.B. 76, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF CRIMINAL STATISTICS TO COLLECT AND MAINTAIN STATISTICS ON TRAFFIC LAW ENFORCEMENT.

Upon motion of Senator Ballance, seconded by Senator Plyler, the Senate adjourns at 8:31 P.M. to meet tomorrow, Tuesday, March 2, at 4:00 P.M.

TWENTIETH DAY

Senate Chamber
Tuesday, March 2, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Right Reverend J. Gary Gloster, Bishop Suffragan, Episcopal Diocese, Raleigh, North Carolina, as follows:

“Oh God of street people and addicts as well as Senators and Bishops, smite us blind in our prejudgments to cultural, class, credal and color differences that we may feel with deep empathy that all are created equal in Your sight.

“Confer on us the gift of tongues that we may speak clearly on behalf of those who have no voice; plant in us a hunger for generosity that those who hunger for food might be fed; mold us into craftsmen who build a community so roomy and free that all can walk tall, dream loud and not be afraid.

“Challenge us to remember that there is little we really need, save You Oh Lord, our brothers and sisters, and the present moment to love You and them.

“We are Your servants and the servants of the people. Please grant all these our petitions. Amen.”

With unanimous consent, the President grants leaves of absence for today to Senator

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Monday, March 1, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Avis Adriena Artis from Durham, North Carolina, who is serving the Senate as Doctor of the Day, and to Eric Johnson from Greenville, North Carolina, who is serving the Senate as Nurse of the Day.

**REPORT OF COMMITTEE**

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Cooper for the Judiciary I Committee:

**S.B. 25, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ATTORNEY REPRESENTATION OF CHILDREN REPRESENTED BY GUARDIAN AD LITEM PROGRAM THROUGHOUT PROCEEDINGS OF THE CASE,** with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6544 is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

**MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

A message received in the Office of the Principal Clerk from the House of Representatives transmitting a bill is presented to the Senate, read the first time, and disposed of, as follows:

**H.B. 31, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SHELBY TO CONVEY CERTAIN DESCRIBED PROPERTY BY PRIVATE SALE TO THE COUNCIL ON THE AGING OF CLEVELAND COUNTY, NORTH CAROLINA, INC.**

Referred to State and Local Government Committee.

Upon motion of Senator Ballance, seconded by Senator Dannelly, the Senate adjourns subject to introduction of bills, to meet tomorrow, Wednesday, March 3, at 4:00 P.M.

**INTRODUCTION OF BILLS**

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Perdue:

**S.B. 203, A BILL TO BE ENTITLED AN ACT TO AMEND THE LOCAL LAWS CONCERNING THE THIRD SENATORIAL DISTRICT.**

Referred to Rules and Operations of the Senate Committee.

March 2, 1999
By Senator Perdue:
S.B. 204, A BILL TO BE ENTITLED AN ACT TO AMEND THE LOCAL LAWS CONCERNING THE THIRD SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senators Robinson, Carter and Metcalf:
S.B. 205, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF BREVARD TO CONVEY CERTAIN PARCELS OF REAL PROPERTY TO PRIVATE LANDOWNERS IN EXCHANGE FOR PUBLIC RIGHTS-OF-WAY.
Referred to State and Local Government Committee.

By Senators Allran, Carrington, Forrester, Foxx, Moore, Rucho, Shaw of Guilford and Webster:
S.B. 206, A BILL TO BE ENTITLED AN ACT TO ENSURE PUBLIC CONSIDERATION OF ITEMS CONTAINED IN APPROPRIATIONS ACTS.
Referred to Appropriations/Base Budget Committee.

By Senator Kerr:
S.B. 207, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ENDOw A CHAIR FOR THE STUDY OF ANOREXIA AND BULIMIA AT THE UNC MEDICAL SCHOOL.
Referred to Appropriations/Base Budget Committee.

By Senators Kerr, Cochrane, Dalton, Hartsell, Hoyle and Rand:
S.B. 208, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PERIODIC REVIEW AND RENEWAL OF STATE TAX CREDITS.
Referred to Finance Committee.

By Senator Cochrane:
S.B. 209, A BILL TO BE ENTITLED AN ACT RELATING TO THE 38TH SENATE DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Hartsell:
S.B. 210, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A NOTICE OF FORECLOSURE HEARING INCLUDE ADDITIONAL INFORMATION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.
Referred to Judiciary I Committee.

S.B. 211, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES TO SUPPORT THE NORTH CAROLINA ARTS COUNCIL.
Referred to Appropriations/Base Budget Committee.

By Senator Rand:
S.B. 212, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN STATUTES REGARDING THE NORTH CAROLINA BOARD OF MORTUARY SCIENCE

March 2, 1999
AND MUTUAL BURIAL ASSOCIATIONS.
   Referred to Commerce Committee.

By Senators Martin of Guilford, Cochrane, Dannelly, Forrester, Lucas and Purcell:
S.B. 213, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE INVESTIGATIONS OF SUDDEN UNEXPECTED DEATHS OF INFANTS AND YOUNG CHILDREN.
Referred to Appropriations/Base Budget Committee.

By Senators Phillips, Dalton, Garwood, Jordan, Kinnaird, Lee, Lucas, Miller, Purcell, Rand, Reeves and Wellons:
S.B. 214, A BILL TO BE ENTITLED AN ACT TO PROVIDE A MEANS OF MEASURING AVERAGE FINAL COMPENSATION FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL RETIREMENT SYSTEM WHO PURCHASE CREDITABLE SERVICE FOR LEAVES OF ABSENCE INCURRED WHILE RECEIVING WORKERS' COMPENSATION PAYMENTS.
Referred to Pensions & Retirement and Aging Committee.

By Senator Dalton:
S.B. 215, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF CLEVELAND COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Dalton:
S.B. 216, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF RUTHERFORD COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Dalton:
S.B. 217, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF CLEVELAND COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Dalton:
S.B. 218, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF RUTHERFORD COUNTY.
Referred to Rules and Operations of the Senate Committee.

Pursuant to Senator Ballance's motion to adjourn having prevailed, the Senate adjourns at 4:19 P.M.

TWENTY-FIRST DAY

Senate Chamber
Wednesday, March 3, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

March 3, 1999
Prayer is offered by The Reverend Steven King, Pastor, Glad Tidings Church, Dunn, North Carolina, as follows:

"Father, we come to You in the wonderful name of Jesus. Today, Lord, we want to thank You for the incredible opportunity for us to come to You to ask that You put Your hand upon this Body, Father, that You touch each one, Lord, that You would give them wisdom, that things that are in front of them, the bills that are to be passed, the things that they are looking at, Father, that will direct the course of North Carolina. I thank You that you will give them not only wisdom but understanding. Father, let them have a heart after You that whatever happens will be done to bring glory and honor to Your Name, and that it would bring strength to the State of North Carolina. Thank You, Lord, for this, in Jesus’ Name. Amen."

With unanimous consent, the President grants leaves of absence for today to Senator Clodfelter and Senator Odom.

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Tuesday, March 2, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Suzanne Moore from Chapel Hill, North Carolina, who is serving the Senate as Nurse of the Day.

**ENROLLED BILL**

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

**S.B. 108, AN ACT TO PERMIT THE STATE TO PROVIDE SCHOOL AND ACTIVITY BUSES FOR THE TRANSPORTATION NEEDS OF THE SPECIAL OLYMPICS.**

**REPORT OF COMMITTEE**

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Purcell for the Health Care Committee:

**S.B. 90, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT INSURERS THAT PROVIDE HEALTH INSURANCE COVERAGE FOR PRESCRIPTION DRUGS PROVIDE COVERAGE FOR PRESCRIBED CONTRACEPTIVE DRUGS AND DEVICES AND FOR OUTPATIENT CONTRACEPTIVE SERVICES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.**

Pursuant to Rule 45.1, the proposed Committee Substitute bill 8541, which changes the title to read **S.B. 90 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT INSURERS THAT PROVIDE HEALTH INSURANCE COVERAGE FOR PRESCRIPTION DRUGS OR OUTPATIENT SERVICES PROVIDE COVERAGE FOR PRESCRIBED CONTRACEPTIVE DRUGS AND DEVICES OR OUTPATIENT CONTRACEPTIVE SERVICES**, is adopted and engrossed.

March 3, 1999
INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Soles:
S.B. 219, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTERS OF THE TOWN OF YAUPON BEACH AND THE TOWN OF LONG BEACH AND ESTABLISH A CHARTER FOR THE CONSOLIDATED TOWN OF OAK ISLAND.
Referred to Finance Committee.

By Senator Shaw of Guilford:
S.B. 220, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM NUMBER OF PERMITTED SUPERVISING DRIVERS UNDER THE GRADUATED DRIVERS LICENSE PROGRAM.
Referred to Judiciary II Committee.

EXECUTIVE ORDER

An Executive Order received in the Office of the Senate Principal Clerk is presented to the Senate and read as follows:

Executive Order Number 145, Governor’s Commission on Domestic Violence.

CALENDAR

A bill on today’s Calendar is taken up and disposed of, as follows:

S.B. 128 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW CONCERNING INTEREST ON MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.
With unanimous consent, upon motion of Senator Hartsell, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Wednesday, March 10.

REMOVAL OF BILL SPONSOR

Senator Carpenter requests by letter to the Principal Clerk that his name be removed as a sponsor on S.B. 173, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ISSUANCE OF CERTAIN ABC PERMITS IN DESIGNATED NATIONAL HISTORIC LANDMARK DISTRICTS.

Upon motion of Senator Basnight, seconded by Senator Lucas, the Senate adjourns at 4:15 P.M. to meet tomorrow, Thursday, March 4, at 11:00 A.M.
TWENTY-SECOND DAY
Senate Chamber
Thursday, March 4, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“All sufficient God, we begin our Session by gathering in this grand Chamber, a place of beauty, privilege and power. And yet we are afflicted by the knowledge that many whom we serve do not know such a comfortable advantage. We are assured that this disparity has not gone unnoticed in Your sight. How shall we reconcile so great a divide? “Enlarge our hearts, quicken our consciences, and unbind our reluctant hands that we might use the privilege we hold to be builders of a better world, one where Your blessings are shared rather than hoarded, and power is exercised with our constituents and colleagues and not over them. We make our prayer in Your Holy Name. Amen.”

With unanimous consent, the President grants leaves of absence for today to Senator Gulley and Senator Horton.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Wednesday, March 3, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Anthony Joseph Kummer from Winston-Salem, North Carolina, who is serving the Senate as Doctor of the Day, and to Nancy Short from Durham, North Carolina, who is serving the Senate as Nurse of the Day.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Miller for the Judiciary II Committee:

S.B. 76, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF CRIMINAL STATISTICS TO COLLECT AND MAINTAIN STATISTICS ON TRAFFIC LAW ENFORCEMENT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1 the proposed Committee Substitute bill 6543 is adopted and engrossed.

With unanimous consent, upon motion of Senator Miller, the Committee Substitute bill is placed on the Calendar for Tuesday, March 9.

CALENDAR

A bill on today's Calendar is taken up and disposed of, as follows:

S.B. 90 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE
THAT INSURERS THAT PROVIDE HEALTH INSURANCE COVERAGE FOR PRESCRIPTION DRUGS OR OUTPATIENT SERVICES PROVIDE COVERAGE FOR PRESCRIBED CONTRACEPTIVE DRUGS AND DEVICES OR OUTPATIENT CONTRACEPTIVE SERVICES, upon second reading.

The Committee Substitute bill passes its second (44-4) and third readings and is ordered sent to the House of Representatives.

REPORTS OF COMMITTEES (Continued)

By Senator Cooper for the Judiciary I Committee:

S.B. 173, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ISSUANCE OF CERTAIN ABC PERMITS IN DESIGNATED NATIONAL HISTORIC LANDMARK DISTRICTS, with a favorable report.

With unanimous consent, upon motion of Senator Cooper, the bill is placed on the Calendar for Tuesday, March 9.

Upon motion of Senator Basnight, seconded by Senator Forrester, the Senate adjourns subject to introduction of bills, to meet Monday, March 8, at 7:00 P.M.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Robinson:

S.B. 221, A BILL TO BE ENTITLED AN ACT TO ALLOW RESIDENTIAL TELEPHONE SUBSCRIBERS TO BE PLACED ON A LIST OF PERSONS WHO OBJECT TO TELEPHONE SOLICITATIONS AND TO PROHIBIT TELEPHONE SOLICITORS FROM MAKING CALLS TO PERSONS ON THAT LIST.

Referred to Information Technology Committee and upon a favorable report, re-referred to the Finance Committee.

By Senator Reeves:

S.B. 222, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STATE AND LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS AND DEBIT CARDS FOR PAYMENT OF GOVERNMENT FEES, COSTS, AND DEBTS.

Referred to Finance Committee.

By Senators Martin of Pitt and Reeves:

S.B. 223, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM PROPERTY TAX MOTOR VEHICLES OWNED BY TOTALLY DISABLED VETERANS AND TO REIMBURSE LOCAL GOVERNMENTS FOR THE RESULTING REVENUE LOSS.

Referred to Finance Committee.

By Senator Ballance:

S.B. 224, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR HARRIET'S HOUSE.

Referred to Appropriations/Base Budget Committee.

By Senators Dalton, Hagan, Lee, Lucas, Shaw of Cumberland and Wellons:

S.B. 225, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW
REGARDING CERTIFICATION OF ASSISTANT PRINCIPALS.
Referred to Education/Higher Education Committee.

By Senators Warren, Martin of Guilford and Phillips:
S.B. 226, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO
THE EASTERN AREA HEALTH EDUCATION CENTER TO EQUIP ITS VIDEO
CONFERENCE CENTER.
Referred to Appropriations/Base Budget Committee.

By Senators Warren, Martin of Guilford and Phillips:
S.B. 227, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO
THE DEPARTMENT OF CULTURAL RESOURCES FOR A NEW BLACKBEARD
HISTORICAL MUSEUM IN THE TOWN OF BATH.
Referred to Appropriations/Base Budget Committee.

By Senators Warren, Martin of Guilford and Phillips:
S.B. 228, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR
CONSTRUCTION OF THE INDUSTRIAL CONSTRUCTION BUILDING AT PITT
COMMUNITY COLLEGE.
Referred to Appropriations/Base Budget Committee.

By Senator Plyler:
S.B. 229, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS.
Referred to Rules and Operations of the Senate Committee.

By Senator Plyler:
S.B. 230, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS.
Referred to Rules and Operations of the Senate Committee.

By Senator Plyler:
S.B. 231, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS.
Referred to Rules and Operations of the Senate Committee.

By Senators Martin of Guilford, Cochrane, Phillips, Purcell and Warren:
S.B. 232, A BILL TO BE ENTITLED AN ACT TO ENACT THE "BO THOMAS
CHILD BICYCLE SAFETY ACT" TO REQUIRE THE USE OF CERTAIN SAFETY
EQUIPMENT BY CHILDREN WHEN THEY ARE BICYCLE OPERATORS AND
PASSENGERS.
Referred to Judiciary II Committee.

By Senator Shaw of Cumberland:
S.B. 233, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT
OF TRANSPORTATION TO CARRY OVER ANY UNSPENT TRANSPORTATION
IMPROVEMENT PROGRAM EQUITY REGION ALLOCATION TO THE NEXT
YEAR AND TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO
DEMONSTRATE COMPLIANCE WITH THE HIGHWAY TRUST FUND EQUITY
REGION FORMULA BY SUBMITTING YEARLY REPORTS DOCUMENTING
SPENDING BY EQUITY REGION.
Referred to Transportation Committee.

By Senators Garrou, Ballance, Carter, Cochrane, Cooper, Dalton, Forrester, Foxx,
Gulley, Harris, Hartsell, Jordan, Kinnaird, Lee, Lucas, Metcalf, Miller, Perdue, Phillips,
Purcell, Rand, Reeves, Robinson and Wellons:

**S.B. 234**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM AN ACT TO ENCOURAGE THE PURCHASE OF COMMODITIES AND SERVICES OFFERED BY BLIND PERSONS AND BY SEVERELY DISABLED PERSONS.

Referred to Children & Human Resources Committee.

By Senators Hagan, Carter, Cooper, Dalton, Dannelly, Garrou, Gulley, Harris, Hartsell, Kinnaird, Lucas, Martin of Guilford, Metcalf, Miller, Moore, Perdue, Phillips, Robinson, Shaw of Cumberland, Shaw of Guilford and Wellons:

**S.B. 235**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE "KIDS FIRST" SPECIAL REGISTRATION PLATES.

Referred to Finance Committee.

By Senators Lucas, Moore, Allran, Ballance, Carter, Dalton, Dannelly, East, Foxx, Garrou, Garwood, Hartsell, Jordan, Lee, Martin of Guilford, Phillips, Plyler, Purcell, Reeves, Robinson, Shaw of Cumberland, Shaw of Guilford, Soles, Warren and Wellons:

**S.B. 236**, A BILL TO BE ENTITLED AN ACT TO AMEND THE ADOPTION LAWS PERTAINING TO ACCESS TO ADOPTION RECORDS AND TO ESTABLISH AN ADOPTION REGISTRY.

Referred to Judiciary I Committee.

By Senators Metcalf and Carter:

**S.B. 237**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO PROVIDE BASE FUNDING FOR THE COLBURN GEM AND MINERAL MUSEUM IN THE CITY OF ASHEVILLE.

Referred to Appropriations/Base Budget Committee.

By Senators Metcalf, Carter, Rand, Robinson and Shaw of Cumberland:

**S.B. 238**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR THE REHABILITATION OF THE THOMAS WOLFE MEMORIAL STATE HISTORIC SITE.

Referred to Appropriations/Base Budget Committee.

By Senators Rand, Carter, Cooper, East, Forrester, Garrou, Hartsell, Hoyle, Kerr, Metcalf, Perdue, Phillips, Plyler, Robinson, Solod and Warren:

**S.B. 239**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT UNEXPENDED FUNDS DEDICATED TO A CERTAIN DISTRIBUTION REGION PURSUANT TO G.S. 136-17.2A SHALL BE USED FOR PROJECTS IN THAT DISTRIBUTION REGION OR MAY BE USED FOR LOANS TO OTHER DISTRIBUTION REGIONS.

Referred to Transportation Committee.

By Senator Rand:

**S.B. 240**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A BOTANICAL LABORATORY FOR FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE'S HORTICULTURE TECHNOLOGY PROGRAM.

Referred to Appropriations/Base Budget Committee.

By Senators Phillips, Ballance, Cooper, Gulley, Hagan, Lee, Martin of Guilford,
Metcalf, Perdue, Purcell, Rand and Warren:

S.B. 241, A BILL TO BE ENTITLED AN ACT TO MAKE CORRECTIONS TO THE GENERAL STATUTES REGARDING CHILD CARE AND TO REPEAL CERTAIN OTHER LAWS PERTAINING TO CHILD CARE PROGRAM STANDARDS.

Referred to Children & Human Resources Committee.

By Senators Phillips, Ballance, Cooper, Gulley, Hagan, Jordan, Lee, Martin of Guilford, Metcalf, Miller, Perdue, Rand, Warren and Wellons:


Referred to Pensions & Retirement and Aging Committee.

By Senator Shaw of Guilford:

S.B. 243, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF CAMPUS LAW ENFORCEMENT AGENCIES AT CONSTITUENT INSTITUTIONS OF THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM.

Referred to Judiciary II Committee.

By Senator Hartsell:

S.B. 244, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA UNCLAIMED PROPERTY ACT AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to Judiciary I Committee.

By Senator Hartsell:

S.B. 245, A BILL TO BE ENTITLED AN ACT TO ENACT REVISED ARTICLE 5 OF THE UNIFORM COMMERCIAL CODE AND CONFORMING AND MISCELLANEOUS AMENDMENTS TO THE UNIFORM COMMERCIAL CODE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to Judiciary I Committee.

By Senator Hartsell:

S.B. 246, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND REVISE THE PROCEDURES GOVERNING APPEALS OR TRANSFERS FROM CLERKS OF SUPERIOR COURT TO THE TRIAL COURTS AND TO MAKE CONFORMING AND CLARIFYING AMENDMENTS TO OTHER RELATED SECTIONS OF THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to Judiciary I Committee.

By Senators Lee and Wellons:

S.B. 247, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE PRESCRIBED BURNING FOR FORESTRY AND WILDLIFE PURPOSES UNDER CERTAIN CONDITIONS.

Referred to Agriculture/Environment/Natural Resources Committee.

March 4, 1999
Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 11:45 A.M.

TWENTY-THIRD DAY

Senate Chamber
Monday, March 8, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Ever loving God, as we begin to face off on the prickly issues that confront us, there will be times when we would brandish our seniority or personal influence in order to win the day, or strike with a volley of stinging rhetoric.

"Instead of these, dear Lord, let love triumph here, love for You and Your Word, love for our families and our peers, love of service to this great State and her people, love of justice, love even of those who oppose and antagonize us.

"If a life of faith can teach us anything, let it be the conviction that love is the supreme power worth wielding. We pray in the Name of the One whose very nature was love, Amen."


Senator Basnight, President Pro Tempore, announces the Journal of Thursday, March 4, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Robert Charles Cefalo from Chapel Hill, North Carolina, who is serving the Senate as Doctor of the Day, and to Gale Adcock from Cary, North Carolina, who is serving the Senate as Nurse of the Day.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 37, A BILL TO BE ENTITLED AN ACT REQUIRING THE CONSENT OF LENOIR AND WAYNE COUNTIES BEFORE LAND IN THOSE COUNTIES MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THOSE COUNTIES.
Referred to State and Local Government Committee.

H.B. 68 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE
FOUR-YEAR TERMS FOR THE MAYOR AND ALDERMEN OF THE TOWN OF CHINA GROVE.

Referred to State and Local Government Committee.

H.B. 145 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A SPECIAL ELECTION FOR A VACANCY ON THE EDGECOMBE COUNTY BOARD OF EDUCATION AND TO PROVIDE THAT FUTURE VACANCIES ON THE BOARD SHALL BE FILLED ONLY UNTIL THE NEXT REGULARLY SCHEDULED ELECTION FOR THE BOARD RATHER THAN FOR THE REMAINDER OF THE TERM.

Referred to State and Local Government Committee.

COMMITTEE REFERRAL RECALL

S.B. 236, A BILL TO BE ENTITLED AN ACT TO AMEND THE ADOPTION LAWS PERTAINING TO ACCESS TO ADOPTION RECORDS AND TO ESTABLISH AN ADOPTION REGISTRY, referred to the Judiciary I Committee on March 4.

Pursuant to Rule 47(a), Senator Cooper offers a motion that the bill be withdrawn from the Judiciary I Committee and re-referred to the Children & Human Resources Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Judiciary I Committee and re-refers the measure to the Children & Human Resources Committee.

SENATE PAGES

The President recognizes the following pages serving in the Senate this week:

Elizabeth Ann Bagrett, Powells Point; Joseph Samuel Boyd, Raleigh; Ronda Csolak, Fuquay-Varina; Zachary N. Green, Raleigh; Justin Haywood, Raleigh; Jonas Jones, Mt. Olive; Billy Miles, Faison; Joseph Cousins Overby, Cary; Andrea Anita Phillips, LaGrange; Ryan Gaskins Roberson, Raleigh; Ashley Shasteen, Willow Springs; Jennifer Lynn Sullivan, Mt. Olive; Kelly Nicole White, Fuquay-Varina; and Heather Wray, Willow Springs.

Upon motion of Senator Basnight, seconded by Senator Cochrane, the Senate adjourns subject to introduction of bills, to meet tomorrow, Tuesday, March 9, at 4:00 P.M.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Warren:

S.B. 248, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE NORTH CAROLINA GEOGRAPHIC ALLIANCE.

Referred to Appropriations/Base Budget Committee.

By Senator Albertson:

S.B. 249, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON ISSUING SHELLFISH CULTIVATION LEASES IN CORE SOUND, TO REQUIRE THE DIVISION OF MARINE FISHERIES AND THE PRIMARY INVESTIGATOR TO REPORT THE RESULTS OF THE SHELLFISH MAPPING AND
HUMAN USE MAPPING OF CORE SOUND TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE AND THE MARINE FISHERIES COMMISSION, AND TO REQUIRE THE MARINE FISHERIES COMMISSION TO REVIEW THESE RESULTS AND REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Ballantine, Albertson, Allran, Ballance, Carpenter, Carrington, Cochrane, East, Forrester, Foxx, Garrou, Garwood, Harris, Hartsell, Horton, Kerr, Kinnaird, Lucas, Martin of Pitt, Metcalf, Miller, Moore, Phillips, Purcell, Rucho, Shaw of Guilford, Webster, Weinstein and Wellons:

S.B. 250, A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT THE PROHIBITION OF THE RELEASE OF CERTAIN PERSONAL INFORMATION BY THE DIVISION OF MOTOR VEHICLES.

Referred to Appropriations/Base Budget Committee.

By Senators Horton, Albertson, Allran, Ballance, Carpenter, Carrington, Cochrane, East, Forrester, Garwood, Gulley, Hartsell, Hoyle, Kerr, Lucas, Moore, Soles and Weinstein:

S.B. 251, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HISTORIC REHABILITATION TAX CREDIT TO BE ALLOCATED BY A PASS-THROUGH ENTITY TO ITS OWNERS.

Referred to Finance Committee.

By Senators Horton, Allran, Ballantine, Carpenter, Carrington, Cochrane, East, Forrester, Garrou, Garwood, Hartsell, Hoyle, Lucas, Miller, Moore, Rucho and Weinstein:

S.B. 252, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY IN CERTAIN CASES OF CHILD ABUSE.

Referred to Judiciary II Committee.

By Senators Gulley, Albertson, Ballance, Cochrane, Dannelly, Forrester, Harris; Horton, Hoyle, Kinnaird, Martin of Pitt, Martin of Guilford, Metcalf, Miller, Perdue, Purcell, Reeves, Rucho, Soles and Warren:

S.B. 253, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES SHALL RELEASE PERSONAL INFORMATION FOR BULK DISTRIBUTION OF SURVEYS, MARKETING, OR SOLICITATIONS ONLY WITH PRIOR WRITTEN APPROVAL OF THE INDIVIDUAL.

Referred to Appropriations/Base Budget Committee.

By Senator Gulley:

S.B. 254, A BILL TO BE ENTITLED AN ACT TO MODIFY AND UPDATE THE OUTDOOR ADVERTISING CONTROL ACT.

Referred to Commerce Committee.

By Senators Albertson, Allran, Ballance, Carpenter, Carrington, Carter, Cochrane, Cooper, Dalton, Dannelly, East, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Horton, Hoyle, Jordan, Kerr, Kinnaird, Lee, Lucas, Martin of Pitt, Martin of Guilford, Metcalf, Miller, Perdue, Plyler, Purcell, Rand, Rucho, Shaw of Guilford,
Warren, Webster, Weinstein and Wellons:

S.B. 255, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE LAW REQUIRING STATE AGENCIES TO REDUCE THE NUMBER OF MENUS ON AUTOMATED PHONE SYSTEMS AND TO REQUIRE STATE AGENCIES TO REPORT ON THEIR COMPLIANCE WITH THAT LAW.
Referred to Judiciary I Committee.

By Senator Forrester:

S.B. 256, A BILL TO BE ENTITLED AN ACT RELATING TO THE 39TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Forrester:

S.B. 257, A BILL TO BE ENTITLED AN ACT RELATING TO THE 39TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Foxx:

S.B. 258, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF ALLEGHANY COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Foxx:

S.B. 259, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF ASHE COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Foxx:

S.B. 260, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF ROCKINGHAM COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Foxx:

S.B. 261, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF ROCKINGHAM COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Foxx:

S.B. 262, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF STOKES COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Foxx:

S.B. 263, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF SURRY COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Foxx:

S.B. 264, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF WATAUGA COUNTY.
Referred to Rules and Operations of the Senate Committee.

March 8, 1999
By Senators Rand and Shaw of Cumberland:

S.B. 265, A BILL TO BE ENTITLED AN ACT TO CONTINUE THE OPERATION OF THE CUMBERLAND COUNTY JUVENILE ASSESSMENT CENTER PROJECT AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.

Referred to Appropriations/Base Budget Committee.

By Senator Hoyle:

S.B. 266, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REIMBURSEMENT OF ADDITIONAL EXPENSES OF THE COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA FROM THE UTILITIES COMMISSION AND PUBLIC STAFF FUND.

Referred to Appropriations/Base Budget Committee.

By Senators Plyler, Odom, Perdue and Purcell:

S.B. 267, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE INTENT OF THE GENERAL ASSEMBLY NOT TO REQUIRE A NON-STATE MATCH FOR CERTAIN FUNDS APPROPRIATED TO COMMUNITY COLLEGES.

Referred to Appropriations/Base Budget Committee.

By Senators Plyler, Odom, Perdue and Purcell:

S.B. 268, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

Referred to Appropriations/Base Budget Committee.

By Senators Odom, Dannelly and Jordan:

S.B. 269, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET.

Referred to Finance Committee.

By Senators Odom and Dannelly:

S.B. 270, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO PROVIDE FOR VOLUNTARY ANNEXATION OF PROPERTY SUBJECT TO PRESENT-USE VALUE APPRAISAL.

Referred to Finance Committee.

By Senator Odom:

S.B. 271, A BILL TO BE ENTITLED AN ACT TO ANNEX TO THE EXISTING CITY LIMITS OF THE TOWN OF HUNTERSVILLE CERTAIN AREAS SURROUNDED BY EXISTING CITY LIMITS OF THE TOWN OF HUNTERSVILLE.

Referred to Finance Committee.

By Senator Odom:

S.B. 272, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.

Referred to Judiciary I Committee.

By Senators Odom, Carpenter, Perdue and Rucho:

S.B. 273, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL FACILITIES AND PROVIDERS THAT DETECT, DIAGNOSE, OR TREAT CANCER PATIENTS

March 8, 1999
TO REPORT CANCER CASES TO THE CANCER CONTROL REGISTRY.
Referred to Health Care Committee.

By Senators Odom, Albertson, Clodfelter, Danelly, Garrou, Garwood, Hagan, Harris, Hartsell, Hoyle, Jordan, Lee, Lucas, Martin of Pitt, Martin of Guilford, Plyer, Purcell, Reeves, Robinson, Rucho, Warren, Weinstein and Wellons:
S.B. 274, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ADVISORY COMMITTEE ON CANCER COORDINATION AND CONTROL.
Referred to Appropriations/Base Budget Committee.

S.B. 275, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA FOOD BANKS.
Referred to Appropriations/Base Budget Committee.

By Senators Odom, Carter, Clodfelter, Danelly, Garwood, Hagan, Harris, Hartsell, Hoyle, Jordan, Kinnaird, Lee, Lucas, Martin of Pitt, Metcalf, Miller, Perdue, Phillips, Plyer, Purcell, Rucho, Weinstein and Wellons:
S.B. 276, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A GRASSROOTS SCIENCE MUSEUMS PROGRAM ADMINISTERED BY THE MUSEUM OF NATURAL SCIENCES TO IMPROVE STATE PROGRAMS IN SCIENCE AND ENVIRONMENTAL EDUCATION.
Referred to Appropriations/Base Budget Committee.

S.B. 277, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA HUMANITIES COUNCIL.
Referred to Appropriations/Base Budget Committee.

By Senators Odom, Clodfelter, Danelly and Rucho:
S.B. 278, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A VISITORS CENTER AT THE HISTORIC LATTA PLACE IN MECKLENBURG COUNTY.
Referred to Appropriations/Base Budget Committee.

By Senators Odom, Clodfelter, Danelly and Rucho:
S.B. 279, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH THE CHARLOTTE-MECKLENBURG FIRE MUSEUM.
Referred to Appropriations/Base Budget Committee.

S.B. 280, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR RESTORATION AND RECONSTRUCTION OF HISTORIC ST. PHILIPS CHURCH AND CONSTRUCTION OF THE NORTH CAROLINA HERITAGE EDUCATION

March 8, 1999
CENTER AT OLD SALEM.

Referred to Appropriations/Base Budget Committee.

By Senator East:

S.B. 281, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF ROCKINGHAM COUNTY.

Referred to Rules and Operations of the Senate Committee.

By Senators Garwood, Albertson, Allran, Ballantine, Carpenter, Cochrane, Dalton, East, Forrester, Foxx, Garrou, Hartsell, Moore, Plyler, Purcell, Webster and Weinstein:

S.B. 282, A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY SUPPLEMENTAL FUNDS FOR PUBLIC SCHOOLS IN LOW-WEALTH COUNTIES.

Referred to Rules and Operations of the Senate Committee.

By Senators Shaw of Cumberland, Jordan and Lucas:

S.B. 283, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT TECHNOLOGICAL IMPROVEMENTS IN THE WAY PURCHASING OPPORTUNITIES ARE ADVERTISED.

Referred to Information Technology Committee.

By Senators Shaw of Cumberland, Jordan and Lucas:

S.B. 284, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SECRETARY OF ADMINISTRATION TO SET BUSINESS SIZE STANDARDS AND APPLY THEM TO THE PROCUREMENT PROCEDURES TO PROMOTE INCREASED PROCUREMENTS FROM SMALL AND MEDIUM-SIZED BUSINESSES.

Referred to Commerce Committee.

By Senators Warren, Albertson, Clodfelter, Martin of Pitt and Martin of Guilford:

S.B. 285, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE UNIVERSITY HEALTH SYSTEMS OF EASTERN CAROLINA SPECIAL REGISTRATION PLATES.

Referred to Finance Committee.

By Senators Reeves, Ballance, Cooper, Dannelly, Jordan, Kinnaird, Lucas, Martin of Guilford and Miller:

S.B. 286, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO AUTHORIZE THE GENERAL ASSEMBLY TO ENACT LEGISLATION ALLOWING EACH COUNTY TO (I) INCREASE THE AMOUNT OF THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS IN THAT COUNTY AND (II) RAISE THE DEFINITION OF "LOW-INCOME" SO THAT MORE ELDERLY AND DISABLED INDIVIDUALS CAN QUALIFY FOR THE EXEMPTION.

Referred to Finance Committee.

By Senators Reeves and Miller:

S.B. 287, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF THE LAWS TO PREVENT LITTERING.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

March 8, 1999
By Senators Reeves and Martin of Guilford:

S.B. 288, A BILL TO BE ENTITLED AN ACT TO EXTEND NORTH CAROLINA'S "LONG ARM JURISDICTION" STATUTE TO INCLUDE SENDERS OF UNSOLICITED ELECTRONIC BULK MAIL AND TO MAKE THE SENDING OF UNSOLICITED ELECTRONIC BULK MAIL UNLAWFUL IN THIS STATE.

Referred to Judiciary I Committee.

By Senators Plyler, Albertson, Allran, Basnight, Carpenter, Carrington, Cochrane, Cooper, Dannelly, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Hoyle, Jordan, Kerr, Kinnaird, Lee, Lucas, Martin of Guilford, Martin of Pitt, Metcalfe, Miller, Moore, Odom, Perdue, Phillips, Purcell, Rand, Reeves, Robinson, Rucho, Shaw of Cumberland, Shaw of Guilford, Soles and Warren:

S.B. 289, A BILL TO BE ENTITLED AN ACT TO NAME THE NORTH CAROLINA CHILDREN'S VISION SCREENING IMPROVEMENT PROGRAM IN HONOR OF KENNETH C. ROYALL, JR.

Referred to Appropriations/Base Budget Committee.

By Senators Miller, Gulley, Harris, Kinnaird, Lucas, Metcalf, Reeves, Shaw of Cumberland and Weinstein:

S.B. 290, A BILL TO BE ENTITLED AN ACT TO AMEND THE LOBBYING LAW.

Referred to Judiciary II Committee and upon a favorable report, re-referred to the Finance Committee.

By Senators Phillips, Albertson, Allran, Carter, Cochrane, Dalton, Hagan, Harris, Hartsell, Jordan, Lee, Lucas, Martin of Pitt, Martin of Guilford, Moore, Odom, Perdue, Purcell, Reeves and Weinstein:

S.B. 291, A BILL TO BE ENTITLED AN ACT TO PROVIDE CRIMINAL PENALTIES FOR FRAUDULENT MISREPRESENTATION INVOLVING CHILD CARE SUBSIDIES AND TO PROVIDE COUNTIES A FINANCIAL INCENTIVE TO INVESTIGATE AND PURSUE FRAUD IN CHILD CARE PAYMENTS.

Referred to Judiciary II Committee.

By Senators Ballance, Carpenter, Carrington, Hoyle, Jordan, Kerr, Kinnaird, Lee, Lucas, Martin of Pitt, Miller, Odom, Purcell, Reeves, Shaw of Cumberland, Warren, Weinstein and Wellons:

S.B. 292, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CRIMINAL CASES IN SUPERIOR COURT SHALL BE CALENDARED PURSUANT TO CRIMINAL CASE DOCKETING PLANS DEVELOPED FOR EACH DISTRICT.

Referred to Judiciary I Committee.

By Senator Cooper:

S.B. 293, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM AN ACT PROVIDING FOR REIMBURSEMENT BY HEALTH INSURERS FOR SERVICES PROVIDED BY FEE-BASED PRACTICING PASTORAL COUNSELORS.

Referred to Insurance Committee.

By Senators Carter, Garrou, Hagan, Metcalf and Robinson:

S.B. 294, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR EXPANDED OPERATIONS AT THE NORTH CAROLINA ARBORETUM.

Referred to Appropriations/Base Budget Committee.

March 8, 1999
By Senators Carter, Garrou, Hagan, Metcalf and Robinson:

S.B. 295, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR A MAINTENANCE AND OPERATIONS FACILITY AT THE NORTH CAROLINA ARBORETUM.

Referred to Appropriations/Base Budget Committee.

By Senator Dalton:

S.B. 296, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROVISIONS REGARDING SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE CHARTER OF THE TOWN OF FOREST CITY.

Referred to Pensions & Retirement and Aging Committee.

By Senators Clodfelter, Cooper, Hartsell, Kerr, Miller and Odom:

S.B. 297, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND OTHER CHANGES REGARDING LIMITED PARTNERSHIPS AND THE NORTH CAROLINA REVISED UNIFORM LIMITED PARTNERSHIP ACT.

Referred to Judiciary I Committee.

Pursuant to Senator Basnight’s motion to adjourn having prevailed, the Senate adjourns at 7:29 P.M.

TWENTY-FOURTH DAY

Senate Chamber
Tuesday, March 9, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“Lord God of all, You know the confusion we face in trying to make the numbers come out right on the budget negotiations and the committee votes. We are acutely aware that compromise is essential to the democratic process we work within, and yet we hear the words of the old Rolling Stones’ song, ‘You Can’t Always Get What You Want.’

“As we locate our positions on the legislation we draft here, remind us again that compromise is corrupt only when we abandon the principles of faith which You have taught us. If it is possible, teach us the art of always compromising towards You rather than away from You. In Your Name we pray, Amen.”

With unanimous consent, the President grants leaves of absence for today to Senator Dalton and Senator Lee.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Monday, March 8, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Cynthia Anne Hampton from Henderson, North Carolina, who is serving the Senate as Doctor of the March 9, 1999
Day, and to Melanie Bunn from Raleigh, North Carolina, who is serving the Senate as Nurse of the Day.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Carpenter:
S.B. 298, A BILL TO BE ENTITLED AN ACT RELATING TO THE INCORPORATION OF SAPPHIRE VALLEY.
Referred to Rules and Operations of the Senate Committee.

By Senator Hartsell:
S.B. 299, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FORCE ACCOUNT LIMIT FOR CABARRUS COUNTY AND THE CITY OF CONCORD.
Referred to State and Local Government Committee.

By Senator Soles:
S.B. 300, A BILL TO BE ENTITLED AN ACT REPEALING THE TOWN OF CALABASH'S LIMITATIONS ON THE HEIGHT OF BUILDINGS, EXTENDING THE TOWN'S EXTRATERRITORIAL JURISDICTION, INCREASING THE NUMBER OF TOWN COMMISSIONERS, AND STAGGERING THE COMMISSIONERS' TERMS.
Referred to State and Local Government Committee.

By Senator Ballance:
S.B. 301, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMUNITY COLLEGES FOR HALIFAX COMMUNITY COLLEGE TO PURCHASE LAND.
Referred to Appropriations/Base Budget Committee.

By Senators Kinnaird and Harris:
S.B. 302, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING IN LEE COUNTY.
Referred to State and Local Government Committee.

By Senators Rand and Cooper:
S.B. 303, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MONITORING AND SUPERVISION OF PERSONS ON CONDITIONAL RELEASE FROM STATE PSYCHIATRIC HOSPITALS.
Referred to Judiciary I Committee.

By Senators Rand, Ballance, Clodfelter, Cooper, Kinnaird, Metcalf and Perdue:
S.B. 304, A BILL TO BE ENTITLED AN ACT TO INCLUDE PUBLIC DEFENDERS AND THE APPELLATE DEFENDER AS MEMBERS OF THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM.
Referred to Pensions & Retirement and Aging Committee, and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

REPORT TO GENERAL ASSEMBLY

An Agency directed to report to the General Assembly submits a report which is
ordered placed on file in the Legislative Library, as follows:


Senator Basnight, President Pro Tempore of the Senate, extends the courtesies of the gallery to Colonel Richard Holden, Commander of the North Carolina Highway Patrol.

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Cooper for the Judiciary I Committee:

S.B. 197, A BILL TO BE ENTITLED AN ACT TO MODIFY THE GENERAL STATUTES TO IMPLEMENT CERTAIN RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON DOMESTIC VIOLENCE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 8546 is adopted and engrossed.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 76 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF CRIMINAL STATISTICS TO COLLECT AND MAINTAIN STATISTICS ON TRAFFIC LAW ENFORCEMENT.

Senator East announces a pair: If Senator Gulley were present he would vote "aye", Senator East votes "no".

The Committee Substitute bill passes its second (36-7) and third readings and is ordered sent to the House of Representatives.

S.B. 173, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ISSUANCE OF CERTAIN ABC PERMITS IN DESIGNATED NATIONAL HISTORIC LANDMARK DISTRICTS.

Senator Ballance offers Amendment No. 1 which is adopted (30-14), and changes the title to read S.B. 173, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ISSUANCE OF CERTAIN ABC PERMITS IN DESIGNATED NATIONAL HISTORIC LANDMARK DISTRICTS AND TO INCREASE THE COVERAGE OF INTERSTATE INTERCHANGE ECONOMIC DEVELOPMENT ZONES.

The bill, as amended, passes its second (31-14) and third readings and is ordered engrossed and sent to the House of Representatives.

COMMITTEE REFERRAL RECALL

S.B. 289, A BILL TO BE ENTITLED AN ACT TO NAME THE NORTH CAROLINA CHILDREN'S VISION SCREENING IMPROVEMENT PROGRAM IN HONOR OF KENNETH C. ROYALL, JR., referred to the Appropriations/Base Budget Committee on March 8.

March 9, 1999
Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Appropriations/Base Budget Committee and re-referred to the Rules and Operations of the Senate Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Appropriations/Base Budget Committee and re-refers the measure to the Rules and Operations of the Senate Committee.

ADDITIONAL SPONSOR

Senator Gulley requests to be added as a sponsor of previously introduced legislation:

S.B. 276, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A GRASSROOTS SCIENCE MUSEUMS PROGRAM ADMINISTERED BY THE MUSEUM OF NATURAL SCIENCES TO IMPROVE STATE PROGRAMS IN SCIENCE AND ENVIRONMENTAL EDUCATION.

Upon motion of Senator Basnight, seconded by Senator Soles, the Senate adjourns at 5:09 P.M. to meet tomorrow, Wednesday, March 10, at 4:00 P.M.

TWENTY-FIFTH DAY

Senate Chamber
Wednesday, March 10, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“God of creation, the writer of Ecclesiastes tells us that it is Your gift to humanity that all persons should eat and drink and take pleasure in their work. When we are able to do what we love, when our work emerges from our desire to create, to connect and to contribute to the well being of others, then we can rejoice that our labor truly springs from deep within our souls.

“Thank You, Oh Lord, for Your call in our lives which first brought us to this labor of love in the Senate. Where that memory has dimmed, renew our waning spirits and rekindle our zeal to serve so that we might rediscover the joy You have promised us. In Your Name we pray, Amen.”

With unanimous consent, the President grants leaves of absence for today to Senator Dalton, Senator Lee, Senator Perdue, Senator Plyler, and Senator Weinstein.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Tuesday, March 9, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified, for presentation to the Governor:
S.B. 23, AN ACT TO CLARIFY THE LAW REGULATING MASS GATHERINGS.

CHAPTERED BILL

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

S.B. 108, AN ACT TO PERMIT THE STATE TO PROVIDE SCHOOL AND ACTIVITY BUSES FOR THE TRANSPORTATION NEEDS OF THE SPECIAL OLYMPICS. (Became law upon approval of the Governor, March 10, 1999 - S.L. 1999-1.)

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hoyle for the Finance Committee:

S.B. 115, A BILL TO BE ENTITLED AN ACT TO EXTEND FOR ONE YEAR THE DEADLINE FOR MATCHING COMMUNITY COLLEGE BOND FUNDS, with a favorable report.

S.B. 269, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET, with a favorable report.

S.B. 270, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO PROVIDE FOR VOLUNTARY ANNEXATION OF PROPERTY SUBJECT TO PRESENT-USE VALUE APPRAISAL, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6559 is adopted and engrossed.

By Senator Shaw of Cumberland for the Transportation Committee:

S.B. 27, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION AGAINST THE DEPARTMENT OF TRANSPORTATION USING BERMUDA GRASS ALONG CERTAIN ROADS, with a favorable report.

S.B. 156, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE AUTHORITY OF THE LAKE ROYALE COMMUNITY IN FRANKLIN AND NASH COUNTIES TO REGULATE THE OPERATION OF CERTAIN MOTOR VEHICLES AND TO ENHANCE THAT AUTHORITY, with a favorable report.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Albertson:

S.B. 305, A BILL TO BE ENTITLED AN ACT RELATING TO THE
GOVERNANCE OF DUPLIN COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Albertson:
S.B. 306, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF JONES COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Albertson:
S.B. 307, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF ONSLOW COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Albertson:
S.B. 308, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF PENDER COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Albertson:
S.B. 309, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF SAMPSON COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Miller:
S.B. 310, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TIME FOR GIVING NOTICE OF APPEAL IN CASES OF TERMINATION OF PARENTAL RIGHTS AND EMANCIPATION AND IN HEARINGS TO TRANSFER A JUVENILE TO SUPERIOR COURT SHALL BE TEN DAYS AFTER ENTRY OF THE ORDER RATHER THAN TEN DAYS AFTER THE DATE OF THE HEARING.
Referred to Judiciary II Committee.

By Senator Miller:
S.B. 311, A BILL TO BE ENTITLED AN ACT TO MODIFY RULE 4 OF THE RULES OF CIVIL PROCEDURE TO EXTEND THE LENGTH OF THE LIFE OF A SUMMONS AND TO ABOLISH ENDORSEMENT AS A MEANS OF REVIVING A SUMMONS.
Referred to Judiciary II Committee.

RECONSIDERATION

S.B. 173, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ISSUANCE OF CERTAIN ABC PERMITS IN DESIGNATED NATIONAL HISTORIC LANDMARK DISTRICTS AND TO INCREASE THE COVERAGE OF INTERSTATE INTERCHANGE ECONOMIC DEVELOPMENT ZONES, as amended, ordered engrossed and ordered sent to the House of Representatives on March 9.

Having voted with the majority, Senator Rand offers a motion that the vote by which the bill passed third reading be reconsidered, which motion prevails. The question before the Body becomes the passage of the measure upon third reading.

The President orders, without objection, the bill temporarily displaced.

The President extends the courtesies of the gallery to Nelson Bates, Chairman of the Macon County Commissioners.
MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message received in the Office of the Principal Clerk from the House of Representatives transmitting a bill is presented to the Senate, read the first time, and disposed of, as follows:

H.B. 129, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF BREvard TO CONVEY CERTAIN PARCELS OF REAL PROPERTY TO PRIVATE LANDOWNERS IN EXCHANGE FOR PUBLIC RIGHTS-OF-WAY.

Referred to State and Local Government Committee.

CALENDAR

Bills on today’s Calendar are taken up and disposed of, as follows:

S.B. 128 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW CONCERNING INTEREST ON MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

With unanimous consent, upon motion of Senator Hartsell, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Tuesday, March 23.

S.B. 197 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE GENERAL STATUTES TO IMPLEMENT CERTAIN RECOMMENDATIONS OF THE GOVERNOR’S TASK FORCE ON DOMESTIC VIOLENCE.

Senator Cooper offers Amendment No. 1 which is adopted (44-0).

The Committee Substitute bill, as amended, passes its second (44-0) and third readings and is ordered engrossed and sent to the House of Representatives.

COMMITTEE REFERRAL

S.B. 287, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF THE LAWS TO PREVENT LITTERING, ordered held in the Office of the Principal Clerk on March 8 pending referral to committee pursuant to Rule 43.

The bill is withdrawn from the Office of the Principal Clerk and referred to the Agriculture/Environment/Natural Resources Committee.

CALENDAR (Continued)

S.B. 173, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ISSUANCE OF CERTAIN ABC PERMITS IN DESIGNATED NATIONAL HISTORIC LANDMARK DISTRICTS AND TO INCREASE THE COVERAGE OF INTERSTATE INTERCHANGE ECONOMIC DEVELOPMENT ZONES, temporarily displaced earlier.

Senator Ballance offers Amendment No. 2 which is adopted (30-13).

The bill, as amended, passes its third reading (28-15) and is ordered engrossed and sent to the House of Representatives.

Upon motion of Senator Basnight, seconded by Senator Wellons, the Senate adjourns at 4:50 P.M. to meet tomorrow, Thursday, March 11, at 11:00 A.M.

March 10, 1999
The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"God of the journey, with an outstretched arm and a mighty hand, You led Your children out of Israel through their wandering, forty long years in the wilderness. We ask that You would be our vision and our guide as we attempt to make our way through these increasingly difficult negotiations.

"Lead us through the blocked intersections, guide us out of blind alleys, and redirect our path when we encounter dead ends. For You alone are our destination and our deliverance. We make our prayer in Your Holy Name, Amen."

With unanimous consent, the President grants leaves of absence for today to Senator Dalton, Senator Kinnaird, Senator Lee, Senator Odom, and Senator Perdue.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Wednesday, March 10, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Jeffrey Paul Wilkinson from Chapel Hill, North Carolina, who is serving the Senate as Doctor of the Day, and to Janice McRorie from Charlotte, North Carolina, who is serving the Senate as Nurse of the Day.

Upon motion of Senator Harris, the President extends the courtesies of the gallery to the Foundation School of Dunn, North Carolina; Dr. H. T. Spence, Vice-President of the Foundation's Bible College and Principal of the Foundation's Christian Academy; and Dr. Douglas Wilson, Dean of the School of Christian Education of the Foundation's Bible College; and Faculty and Members of the Foundation's Christian Academy.

The President also extends the courtesies of the gallery to Dr. Marvin Joyner, President of Central Carolina Community College.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hoyle for the Finance Committee:

S.B. 271, A BILL TO BE ENTITLED AN ACT TO ANNEX TO THE EXISTING CITY LIMITS OF THE TOWN OF HUNTERSVILLE CERTAIN AREAS SURROUNDED BY EXISTING CITY LIMITS OF THE TOWN OF HUNTERSVILLE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4569 is adopted and engrossed.
With unanimous consent, upon motion of Senator Hoyle, the Committee Substitute bill is placed on the Calendar for Tuesday, March 16.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 269, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET.

With unanimous consent, upon motion of Senator Hoyle, the bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, March 16, upon second reading.

S.B. 270 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO PROVIDE FOR VOLUNTARY ANNEXATION OF PROPERTY SUBJECT TO PRESENT-USE VALUE APPRAISAL.

With unanimous consent, upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, March 16, upon second reading.

The President extends the courtesies of the gallery to Dr. Donald L. Reichard, President of Johnston Community College.

REPORTS OF COMMITTEES (Continued)

By Senator Rand for the Rules and Operations of the Senate Committee:

S.B. 289, A BILL TO BE ENTITLED AN ACT TO NAME THE NORTH CAROLINA CHILDREN'S VISION SCREENING IMPROVEMENT PROGRAM IN HONOR OF KENNETH C. ROYALL, JR, with a favorable report.

The President extends the courtesies of the gallery to United States Marshal Rebecca Wallace from Montgomery County.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 112 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE UNIFORM TRANSFER ON DEATH (TOD) SECURITY REGISTRATION ACT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to Commerce Committee.

H.B. 255, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES INVOLVING VOCATIONAL REHABILITATION IN ORDER TO COMPLY WITH FEDERAL LAW.

Referred to Children & Human Resources Committee.

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CALENDAR (Continued)

S.B. 115, A BILL TO BE ENTITLED AN ACT TO EXTEND FOR ONE YEAR THE DEADLINE FOR MATCHING COMMUNITY COLLEGE BOND FUNDS.

With unanimous consent, upon motion of Senator Garwood, the bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, March 16.

S.B. 156, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE AUTHORITY OF THE LAKE ROYALE COMMUNITY IN FRANKLIN AND NASH COUNTIES TO REGULATE THE OPERATION OF CERTAIN MOTOR VEHICLES AND TO ENHANCE THAT AUTHORITY.

The bill passes its second (44-0) and third readings and is ordered sent to the House of Representatives.

S.B. 27, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION AGAINST THE DEPARTMENT OF TRANSPORTATION USING BERMUDA GRASS ALONG CERTAIN ROADS.

The bill passes its second (44-0) and third readings and is ordered sent to the House of Representatives.

ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

S.B. 26, AN ACT TO REPEAL THE PROHIBITION ON REIMBURSEMENT FOR SERVICES PROVIDED BY SCHOOL-BASED HEALTH CLINICS UNDER THE CHILDREN'S HEALTH INSURANCE PROGRAM.

ADDITIONAL SPONSOR

Senator Foxx requests to be added as a sponsor of previously introduced legislation:

S.B. 115, A BILL TO BE ENTITLED AN ACT TO EXTEND FOR ONE YEAR THE DEADLINE FOR MATCHING COMMUNITY COLLEGE BOND FUNDS.

Upon motion of Senator Basnight, seconded by Senator Ballance, the Senate adjourns subject to introduction of bills, to meet Monday, March 15, at 7:00 P.M.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Reeves:
S.B. 312, A BILL TO BE ENTITLED AN ACT RELATING TO THE INFORMATION TECHNOLOGY PORTFOLIO MANAGEMENT ACT.
Referred to Rules and Operations of the Senate Committee.

By Senator Clodfelter:
S.B. 313, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO CONTINUE TO LEVY STORMWATER FEES IF REVENUE BONDS
HAVE BEEN ISSUED AND ARE OUTSTANDING.
    Referred to Finance Committee.

By Senators Plyler and Purcell:
S.B. 314, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN
OF MINERAL SPRINGS.
    Referred to Rules and Operations of the Senate Committee.

By Senators Albertson, Clodfelter, Dannelly, Harris, Hoyle, Kinnaird, Phillips, Purcell
and Weinstein:
S.B. 315, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR
THE CENTER FOR ENVIRONMENTAL FARMING SYSTEMS.
    Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Clodfelter, Dannelly, Harris, Hoyle, Phillips, Purcell and
Weinstein:
S.B. 316, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR
STRUCTURAL PEST PROGRAM IMPROVEMENTS.
    Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Clodfelter, Dannelly, Harris, Hoyle, Phillips, Purcell and
Weinstein:
S.B. 317, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR
GYPSY MOTH PROGRAM SUPPORT.
    Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Clodfelter, Dannelly, Harris, Hoyle, Phillips, Purcell and
Weinstein:
S.B. 318, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR
INFORMATION TECHNOLOGY IMPROVEMENTS.
    Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Clodfelter, Dannelly, Harris, Hoyle, Kinnaird, Phillips, Purcell
and Weinstein:
S.B. 319, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR
PESTICIDE DISPOSAL ASSISTANCE.
    Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Clodfelter, Dannelly, Harris, Hoyle, Phillips, Purcell and
Weinstein:
S.B. 320, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR
LP GAS INSPECTION.
    Referred to Appropriations/Base Budget Committee.

By Senators Gulley and Lucas:
S.B. 321, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO
THE CENTER FOR DOCUMENTARY STUDIES TO EXHIBIT HIGHLIGHTS OF
THE ANNUAL DOUBLETAKE FILM FESTIVAL ACROSS NORTH CAROLINA.
    Referred to Appropriations/Base Budget Committee.

By Senators Gulley and Lucas:
S.B. 322, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO

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THE NORTH CAROLINA MUSEUM OF LIFE AND SCIENCE FOR BIOQUEST.
Referred to Appropriations/Base Budget Committee.

By Senator Kerr:
**S.B. 323**, A BILL TO BE ENTITLED AN ACT TO EXTEND WATERFOWL HUNTING PRIVILEGES TO HOLDERS OF COMPREHENSIVE HUNTING LICENSES, TO INCREASE THE FEE CHARGED FOR MIGRATORY WATERFOWL LICENSES, AND TO INCREASE THE APPLICATION FEE FOR MANAGED HUNTS FOR MIGRATORY WATERFOWL AND REQUIRE APPLICANTS TO FURNISH SATISFACTORY PROOF OF POSSESSION OF THE NECESSARY HUNTING LICENSE.
Referred to Agriculture/Environment/Natural Resources Committee and upon a favorable report, re-referred to the Finance Committee.

By Senators Kerr, Albertson, Hoyle, Martin of Pitt and Perdue:
**S.B. 324**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ENHANCE THE CHRISTMAS TREE INDUSTRY IN NORTH CAROLINA.
Referred to Appropriations/Base Budget Committee.

By Senators Hoyle, Albertson, Forrester, Plyler and Purcell:
**S.B. 325**, A BILL TO BE ENTITLED AN ACT TO MAKE CORRECTIONS AND CONFORMING CHANGES RELATING TO TAXATION OF CONTINUING CARE RETIREMENT HOMES.
Referred to Finance Committee.

By Senators Garwood, Allran, Carter, Cochrane, East, Forrester, Foxx, Garrou, Hagan, Hartsell, Lucas, Metcalf, Moore, Rucho and Weinstein:
**S.B. 326**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE SUBSTITUTE TEACHER PAY.
Referred to Appropriations/Base Budget Committee.

By Senator Ballantine:
**S.B. 327**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 4TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senators Wellons, Gulley and Lucas:
**S.B. 328**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TRANSMISSION AND FILING OF MAPS BY THE DEPARTMENT OF TRANSPORTATION.
Referred to Finance Committee.

By Senators Hagan, Ballance, Carter, Garrou, Garwood, Kinnaird, Rand and Robinson:
**S.B. 329**, A BILL TO BE ENTITLED AN ACT TO MAKE NORTH CAROLINA’S LAPSE STATUTE LESS RESTRICTIVE.
Referred to Judiciary II Committee.

By Senators Kinnaird, Allran, Ballance, Carpenter, Carrington, Carter, Clodfelter, Cooper, Dalton, Dannelly, East, Forrester, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Hoyle, Jordan, Kerr, Lee, Lucas, Martin of Pitt, Martin of Guilford, Metcalf,

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Miller, Odom, Perdue, Phillips, Purcell, Rand, Reeves, Shaw of Cumberland, Soles, Warren and Weinstein:

S.B. 330, A BILL TO BE ENTITLED AN ACT TO CREATE A STATE SPAY/NEUTER FUND, TO IMPOSE A FEE OF FIFTY CENTS ON RABIES VACCINATIONS TO RAISE MONEY FOR THE SPAY/NEUTER FUND, TO ESTABLISH A STATEWIDE EDUCATIONAL PROGRAM ON THE BENEFITS OF SPAYING AND NEUTERING PETS, AND TO PROVIDE AN INCENTIVE TO COUNTIES AND CITIES TO LEVY A DIFFERENTIAL TAX ON DOGS AND CATS THAT ARE NOT SPAYED OR NEUTERED.

Referred to Finance Committee.

By Senators Garrou, Carter, Hagan, Harris, Lucas, Metcalf, Odom, Phillips, Reeves and Weinstein:

S.B. 331, A BILL TO BE ENTITLED AN ACT TO REQUIRE REGISTRATION AS A SEX OFFENDER FOR CERTAIN ADDITIONAL OFFENSES.

Referred to Judiciary I Committee.

By Senators Hartsell, Clodfelter, Dannelly and Odom:

S.B. 332, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A FIRE SAFETY ENGINEERING TECHNOLOGY PROGRAM AT UNC-CHARLOTTE.

Referred to Appropriations/Base Budget Committee.

By Senators Perdue, Albertson, Ballance, Carter, Clodfelter, Cochrane, Cooper, Dannelly, Foxx, Garrou, Hagan, Harris, Hoyle, Kerr, Kinnaird, Lucas, Martin of Pitt, Martin of Guilford, Metcalf, Miller, Odom, Phillips, Plyler, Rand, Reeves, Robinson, Soles and Warren:

S.B. 333, A BILL TO BE ENTITLED AN ACT RELATING TO THE MEMBERSHIP OF STATUTORILY CREATED DECISION-MAKING OR REGULATORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES; PROVIDING INTENT; PROVIDING POLICY WITH RESPECT TO THE APPOINTMENT OF MEMBERS TO SUCH BODIES TO ENSURE PROPORTIONATE REPRESENTATION OF WOMEN; REQUIRING ANNUAL REPORTS; AND REQUIRING RETENTION OF CERTAIN INFORMATION REGARDING APPLICANTS.

Referred to State and Local Government Committee.

By Senators Ballance, Carpenter, Dannelly, Kinnaird, Lucas, Martin of Guilford, Miller, Odom, Purcell, Shaw of Cumberland, Soles and Weinstein:

S.B. 334, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MENTALLY RETARDED PERSON CONVICTED OF FIRST DEGREE MURDER SHALL NOT BE SENTENCED TO DEATH.

Referred to Judiciary II Committee.

By Senators Dannelly, Albertson, Ballance, Clodfelter, Cochrane, Cooper, Hoyle, Kerr, Lucas, Martin of Pitt, Martin of Guilford, Odom, Perdue, Rucho and Warren:

S.B. 335, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING REDUCTION OR CONTINUATION OF A TEACHER'S BONUS, AS IT APPLIES TO THE CHARLOTTE-MECKLENBURG COUNTY SCHOOL ADMINISTRATIVE UNIT.

Referred to Education/Higher Education Committee.

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By Senators Allran, Ballantine, Carpenter, Forrester, Hartsell, Horton, Moore, and Rucho:

S.B. 336, A BILL TO BE ENTITLED AN ACT TO MAKE SEVERAL CHANGES TO REFORM THE ELECTION LAWS OF NORTH CAROLINA.

Referred to Judiciary I Committee.

By Senators Allran, Ballantine, Cochrane, Foxx, Moore, Webster and Weinstein:

S.B. 337, A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCLOSURE STATEMENTS ON PUSH POLLS.

Referred to Judiciary I Committee.

Pursuant to Senator Basnight’s motion to adjourn having prevailed, the Senate adjourns at 11:30 A.M.

TWENTY-SEVENTH DAY

Senate Chamber
Monday, March 15, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor:

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“God of goodness, if only the devil would appear to us with cloven hoofs, horns and a tail, then life would be so much simpler. The really dangerous temptations, it seems, are not those to which we fall knowing that we do wrong, but those that intoxicate us into believing we are doing right by serving the Kingdom of God in a more original and attractive way.

“Lead us not into temptation this day, and by Your Grace deliver us from evil. For we make our prayer in Your Holy Name, Amen.”

With unanimous consent, the President grants leaves of absence for tonight to Senator Carrington, Senator Clodfelter, Senator Hartsell, Senator Hoyle, Senator Metcalf, Senator Shaw of Cumberland, and Senator Webster.

Senator Basnight, President Pro Tempore, announces the Journal of Thursday, March 11, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Michael West Brennan from Burlington, North Carolina, who is serving the Senate as Doctor of the Day.

REPORT OF COMMITTEE

Bills are reported from a standing committee, read by their titles, together with the report accompanying them, and take their place on the Calendar, as follows:

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By Senator Miller for the Judiciary II Committee:

S.B. 290, A BILL TO BE ENTITLED AN ACT TO AMEND THE LOBBYING LAW, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Finance Committee.

S.B. 310, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TIME FOR GIVING NOTICE OF APPEAL IN CASES OF TERMINATION OF PARENTAL RIGHTS AND EMANCIPATION AND IN HEARINGS TO TRANSFER A JUVENILE TO SUPERIOR COURT SHALL BE TEN DAYS AFTER ENTRY OF THE ORDER RATHER THAN TEN DAYS AFTER THE DATE OF THE HEARING, with a favorable report.

S.B. 311, A BILL TO BE ENTITLED AN ACT TO MODIFY RULE 4 OF THE RULES OF CIVIL PROCEDURE TO EXTEND THE LENGTH OF THE LIFE OF A SUMMONS AND TO ABOLISH ENDORSEMENT AS A MEANS OF REVIVIL A SUMMONS, with a favorable report.

ADDITIONAL SPONSORS

Senator Ballance, Senator Ballantine, Senator Carter, and Senator Wellons request to be added as a sponsor of previously introduced legislation:

S.B. 289, A BILL TO BE ENTITLED AN ACT TO NAME THE NORTH CAROLINA CHILDREN'S VISION SCREENING IMPROVEMENT PROGRAM IN HONOR OF KENNETH C. ROYALL, JR.

CALENDAR

A bill on tonight's Calendar is taken up and disposed of, as follows:

S.B. 289, A BILL TO BE ENTITLED AN ACT TO NAME THE NORTH CAROLINA CHILDREN'S VISION SCREENING IMPROVEMENT PROGRAM IN HONOR OF KENNETH C. ROYALL, JR.

With unanimous consent, upon motion of Senator Plyler, the remarks of the Members are spread upon the Journal, as follows:

Senator Plyler:

"Thank you, Mr. President and Members of the Senate. It is certainly an honor and a privilege for me this afternoon to present this bill to the Members of the North Carolina Senate and also on over to the House. I don't know of anyone here that hasn't had some contact with Ken Royall over the many years that he has served in this General Assembly. Ken served three terms in the North Carolina House. Then he served ten terms in the North Carolina Senate. As we all know, Ken was a giant of a man not only in stature but also in mind and ability. Ken Royall probably knew more about the budget process of the North Carolina General Assembly than anyone else ever in this Legislature. Ken would sit over near this door right in front of the camera on the back seat, then he moved over to where Ed Warren is sitting there. But anywhere Ken went he was recognized as a person with knowledge of everything about, not only North Carolina, but a lot on the federal level. At one time he was called a walking computer and that was before computers were really popular as they are now. Ken headed the Appropriations Committee of the Senate for years and years either as Chairman or Co-Chairman of Base Budget, Ways and Means
or various positions. You could talk to Ken. He could give you a lot of information that you needed. Sometimes when Ken didn’t have time to really explain to you he would tell you enough that you knew he would be back to you at a later date. Ken left here in 1991 and I know that he went to enjoy himself in playing golf, going to Florida and various other activities that he could have, but he never did forget what the North Carolina Senate and the General Assembly meant to the State of North Carolina. Ken is not well now and he would like to be here tonight and he extends his regrets but he is just not able to be here for this presentation, although many of his family are here and of course, Mr. President, you will recognize them at a later date. The changes of the North Carolina Children’s Vision Screening and Improvement Program to the Kenneth C. Royall, Jr. Screening Improvement Program is a very important move. Ken has worked with the blind people of North Carolina for thirty-two years. Although this particular program is only two years old, it was started many years ago when they needed it. The optometrists, ophthalmologists and the various ones would examine these children in the kindergarten area and then they would treat them until they started training the people in the various areas to observe them and to notice their problems and then recommend them for treatment. Right now it’s about 5,500 people in North Carolina that are the ones that are screening these children. It’s about 700,000 children in North Carolina that are in the K-6 area, but about 175,000 of these children have been treated or about twenty-five percent. Of course, as I mentioned earlier, the purpose of this bill is to change the name of the North Carolina Children’s Vision Screening Improvement Program to the Kenneth C. Royall, Jr. Vision Screening Improvement Program which I feel is a very, very good thing and a man that deserves the honor very, very much. I certainly hope that each and every one of you, most of you did sign the bill, the ones that didn’t unfortunately we were not able to get them before the bill was filed, but I know everyone wanted to sign it, but there are some forty or more signatures on the bill in support. So, I would ask you if you would, to support the changes here and it would be greatly appreciated and I ask your support and any comments.”

Senator Perdue:

“Thank you Mr. President, Members of the Senate. Kenneth Royall is a North Carolina legend. For those of you all who have not had the opportunity to serve with him you really missed a special experience. When I was a freshman in the House, I was scared to death of two people up here. I walked lightly when I got in their paths and I knew not to cross them. For whatever reason, you have a sixth sense about somebody who is fierce and strong and capable and bold but who will cut you to shreds if you go the wrong way. And those two people were Billy Watkins and Kenneth Royall. They are history for this State. Those two men did great things for North Carolina. I don’t believe you could go into any of the hundred counties and not find a person, a family, a place, or a program that those two men didn’t cause to impact the folks who lived in every single county. Kenneth Royall is a dear friend of mine these days. I see him often in the summer at Atlantic Beach. I enjoy his family. I enjoy seeing this softer different side of Ken Royall than I saw here as Chair of Appropriations. But even though as a freshman I was timid around Senator Royall, I always knew that he was that gentle giant of a man we hear so much about, simply because he had a heart that was unlimitless when you talk to him about one single issue and that was mental health. Even today if you’ll go to your counties or to your area mental health programs and you ask them what their needs are and you have an honest dialogue with folks in the mental health field about where mental health is in North Carolina in 1999, they’ll tell you we’re going backwards. And they have one simple reason for why we have made so little progress. They say they have lost their hero and their hero was Kenneth Royall. No man, I believe in the history of North Carolina, has done more for the mentally ill and for folks with severe developmental disabilities than

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Senator Kenneth Royall, and for that he will always be remembered, a strong politician, a fierce politician but a gentle giant in North Carolina. And, Ken, when you watch this video know that there are some of us here who love you everyday.”

Senator Martin of Guilford:

“Thank you, Mr. President and Members of the Senate. First I’d just like to echo the comments that were made earlier by Senator Plyler and also by Senator Perdue. Of course, I had the pleasure of serving with Ken Royall and I’ve seen both sides of him also. As a testament to the gentler side, I recall one of the Advisory Budget Commission trips probably ten or twelve years ago where we were visiting one of the centers there were children. There was a children’s choir singing at one of the, I forgot exactly where it was now, there was a choir made of children with developmental disabilities many of which were mental retardation. And I recall very clearly in that instance that was the only time I have actually seen Ken Royall cry. He was crying during the song. But I just want to go just a little bit further and indicate that on Prevent Blindness, that’s the program on children’s vision screening, is a joint program between a non-profit prevent blindness and the Department of Health and Human Services. And during the ‘97 Session we did fund that for, I think about a little over $300,000 of non-recurring dollars. And, of course, that was less than what was requested. But as Senator Plyler indicated, the program speaks for itself and that it has trained numerous persons around the State. Just in the half year alone they trained almost 5,000 persons. These are teachers, teachers assistants, nurses, community volunteers and trained them how to detect the problems and refer them if necessary for further follow-up care by professionals. It used to be situations where there were many, many referrals. But those referrals sometimes were not necessary through the training they’ve cut down on the number that have not been merited and there has been a lot more success. And I think they’ve screened something like 300,000 students already. And I would just like to ask you to support this legislation changing the name of the program to the Kenneth C. Royall Children’s Vision Screening Program and in honor of Ken Royall’s great work here in the General Assembly and in the community and also I just must mention that he is one of the founding members of Prevent Blindness and this would be a particular honor for him which he greatly deserves. Thank you very much.”

Senator Gulley:

“Thank you. I guess I want to second everything that’s been said about how special Ken Royall was, about how influential he was in this Chamber and in this General Assembly, but also say that he was very important to Durham County. In many large ways and in many small ways Ken helped the people of Durham County frequently in ways that reflected his commitment to people, to individuals in their human needs as much as to the other aspects of our lives. Ken Royall was an inspiration to us in Durham County. He left very large shoes, Senator Lucas, that I know you and I may aspire but we will not fill. But he was special, he was unique, and he was who he was and that’s the way it ought to be. I guess I just want to say how much we appreciate him in Durham County and how important he was to us as a part of this tribute we haven’t probably done enough to recognize him in Durham County, although we did some things back when I was Mayor. We probably won’t do enough in state government to recognize the role that he played, but I want to join in support of this Resolution and in honoring a very special Senator and human being, Ken Royall. Thank you.”

Senator Lucas:

“Recently, members of the Senate, I participated in the Women’s World Day of Prayer and there was a song in Spanish which was called Cuando El Pobre. I just want to read these little words to you because they remind me so much of former Senator Royall. And
it says, ‘When the poor ones who have nothing share with strangers, when the thirsty water given unto us all, when the crippled in their weakness strengthen others, then we know that God still goes that road with us.’ The citizens of Durham have always known that Kenneth Royall was a special man. And tonight when we support this legislation, we just think of his contribution to leadership because he has strengthened others and he has helped others in their weakness. Our children are blessed with the name on this bill of Kenneth Royall, so I ask that you support it.”

Senator Odom:

“It’s my honor to have this opportunity to speak in support of this. First, I won’t go into all the details that have already been mentioned, but I think that you could summarize Ken’s work as being a strong advocate for those without a voice, Senator Lucas. That would sum it up. And when Senator Perdue was talking about her freshman year down here, it also reminded me of mine. In 1989, he sat back here and I sat across the aisle from him, and unfortunately nobody told me to be timid, nobody told me be afraid of him and I learned my lesson the hard way. But after that freshman year, and he taught me a number of things and he was a great teacher in the political process of this Assembly, we became great friends and have remained so ever since. One of the pleasures after those freshman years was the fact that I got to play golf with him a good bit. And I found also that you did not bet against Ken when he had a twenty-five foot putt because he could make it. And to show the type of person that he is, after he left the Senate Chamber, I started, after my cancer bout a number of years ago, a benefit cancer golf tournament in Charlotte that we have every other year and Ken Royall has come down there every time and played in that golf tournament. And I thank him. And if Ken hears these words, I want him to know that we are planning on him being in Charlotte in September of this year when we’ll have that occasion again. And I would simply close by saying that what we do here tonight is a very, very small honor for a man who has contributed so much, so long for those who have not had a voice without Ken Royall and all of his years of service. Thank you.”

Senator Horton:

“Thank you Mr. President. One aspect we haven’t mentioned is that Ken Royall is the namesake of another great North Carolinian. You know so often that can be a shriveling sort of thing to have happen to you. But Ken Royall was not willing to stay in the shadow of the very just fame of his father. But he became a man and a leader in his own right, as Senator Plyler has mentioned, for twenty-six years. He was here in this Chamber or in the one across the way. He became an expert in matters of finance. In fact you wonder whether North Carolina could have been led through those awkward years when we were moving from an essentially agrarian State into a more urban State if it hadn’t been for the steady hand of Ken Royall on the tiller. I remember years ago there was a series of advertisements for Timken roller bearings; some of you may remember them. They showed a great big tough guy holding a little roller bearing in his fingers and the slogan was, ‘Tough, but oh so gentle’. That was Ken Royall.”

Senator Soles:

“Mr. President, Ladies and Gentlemen of the Senate, it was my honor to serve in both the House and the Senate with Kenneth Royall. He arrived one term before I did and apparently I’ve outlasted him by several terms. I will never be able to fill the shoes or the vacancy that he’s left here though. And we’ve heard him talked about as a giant. I’d say to you, yes he was a giant giant, and yes he would run over you but when he ran over you, he’d reach down and pick you up and you’d be a better man or woman for it. As Senator Horton mentioned, he comes from a very distinguished North Carolina family.
His father was the Secretary of War in the Second World War. His brother-in-law was the President of the American Medical Association, American Medical Society I guess is the correct word. But Ken never talked about those things in a bragging manner. If you asked him about his father he would tell you because he was proud of the heritage that he had. If you talked with him about health care and happened to mention his brother-in-law he would acknowledge that but he never did brag about those things. I think it's significant that we call this bill and change the name of the program to the Royall Children's Vision Program because it has two words in it that are very significant when you talk about Kenneth Royall. First, he was very much for children, not only children but those who couldn't help themselves generally. He was one that was more interested in the down trodden and those who were struggling than he was those that had succeeded and could help themselves. Another word in the program is vision. Kenneth Royall had a true vision of North Carolina and he went about working and trying to promote his vision of North Carolina and this State is better for his having lived. I'm proud to have served with him, I'm proud to have him as my friend."

Senator Kerr:

"Senator Royall, Kenneth Claiborne Royall, Jr. and his family were from Goldsboro and the Davis family, his brother-in-law Dr. Jim Davis, I think they lived side-by-side on Ashe Street before I came to Goldsboro. They were great friends of my in-laws, and I think that we have to remember that. I was in the House with Beverly and Ken let me get one bill through the Legislature, something that Martin Lancaster could never do. We capped the fees on the State. I had to worry him because he used to have a committee called Ways and Means and that was somewhat like Representative Morgan's Rules Committee last year. It went to Ways and Means. But I bird-dogged him all year and the last day of the Session, I think Marshall Rauch really wanted that bill, too. But anyway, we capped the Clerk's fees on the State. The Clerk's were getting more than the attorneys. They had no cap. It was some fee we put in there. But Kenneth was a great fellow; he was a great golfer. I think he did this not for personal gain and as everybody said his father was Secretary of War during World War II. We had two lawyers in Goldsboro. Colonel Langston went and ran the selective service. I believe Senator Royall, Jr., Senator Albertson, was born in your county but he grew up in Goldsboro. I'll say this about Ken, he had a lot more bark then he had bite. He had a lot of bark and sometimes he had a little bite but Goldsboro is very proud of the Davis and the Royall families. And one thing that I'm pleased about is on a faded building downtown. Kenneth's father was a great lawyer and, in fact, after being Secretary of the Army, he went to be the head of a major firm on Wall Street. But he was also an entrepreneur in Goldsboro and in Goldsboro there is this faded name on this store down by the railroad tracks, I think it's the Royall Ice Cream Company. So now we've got something named for Kenneth Jr. and this is a very small token of love for Senator Royall for all he did, particularly for the disabled and then the mentally ill, and it was my pleasure to have known him and known him even if I didn't serve with him in the Senate but he has been a close friend. He was a great believer in this institution. He was a great believer in the national organization of the Legislature and he had a happy family, and he loved people and though he did bark on occasion, he very seldom bit. I think this is a good thing to do and I appreciate Senator Plyler and others for bringing this forward and I commend it to you."

Senator Shaw of Guilford:

"I don't know of anybody that's been more help to me in the years I've been in the General Assembly than Ken Royall was. And I don't think you all have heard this story before, but I think it was either in 1985 or '87, Ken was pushing a piece of legislation and I had known him when I was State Republican Chairman. We had met politically. And
he came to me and he said, 'Can you help me with this bill?' And I said, 'Well, I'm not crazy about it but if you need my vote I'll support you with it. Some of my family don't like it.' So the day the bill was going to be heard on second reading, he came by where I was sitting right over there, he was sitting right here and he said, 'Looks like I may need you.' And I said, 'Well, just let me know, just give me a thumbs up or thumbs down and I'll vote with you on it.' And some of my family was sitting up there in the balcony and he knew that. And just as they started to vote I heard somebody call my name and looked over here and Ken did this to vote against it. And I voted against it and that bill lost by one vote. It was the lottery bill. I went over there and I said, 'Ken, why didn't you let me know. I would have voted with you. I had no problem with it.' He said, 'Because, Bob, I think more of you than I did that bill.' And he said, 'Do one thing for me.' I said, 'Alright.' Ollie Harris was against the bill, Senator Harris from Kings Mountain. He said, 'Go out and tell Ollie that I had his blank beat and let him off the hook.' So I went outside and Ollie had walked outside and I said, 'Well, let me tell you what happened to your bill.' And he said, 'Well that sounds just like him.' This man had a lot of guts. I know some of you, we were together down at Camp LeJeune when the marines had a parade down there. The General was leaving and another General was coming in. And Ken was on a cane then and he was hobbling, he was having trouble walking. And he was sitting right beside me and the General walked over and said, 'Senator Royall would you like to walk on the parade field?' He said, 'Yes Sir.' He got up, put the cane down and walked, never limped one time around that parade ground. I'm sure that night Julia had to help him into bed, but he made it. He was a fine man. I probably think as much of him as anybody that ever walked through the doors of this building and I certainly think we should do anything we can to honor his presence here. Thank you."

Senator Basnight:

"Thank you, Mr. President, Members of the Senate. I look around and I wonder where have all the people gone. If Ken Royall were here pleading our charges, this corner would be full with the press. And it's a bit of a pity that they aren't here to honor a man who did oh so much for the people of this State. I had a local delegation to come to Raleigh and they wanted to explain one of their needs. I asked the Appropriations Chair if he would meet with them. Begrudgingly, he said, 'Yes I will.' Real busy. So we pitched our need to Senator Royall and some others that were in there. The others did a magnificent job of telling my delegation what they wanted to hear without telling them they would get what they wanted. So when it came time for Senator Royall to respond he said, 'Hell no you won't get it.' He was as honest as he was candid. He was quick to belittle or degrade when it was rightfully so. But in that case he was teaching me a lesson as he would later tell me and others who followed. He was so very honest when he needed to be. But the folks went back home and we came back and eventually this gentle man, this giant person rescinded those direct thoughts that he previously had and he helped this small group of people accomplish what they wanted to accomplish. In so many different ways he reached out to people that you would never see. No they are not in the gallery today but they're scattered across our State. All of the people will always be touched by him. So by seeing that his name is imprinted somewhere for those to remember forevermore, is more than grateful and right by those of us who knew him. It is this Body that he loves more than any other. He never aspired to be Governor. He never wanted to be anything but Senator Ken Royall. And he was as good as there ever was. God bless you, Ken."

The bill passes its second reading (41-0) and third reading with Members standing and is ordered, without objection, sent to the House of Representatives by special message.

*Upon motion of all of the Senate and the Chair, the President of the Senate extends*

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courtesies of the gallery to the family of Kenneth C. Royall, Jr., his daughter, Julia Bryan Cannavan and her husband Bob, with their daughter Julia; and his son, Jere Royall and his wife Mary Eloise.

Upon motion of Senator Basnight, seconded by Senator Lucas and Senator Gulley, the Senate adjourns subject to introduction of bills, to meet tomorrow, Tuesday, March 16, at 4:00 P.M.

INTRODUCTION OF BILLS AND A RESOLUTION

Bills and a resolution filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Hartsell:
S.B. 338, A BILL TO BE ENTITLED AN ACT TO GIVE CLASSROOM EXPERIENCE TO SCHOOL PERSONNEL WHO ARE CERTIFIED TEACHERS BUT ARE NOT CLASSROOM TEACHERS.
Referred to Education/Higher Education Committee.

By Senators Gulley and Cooper:
S.B. 339, A BILL TO BE ENTITLED AN ACT TO REDESIGNATE THE COMMUNITY PENALTIES PROGRAM AS THE SENTENCING SERVICES PROGRAM, TO CLARIFY THAT THE WORK PRODUCT OF THESE PROGRAMS IS ALWAYS PRESENTED TO THE COURTS, AND TO MAKE OTHER CLARIFYING CHANGES.
Referred to Judiciary I Committee.

By Senators Rucho, Clodfelter, Dannelly and Odom:
S.B. 340, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING REDUCTION OR CONTINUATION OF A TEACHER'S BONUS, AS IT APPLIES TO THE CHARLOTTE-MECKLENBURG COUNTY SCHOOL ADMINISTRATIVE UNIT.
Referred to Education/Higher Education Committee.

By Senators Rand, Ballance, Cooper and Hoyle:
S.B. 341, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE FIRST FLIGHT CENTENNIAL FOUNDATION FOR ITS PROGRAMS COMMEMORATING THE CENTENNIAL OF POWERED FLIGHT.
Referred to Appropriations/Base Budget Committee.

By Senator Rand:
S.B. 342, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT ENFORCEMENT.
Referred to Children & Human Resources Committee.

By Senators Garwood and Moore:
S.B. 343, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF JONESVILLE TO CHARGE A FEE NOT TO EXCEED FIVE DOLLARS FOR UNCERTIFIED COPIES OF POLICE INCIDENT OR ACCIDENT REPORTS AND TO AUTHORIZE THE TOWN TO GIVE ANNUAL NOTICE OF VIOLATION TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE.

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Referred to Finance Committee.

By Senators Forrester, Carpenter and Purcell:
S.B. 344, A BILL TO BE ENTITLED AN ACT TO PROVIDE EXPANDED ACCESS TO SPECIALTY CARE IN MANAGED CARE PLANS.
Referred to Health Care Committee.

By Senators Forrester, Carpenter and Purcell:
S.B. 345, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT RECONSIDERATION AND APPEAL OF UTILIZATION REVIEW NONCERTIFICATION BE EVALUATED BY MEDICAL DOCTORS LICENSED TO PRACTICE IN THIS STATE.
Referred to Health Care Committee.

By Senators Forrester, Carpenter and Purcell:
S.J.R. 346, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY SUICIDE PREVENTION.
Referred to Rules and Operations of the Senate Committee.

By Senators Forrester, Carpenter and Purcell:
S.B. 347, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS TO COVER NONFORMULARY DRUGS AND DEVICES WHEN MEDICALLY NECESSARY.
Referred to Insurance Committee.

By Senators Forrester and Carpenter:
S.B. 348, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE MISUSE OF LASER DEVICES.
Referred to Health Care Committee.

By Senators Allran, Ballantine, Carpenter, Carrington, Cochrane, East, Forrester, Foxx, Garwood, Horton, Hoyle, Martin of Pitt, Moore, Rucho, Shaw of Guilford and Webster:
S.B. 349, A BILL TO BE ENTITLED AN ACT TO BAN PARTIAL-BIRTH ABORTIONS.
Referred to Children & Human Resources Committee.

By Senators Odom, Clodfelter, Dannelly and Rucho:
S.B. 350, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE WITH RESPECT TO EXECUTION OF DEEDS AND THE DISPOSITION OF REAL PROPERTY BY PRIVATE SALE AND/OR SUBJECT TO RESTRICTIONS.
Referred to State and Local Government Committee.

By Senator Odom:
S.B. 351, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS.
Referred to Rules and Operations of the Senate Committee.

By Senators Odom, Clodfelter, Dannelly and Rucho:
S.B. 352, A BILL TO BE ENTITLED AN ACT RELATING TO MECKLENBURG COUNTY, CITY OF CHARLOTTE, TOWN OF CORNELIUS, TOWN OF DAVIDSON,
TOWN OF HUNTERSVILLE, TOWN OF MATTHEWS, TOWN OF MINT HILL, AND TOWN OF PINEVILLE.

Referred to Rules and Operations of the Senate Committee.

By Senator Odom:
S.B. 353, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF DAVIDSON TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET.

Referred to Finance Committee.

By Senator Jordan:
S.B. 354, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA LEGAL EDUCATION ASSISTANCE FOUNDATION FOR ITS LOAN REPAYMENT ASSISTANCE PROGRAM FOR NORTH CAROLINA PUBLIC SERVICE ATTORNEYS.

Referred to Appropriations/Base Budget Committee.

By Senator Jordan:
S.B. 355, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE ALCOHOL LAW ENFORCEMENT DIVISION TO THE SPECIAL LAW ENFORCEMENT DIVISION AND TO MAKE THE CORRESPONDING CHANGES TO THE APPLICABLE STATUTES.

Referred to Appropriations/Base Budget Committee.

By Senator Weinstein:
S.B. 356, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR COMPLETION OF THE SOUTHEASTERN FARMERS' MARKET AND AGRICULTURAL CENTER.

Referred to Appropriations/Base Budget Committee.

By Senators Weinstein, Plyler and Purcell:
S.B. 357, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF MAXTON FOR EMERGENCY REPAIRS AND RENOVATIONS.

Referred to Appropriations/Base Budget Committee.

By Senators Weinstein, Plyler and Purcell:
S.B. 358, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF RAEFORD FOR EMERGENCY REPAIRS AND RENOVATIONS.

Referred to Appropriations/Base Budget Committee.

By Senators Phillips, Foxx, Garrou, Hagan, Harris, Kinnaird, Lucas, Martin of Guilford, Miller, Weinstein and Wellons:
S.B. 359, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CUSTODY OF ABUSED, NEGLECTED, OR DEPENDENT JUVENILES IN THE CUSTODY OR AUTHORITY OF THE COUNTY DEPARTMENTS OF SOCIAL SERVICES.

Referred to Judiciary II Committee.

By Senator Albertson:
S.B. 360, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO
THE DUPLIN COUNTY DISPUTE SETTLEMENT CENTER FOR A TEEN COURT IN DUPLIN COUNTY.

Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Clodfelter, Harris, Kerr and Warren:
S.B. 361, A BILL TO BE ENTITLED AN ACT TO EARMARK ONE-TIME FUNDS FROM THE MOTOR FUEL INSPECTION TAX PROCEEDS TO CONSTRUCT A NEW MOTOR FUELS LABORATORY IN RALEIGH.
Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Clodfelter, Harris, Kerr and Warren:
S.B. 362, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR MEAT AND POULTRY INSPECTION FIELD AUTOMATION AND SALMONELLA TESTING.
Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Clodfelter, Harris, Kerr and Warren:
S.B. 363, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CENTER FOR ENVIRONMENTAL FARMING SYSTEMS.
Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Clodfelter, Harris, Kerr and Warren:
S.B. 364, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR OPERATING SUPPORT AT THE OXFORD RESEARCH STATION.
Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Harris, Kerr and Warren:
S.B. 365, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE AGRICULTURAL STATUTES.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Albertson, Clodfelter, Harris, Kerr, Purcell and Warren:
S.B. 366, A BILL TO BE ENTITLED AN ACT TO ALLOW SALES TAX REFUNDS FOR AGRICULTURAL FAIRS.
Referred to Finance Committee.

By Senators Martin of Pitt, Albertson, Dannelly, Martin of Guilford and Purcell:
S.B. 367, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA RURAL ECONOMIC DEVELOPMENT CENTER FOR THE ADMINISTRATION OF WATER AND WASTEWATER PROGRAMS UNDER THE 1998 CRITICAL NEEDS BOND ACT.
Referred to Appropriations/Base Budget Committee.

By Senators Gulley, Horton, Hoyle, Kinnaird and Miller:
S.B. 368, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO CONSTRUCT ACCESS TO RIVERS AND STREAMS WHEN BUILDING BRIDGES.
Referred to Transportation Committee.

By Senators Metcalf and Carter:
S.B. 369, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF ASHEVILLE TO PROHIBIT ACTS OF DISCRIMINATION IN EMPLOYMENT
BASED ON RACE, COLOR, NATIONAL ORIGIN, RELIGION, SEX, DISABILITY, OR AGE.

Referred to State and Local Government Committee.

By Senators Ballance, Dannelly, Gulley, Kinnaird, Lucas, Martin of Guilford, Miller, Shaw of Cumberland and Weinstein:

S.B. 370, A BILL TO BE ENTITLED AN ACT CLARIFYING WHEN WITNESS STATEMENTS OBTAINED PURSUANT TO THE ENFORCEMENT OF THE OCCUPATIONAL SAFETY AND HEALTH ACT MAY BE RELEASED.

Referred to Judiciary I Committee.

By Senators Plyler, Hartsell and Purcell:

S.B. 371, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STANLY COUNTY TO LEVY A ONE-CENT LOCAL SALES TAX FOR PUBLIC SCHOOL CAPITAL OUTLAY, SUBJECT TO APPROVAL BY THE VOTERS OF THE COUNTY.

Referred to Finance Committee.

By Senators Plyler and Purcell:

S.B. 372, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE UNION COUNTY TO LEVY A ONE-CENT LOCAL SALES TAX FOR PUBLIC SCHOOL CAPITAL OUTLAY, SUBJECT TO APPROVAL BY THE VOTERS OF THE COUNTY.

Referred to Finance Committee.

By Senator Hoyle:

S.B. 373, A BILL TO BE ENTITLED AN ACT TO ADD FOUR MEMBERS TO THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA.

Referred to Rules and Operations of the Senate Committee.

By Senators Shaw of Cumberland, Ballance, Dannelly, Jordan, Lucas and Martin of Guilford:

S.B. 374, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR VARIOUS ECONOMIC DEVELOPMENT PROGRAMS.

Referred to Appropriations/Base Budget Committee.

Pursuant to Senator Basnight’s motion to adjourn having prevailed, the Senate adjourns at 7:52 P.M.

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TWENTY-EIGHTH DAY

Senate Chamber
Tuesday, March 16, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

March 16, 1999
Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“Tender Loving Shepherd, ‘Feed my sheep,’ You admonished us. It sounds simple enough, yet it is unlikely that those sheep will be found patiently waiting in a gated pasture right outside our home offices. ‘Feed my sheep,’ but they will have to be sought; and where that search will lead, and how much it will cost, who can know until the work is done?

“Help us not to shrink from the work of Your Kingdom when we receive the wake-up call that the gospel is not necessarily the cost effective enterprise we had hoped for. Shall we dare to serve You this day and not count the costs? In Your Holy Name we pray, Amen.”

With unanimous consent, the President grants a leave of absence for today to Senator Webster.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Monday, March 15, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Patricia Walsh Smith from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Mary Decker from High Point, North Carolina, who is serving the Senate as Nurse of the Day.

The President extends the courtesies of the gallery to Deborah Deller, Clerk Assistant and Executive Director of Legislative Services, Ontario, Canada.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A special message received in the Office of the Principal Clerk from the House of Representatives transmitting a bill is presented to the Senate, read the first time, and disposed of, as follows:

S.B. 6 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO APPROVE THE CREATION OF THE NONPROFIT CORPORATION ESTABLISHED PURSUANT TO COURT ORDER FOR THE PURPOSES OF RECEIPT AND DISTRIBUTION OF FIFTY PERCENT OF THE FUNDS RECEIVED BY THE STATE IN STATE OF NORTH CAROLINA V. PHILIP MORRIS INCORPORATED, ET AL., INCLUDING THE MANNER, TERMS, AND CONDITIONS OF APPOINTMENT OF THE CORPORATION'S BOARD OF DIRECTORS, TO CONDITIONALLY ASSIGN TO THE NONPROFIT CORPORATION THE RIGHT, TITLE, AND INTEREST IN THE ANNUAL PAYMENTS CONSTITUTING FIFTY PERCENT OF NORTH CAROLINA'S STATE SPECIFIC ACCOUNT, TO REQUIRE THE ATTORNEY GENERAL TO DRAFT AND FILE ARTICLES OF INCORPORATION FOR THE NONPROFIT CORPORATION CONCERNING CONSULTATION AND REVIEW, APPLICABILITY OF PUBLIC RECORDS AND OPEN MEETINGS LAWS, TRANSFER OF ASSETS AND DISSOLUTION, AND CHARTER REPEAL AND AMENDMENT AS A CONDITION PRECEDENT TO THE ASSIGNMENT OF PAYMENTS TO THE CORPORATION, TO EXPRESS THE INTENT OF THE GENERAL ASSEMBLY THAT TOBACCO PRODUCTION INTERESTS, TOBACCO MANUFACTURING INTERESTS, TOBACCO-RELATED EMPLOYMENT INTERESTS, HEALTH INTERESTS, AND ECONOMIC DEVELOPMENT

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INTERESTS SHALL BE REPRESENTED ON THE CORPORATION'S BOARD OF DIRECTORS, TO EXPRESS THE INTENT OF THE GENERAL ASSEMBLY TO ESTABLISH A TRUST FUND TO RECEIVE AND DISTRIBUTE TWENTY-FIVE PERCENT OF THE TOBACCO LITIGATION MASTER SETTLEMENT AGREEMENT FUNDS FOR THE BENEFIT OF TOBACCO PRODUCERS, TOBACCO ALLOTMENT HOLDERS, AND PERSONS ENGAGED IN TOBACCO-RELATED BUSINESSES, INCLUDING DIRECT AND INDIRECT FINANCIAL ASSISTANCE AND INDEMNIFICATION TO THESE BENEFICIARIES TO THE EXTENT ALLOWED BY LAW AND IN ACCORDANCE WITH CRITERIA ESTABLISHED BY THE TRUST FUND'S BOARD OF TRUSTEES, WITH THE TRUST FUND GOVERNED BY TRUSTEES REPRESENTING THESE INTERESTS, AND TO EXPRESS THE INTENT OF THE GENERAL ASSEMBLY TO ESTABLISH A SEPARATE TRUST FUND TO RECEIVE AND DISTRIBUTE TWENTY-FIVE PERCENT OF THE TOBACCO LITIGATION MASTER SETTLEMENT AGREEMENT FUNDS FOR THE BENEFIT OF HEALTH, WITH THE TRUST FUND GOVERNED BY A BOARD OF TRUSTEES COMPRISED OF A BROAD REPRESENTATION OF HEALTH INTERESTS, for concurrence in House Committee Substitute No. 2.

Upon motion of Senator Rand, the rules are suspended, without objection, and House Committee Substitute bill No. 2 is placed before the Senate for immediate consideration.

The Senate concurs in House Committee Substitute bill No. 2, (34-14) and the measure is ordered enrolled and sent to the Governor by special message.

**CALENDAR**

Bills on today's Calendar are taken up and disposed of, as follows:

**S.B. 271** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX TO THE EXISTING CITY LIMITS OF THE TOWN OF HUNTERSVILLE CERTAIN AREAS SURROUNDED BY EXISTING CITY LIMITS OF THE TOWN OF HUNTERSVILLE, upon second reading.

With unanimous consent, upon motion of Senator Odom, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Wednesday, March 24.

**INTRODUCTION OF BILLS**

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Webster:
**S.B. 375**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 21ST SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Webster:
**S.B. 376**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 21ST SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

March 16, 1999
By Senator Webster:
S.B. 377, A BILL TO BE ENTITLED AN ACT RELATING TO THE 21ST SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Webster:
S.B. 378, A BILL TO BE ENTITLED AN ACT RELATING TO THE 21ST SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Weinstein:
S.B. 379, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF FAIRMONT FOR EMERGENCY REPAIRS AND RENOVATIONS.
Referred to Appropriations/Base Budget Committee.

By Senator Weinstein:
S.B. 380, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF ST. PAULS FOR EMERGENCY REPAIRS AND RENOVATIONS.
Referred to Appropriations/Base Budget Committee.

By Senator Weinstein:
S.B. 381, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ROBESON COUNTY TO ESTABLISH A FIREMEN'S MUSEUM.
Referred to Appropriations/Base Budget Committee.

By Senators Jordan and Albertson:
S.B. 382, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A NEW HEADQUARTERS BUILDING AT THE JONES COUNTY FORESTRY HEADQUARTERS.
Referred to Appropriations/Base Budget Committee.

By Senator Jordan:
S.B. 383, A BILL TO BE ENTITLED AN ACT TO REALLOCATE THE RESPONSIBILITY FOR ENFORCING THE UNIFORM INTERSTATE FAMILY SUPPORT ACT.
Referred to Judiciary II Committee.

By Senators Lee and Kinnaird:
S.B. 384, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ORANGE ENTERPRISES FOR CAPITAL IMPROVEMENTS.
Referred to Appropriations/Base Budget Committee.

By Senators Lee and Kinnaird:
S.B. 385, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MOORE COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL ACTIVITY BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE U. S. OPEN GOLF TOURNAMENT.
Referred to State and Local Government Committee.

By Senators Rand, Garrou, Hagan, Miller, Perdue and Reeves:
S.B. 386, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR IMPROVED ACOUSTICS
IN CONSTRUCTING THE NEW SYMPHONY HALL FOR THE NORTH CAROLINA SYMPHONY.

Referred to Appropriations/Base Budget Committee.

By Senator Rand:
S.B. 387, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL EACH APPOINT A MEMBER TO THE BOARD OF TRUSTEES OF EACH CONSTITUENT INSTITUTION.

Referred to Rules and Operations of the Senate Committee.

By Senator Martin of Pitt:
S.B. 388, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SPECIAL ELECTION FOR A VACANCY ON THE EDGECOMBE COUNTY BOARD OF EDUCATION AND TO PROVIDE THAT FUTURE VACANCIES ON THE BOARD SHALL BE FILLED ONLY UNTIL THE NEXT REGULARLY SCHEDULED ELECTION FOR THE BOARD RATHER THAN FOR THE REMAINDER OF THE TERM.

Referred to State and Local Government Committee.

By Senators Martin of Pitt and Kerr:
S.B. 389, A BILL TO BE ENTITLED AN ACT TO REVISE THE REQUIREMENTS OF FINANCIAL REPORTS OF CERTAIN TOWN OR COUNTY MUTUALS.

Referred to Insurance Committee.

By Senators Rucho, Cooper, Horton, Odom, Plyler and Shaw of Guilford:
S.B. 390, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE ADDITIONAL FEE FOR SPECIAL REGISTRATION PLATES FOR AMATEUR RADIO OPERATORS.

Referred to Finance Committee.

By Senators Kinnaird and Lee:
S.B. 391, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DEER HUNTING IN MOORE COUNTY WITHOUT THE WRITTEN PERMISSION OF THE LANDOWNER, TO PROHIBIT DEER HUNTING FROM THE RIGHT-OF-WAY OF A PUBLIC ROAD IN MOORE COUNTY, AND TO REQUIRE OWNER IDENTIFICATION ON DOGS USED TO HUNT DEER IN MOORE COUNTY.

Referred to State and Local Government Committee.

By Senators Kinnaird and Lee:
S.B. 392, A BILL TO BE ENTITLED AN ACT TO PROVIDE A COMPREHENSIVE CAMPUS VOTER REGISTRATION PROGRAM.

Referred to Education/Higher Education Committee.

CALENDAR (Continued)

S.B. 269, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET, upon second reading.

The bill passes its second reading by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, East,

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Wednesday, March 17, upon third reading.

S.B. 270 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO PROVIDE FOR VOLUNTARY ANNEXATION OF PROPERTY SUBJECT TO PRESENT-USE VALUE APPRAISAL, upon second reading.

Senator Odom offers Amendment No. 1 which is adopted (48-0).

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Wednesday, March 17, upon third reading.

S.B. 115, A BILL TO BE ENTITLED AN ACT TO EXTEND FOR ONE YEAR THE DEADLINE FOR MATCHING COMMUNITY COLLEGE BOND FUNDS.

The bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

S.B. 310, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TIME FOR GIVING NOTICE OF APPEAL IN CASES OF TERMINATION OF PARENTAL RIGHTS AND EMANCIPATION AND IN HEARINGS TO TRANSFER A JUVENILE TO SUPERIOR COURT SHALL BE TEN DAYS AFTER ENTRY OF THE ORDER RATHER THAN TEN DAYS AFTER THE DATE OF THE HEARING.

With unanimous consent, upon motion of Senator Miller, the bill is withdrawn from today’s Calendar and is placed on the Calendar for Wednesday, March 17.

S.B. 311, A BILL TO BE ENTITLED AN ACT TO MODIFY RULE 4 OF THE RULES OF CIVIL PROCEDURE TO EXTEND THE LENGTH OF THE LIFE OF A SUMMONS AND TO ABOLISH ENDORSEMENT AS A MEANS OF REVIVING A SUMMONS.

The bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

S.B. 6, AN ACT TO APPROVE THE CREATION OF THE NONPROFIT CORPORATION ESTABLISHED PURSUANT TO COURT ORDER FOR THE

RECOGNITION OF AZALEA PRINCESS AND COURT

With unanimous consent, upon motion of Senators Ballantine, Jordan, and Soles, privileges of the floor are extended to the Azalea Festival Princess and her Court. Senator Ballantine, Senator Jordan, and Senator Soles are directed to escort the guests to the Well of the Senate. The guests are received with a standing ovation.

Denita Davis, Azalea Princess, extends an invitation to the Members to attend the upcoming Azalea Festival in Wilmington and introduces the members of her court. She presents a framed print commemorating the Festival to the President of the Senate, Lieutenant Governor Wicker, who accepts the gift on behalf of the Senate. The President recognizes Senator Ballantine who acknowledges members of the Azalea Festival Committee present in the Gallery. The guests are escorted from the Chamber to a standing ovation.

Upon motion of Senator Basnight, seconded by Senator Jordan, the Senate adjourns at 5:01 P.M., subject to ratification of bills, to meet tomorrow, Wednesday, March 17, at 4:00 P.M.

March 16, 1999
TWENTY-NINTH DAY

Senate Chamber
Wednesday, March 17, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Sovereign God, we Praise You for Your marvelous creative power. You fashioned the world in just seven days and it was a perfect work. You turned that creation over to us so that we might care for it. But in no time, human management took its toll on Your good creation, and what was once perfect and harmonious became unstable, and totally at odds with Your first Divine vision. You must have looked on in disbelief as Your perfection unraveled before Your eyes.

"Senate Bill 6 has now been returned to us and ratified, and it is not what all of us had hoped for. It has been amended. Some would say it has been improved, others would say it has been irrevocably disfigured.

"Patient, forgiving God, somehow You manage to work with us when our oversight of Your handiwork falls short of Your Divine expectations. Somehow, You manage to bring about Your Divine Will in spite of the troubling innovations we introduce into Your grand plan. You seem to tolerate our meddling with a fair measure of grace.

"Teach us a little bit about that kind of tolerance and forgiveness, because what we got back from the House was not exactly what we sent over there, and we are disappointed. You, no doubt, have had some experience in being frustrated in this way. Grant us patience to persevere in spite of this setback, because even flowers have been known to bloom through manmade sidewalks. We make our prayer in Your Holy Name, Amen."

With unanimous consent, the President grants leaves of absence for today to Senator Webster and Senator Weinstein.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, March 16, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Ipbi Kim from Fayetteville, North Carolina, who is serving the Senate as Doctor of the Day, and to Cathy Chapman from Burlington, North Carolina, who is serving the Senate as Nurse of the Day.

CHAPTERED BILL

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

S.B. 6, AN ACT TO APPROVE THE CREATION OF THE NONPROFIT CORPORATION ESTABLISHED PURSUANT TO COURT ORDER FOR THE PURPOSES OF RECEIPT AND DISTRIBUTION OF FIFTY PERCENT OF THE FUNDS RECEIVED BY THE STATE IN STATE OF NORTH CAROLINA V. PHILIP MORRIS INCORPORATED, ET AL., INCLUDING THE MANNER, TERMS, AND CONDITIONS OF APPOINTMENT OF THE CORPORATION'S BOARD OF DIRECTORS, TO CONDITIONALLY ASSIGN TO THE NONPROFIT

March 17, 1999

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Kinnaird for the State and Local Government Committee:

H.B. 31, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SHELBY TO CONVEY CERTAIN DESCRIBED PROPERTY BY PRIVATE SALE TO THE COUNCIL ON THE AGING OF CLEVELAND COUNTY, NORTH CAROLINA, INC., with a favorable report.

H.B. 37, A BILL TO BE ENTITLED AN ACT REQUIRING THE CONSENT OF LENOIR AND WAYNE COUNTIES BEFORE LAND IN THOSE COUNTIES MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THOSE COUNTIES, with a favorable report.

H.B. 68 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOUR-YEAR TERMS FOR THE MAYOR AND ALDERMEN OF THE TOWN OF CHINA GROVE, with a favorable report.

H.B. 129, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF

March 17, 1999
BREVARD TO CONVEY CERTAIN PARCELS OF REAL PROPERTY TO PRIVATE LANDOWNERS IN EXCHANGE FOR PUBLIC RIGHTS-OF-WAY, with a favorable report.

S.B. 184, A BILL TO BE ENTITLED AN ACT TO REDUCE THE PISTOL PERMIT FEE IN PITT COUNTY FROM TWENTY DOLLARS TO FIVE DOLLARS, with a favorable report.

Upon motion of Senator Kinnaird, the bill is re-referred to the Finance Committee.

S.B. 299, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FORCE ACCOUNT LIMIT FOR CABARRUS COUNTY AND THE CITY OF CONCORD, with a favorable report.

S.B. 300, A BILL TO BE ENTITLED AN ACT REPEALING THE TOWN OF CALABASH'S LIMITATIONS ON THE HEIGHT OF BUILDINGS, EXTENDING THE TOWN'S EXTRATERRITORIAL JURISDICTION, INCREASING THE NUMBER OF TOWN COMMISSIONERS, AND STAGGERING THE COMMISSIONERS' TERMS, with a favorable report.

By Senator Dalton for the Education/Higher Education Committee:

S.B. 225, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING CERTIFICATION OF ASSISTANT PRINCIPALS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2597, which changes the title to read S.B. 225 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING CERTIFICATION AND EMPLOYMENT OF ASSISTANT PRINCIPALS, is adopted and engrossed.

By Senator Lee for the Education/Higher Education Committee:

S.B. 56, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET REGARDING THE AUTHORITY OF LOCAL GOVERNMENTAL UNITS TO ENTER INTO GUARANTEED ENERGY SAVINGS CONTRACTS FOR LOCAL PUBLIC FACILITIES AND TO EXTEND THE CURRENT MAXIMUM DURATION OF THESE CONTRACTS, with a favorable report.

By Senator Lucas for the Children & Human Resources Committee:

S.B. 182, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DOMESTIC VIOLENCE COMMISSION AND TO APPROPRIATE FUNDS FOR THAT PURPOSE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3626 is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

March 17, 1999
By Senator Miller:
S.B. 393, A BILL TO BE ENTITLED AN ACT TO AMEND THE RULES OF CIVIL PROCEDURE TO REQUIRE BRIEFS AND MEMORANDA IN SUPPORT OF DISPOSITIVE MOTIONS TO BE SERVED UPON ALL PARTIES AND TO REQUIRE WRITTEN MOTIONS TO STATE THE GROUNDS FOR THE MOTION WITH PARTICULARITY.
Referred to Judiciary II Committee.

By Senator Hartsell:
S.B. 394, A BILL TO BE ENTITLED AN ACT TO ALLOW PREMIUMS FOR AUTOMOBILE AND PROPERTY AND CASUALTY INSURANCE COVERAGE TO BE PAID BY CREDIT CARD.
Referred to Insurance Committee.

By Senator Hartsell:
S.B. 395, A BILL TO BE ENTITLED AN ACT RELATING TO CABARRUS COUNTY AND THE MUNICIPALITIES LOCATED WHOLLY OR PARTIALLY WITHIN THE COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Hartsell:
S.B. 396, A BILL TO BE ENTITLED AN ACT RELATING TO CABARRUS COUNTY AND THE MUNICIPALITIES LOCATED WHOLLY OR PARTIALLY WITHIN THE COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Hartsell:
S.B. 397, A BILL TO BE ENTITLED AN ACT RELATING TO CABARRUS COUNTY AND THE MUNICIPALITIES LOCATED WHOLLY OR PARTIALLY WITHIN THE COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senators Shaw of Guilford, Carrington and Hagan:
S.B. 398, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.
Referred to Judiciary II Committee.

By Senators Jordan, Ballance, Dannelly, Gulley, Lucas and Martin of Guilford:
S.B. 399, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JUVENILE JUSTICE INSTITUTE AT NORTH CAROLINA CENTRAL UNIVERSITY AND TO APPROPRIATE FUNDS TO HELP SUPPORT THE INSTITUTE.
Referred to Appropriations/Base Budget Committee.

By Senators Jordan and Albertson:
S.B. 400, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY THE FEASIBILITY OF CREATING A STATE WIDE "211" HUMAN SERVICE INFORMATION AND VOLUNTEERISM HOT LINE SYSTEM.
Referred to Appropriations/Base Budget Committee.

March 17, 1999
By Senators Jordan and Albertson:
S.B. 401, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE STABILIZATION AND RENOVATION OF THE HAYWOOD COUNTY SUPERIOR COURTHOUSE.
Referred to Appropriations/Base Budget Committee.

By Senator Robinson:
S.B. 402, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO HAYWOOD COUNTY FOR CAPITAL IMPROVEMENTS TO THE HAYWOOD COUNTY AGRICULTURAL/ACTIVITIES CENTER.
Referred to Appropriations/Base Budget Committee.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 269, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET, upon third reading.

The bill passes its third reading by roll-call vote, ayes 48, noes 0, as follows:

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

S.B. 270 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO PROVIDE FOR VOLUNTARY ANNEXATION OF PROPERTY SUBJECT TO PRESENT-USE VALUE APPRAISAL, upon third reading.

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 48, noes 0, as follows:

Voting in the negative: None.

The Committee Substitute bill is ordered engrossed and sent to the House of Representatives.

S.B. 310, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TIME FOR GIVING NOTICE OF APPEAL IN CASES OF TERMINATION OF PARENTAL RIGHTS AND EMANCIPATION AND IN HEARINGS TO TRANSFER A JUVENILE TO SUPERIOR COURT SHALL BE TEN DAYS AFTER ENTRY OF THE ORDER RATHER THAN TEN DAYS AFTER THE DATE OF THE HEARING.

The bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

March 17, 1999
The President recognizes the following pages serving in the Senate this week:

Joshua Bellamy, Apex; Brandy Wray Brooks, Roxboro; Cassie Bryson, Gastonia; Chaz D. Curtis, Raleigh; Kristin B. Dickerson, Monroe; Amanda Michelle Earnhardt, Albemarle; Marisa Nicole Gilmore, Cary; Mary Elizabeth Glover, Seaboard; Sarah Nell Glover, Seaboard; Melissa Renee’ Gwalthney, Raleigh; Valerie Carol Hoy, Raleigh; William Andrew Lane, Roanoke Rapids; Claire K. Lodge, Gastonia; Syreeta Jasmine Motley, Raleigh; Jodi D. Sadowsky, Raleigh; and LaSaundra Renee Watkins, New London.

ADDITIONAL SPONSORS

Senator Robinson requests to be added as a sponsor of previously introduced legislation:


Senator Harris requests to be added as a sponsor of previously introduced legislation:

S.B. 349, A BILL TO BE ENTITLED AN ACT TO BAN PARTIAL-BIRTH ABORTIONS.

Upon motion of Senator Basnight, seconded by Senator Ballantine, the Senate adjourns at 4:37 P.M. to meet tomorrow, Thursday, March 18, at 11:00 A.M.

THIRTIETH DAY

Senate Chamber
Thursday, March 18, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"God of mercy, You challenged Jonah when he doubted Your compassion for the troubles of urban life saying, 'Shall I not have pity upon Ninevah that great city?'

"Our cities clamor for a word of compassion from You. They press in on each other, a patchwork of glamour and squalor, bright lights and dark alleys, hygienic wonders of glass and steel and crumbling shells of mildew and rats. There are throngs of people in the malls and stadiums, but there is loneliness in their midst.

"We pray Your blessing on the human needs which are so readily concealed behind the masks of well being we fashion for our cities. Look with mercy upon their poverty as well as their abundance, for we make our prayer in Your Holy Name, Amen."

March 18, 1999
With unanimous consent, the President grants leaves of absence for today to Senator Ballance, Senator Garwood, Senator Odom, Senator Webster, and Senator Weinstein.

Senator Rand, Chairman of the Rules and Operations of the Senate Committee, announces the Journal of yesterday, Wednesday, March 17, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Alan Daniel Kritz from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Sharon Dowless from Dublin, North Carolina, who is serving the Senate as Nurse of the Day.

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Lee for the Education/Higher Education Committee:

S.B. 19, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A SCHOLARSHIP STUDENT WHO ATTENDS A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA SHALL BE TREATED AS A NORTH CAROLINA RESIDENT FOR ALL PURPOSES AND TO PROVIDE THAT A MEMBER OF THE MILITARY WHO ATTENDS A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA OR A COMMUNITY COLLEGE SHALL ONLY BE CHARGED THE IN-STATE TUITION RATE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7556, which changes the title to read S.B. 19 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A SCHOLARSHIP STUDENT WHO ATTENDS A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA SHALL BE DEEMED TO HAVE MADE FULL PAYMENT OF TUITION COSTS BY REMITTING THE IN-STATE TUITION AMOUNT AND TO PROVIDE THAT A MEMBER OF THE MILITARY ABIDING IN NORTH CAROLINA WHO ATTENDS A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA OR A COMMUNITY COLLEGE SHALL ONLY BE CHARGED THE IN-STATE TUITION RATE, is adopted an engrossed.

Upon motion of Senator Lee, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 56, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET REGARDING THE AUTHORITY OF LOCAL GOVERNMENTAL UNITS TO ENTER INTO GUARANTEED ENERGY SAVINGS CONTRACTS FOR LOCAL PUBLIC FACILITIES AND TO EXTEND THE CURRENT MAXIMUM DURATION OF THESE CONTRACTS.

With unanimous consent, upon motion of Senator Kerr, the bill is withdrawn from today's Calendar and is re-referred to the Finance Committee.
MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 50, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF FAYETTEVILLE TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.
Referred to Judiciary I Committee.

H.B. 201, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE APPOINTMENT OF SUCCESSOR TRUSTEES TO CONFORM TO THE RULES OF CIVIL PROCEDURE AND TO UPDATE STATUTORY LANGUAGE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.
Referred to Judiciary II Committee.

H.B. 238 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM LAWS ENCOURAGING THE PURCHASE OF COMMODITIES AND SERVICES OFFERED BY BLIND AND BY SEVERELY DISABLED PERSONS.
Referred to Children & Human Resources Committee.

CALENDAR (Continued)

S.B. 299, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FORCE ACCOUNT LIMIT FOR CABARRUS COUNTY AND THE CITY OF CONCORD.
The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 300, A BILL TO BE ENTITLED AN ACT REPEALING THE TOWN OF CALABASH'S LIMITATIONS ON THE HEIGHT OF BUILDINGS, EXTENDING THE TOWN'S EXTRATERRITORIAL JURISDICTION, INCREASING THE NUMBER OF TOWN COMMISSIONERS, AND STAGGERING THE COMMISSIONERS' TERMS.
The bill passes its second and third readings and is ordered sent to the House of Representatives.

H.B. 31, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SHELBY TO CONVEY CERTAIN DESCRIBED PROPERTY BY PRIVATE SALE TO THE COUNCIL ON THE AGING OF CLEVELAND COUNTY, NORTH CAROLINA, INC.
The bill passes its second and third readings and is ordered enrolled.

H.B. 37, A BILL TO BE ENTITLED AN ACT REQUIRING THE CONSENT OF LENOIR AND WAYNE COUNTIES BEFORE LAND IN THOSE COUNTIES MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THOSE COUNTIES.
The bill passes its second and third readings and is ordered enrolled.

H.B. 68 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOUR-YEAR TERMS FOR THE MAYOR AND ALDERMEN OF THE TOWN OF CHINA GROVE.

March 18, 1999
The Committee Substitute bill passes its second and third readings and is ordered enrolled.

**H.B. 129**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF BREVARD TO CONVEY CERTAIN PARCELS OF REAL PROPERTY TO PRIVATE LANDOWNERS IN EXCHANGE FOR PUBLIC RIGHTS-OF-WAY.
The bill passes its second and third readings and is ordered enrolled.

**S.B. 225** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING CERTIFICATION OF ASSISTANT PRINCIPALS.
The Committee Substitute bill passes its second (43-0) and third readings and is ordered sent to the House of Representatives.

Upon motion of Senator Basnight, seconded by Senator Perdue, the Senate adjourns subject to introduction of bills, to meet Monday, March 22, at 7:00 P.M.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:


**S.J.R. 403**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF TERRY SANFORD, ONE OF NORTH CAROLINA'S MOST DISTINGUISHED CITIZENS.
Referred to Rules and Operations of the Senate Committee.

By Senator Reeves:

**S.B. 404**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 14TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Reeves:

**S.B. 405**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 14TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Reeves:

**S.B. 406**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 14TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Reeves:

**S.B. 407**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 14TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senators Reeves and Miller:

March 18, 1999
S.B. 408, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTINUE THE DANGEROUS OFFENDER TASK FORCE IN WAKE COUNTY.
Referred to Appropriations/Base Budget Committee.

By Senators Horton, Allran, Ballantine, Carpenter, Carrington, Cochrane, East, Forrester, Foxx, Garwood, Hartsell, Moore, Rucho and Shaw of Guilford:
S.B. 409, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH AN INDEPENDENT REDISTRICTING COMMISSION.
Referred to Judiciary I Committee.

By Senator Warren:
S.B. 410, A BILL TO BE ENTITLED AN ACT RELATING TO THE 9TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Warren:
S.B. 411, A BILL TO BE ENTITLED AN ACT RELATING TO THE 9TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Warren:
S.B. 412, A BILL TO BE ENTITLED AN ACT RELATING TO THE 9TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Warren:
S.B. 413, A BILL TO BE ENTITLED AN ACT RELATING TO THE 9TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senators Kinnaird and Lee:
S.B. 414, A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO MUNICIPALITIES LOCATED IN COUNTIES WITH POPULATIONS IN EXCESS OF FIFTY-EIGHT THOUSAND PEOPLE BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT.
Referred to Judiciary II Committee.

By Senators Kinnaird, Ballance, Carter, Dalton, Foxx, Garrou, Hagan, Harris, Lucas, Metcalf and Weinstein:
S.B. 415, A BILL TO BE ENTITLED AN ACT TO EXEMPT NONPROFIT CHILD CARE CENTERS FROM PROPERTY TAX.
Referred to Finance Committee.


March 18, 1999
S.J.R. 416, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SAMUEL ASHE FOR WHOM ASHE COUNTY IS NAMED UPON THE COUNTY'S BICENTENNIAL CELEBRATION.

Referred to Rules and Operations of the Senate Committee.

By Senators Carter, Ballance, Clodfelter, Dalton, Dannelly, Garrou, Hagan, Lucas, Metcalf, Odom, Plyler, Purcell, Soles, Weinstein and Wellons:

S.B. 417, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF LETTERS OF CREDIT FROM A FEDERAL HOME LOAN BANK AS COLLATERAL FOR DEPOSITS OF LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES.

Referred to Commerce Committee.

By Senator Soles:

S.B. 418, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHADBOURN TO COLLECT UTILITY BILLS AS IF THEY WERE TAXES DUE THE TOWN.

Referred to Finance Committee.


S.B. 419, A BILL TO BE ENTITLED AN ACT TO CLARIFY MOTOR VEHICLE DEALER TRANSFER RIGHTS.

Referred to Commerce Committee.


S.B. 420, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEALERS AND MANUFACTURERS LICENSING LAW.

Referred to Commerce Committee.

By Senator Harris:

S.B. 421, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO NORTH CAROLINA VETERANS ARCHIVES CENTER TO PURCHASE LAND FOR AND DEVELOP A VETERANS ARCHIVES CENTER IN THE TOWN OF DUNN.

Referred to Appropriations/Base Budget Committee.

By Senator Harris:

S.B. 422, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF ERWIN TO DEVELOP A TEXTILE MUSEUM.

Referred to Appropriations/Base Budget Committee.

By Senator Harris:

S.B. 423, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REPAIR AND RENOVATE THE GENERAL WILLIAM C. LEE MUSEUM IN HARNETT COUNTY.

Referred to Appropriations/Base Budget Committee.

March 18, 1999
By Senator Harris:

S.B. 424, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE AVERASBORO BATTLEFIELD COMMISSION.

Referred to Appropriations/Base Budget Committee.

By Senator Clodfelter:

S.B. 425, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LAW ENFORCEMENT OFFICER MAY ARREST A PERSON ON PRIVATE PREMISES OR IN A VEHICLE IN ACCORDANCE WITH STATE LAW WITH A COPY OF THE ORIGINAL ARREST WARRANT OR ORDER.

Referred to Judiciary I Committee.

By Senator Clodfelter:

S.B. 426, A BILL TO BE ENTITLED AN ACT TO LIMIT THE RIGHT OF SHAREHOLDERS OF SECURITIES DESIGNATED AS NATIONAL MARKET SYSTEM SECURITIES TO DISSENT FROM, OR OBTAIN PAYMENT AS A RESULT OF, CERTAIN CORPORATE ACTIONS AND TO MAKE OTHER CLARIFYING CHANGES TO THE LAW GOVERNING DISSENTERS' RIGHTS.

Referred to Judiciary I Committee.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 11:19 A.M.

THIRTY-FIRST DAY

Senate Chamber
Monday, March 22, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“God of new life, how we have been waiting for a sign of hope from You. A sign in the blooming trees that You have not forgotten spring. A sign in our troubled hearts that You have not forgotten that our wintry spirits long for the warm caress of Your Love. With the coming of the spring equinox, the days are finally growing longer, daylight, it seems, is winning the battle over darkness. Pour out Your new light into the shadowy recesses of our souls.

“But perhaps we are not quite ready for that awakening. Perhaps we are not ready for the blooming of spring in our heart of hearts. How shall the promise of spring be born in us if we refuse to let go of winter, if we refuse to give up our cold resentments, our stormy betrayals, our brittle disappointments, and our barren hope.

“Speak to us the words that have the power to free us from our bondage, to bring us from despair to hope, and from death to life. Fill us this day with newness of life and with the warmth and peace of Your Divine Spirit, for we make our prayer in Your Holy Name, Amen.”

With unanimous consent, the President Pro Tempore grants leaves of absence for
tonight to Senator Foxx, Senator Soles, and Senator Webster.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of Thursday, March 18, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore of the Senate extends courtesies of the floor to Dr. Richard D. Adelman from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Miller for the Judiciary II Committee:

S.B. 291, A BILL TO BE ENTITLED AN ACT TO PROVIDE CRIMINAL PENALTIES FOR FRAUDULENT MISREPRESENTATION INVOLVING CHILD CARE SUBSIDIES AND TO PROVIDE COUNTIES A FINANCIAL INCENTIVE TO INVESTIGATE AND PURSUE FRAUD IN CHILD CARE PAYMENTS, with a favorable report.

Upon motion of Senator Miller, the bill is re-referred to the Appropriations/Base Budget Committee.

By Senator Kinnaird for the State and Local Government Committee:

H.B. 145 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A SPECIAL ELECTION FOR A VACANCY ON THE EDGECOMBE COUNTY BOARD OF EDUCATION AND TO PROVIDE THAT FUTURE VACANCIES ON THE BOARD SHALL BE FILLED ONLY UNTIL THE NEXT REGULARLY SCHEDULED ELECTION FOR THE BOARD RATHER THAN FOR THE REMAINDER OF THE TERM, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 2127 is adopted and engrossed.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified, properly enrolled and presented to the Office of the Secretary of State:

H.B. 31, AN ACT TO AUTHORIZE THE CITY OF SHELBY TO CONVEY CERTAIN DESCRIBED PROPERTY BY PRIVATE SALE TO THE COUNCIL ON THE AGING OF CLEVELAND COUNTY, NORTH CAROLINA, INC.

H.B. 37, AN ACT REQUIRING THE CONSENT OF LENOIR AND WAYNE COUNTIES BEFORE LAND IN THOSE COUNTIES MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THOSE COUNTIES.

H.B. 68, AN ACT TO PROVIDE FOUR-YEAR TERMS FOR THE MAYOR AND ALDERMEN OF THE TOWN OF CHINA GROVE.

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H.B. 129, AN ACT TO PERMIT THE CITY OF BREVARD TO CONVEY CERTAIN PARCELS OF REAL PROPERTY TO PRIVATE LANDOWNERS IN EXCHANGE FOR PUBLIC RIGHTS-OF-WAY.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

S.B. 23, AN ACT TO CLARIFY THE LAW REGULATING MASS GATHERINGS. (Became law upon approval of the Governor, March 18, 1999 – S.L. 1999-3.)

S.B. 26, AN ACT TO REPEAL THE PROHIBITION ON REIMBURSEMENT FOR SERVICES PROVIDED BY SCHOOL-BASED HEALTH CLINICS UNDER THE CHILDREN’S HEALTH INSURANCE PROGRAM. (Became law upon approval of the Governor, March 18, 1999 – S.L. 1999-4.)

WITHDRAWAL FROM CALENDAR

S.B. 128 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW CONCERNING INTEREST ON MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, placed on the Calendar for Tuesday, March 23.

Senator Cooper offers a motion that the bill be withdrawn from the Calendar for Tuesday, March 23, and placed on the Calendar for Tuesday, March 30, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Calendar for Tuesday, March 23 and places it on the Calendar for Tuesday, March 30.

COMMITTEE REFERRAL RECALL


Pursuant to Rule 47(a), Senator Rand offers a motion that the joint resolution be withdrawn from the Rules and Operations of the Senate Committee and placed before the Senate for immediate consideration, which motion prevails with unanimous consent.

With unanimous consent, upon motion of Senator Rand, the joint resolution is read in its entirety, and upon motion of Senator Metcalf, the remarks of the Senators memorializing the life and memory of Terry Sanford, former North Carolina Senator, former United States Senator, and former Governor of North Carolina, are spread upon the Journal, as follows:

Senator Gulley:

“Thank you, Mr. President. Ladies and gentlemen, colleagues, I am truly at a loss for words. I’m not sure how we adequately honor Terry Sanford, what are the right words to use. I do remember from my first meetings with him as an undergraduate at Duke University a few years ago, that I have never been so captivated by someone’s personality, by their, the gleam in their eye, by their direct but compelling way with words as I was with President Sanford, at that time. I went in to talk to him about how some of us were becoming serious about developing an anti-war movement at Duke. We had come through a very difficult time the previous few years with the administration. I had no idea

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what to expect, and Terry Sanford said, ‘That’s a good idea. Let’s work together, let me help you.’ And it was something that I never expected, but something that meant a great deal. He taught us, even then in college, how to find productive ways to change the world around us, and he showed us by example that you could trust somebody over thirty.

“I remember Mayor Nick Tennyson of Durham’s favorite story. He graduated a couple of years later and saw then Senator Sanford some years later and mentioned that to him and that he was a little worried about getting his degree and so forth, and Terry was wonderful. He looked at him and smiled and said, ‘Oh, I remember that one. I did have to hesitate for a moment and think about that one some.’

‘With a directness and courage, we know that Terry Sanford loved the State of North Carolina, away from the divisiveness of racial politics in the early 1960’s that was so endemic, leading us and encouraging us as a State down the path towards brotherhood. He was a legendary political leader who somehow found the time to nurture and develop personal relationships with what I thought were dozens but now I think are hundreds of young people in this State, aspiring them as both a role model and an example of political leadership. We know that he was a lawyer, as you’ve heard. He was a paratrooper, a member of the Chamber, an FBI agent, the author of three books, a Governor, a University President, and finally a United States Senator. You wonder how one person could get all that into one lifetime, but he was tireless, he was creative, he was wise, and he had a wonderful sense of humor. But most of all, I think for so many of us he was a hero in the authentic and best sense of that word, representing the finest that political leadership could be.

“I was acutely reminded of this aspect of Terry Sanford, his leadership by a recent column in a local newspaper written by Quinton Lindsey. And he asked the following question and I made one small edit to it to ensure that the point was made in non-partisan fashion, but he said in his column, ‘Where have all the Terry Sanford type leaders gone? Those fifty-one percent types who, when the needs are evident, and the ways are feasible, lead with imaginative programs, anyway, even though the going is tough and risky, and there’s only a little better than an even chance of success.’ I hope that every member of this Senate and political leaders from across North Carolina for years to come will celebrate and be inspired by the life and example of Terry Sanford, and I commend this resolution to you. Thank you, Mr. President.”

Senator Lucas:

“Thank you, Mr. President. Members of the Senate, it gives me great pleasure to stand and speak on the resolution honoring the life and memory of Terry Sanford. There’s an expression that says, ‘The direction in which education starts a man will determine his future life.’ Terry Sanford was educated in how to be faithful to himself, and then how to be faithful to others. He had a magnificent relationship with the diverse population, and you recall how instrumental he was in encouraging Attorney Dan Blue as a young lawyer. Terry shared his experiences with those of us who were entering the political world early, and who needed to lean on his shoulder for direction. Wib, I recall that the last time I had an opportunity to talk with him was at the benefit that was held for you, and the one thing I remember, as he encouraged the two of us, was that he always said, ‘Don’t just aim, aim, and aim, but have an action to fire,’ which means that that great leader was encouraging, was inspiring, was motivating. And so tonight, it gives me great pleasure to ask that you vote on this resolution positively.”

Senator Rand:

“Thank you, Mr. President. Ladies and gentlemen of the Senate, while my friends from Durham are laying claim to Terry Sanford, it was really from southeastern North Carolina that he came. He was a native of Laurinburg, and when he completed his service March 22, 1999
in the military and finished law school, he came back to Cumberland County to practice law, and he practiced law with Charles Rose there for some years, and then went to the firm he helped found, McCoy, Weaver, it was Sanford, McCoy and Weaver, I believe when it started. It is now, the firm is still one of the largest and best firms in Fayetteville that he helped start. I remember in 1960 when I was trying to make enough good grades in political science to pull up those grades in French and math so I could graduate, that I wrote one paper on the 1960 Gubernatorial Election, and it was mainly about Terry Sanford, and what he meant to the future of North Carolina, and I still remember that campaign so clearly because I think it did determine what North Carolina would become, and Terry Sanford, because of the type person he was, and because of the vision that he had, I think made us a great deal of what we are. And so those of us from Cumberland County have great affection and a high regard for Terry Sanford. He was a man of great good humor, oh he was a funny fellow, and I’ve heard Charles Rose talk about him at long length, and this is Charles Rose the elder, not the former Congressman, and I’ve heard him talk about him, too, time and time and time again. They both had great affection for him and great respect for his ability and his humanity. It’s hard for me to say anything good, Mr. President, as you know about a Duke man, but I, in this instance, I can do it because he got his education at Chapel Hill. So that’s probably why Duke’s getting along as well as they are tonight. But I think if we reflect upon what Senator Sanford meant to us and what he meant to the school children of North Carolina, it’s impossible for us to exaggerate his accomplishments, the things he did in 1960-64 to put our public schools on a firm foundation, the kind of stands he took for equality in North Carolina, and just his vision and foresight in making us so much better than we thought we were, I think will be the greatest accomplishments certainly in my lifetime. I’m glad that I knew him. I’m glad he was with us for as long as he was, Mr. President, and I’m glad that North Carolina is the kind of place it is today because of him. Thank you.”

Senator Odom:

“Thank you. I have a unique perspective of Terry Sanford that no one else in this Chamber has, and I’m glad that I’ve had that being from Charlotte-Mecklenburg, but I’m one of the few people that ever ran against him for public office. And since I’m here, you know that I lost that 1986 primary to him. We understood he was not going to run so several of us decided I would run, and when at the last minute he got in, everybody with any sense got out except me. And so, as a result of a number of months during that Democratic primary, our paths crossed many, many times and I grew to fully appreciate the stature of a man such as Terry Sanford. And in 1992, it was a pleasure to work very, very hard and the people in Charlotte-Mecklenburg did their best to return him to the United States Senate, but that was not the will of the people. And I want to relate very briefly one moment that I, my wife and I will always remember because shortly after that campaign for some reason Terry Sanford was in Charlotte, and we wound up driving him back to Durham that night, and that was a three hour drive that Jane and I have remembered a number of times. It’s one that we cherish. He was a great storyteller. He had great insight, and to just be in his presence to listen to him talk about not just the past, but he could always talk about the future. North Carolina lost a great man upon the death of Terry Sanford.”

Senator Purcell:

“Mr. President, it’s a special honor for me to speak in support of this motion, this bill honoring Terry Sanford. His home was four blocks from where I grew up, and I first remember Terry Sanford back in the late 1930’s when he, during the, was still in the throws of the depression, and he and my brother Archie had a fresh air camp, they called it, for underprivileged children at a lake in Scotland County. So even back in those days

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he was thinking about other people. Terry, you really can’t talk about Terry without talking about his mother, Mrs. Betsy Sanford, who was a long time school teacher in Laurinburg. I had the privilege of being in her civics class and I probably learned more about state government and all then than, than I did in the years since then except since being in here, I think I’ve picked up a few things she didn’t tell me about, but, but Ms. Sanford was still driving a car at 96 or 97 years old, and everybody in town would get out of the way when they saw Ms. Betsy coming and somebody got the word to Terry about that, so he came down one weekend and told her that she couldn’t drive anymore, and that it was too dangerous, and took her car, so on Monday morning Ms. Sanford went down and bought a new car. But Terry in his education attended Presbyterian Junior College which is in Maxton and they were having a oral exam in Bible at this college, and Dr. Lewis Lamont was the teacher. One of his, Terry and one of his friends got together and the friend asked Terry what could he expect on the exam the next day, and Terry said well Dr. Lamont always asks about the journeys of Paul, so I think that’s what we need to study and we’ll be in good shape and should do well on the exam. Well, the next morning Dr. Lamont called on Terry’s friend and asked him to describe the importance of Abraham and Isaac and the, the history of our Christian religion. Well his friend said, ‘Well, Dr. Lamont, I just don’t know anything about that.’ So Dr. Lamont asked Terry about that and Terry said, ‘Well, Dr. Lamont the Abraham and Isaac played a major role in the history of the Christian religion but I would rather spend our time talking about the journeys of Paul,’ and proceeded to describe Paul’s journeys and ended up making a hundred on the oral exam. It’s a special honor for me to speak and help and to recognize one of North Carolina’s outstanding leaders and a person who’s meant so much to so many of us.”

Senator Allran:

“Thank you, Mr. President. Ladies and gentlemen of the Senate, Terry Sanford is a towering figure in North Carolina history, and his funeral, as you know, was at the Duke Chapel about a year ago, and because the Chapel is modeled after Canterbury Cathedral and because it reminds me on the inside of Westminster Abbey, I felt like I was at a state funeral or a royal one. And for those of you who were there, you know what I mean. After it was over, I spoke briefly with Jim Martin out in front of the Chapel and Jesse Helms who was there walking with a cane. And during the service, everyone who eulogized Terry Sanford did a good job, but my favorite was Dan Blue. And the reason for that, I think, is mostly because he came across as so sincere and also because he was a student at Duke and was close to Sanford because of that and he had been so influenced by the man he was eulogizing. As I sat there listening to the former Speaker of the House reminisce of his law school days with President Sanford, I thought back on the first time I ever met Terry Sanford. And it was on a ski slope at Hound Ears up in the mountains. I was in high school and my parents, along with the Sanfords and a few other people were some of the earliest people up there to build homes, and Mr. Sanford’s house and Margaret Rose’s house was a little higher up the hill than my family’s was. I remember how cordial and gracious the former governor was to me, and as a teenager that was indelibly put on my memory I was so impressed by it. But of course, Terry Sanford did not stop with being a North Carolina Governor. He was a lot of things, and had many accomplishments. I share this, of course, with Senator Gulley. What I appreciate, what I appreciate most about Terry Sanford was what he did for my family alma mater at Duke, Senator Rand. Terry Sanford was President Sanford when I was there in the early 70’s, and he had been brought in to rescue Duke University. In the late 60’s, Duke was at a crisis point. The campus was embroiled in political turmoil and dissent, and the trustees wanted a change, they wanted a new President, and Terry Sanford is the person they picked for that job. They wanted someone with strong leadership abilities, and he

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was not afraid of the student body. In fact, he really liked us. I remember visiting with him in his home there. He invited the students in to visit because he enjoyed our company. But even when student conduct was at its very most extreme worst, he never flinched. There’s a well-known photograph of, of Terry Sanford, President Sanford, striding out on the main campus among the students in tear gas at Duke out in front of the front quad. In that photo, he is addressing the demonstrators with a megaphone, rather than relying solely on the police, he is trying to quiet that campus riot himself personally. That was the year the students took over the administration building, and, Senator Gulley, who is my elder, probably remembers that vividly. Actually, I didn’t come until the next year. But, those were very polarized days. Students took politics extremely seriously back then. You were left winged or right winged. You were southern or you were northern. You were for the war effort or you were against it. You were bouswar or you were proletariat. And I now, that seems so far, it almost seems silly really, but that’s the way it was back then and thank heaven that’s a different era. In all of this, Terry Sanford, whom I had always thought of as a liberal, and who called himself one, became for me a hero of moderation. At Duke, back then, he was a moderate in presence of strong leadership, appreciated by all factions. The Trustees of the University might have been fascist pigs to the left wingers, and the students for a Democratic society might have been communists to the right wingers, but no one seemed to dislike Terry Sanford, and everyone respected him. In poli sci, we read his book, You Can’t Eat Magnolias. With time, history has credited him with helping to create the new Duke, the school that today ranks in the top five in nearly every category among national schools. And then I have to, can’t resist saying has been known to play a pretty good basketball game, too. After Duke, after all of that, I went to Washington. I interned with my own Congressman, Jim Broyhill, who has really always been my mentor and the person I’ve admired the most in politics, probably, and later on, Terry Sanford, whom I admired for what he did at Duke as its President would be my favorite Congressman in the race for U.S. Senate. A few years ago, we had a legislative function at Treyburn Country Club, and there in front of the fireplace, I guess a number of y’all might have gone, I don’t know, but I stood in front of the fireplace and looked at a portrait over the mantle and it was a portrait of Terry Sanford, and that struck me. I guess this is one of the things that a workaholic achiever does in his spare time, found country clubs. Last week I was talking with Walter Reagan of the research staff here at the General Assembly about a bill. Walter and I were in the same class at Duke and Terry Sanford came up in the conversation, this time in the context of when he ran for President of the United States and Walter talked about how he had worked on his staff as a student volunteer and had gotten to go to New Orleans to scrounge up delegates for him and things of that nature. It’s for other people to know and remember all of the other many things this extraordinary individual accomplished in just one lifetime. But for me, a lifelong second generation republican, it is easy to appreciate, admire, and eulogize a lifelong democrat who was many things, but certainly one of the greatest presidents Duke University ever had, and one of North Carolina’s most versatile and accomplished citizens. I urge your support of this resolution.”

Senator Lee:

“Thank you, Mr. President, Members of the Senate. I considered Terry Sanford a friend, but more than that, I considered him a hero. While living in the State of Georgia in Savannah, I heard of this wonderful Governor in North Carolina who was leading the State to great heights, and we in Georgia looked wishfully at North Carolina with some envy. Little did I know. As a graduate student at UNC-Chapel Hill, I recall one of the great urges I had was to meet this great person known as Terry Sanford. And while I was a student he came to UNC to lecture one day and I excitedly went to meet this man and felt just really small in his presence as I listened to him express wisdom and thought and

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foresight and talk of his visions not only for the State but for people in general. I was extremely inspired by Terry Sanford. And then I went on to run for and fortunately be elected Mayor of Chapel Hill. During those days, I maintained my relationship with him and consulted with him on several occasions. In 1972 when he decided to run for President, he asked me to join him, which I was delighted to do and on his behalf traveled throughout the south and the nation because I thought the nation needed Terry Sanford. And while he was not elected President, I believe his candidacy and his campaign impacted greatly the political landscape and his ideas were picked up by some who later became, at least one who later became President. There's one vivid memory I have having gone to South Carolina on a campaign trip and was put on a plane and sent back to North Carolina, and the pilot without knowing it, ran into a thunderstorm. And the plane, we thought was going to fall apart, and the next time I saw, we did land with some damage to the plane, next time I saw Terry I said, 'I just want you to know that you're so important to me that I would fly through a thunderstorm for you.' I had the good fortune of being at Duke, first as an academician and then as an administrator during the times that President Sanford presided at the institution. And our contact and friendship grew and remained. Shortly before his death when he was still very much lucid, I had Tom Drew join me and we went to spend some time with him. And we spent more time than I had intended to and I could tell he was growing tired and I thought we should leave but he just kept talking. It was as if he had a lot to say and I was just taking in everything he had to say. Finally when I left that meeting I left inspired by Terry one more time as I've always left a meeting inspired by him because he was a man, in my opinion, who stood for the best, who represented the best, and who believed that we controlled our destiny and that we have an obligation to offer the best we could offer. I'm told if you want to know how much you'll be missed stick your hand in a bucket of water and pull it out and the hole remaining is the measurement of how much you'd be missed. Well in Terry Sanford's case, I believe it could be more compared to sticking your hand in a bucket of ice and pulling out the soft ice of snow. And that's how much he will be missed. That void, in my opinion, will never be filled. There is much more I can say but I'll keep it brief, but words that come to me this evening are the same words that were used in remembrance of another great North Carolinian, Charles Kuralt, and I think they are very fitting - a poem by Charles Day which I will paraphrase and that is,

"Farewell my friend, farewell and hail,
You left to seek the Holy Grail and I do not understand why.
But we'll remember now that you're gone 'twas aspiration that drove you on.
Tiddley-widdley tootle-oo someday we'll all follow you, but until then we bid you good-bye.""

Senator Albertson:

"Thank you Mr. President, Members of the Senate. Terry Sanford was a great human being, a great public servant and most of you in this room knew him a lot better than I did. There're two things I will always remember about this great man. He was a person first of all who had a lot of courage. He saw what was needed in this State and had the courage to ask for a tax increase to fill those needs. Folks, it takes a lot of courage for a politician to ask for a tax increase, but Terry Sanford did and rightly so. The other thing I will always remember about this great man is what Dan Blue, Representative Dan Blue, said so very eloquently about him at his funeral. He said, 'While other southern governors were closing doors, Terry Sanford was opening doors in North Carolina.' He was a model for our nation, what a great American, what a great public servant and I recommend the resolution to you."
Senator Reeves:

"Senator Gulley and Senator Allran, it may surprise some of the other folks who are in this room that I was at one time a Cameron crazy during Sanford's tenure as President of Duke University. And I wanted to share with all of you all the essence of a letter that I received from Senator Sanford. It was not especially addressed to me, it was addressed to the entire student body after we had gone a little overboard in taunting some of our friends from another university playing basketball. He kindly reminded us of what it meant to be a good sport and he signed it Uncle Terry, which was pretty amazing to me. I met him several times as a student. One time I was somewhat lost and not really kind of knowing my way and he advised me to use some of my free time to work down at the Durham Soup Kitchen, which I did. In fact, I did so enjoy my work there at the Soup Kitchen that I ended up spending several times a week working there. But that was his way. He expected much of us and we wanted to achieve it because he motivated us to be the best. Those are my remembrances of him. A motivator, achiever, but always be a good sport."

Senator Clodfelter:

"Mr. President, thank you. I had not planned this evening to speak on this matter or on any other matter, but I have to do it, more for my own benefit than for yours and I hope you'll humor me for that. I have my stories of Terry Sanford as do you all and I will not tell them all here. I will not even tell a fraction of them, but they all come to the same thing in the end for me. In many tangible and intangible ways, he lifted me up and not just me but an entire generation of us in North Carolina. He raised us above what was happening in the world around us and showed us where we could go. And for those of us in Senator Gulley's generation and in my generation, Senator Allran's generation, there was no more valuable gift that we could have received in those years of turmoil and change and doubt and confusion. And if there is any tribute I could pay to him tonight it would be to say to him that he saved the future, not just for me individually but for all of us in North Carolina. So if I am here tonight it is in no small measure because of him, his prodding, his encouragement, his stimulation. And if I leave here tonight and I do not come back here ever again, having voted on this Resolution tonight will have made it all worthwhile for me. Thank you."

Senator Miller:

"Thank you Mr. President. Like Senator Clodfelter, I did not come tonight expecting to address this Resolution but like Senator Clodfelter I think I address it as much for my own benefit as for yours. I do expect that everyone will use their green button tonight and not their red. That is not the purpose of the debate. I am happy to say that my admiration for Senator Sanford has nothing to do with the brief period of his life during which he lived in Durham. I am happy to return the discussion to what he accomplished for the people of North Carolina. I address the Resolution not as a Senator from Wake County but as a kid from Fayetteville. I grew up in Fayetteville. I still pull up short when someone asks me where I'm from. In the south when someone says, 'Where are you from?' It does not mean, 'Where do you now live?' I pull up and I say, 'Well, I represent Wake County. I'm from Fayetteville.' When I was growing up, I think my opinion of Terry Sanford suffered from the familiarity. He was at the time, he practiced law in Fayetteville, he was from the State Senate from Fayetteville, Fayetteville was his home and his political home. A good friend of mine grew up in North Carolina in Senator Dalton's district, spent a summer in college in the early 1970's selling bibles door-to-door in a small town in Indiana. He said that the folks in the small town thought that there was this one kid, this one eighth grader, who was just going to grow up to be a world beater in basketball, and he didn't take it seriously. He figured every little town had some kid they thought was going to be a world beater. But when they got, when they grew up and they
faced real competition, they fell by the wayside, and that’s kind of the way I viewed Terry Sanford. There were certainly a lot of folks that I knew who said he was a great man, who said he was a statesman, who said that I would be proud for the rest of my life to have simply met him. And I didn’t take it seriously. I think I took them to be exercising a little ... I took it all with a grain of salt because to me he was just a local politician. I went to Terry Sanford Senior High School. He lived a mile from me. I kept meeting him everywhere I went. Some adult would introduce me to Terry Sanford, I’d say, ‘Yea, yea, I’ve met him, I’ve met him, thank you.’ And I never really took him seriously perhaps because of his familiarity to me. When I look back at Terry Sanford’s career and his accomplishments, I see him now in a different perspective. I see what he did on racial relations in this State, of how he eased racial tensions and moved the State forward at a time when other politicians in the south were taking easy political vantage, appealing to racial fears and to the worst in us. I think of what he did for education in this State. Senator Albertson said that. What he did in creating the Community College system. As Senator Gulley said, in a time of tepid political leadership, he stands out as fearless. He had no fear. He did what he thought was right and did not care of the consequences. And I suppose that when you have stepped out of an airplane into darkness over Normandy the night before the D-Day invasion, it gives you a different perspective on life and maybe it’s easier to be fearless. And maybe the thing that people can do to you in politics seem less serious. Harvard had it right. Terry Sanford was one of the great governors of the twentieth century, one of the ten great governors of the twentieth century, not just of this State but of any state. My view when people called him a statesman when I was growing up was much like Harry Truman’s, ‘A statesman was just a dead politician.’ But Terry Sanford was all of his life a statesman, that’s not just something we call him now. In retrospect, he was truly a great leader. And incidentally the eighth grade kid that everybody in that small town in Indiana thought would be a world beater, was Larry Byrd. I commend this Resolution to you.”

Senator Dannelly:

“Like everyone in here, I heard of Terry Sanford. I met him, I knew him, I have stories I can tell with our encounters, but I don’t want to be redundant. Just wanted to let you know that I, too, worked for him in whatever he ran for. But I want to remind you, the work he’s done speaks for him. And his work will speak for him decades and decades to come. We will never forget him.”

Senator Hagan:

“Mr. President, I, too, did not plan to speak but I can think of no better way for me to break in this mic than to speak on Terry Sanford. I agree with Senator Clodfelter that he really did inspire a lot of people in North Carolina to seek political office and to really do things for North Carolina. Back in 1985, when he was running for his U. S. Senate seat, we were fortunate enough to have a fundraiser in our home for Senator Sanford. He and his wife were there and I remember just being in awe of this man and all that he has accomplished in one life and yet he was still going on the run for U. S. Senator. And I just want to commend him to all of us sitting here listening to all of this. I’m thrilled to be a part of history just listening to the accomplishments of this one man. And I just think that it’s wonderful for North Carolina for all the citizens of our State to have had an individual like Terry Sanford represent us. And he was truly an American hero and I’m glad to be a part of this.”

Senator Shaw of Cumberland:

“Thank you, Mr. President, ladies and gentlemen of the Senate. I, too, must rise to offer my impressions of this Resolution that we all will support. Senator Sanford, as a
young man when I was in the fifth and sixth grade I first heard of him. I was around ten or eleven years old. It was a time of my life when there was an awful lot more fear than there was optimism because you could lose your life if you were at the wrong place at the wrong time. You know a funny thing about it, I don’t ever recall this gentleman changing our society by sending out the troops or sending out the Army. Quite frankly, I think he did it with a lot of love in his heart and righteousness in what he was about. There was a time when most governors and most leaders were passing out ax handles and ax picks and standing in front of school doors, but this gentleman was like the sunlight after the storm. Mr. President Pro Tempore, I understand that there is a lot of history about your part of the world for people like Captain ... and Captain Meekins and those wonderful people, they enjoyed an open society. They enjoyed all the privileges that you and your parents enjoyed. That was a wonderful thing for you all to convey upon those people. North Carolina did not enjoy that until Terry Sanford came along. He was a great lifter. He did all the heavy lifting so that great governors after him could do other things and for this we all owe a great debt to Senator Sanford. Thank you.”

Senator Basnight:

“In my years of being in the Senate, Mrs. Margaret Rose and family, never have I felt the compassion or the sincerity that I now feel in this Chamber. He was truly a great North Carolinian, a great American and a great person. We sorely miss this kind, oh great man.”

The joint resolution passes its second reading (40-0) and third reading with Members standing, and is ordered sent to the House of Representatives by special message.

The President Pro Tempore extends courtesies of the gallery to the family and friends of Terry Sanford, including his wife, Margaret Rose Sanford; his daughter, Betsy Sanford; and his son, Terry Sanford, Jr.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting a bill and a resolution are presented to the Senate, read the first time, and disposed of, as follows:

H.J.R. 76, A JOINT RESOLUTION HONORING THE MEMORY OF JOHN REED ON THE BICENTENNIAL OF AMERICA’S FIRST GOLD DISCOVERY.
Referred to Rules and Operations of the Senate Committee.

H.B. 214, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE LAND RECORDS STATUTES.
Referred to Judiciary II Committee.

SENATE PAGES

The President Pro Tempore recognizes the following pages serving in the Senate this week:

Shawna Victoria Barrett, Cherryville; Justin Michael Carpenter, Zebulon; Stefanie Leah Corbett, Greensboro; Jacob Stephen Earley, Charlotte; Kathryn Ann Fearing, Manteo; Andrew Miller Johnson, Gastonia; Nicholas Jared Motley, Raleigh; Nathan J. New, West End; Jeffrey Wynn Odom, LaGrange; Michael E. Oliphant, Charlotte; Stephen

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J. Oliphant, Charlotte; Melissa Anne Phillips, Cary; Takeela L. Reddrick, Greenville; Davida Kemba Robinson, Pleasant Garden; and Marc Shavitz, Greensboro.

Upon motion of Senator Ballance, seconded by Senator Odom, the Senate adjourns in memory of The Honorable Terry Sanford, subject to introduction of bills, to meet tomorrow, Tuesday, March 23, at 4:00 P.M.

INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Wellons:

S.B. 427, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO CONDUCT HEARINGS AND ADOPT CERTAIN RULES RELATED TO THE BEACH AND FAIR PLANS, TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO APPROVE ADDITIONAL BEDS FOR CONTINUING CARE RETIREMENT FACILITIES UNDER CERTAIN CIRCUMSTANCES, TO REVISE THE LAW PROHIBITING DISCRIMINATION IN THE TREATMENT OF HANDICAPPED AND DISABLED PERSONS, TO GOVERN MANAGED CARE WITH REGARD TO WORKERS' COMPENSATION, TO EXEMPT COMMERCIAL AIRCRAFT INSURANCE FROM STATE REGULATION, TO REQUIRE ADDITIONAL INFORMATION FROM SURPLUS LINES LICENSEES, TO CLARIFY WHICH SECTIONS OF THE GENERAL STATUTES APPLY TO SURPLUS LINES INSURANCE, TO AUTHORIZE THE SECRETARY OF REVENUE TO PROVIDE THE NORTH CAROLINA SELF-INSURANCE GUARANTY ASSOCIATION WITH INFORMATION ON SELF-INSURERS' PREMIUMS, TO REPEAL THE REQUIREMENT FOR A BIENNIAL REPORT FROM THE DEPARTMENT OF INSURANCE, TO REPEAL THE AGENCY BUSINESS CESSATION LAW, AND TO AUTHORIZE THE COMMISSIONER TO ADOPT RULES RECOGNIZING NEW ANNUITY MORTALITY TABLES.

Referred to Insurance Committee.

By Senator Wellons:

S.B. 428, A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE OR UNNECESSARY LAWS AND MAKE TECHNICAL AND CLARIFYING AMENDMENTS AND CORRECTIONS IN VARIOUS INSURANCE STATUTES.

Referred to Insurance Committee.

By Senator Wellons:

S.B. 429, A BILL TO BE ENTITLED AN ACT TO AMEND NORTH CAROLINA MANAGED HEALTH CARE LAWS TO COMPORT WITH LEGISLATION ENACTED BY THE 106TH CONGRESS OF THE UNITED STATES.

Referred to Rules and Operations of the Senate Committee.

By Senator Wellons:

S.B. 430, A BILL TO BE ENTITLED AN ACT TO PROVIDE MEDICARE SUPPLEMENT INSURANCE FOR PERSONS WHO DELAY MEDICARE PART B ENROLLMENT; TO PRESCRIBE STANDARDS FOR DISABILITY INCOME INSURANCE; TO CONFORM NORTH CAROLINA'S 1997 POST-MASTECTOMY RECONSTRUCTIVE SURGERY LAWS TO THE FEDERAL WOMEN'S HEALTH
AND CANCER RIGHTS ACT OF 1998; TO UPDATE THE LAW ON VIATICAL SETTLEMENTS; AND TO AUTHORIZE THE WRITING OF FAMILY LEAVE CREDIT INSURANCE.

Referred to Insurance Committee.

By Senator Carpenter:

S.B. 431, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE POLK AND GRAHAM COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.

Referred to Finance Committee.

By Senators Carpenter and Phillips:

S.B. 432, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE FACILITIES THAT ARE INCLUDED IN THE HEALTH CARE PERSONNEL REGISTRY; TO PROVIDE THAT GRIEVANCES PERTAINING TO THE HEALTH CARE PERSONNEL REGISTRY FILED BY STATE EMPLOYEES SHALL BE IN ACCORDANCE WITH STATE PERSONNEL PROCEDURES; AND TO REQUIRE THAT EMPLOYERS AT HEALTH CARE FACILITIES ACCESS THE HEALTH CARE PERSONNEL REGISTRY.

Referred to Children & Human Resources Committee.

By Senators Lee and Kinnaird:

S.B. 433, A BILL TO BE ENTITLED AN ACT RELATING TO THE EXERCISE OF EXTRATERRITORIAL JURISDICTION BY THE TOWN OF PINEBLUFF.

Referred to Finance Committee.

By Senators Warren, Albertson, Clodfelter, Dannelly, Gulley, Jordan, Kerr, Martin of Pitt and Rand:

S.B. 434, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR DIABETES CONTROL ACTIVITIES.

Referred to Appropriations/Base Budget Committee.

By Senators Cooper, Albertson, Clodfelter, Dannelly, Hoyle, Martin of Pitt, Martin of Guilford, Miller, Perdue, Rand and Warren:

S.B. 435, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA VICTIMS ASSISTANCE NETWORK TO EXPAND SERVICES PROVIDED BY THE NETWORK AND HIRE ADDITIONAL PERSONNEL.

Referred to Appropriations/Base Budget Committee.

By Senators Plyler and Purcell:

S.B. 436, A BILL TO BE ENTITLED AN ACT TO RATIFY, APPROVE, CONFIRM, AND VALIDATE CERTAIN BOND REFERENDA OF UNITS OF LOCAL GOVERNMENT HELD IN CONNECTION WITH THE AUTHORIZATION OF BONDS OF THOSE UNITS.

Referred to Finance Committee.

By Senator Rand:

S.B. 437, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE.

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Referred to Rules and Operations of the Senate Committee.

By Senator Odom:
S.B. 438, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY THE FEASIBILITY OF CREATING A STATEWIDE "211" HUMAN SERVICE INFORMATION AND VOLUNTEERISM HOT LINE SYSTEM.
Referred to Appropriations/Base Budget Committee.

By Senators Odom and Dannelly:
S.B. 439, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MECKLENBURG COUNTY TO LEVY A ONE-CENT LOCAL SALES TAX FOR PUBLIC SCHOOL CAPITAL OUTLAY, SUBJECT TO APPROVAL BY THE VOTERS OF THE COUNTY.
Referred to Finance Committee.

By Senators Ballantine, Allran, Carpenter, Carrington, Cochrane, East, Forrester, Foxx, Garwood, Hartsell, Horton, Moore, Rucho and Shaw of Guilford:
S.B. 440, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LOCAL SALES TAX ON FOOD AND TO DISTRIBUTE ONE CENT OF THE STATE SALES TAX TO LOCAL GOVERNMENTS EACH YEAR.
Referred to Finance Committee.

By Senators Dannelly, Ballance, Carter, Clodfelter, Cooper, Dalton, Gulley, Hoyle, Jordan, Lee, Lucas, Martin of Guilford, Martin of Pitt, Odom, Perdue, Phillips, Purcell, Rucho, Shaw of Cumberland, Soles, Warren and Wellons:
S.B. 441, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM TO TEST AND EVALUATE ALTERNATIVE SCHOOL-BASED ACCOUNTABILITY STANDARDS FOR THE ABCS PROGRAM.
Referred to Education/Higher Education Committee.

By Senators Albertson, Ballantine, Carpenter, Cooper, Dannelly, Forrester, Garwood, Harris, Hartsell, Horton, Jordan, Lee, Martin of Pitt, Metcalf, Moore, Phillips, Rand, Shaw of Guilford and Warren:
S.B. 442, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO STUDY THE FEASIBILITY OF ESTABLISHING A STATE MILITARY MUSEUM.
Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Kerr and Warren:
S.B. 443, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO DUPLIN COUNTY FOR THE AGRI-COMMUNITY CENTER.
Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dannelly, East, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Horton, Hoyle, Kerr, Kinnaird, Lee, Lucas, Martin of Pitt, Martin of Guilford, Metcalf, Miller, Moore, Perdue, Phillips, Rand, Shaw of Guilford, Warren and Wellons:
S.J.R. 444, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ALEXANDER DUKE "A.D." GUY, FORMER MEMBER OF THE GENERAL ASSEMBLY.
Referred to Rules and Operations of the Senate Committee.

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By Senators Miller and Reeves:
S.B. 445, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES FOR THE ALICE AYCOCK POE CENTER FOR HEALTH EDUCATION THROUGH THE GRASSROOTS SCIENCE PROGRAM.
Referred to Appropriations/Base Budget Committee.

By Senator Reeves:
S.B. 446, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL SCHOOL BUSES AND SCHOOL ACTIVITY BUSES PURCHASED AFTER JULY 1, 1999, TO BE EQUIPPED WITH SEAT BELTS AND TO APPROPRIATE FUNDS TO EQUIP NEW SCHOOL BUSES WITH SEAT BELTS.
Referred to Judiciary II Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senator Miller:
S.B. 447, A BILL TO BE ENTITLED AN ACT TO SET THE INSURANCE REGULATORY CHARGE FOR CALENDAR YEAR 1999.
Referred to Finance Committee.

By Senator Jordan:
S.B. 448, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIME OF CRIMINAL IMPERSONATION TO PUNISH PEOPLE WHO FALSELY IMPERSONATE OTHERS AND HARM THE ADMINISTRATION OF JUSTICE OR DEFRAUD OTHERS.
Referred to Judiciary I Committee.

By Senators Martin of Guilford, Albertson, Allran, Ballance, Cooper, Dannelly, Forrester, Gulley, Hoyle, Jordan, Kinnaird, Lucas, Martin of Pitt, Phillips, Purcell, Rand, Shaw of Cumberland and Warren:
S.B. 449, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR INTENSIVE FAMILY PRESERVATION PROGRAMS IN SIX ADDITIONAL COUNTIES.
Referred to Appropriations/Base Budget Committee.

By Senators Martin of Guilford, Albertson, Allran, Ballance, Cooper, Dannelly, Forrester, Gulley, Hoyle, Jordan, Kinnaird, Lee, Lucas, Martin of Pitt, Phillips, Plyler, Purcell, Rand, Shaw of Cumberland, Warren and Wellons:
S.B. 450, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MATERNAL OUTREACH PROGRAM.
Referred to Appropriations/Base Budget Committee.

By Senators Martin of Guilford, Albertson, Ballance, Dannelly, Forrester, Gulley, Hoyle, Jordan, Kinnaird, Lee, Lucas, Martin of Pitt, Phillips, Plyler, Purcell, Rand, Shaw of Cumberland and Warren:
S.J.R. 451, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY SUBSTANCE ABUSE AFTERCARE AND SCIENCE-BASED PREVENTION.
Referred to Rules and Operations of the Senate Committee.

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By Senators Martin of Guilford, Albertson, Ballance, Dannelly, Forrester, Gulley, Hoyle, Jordan, Kinnaird, Lucas, Martin of Pitt, Phillips, Plyler, Purcell, Shaw of Cumberland and Warren:

S.B. 452, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STATE HOSPITALS TO SHARE PEER REVIEW INFORMATION WITH ACCREDITING ORGANIZATIONS.

Referred to Judiciary I Committee.

By Senators Martin of Guilford, Albertson, Ballance, Cooper, Dannelly, Forrester, Gulley, Jordan, Kinnaird, Lee, Lucas, Martin of Pitt, Phillips, Rand, Shaw of Cumberland and Warren:

S.B. 453, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SIT-IN MOVEMENT, INC., FOR THE CONSTRUCTION AND RENOVATION OF THE INTERNATIONAL CIVIL RIGHTS CENTER AND MUSEUM.

Referred to Appropriations/Base Budget Committee.

By Senators Martin of Guilford, Ballance, Cooper, Dannelly, Forrester, Hoyle, Jordan, Kinnaird, Lee, Lucas, Martin of Pitt, Phillips, Rand, Shaw of Cumberland and Warren:

S.B. 454, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR THE RENOVATION OF KIMBALL HALL AT THE CHARLOTTE HAWKINS BROWN STATE HISTORIC SITE.

Referred to Appropriations/Base Budget Committee.

By Senators Lee and Kinnaird:

S.B. 455, A BILL TO BE ENTITLED AN ACT TO DIVIDE SUPERIOR COURT DISTRICT 19B INTO A SET OF DISTRICTS.

Referred to Judiciary II Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Phillips, Hagan, Jordan, Kinnaird, Lee, Metcalf, Robinson, Warren and Wellons:

S.B. 456, A BILL TO BE ENTITLED AN ACT TO ADJUST THE ELIGIBILITY REQUIREMENTS FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND.

Referred to Pensions & Retirement and Aging Committee.

By Senators Kinnaird, Ballance, Forrester, Phillips and Rand:

S.B. 457, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE INTEGRATED PEST MANAGEMENT PROGRAM AT NORTH CAROLINA STATE UNIVERSITY.

Referred to Appropriations/Base Budget Committee.

By Senators Kinnaird, Forrester, Gulley, Odom, Phillips, Robinson, Warren and Weinstein:

S.B. 458, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE SUSTAINABLE AGRICULTURE PROGRAM AT NORTH CAROLINA STATE UNIVERSITY.

Referred to Appropriations/Base Budget Committee.

By Senators Robinson, Carpenter, Carter, Clodfelter, Garrou, Hagan, Harris, Horton,
Metcalf, Phillips and Rand:

S.B. 459, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO COMPLETE THE CONSTRUCTION OF THE FINE AND PERFORMING ARTS CENTER AT WESTERN CAROLINA UNIVERSITY.
Referred to Appropriations/Base Budget Committee.

By Senator Robinson:

S.B. 460, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HAYWOOD COUNTY TO LEVY A ONE-CENT LOCAL SALES TAX, IF APPROVED BY THE VOTERS OF THE COUNTY.
Referred to Finance Committee.

By Senators Martin of Guilford, Albertson, Carrington, Clodfelter, Cooper, Dannelly, Hagan, Martin of Pitt, Perdue, Shaw of Guilford, Warren and Wellons:

S.B. 461, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR NORTH CAROLINA AGRICULTURAL & TECHNICAL STATE UNIVERSITY TO MATCH FEDERAL FUNDS FOR AGRICULTURAL RESEARCH, COOPERATIVE EXTENSION, AND TEACHING ACTIVITIES.
Referred to Appropriations/Base Budget Committee.

By Senators Martin of Guilford, Albertson, Carrington, Clodfelter, Cooper, Dannelly, Hagan, Martin of Pitt, Perdue, Shaw of Guilford, Warren and Wellons:

S.B. 462, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE SMALL FARM DEVELOPMENT CENTER AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY AND TO APPROPRIATE FUNDS FOR THE SMALL FARM DEVELOPMENT CENTER.
Referred to Appropriations/Base Budget Committee.

By Senator Rand:

S.B. 463, A BILL TO BE ENTITLED AN ACT CONCERNING THE CONTINUING MEDICAL EDUCATION REQUIREMENTS ESTABLISHED PURSUANT TO CHAPTER 90 OF THE GENERAL STATUTES AND RULES ADOPTED BY THE NORTH CAROLINA MEDICAL BOARD.
Referred to Rules and Operations of the Senate Committee.

Pursuant to Senator Ballance’s motion to adjourn having prevailed, the Senate adjourns at 8:12 P.M.

THIRTY-SECOND DAY

Senate Chamber
Tuesday, March 23, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by Dr. Jeffrey Wisdom, Senior Minister, Madison Avenue Baptist Church, Goldsboro, North Carolina, as follows:

“My family and I were driving in Raleigh a few days ago on a visit, and my daughter...
who’s in the gallery with my wife said, ‘What is the Senate?’ And I said, ‘Well honey,’ struggling and stalling so I wouldn’t show her my own personal ignorance. I said, ‘Well, do you know how daddy helps to run the church?’ And she said, ‘yes.’ I said, ‘Well, the Senate helps run North Carolina.’ She thought for a moment and she says, ‘You mean like electricity?’ I said, ‘Just like electricity.’

“For all of the energy that you give to this State, I want to thank you and want to offer this prayer in that behalf:

“Lord, we pray for Your power, that You will electrify this room, and that those present will feel the difference having paused to pray. Help us to see that our prayer is more than an exercise, a formality that we do. It is an invitation to You. We invite You here.

“While here, help each of our representatives to make decisions stamped with Your approval, directed by Your grace, driven by Your mercy, and formed by Your justice.

“Lord, remind us, that in the end, we are individuals created with Your approval, helped by Your grace, indebted to Your mercy, and pardoned by Your own brand of justice, and help us live and to dispense those things through the decisions we make, the bills we pass, and the life we live. Amen.”

With unanimous consent, the President grants a leave of absence for today to Senator Soles.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Monday, March 22, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Timothy John Reeder from Greenville, North Carolina, who is serving the Senate as Doctor of the Day, and to Dona Caine from Raleigh, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED RESOLUTIONS

The Enrolling Clerk reports the following resolutions duly ratified, properly enrolled and presented to the Office of the Secretary of State:

S.J.R. 32, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF ROBERT KOGER MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION. (Res. 3)

S.J.R. 403, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF TERRY SANFORD, ONE OF NORTH CAROLINA’S MOST DISTINGUISHED CITIZENS. (Res. 4)

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

H.B. 31, AN ACT TO AUTHORIZE THE CITY OF SHELBY TO CONVEY CERTAIN DESCRIBED PROPERTY BY PRIVATE SALE TO THE COUNCIL ON THE AGING OF CLEVELAND COUNTY, NORTH CAROLINA, INC. (Became law upon ratification, March 22, 1999 – S.L. 1999-5.)

March 23, 1999
H.B. 37, AN ACT REQUIRING THE CONSENT OF LENOIR AND WAYNE COUNTIES BEFORE LAND IN THOSE COUNTIES MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THOSE COUNTIES. (Became law upon ratification, March 22, 1999 – S.L. 1999-6.)

H.B. 68, AN ACT TO PROVIDE FOUR-YEAR TERMS FOR THE MAYOR AND ALDERMEN OF THE TOWN OF CHINA GROVE. (Became law upon ratification, March 22, 1999 – S.L. 1999-7.)

H.B. 129, AN ACT TO PERMIT THE CITY OF BREVARD TO CONVEY CERTAIN PARCELS OF REAL PROPERTY TO PRIVATE LANDOWNERS IN EXCHANGE FOR PUBLIC RIGHTS-OF-WAY. (Became law upon ratification, March 22, 1999 – S.L. 1999-8.)

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

S.B. 249, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON ISSUING SHELLFISH CULTIVATION LEASES IN CORE SOUND, TO REQUIRE THE DIVISION OF MARINE FISHERIES AND THE PRIMARY INVESTIGATOR TO REPORT THE RESULTS OF THE SHELLFISH MAPPING AND HUMAN USE MAPPING OF CORE SOUND TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE AND THE MARINE FISHERIES COMMISSION, AND TO REQUIRE THE MARINE FISHERIES COMMISSION TO REVIEW THESE RESULTS AND REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, with a favorable report.

CALENDAR

A bill on today’s Calendar is taken up and disposed of, as follows:

H.B. 145 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A SPECIAL ELECTION FOR A VACANCY ON THE EDGECOMBE COUNTY BOARD OF EDUCATION AND TO PROVIDE THAT FUTURE VACANCIES ON THE BOARD SHALL BE FILLED ONLY UNTIL THE NEXT REGULARLY SCHEDULED ELECTION FOR THE BOARD RATHER THAN FOR THE REMAINDER OF THE TERM.

With unanimous consent, upon motion of Senator Martin of Pitt, the Senate Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Wednesday, March 24.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of
Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 33 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF CLAYTON, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, March 24.

H.B. 153, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FILING PERIOD FOR THE HOKE COUNTY BOARD OF EDUCATION.
Referred to State and Local Government Committee.

H.B. 332, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE YANCEY COUNTY BOARD OF EDUCATION FROM NONPARTISAN ELECTION AT THE TIME OF THE PRIMARY TO NONPARTISAN ELECTION AT THE TIME OF THE GENERAL ELECTION.
Referred to State and Local Government Committee.

H.B. 378, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ROANOKE RAPIDS HOUSING AUTHORITY AND THE ROANOKE RAPIDS REDEVELOPMENT COMMISSION TO CONVEY BY PRIVATE SALE REAL PROPERTY LOCATED WITHIN A REDEVELOPMENT PROJECT AREA.
Referred to State and Local Government Committee.

ADDITIONAL SPONSORS

Senator Harris requests to be added as a sponsor of previously introduced legislation:

S.B. 20, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LOW-WEALTH SCHOOL SYSTEMS' SUPPLEMENTAL FUNDING.

Senator Albertson requests to be added as a sponsor of previously introduced legislation:

S.B. 211, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES TO SUPPORT THE NORTH CAROLINA ARTS COUNCIL.

Upon motion of Senator Basnight, seconded by Senator Webster, the Senate adjourns subject to introduction of bills, to meet tomorrow, Wednesday, March 24, at 4:00 P.M.

INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Dalton:
S.J.R. 464, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WADE BOSTIC MATHENY, FORMER MEMBER OF THE GENERAL ASSEMBLY.
Referred to Rules and Operations of the Senate Committee.

March 23, 1999
By Senators Dalton and Hoyle:

**S.B. 465**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO STUDY THE FEASIBILITY OF LOCATING A CLOSE CUSTODY PRISON FACILITY IN CLEVELAND COUNTY.
Referred to Appropriations/Base Budget Committee.

By Senators Dalton and Hoyle:

**S.B. 466**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CLEVELAND CORRECTIONAL CENTER SHALL REMAIN OPEN.
Referred to Appropriations/Base Budget Committee.

By Senator Carpenter:

**S.B. 467**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT THE JOHN C. CAMPBELL FOLK SCHOOL IN BRASSTOWN.
Referred to Appropriations/Base Budget Committee.

By Senators Horton and Garrou:

**S.B. 468**, A BILL TO BE ENTITLED AN ACT CONCERNING CORNER LOT ASSESSMENT EXEMPTIONS BY THE CITY OF WINSTON-SALEM AND FORSYTH COUNTY.
Referred to Finance Committee.

By Senators Lee and Dalton:

**S.J.R. 469**, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF TWO APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION.
Referred to Education/Higher Education Committee.

By Senators Lee and Dalton:

**S.J.R. 470**, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION.
Referred to Rules and Operations of the Senate Committee.

By Senators Lee and Dalton:

**S.B. 471**, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRANSFER OF STATE SURPLUS COMPUTERS TO THE PUBLIC SCHOOLS.
Referred to Education/Higher Education Committee.

By Senator Garrou:

**S.B. 472**, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF FORSYTH COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Garrou:

**S.B. 473**, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF FORSYTH COUNTY.
Referred to Rules and Operations of the Senate Committee.

March 23, 1999
By Senators Robinson and Carpenter:

**S.B. 474**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DISTRIBUTION OF THE PROFITS FROM THE HENDERSONVILLE LOCAL ALCOHOLIC BEVERAGE CONTROL SYSTEM.

Referred to State and Local Government Committee.

By Senators Plyler and Purcell:

**S.B. 475**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMUNITY COLLEGES TO BE USED BY STANLY COMMUNITY COLLEGE TO CONSTRUCT A CAMPUS CENTER.

Referred to Appropriations/Base Budget Committee.

By Senators Plyler and Purcell:

**S.B. 476**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR UNION HOUSE, A FACILITY FOR THE SEVERELY AND PERSISTENTLY MENTALLY ILL PROGRAM.

Referred to Appropriations/Base Budget Committee.

By Senator Reeves:

**S.B. 477**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LOCKSMITH LICENSING ACT.

Referred to Finance Committee.

By Senator Rand:

**S.B. 478**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AREA MENTAL HEALTH PROGRAMS.

Referred to Appropriations/Base Budget Committee.

By Senator Rand:

**S.B. 479**, A BILL TO BE ENTITLED AN ACT AMENDING THE LAW GOVERNING THE NORTH CAROLINA STATE BUILDING CODE WITH REGARD TO THE BEACH AREA OF THE STATE.

Referred to Commerce Committee.


**S.B. 480**, A BILL TO BE ENTITLED AN ACT CONCERNING THE GRANT OF POWERS TO ELECTRIC MEMBERSHIP CORPORATIONS REGARDING SUBSIDIARY ORGANIZATIONS.

Referred to Commerce Committee.

By Senators Martin of Guilford, Gulley, Hagan and Shaw of Guilford:

**S.B. 481**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT THE CENTRAL NORTH CAROLINA SCHOOL FOR THE DEAF.

Referred to Appropriations/Base Budget Committee.

By Senators Lucas, Albertson, Ballance, Cooper, Dannelly, Hoyle, Martin of Guilford, Martin of Pitt, Miller, Phillips, Purcell, Shaw of Cumberland and Warren:

**S.B. 482**, A BILL TO BE ENTITLED AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY IN DEALING WITH CERTIFIED
EMPLOYEES WHO RECEIVE POOR RATINGS ON EVALUATIONS.
Referred to Education/Higher Education Committee.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 4:25 P.M.

THIRTY-THIRD DAY

Senate Chamber
Wednesday, March 24, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Gracious God, is there any drug as intoxicating as the lure of power? Power to direct, to distribute, to advocate, to silence, to expedite, to delay, to discipline, to liberate, to restrain. Power for good and power for evil. Such a mighty tool we wield in our work as legislators. This is one highly addictive substance that it is legal to bring onto the job. Yet power in this Chamber is not only sanctioned, it is cherished, even coveted.

"Righteous and just God, crowd us with Your Holy presence each and every time we exercise Your gift of power in the course of our work. Peer intrusively over our shoulders and gaze deeply into our hearts, so that we might be reminded again and again that the power we hold must be used only to glorify Your Name and Your purposes and not our own. We pray in Your Holy Name, Amen."

With unanimous consent, the President grants leaves of absence for today to Senator Soles and Senator Weinstein.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Tuesday, March 23, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Michael Francis Buckley from Cary, North Carolina, who is serving the Senate as Doctor of the Day, and to Margaret Mullinix from Pittsboro, North Carolina, who is serving the Senate as Nurse of the Day.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Purcell for the Health Care Committee:

S.B. 160, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF NURSING TO ESTABLISH PROGRAMS TO AID THE REHABILITATION AND MONITORING OF NURSES WHO EXPERIENCE

March 24, 1999
CERTAIN ADDICTIONS AND DISABILITIES, with a favorable report.

With unanimous consent, upon motion of Senator Purcell, the bill is placed on the Calendar for Wednesday, March 31.

S.B. 194, A BILL TO BE ENTITLED AN ACT TO CREATE THE NURSE LICENSURE COMPACT, with a favorable report.

With unanimous consent, upon motion of Senator Purcell, the bill is placed on the Calendar for Wednesday, March 31.

S.B. 273, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL FACILITIES AND PROVIDERS THAT DETECT, DIAGNOSE, OR TREAT CANCER PATIENTS TO REPORT CANCER CASES TO THE CANCER CONTROL REGISTRY, with a favorable report.

With unanimous consent, upon motion of Senator Purcell, the bill is placed on the Calendar for Wednesday, March 31.

S.B. 198, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE ISSUANCE OF A NEW ADULT CARE HOME LICENSE TO AN APPLICANT WHO WAS THE LICENSEE OR ADMINISTRATOR OF AN ADULT CARE HOME THE LICENSE OF WHICH HAD BEEN REVOKED OR DOWNGRADED TO PROVISIONAL STATUS OR AGAINST WHICH A TYPE A PENALTY HAD BEEN ASSESSED, with a favorable report, as amended.

Pursuant to Rule 45.1, Committee Amendment No. 1 is adopted. The bill, as amended, is engrossed.

With unanimous consent, upon motion of Senator Purcell, the bill is placed on the Calendar for Wednesday, March 31.

By Senator Phillips for the Pensions & Retirement and Aging Committee:

S.B. 40, A BILL TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF PERSONS AUTHORIZED TO BE APPOINTED TO SUBCOMMITTEES OF THE NORTH CAROLINA STUDY COMMISSION ON AGING, with a favorable report.

With unanimous consent, upon motion of Senator Phillips, the bill is placed on the Calendar for Tuesday, April 6.

S.B. 61, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, with a favorable report.

Upon motion of Senator Phillips, the bill is re-referred to the Appropriations/Base Budget Committee.

By Senator Shaw of Cumberland for the Transportation Committee:

S.B. 233, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CARRY OVER ANY UNSPENT TRANSPORTATION IMPROVEMENT PROGRAM EQUITY REGION ALLOCATION TO THE NEXT YEAR AND TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO DEMONSTRATE COMPLIANCE WITH THE HIGHWAY TRUST FUND EQUITY REGION FORMULA BY SUBMITTING YEARLY REPORTS DOCUMENTING SPENDING BY EQUITY REGION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

March 24, 1999
Pursuant to Rule 45.1, the proposed Committee Substitute bill 1584, which changes the title to read S.B. 233 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CARRY OVER ANY UNSPENT TRANSPORTATION IMPROVEMENT PROGRAM EQUITY REGION ALLOCATION TO THE NEXT YEAR, TO AUTHORIZE LOANS OF UNSPENT EQUITY REGION ALLOCATIONS TO OTHER EQUITY REGIONS AND TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO DEMONSTRATE COMPLIANCE WITH THE HIGHWAY TRUST FUND EQUITY REGION FORMULA BY SUBMITTING YEARLY REPORTS DOCUMENTING ALLOCATIONS AND SPENDING BY EQUITY REGION, is adopted and engrossed.

With unanimous consent, upon motion of Senator Shaw of Cumberland, the Committee Substitute bill is placed on the Calendar for Monday, March 29.

By Senator Cooper for the Judiciary I Committee:

S.B. 178, A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA UNIFORM PRUDENT INVESTOR ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

With unanimous consent, upon motion of Senator Cooper, the bill is placed on the Calendar for Tuesday, March 30.

S.B. 272, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3653, which changes the title to read S.B. 272 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON AND THE TOWNS OF HUNTERSVILLE AND MATTHEWS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION, is adopted and engrossed.

With unanimous consent, upon motion of Senator Cooper, the Committee Substitute bill is placed on the Calendar for Tuesday, March 30.

By Senator Miller for the Judiciary II Committee:

S.B. 329, A BILL TO BE ENTITLED AN ACT TO MAKE NORTH CAROLINA'S LAPSE STATUTE LESS RESTRICTIVE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3655 is adopted and engrossed.

With unanimous consent, upon motion of Senator Miller, the Committee Substitute bill is placed on the Calendar for Tuesday, March 30.

S.B. 393, A BILL TO BE ENTITLED AN ACT TO AMEND THE RULES OF CIVIL PROCEDURE TO REQUIRE BRIEFS AND MEMORANDA IN SUPPORT OF DISPOSITIVE MOTIONS TO BE SERVED UPON ALL PARTIES AND TO REQUIRE WRITTEN MOTIONS TO STATE THE GROUNDS FOR THE MOTION WITH PARTICULARITY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3652 is adopted and engrossed.

With unanimous consent, upon motion of Senator Miller, the Committee Substitute

March 24, 1999
By Senator Lucas for the Children & Human Resources Committee:

**H.B. 238**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM LAWS ENCOURAGING THE PURCHASE OF COMMODITIES AND SERVICES OFFERED BY BLIND AND BY SEVERELY DISABLED PERSONS, with a favorable report.

With unanimous consent, upon motion of Senator Lucas, the bill is placed on the Calendar for Tuesday, March 30.

**S.B. 35**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE USE OF FUNDS FOR ADULT SPECIAL ASSISTANCE FOR DEMONSTRATION PROJECT ON ALTERNATIVE LIVING ARRANGEMENTS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1604 is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

**CALENDAR**

Bills on today's Calendar are taken up and disposed of, as follows:

**S.B 271** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX TO THE EXISTING CITY LIMITS OF THE TOWN OF HUNTERSVILLE CERTAIN AREAS SURROUNDED BY EXISTING CITY LIMITS OF THE TOWN OF HUNTERSVILLE, upon second reading.

With unanimous consent, upon motion of Senator Odom, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Tuesday, April 13, upon second reading.

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

The following special message is received from the House of Representatives:

**H.R. 166**

House of Representatives
March 23, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that pursuant to **H.R. 166**, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, the House has elected the following persons to serve for a four-year term:

**AT-LARGE CATEGORY (5 Seats to Fill)**

H. D. “Cobby” Reaves, Jr.  
Ruth Dial Woods  
J. Addison Bell

March 24, 1999
Peter Keber
John L. Sanders (remainder of unexpired term ending on June 30, 2001)

RACIAL MINORITY CATEGORY (2 Seats to Fill)
Chaney Rudolph "C. R." Edwards
Angela R. Bryant

WOMAN CATEGORY (2 Seats to Fill)
Patsy Brewington Perry
Priscilla Patterson Taylor

Respectfully,
S/Denise Weeks
Principal Clerk

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 41 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT EVERY DWELLING UNIT LEASED AS RENTAL PROPERTY IN CERTAIN CITIES BE FURNISHED WITH A SOURCE OF HEAT, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, March 25.

H.B. 160 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CHILD ABUSE THAT RESULTS IN EXTREME DEBLITATING INJURY.
Referred to Judiciary II Committee.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Clodfelter:
S.B. 483, A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW GOVERNING THE LIMITATIONS OF SUCCESSORS AND ASSIGNEES OF FOREIGN CORPORATIONS AND FOREIGN NONPROFIT CORPORATIONS TO FILE CAUSES OF ACTION OR PROCEEDINGS.
Referred to Judiciary I Committee.

By Senator Clodfelter:
S.B. 484, A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD OF CALCULATING THE RATIO OF PROPERTY TAX COLLECTIONS TO THE TOTAL LEVY FOR LOCAL GOVERNMENT BUDGETING PURPOSES RELATING TO THE REGISTERED MOTOR VEHICLE TAX.
Referred to Finance Committee.

March 24, 1999
By Senator Albertson:
S.B. 485, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF BEULAVILLE.
Referred to Rules and Operations of the Senate Committee.

By Senator Albertson:
S.B. 486, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF KENANSVILLE.
Referred to Rules and Operations of the Senate Committee.

By Senator Albertson:
S.B. 487, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF MAGNOLIA.
Referred to Rules and Operations of the Senate Committee.

By Senator Albertson:
S.B. 488, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF WALLACE.
Referred to Rules and Operations of the Senate Committee.

By Senator Albertson:
S.B. 489, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF WARSAW.
Referred to Rules and Operations of the Senate Committee.

CALENDAR (Continued)

H.B. 145 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A SPECIAL ELECTION FOR A VACANCY ON THE EDGECOMBE COUNTY BOARD OF EDUCATION AND TO PROVIDE THAT FUTURE VACANCIES ON THE BOARD SHALL BE FILLED ONLY UNTIL THE NEXT REGULARLY SCHEDULED ELECTION FOR THE BOARD RATHER THAN FOR THE REMAINDER OF THE TERM.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

S.B. 33 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF CLAYTON, for concurrence in the House Committee Substitute bill, upon second reading.

The Senate concurs in the House Committee Substitute bill on its second reading by roll-call vote, ayes 48, noes 0, as follows:

Voting in the negative: None.

The House Committee Substitute bill remains on the Calendar for tomorrow, Thursday, March 25, for concurrence upon third reading.

March 24, 1999
S.B. 249, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON ISSUING SHELLFISH CULTIVATION LEASES IN CORE SOUND, TO REQUIRE THE DIVISION OF MARINE FISHERIES AND THE PRIMARY INVESTIGATOR TO REPORT THE RESULTS OF THE SHELLFISH MAPPING AND HUMAN USE MAPPING OF CORE SOUND TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE AND THE MARINE FISHERIES COMMISSION, AND TO REQUIRE THE MARINE FISHERIES COMMISSION TO REVIEW THESE RESULTS AND REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

The bill passes its second (41-7) and third readings and is ordered sent to the House of Representatives.

ADDITIONAL SPONSOR

Senator Hartsell requests to be added as a sponsor of previously introduced legislation:

S.B. 349, A BILL TO BE ENTITLED AN ACT TO BAN PARTIAL-BIRTH ABORTIONS.

Upon motion of Senator Basnight, seconded by Senator Cochrane, the Senate adjourns at 4:34 P.M. to meet tomorrow, Thursday, March 25, at 11:00 A.M.

THIRTY-FOURTH DAY

Senate Chamber
Thursday, March 25, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“Oh Lord, You have searched me and known me. You know when I sit and when I rise. You perceive my thoughts from afar. You discern my going out and my lying down. You are familiar with all my ways. Before a word is on my tongue, You know it completely, Oh Lord.

“All knowing God, meet us in the secret places of our souls. Walk through the hidden corridors of our past which we have barricaded from Your view. Unlock the secret doors in each of us and bless what You find there. But do not leave us where You find us. Touch whatever is mean spirited or fearful, and in Your healing grace lift whatever is excellent and beautiful, unselfish and of high regard. Clothe what is most despised in us in the light of Your merciful love, which we are assured is without end. In Your Holy Name we pray, Amen.”

With unanimous consent, the President grants leaves of absence for today to Senator Basnight, Senator Plyler, Senator Shaw of Guilford, and Senator Weinstein.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday,
Wednesday, March 24, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Joe Tommy Minchew from Chapel Hill, North Carolina, who is serving the Senate as Doctor of the Day, and to Virginia Adams from Wilmington, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified, properly enrolled and presented to the Office of the Secretary of State:

S.B. 43, AN ACT TO CONSOLIDATE THE TOWN OF ALEXANDER MILLS INTO THE TOWN OF FOREST CITY.

The President relinquishes the gavel to Senator Ballance, Deputy President Pro Tempore, who presides in the absence of the Lieutenant Governor.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 319, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF STATE TO APPLY FOR AND ACCEPT GRANT FUNDS.
Referred to State and Local Government Committee.

H.B. 501, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING APPOINTMENTS AND COMPENSATION OF HOSPITAL AUTHORITIES IN CRAVEN COUNTY.
Referred to State and Local Government Committee.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 33 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF CLAYTON, for concurrence in the House Committee Substitute bill, upon third reading.

The Senate concurs in the House Committee Substitute bill on its third reading by roll-call vote, ayes 45, noes 0, as follows:
Voting in the negative: None.
The House Committee Substitute bill is ordered enrolled.

March 25, 1999
S.B. 41 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT EVERY DWELLING UNIT LEASED AS RENTAL PROPERTY IN CERTAIN CITIES BE FURNISHED WITH A SOURCE OF HEAT, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (45-0) and the measure is ordered enrolled and sent to the Governor.

COMMITTEE REFERRAL RECALL

S.B. 342, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT ENFORCEMENT, referred to the Children & Human Resources Committee on March 15.

Pursuant to Rule 47(a), Senator Lucas offers a motion that the bill be withdrawn from the Children & Human Resources Committee and re-referred to the Judiciary I Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Children & Human Resources Committee and re-refers the measure to the Judiciary I Committee.

Upon motion of Senator Rand, seconded by Senator Lucas, the Senate adjourns subject to introduction of bills, to meet Monday, March 29, at 7:00 P.M.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Harris:
S.B. 490, A BILL TO BE ENTITLED AN ACT RELATING TO THE 15TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Harris:
S.B. 491, A BILL TO BE ENTITLED AN ACT RELATING TO THE 15TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Harris:
S.B. 492, A BILL TO BE ENTITLED AN ACT RELATING TO THE 15TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Harris:
S.B. 493, A BILL TO BE ENTITLED AN ACT RELATING TO THE 15TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Harris:
S.B. 494, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR NEEDED CAPITAL UMPROVEMENTS AT THE COATS COMMUNITY CENTER IN HARNETT COUNTY.
Referred to Appropriations/Base Budget Committee.

March 25, 1999
By Senator Harris:
S.B. 495, A BILL TO BE ENTITLED AN ACT RELATING TO THE
GOVERNANCE OF JOHNSTON COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Hoyle:
S.B. 496, A BILL TO BE ENTITLED AN ACT RELATING TO THE 25TH
SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Hoyle:
S.B. 497, A BILL TO BE ENTITLED AN ACT RELATING TO THE 25TH
SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Hoyle:
S.B. 498, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO
INCREASE THE SALARY OF SCHOOL BUS DRIVERS.
Referred to Appropriations/Base Budget Committee.

By Senator Hoyle:
S.B. 499, A BILL TO BE ENTITLED AN ACT TO REQUIRE CANOES AND
KAYAKS TO BE REGISTERED AND TO INCREASE THE FEES FOR REGISTRATION OF BOATS.
Referred to Finance Committee.

S.B. 500, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE REPORTS TO BE PRINTED ON BOTH SIDES OF THE PAPER.
Referred to Commerce Committee.

By Senator Jordan:
S.B. 501, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.
Referred to Judiciary I Committee.

By Senators Plyler and Purcell:
S.B. 502, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE OPERATION OF THE YADKIN/PEE DEE LAKES PROJECT.
Referred to Appropriations/Base Budget Committee.

By Senators Plyler and Purcell:
S.B. 503, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE STANLY COUNTY AIRPORT.
Referred to Appropriations/Base Budget Committee.

By Senators Plyler and Purcell:
S.B. 504, A BILL TO BE ENTITLED AN ACT AMENDING THE BOUNDARIES

March 25, 1999
OF THE VILLAGE OF WESLEY CHAPEL.
Referred to Finance Committee.

By Senators Purcell and Plyler:
S.B. 505, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RICHMOND COUNTY TO LEVY A ONE-CENT LOCAL SALES TAX, SUBJECT TO APPROVAL BY THE VOTERS OF THE COUNTY.
Referred to Finance Committee.

By Senators Lee, Garwood, Moore and Perdue:
S.B. 506, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT THE PENLAND SCHOOL OF CRAFTS.
Referred to Appropriations/Base Budget Committee.

By Senators Lee and Kinnaird:
S.B. 507, A BILL TO BE ENTITLED AN ACT TO REIMBURSE CHATHAM COUNTY FOR ITS COSTS ASSOCIATED WITH SELECTING A SITE FOR A PROPOSED LOW-LEVEL RADIOACTIVE WASTE FACILITY.
Referred to Appropriations/Base Budget Committee.

By Senator Gulley:
S.B. 508, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY.
Referred to Appropriations/Base Budget Committee.

By Senator Wellons:
S.B. 509, A BILL TO BE ENTITLED AN ACT RELATING TO THE 11TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Wellons:
S.B. 510, A BILL TO BE ENTITLED AN ACT RELATING TO THE 11TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Wellons:
S.B. 511, A BILL TO BE ENTITLED AN ACT RELATING TO THE 11TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Wellons:
S.B. 512, A BILL TO BE ENTITLED AN ACT RELATING TO THE 11TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senators Wellons, Albertson, Cochrane, Dalton, Foxx, Garrou, Gulley, Kinnaird, Lucas, Purcell, Reeves and Weinstein:
S.B. 513, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS THAT COVER PRESCRIPTION DRUGS TO ISSUE UNIFORM PRESCRIPTION DRUG IDENTIFICATION CARDS.
Referred to Insurance Committee.
By Senators Kerr, Gulley, Hoyle, Martin of Guilford, Rand and Reeves:

S.B. 514, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DEVELOPMENT OF AN EFFECTIVE AND EFFICIENT MEANS TO PROMOTE HEALTH INSURANCE COVERAGE FOR UNINSURED CHILDREN IN MODERATE-INCOME FAMILIES.

Referred to Rules and Operations of the Senate Committee.

By Senators Kerr, Albertson, Harris, Hoyle, Metcalf, Perdue, Purcell, Rand, Reeves and Weinstein:

S.B. 515, A BILL TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF PAID MEMBERS A RESCUE OR RESCUE/EMS UNIT MAY HAVE TO RECEIVE GRANTS.

Referred to Finance Committee.

By Senators Kerr, Albertson, Martin of Pitt, Perdue and Warren:

S.B. 516, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MATURITY DATE FOR CERTAIN AUTHORIZED INVESTMENTS IN THE GLOBAL TRANSPARK AUTHORITY.

Referred to Finance Committee.

By Senator Perdue:

S.B. 517, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO COMPLETE THE RESTORATION OF THE HISTORIC TRADER STORE IN THE TOWN OF HAVELOCK.

Referred to Appropriations/Base Budget Committee.

By Senators Perdue, Carter, Lee and Metcalf:

S.B. 518, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO FACILITATE SCHOOL-BASED MANAGEMENT IN THE PUBLIC SCHOOLS.

Referred to Appropriations/Base Budget Committee.

By Senators Perdue, Carter, Cooper, Dannelly, Lee, Metcalf, Reeves and Soles:

S.B. 519, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE TEACHER ACADEMY.

Referred to Appropriations/Base Budget Committee.

By Senator Rucho:

S.B. 520, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE MANNER OF ELECTION OF THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION SO AS TO EXPAND THE NUMBER OF AT-LARGE MEMBERS.

Referred to Education/Higher Education Committee.

By Senator Rucho:

S.B. 521, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE MANNER OF ELECTION OF THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION SO AS TO PROVIDE FOR NONPARTISAN PRIMARY ELECTIONS.

Referred to Education/Higher Education Committee.

By Senators Rucho, Clodfelter, Dannelly and Odom:

S.B. 522, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PUBLIC CONDEMNOR USING "QUICK TAKE" IN AN EMINENT DOMAIN ACTION

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SHALL INCLUDE A NOTICE OF APPEAL RIGHTS IN THE COMPLAINTS COMMENCING THE ACTION.

Referred to Judiciary II Committee.

By Senator Hagan:
S.B. 523, A BILL TO BE ENTITLED AN ACT RELATING TO THE 32ND SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Hagan:
S.B. 524, A BILL TO BE ENTITLED AN ACT RELATING TO THE 32ND SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Hagan:
S.B. 525, A BILL TO BE ENTITLED AN ACT TO ALLOW NON-UNITED STATES CITIZENS WHO ARE RESIDENTS OF NORTH CAROLINA TO SERVE AS PERSONAL REPRESENTATIVES IN THE ADMINISTRATION OF ESTATES.
Referred to Judiciary II Committee.

By Senators Hagan, Ballance, Carter, Garrou, Garwood, Rand and Robinson:
S.B. 526, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MODIFICATION AND TERMINATION OF IRREVOCABLE TRUSTS.
Referred to Judiciary II Committee.

By Senator Hartsell:
S.B. 527, A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL AUTHORITIES TO PREEMPT TRAFFIC SIGNALS OR SEMAPHORES ON STATE HIGHWAYS IN EMERGENCY SITUATIONS.
Referred to Judiciary I Committee.

By Senator Allran:
S.B. 528, A BILL TO BE ENTITLED AN ACT RELATING TO THE 26TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

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S.B. 529, A BILL TO BE ENTITLED AN ACT RELATING TO THE 26TH SENATORIAL DISTRICT.
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By Senator Allran:
S.B. 530, A BILL TO BE ENTITLED AN ACT RELATING TO THE 26TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Clodfelter:
S.B. 531, A BILL TO BE ENTITLED AN ACT RELATING TO PRIVATE CONTRACTING OF BUILDING INSPECTION SERVICES, AND RELATING TO RESIDENTIAL CONTRACTOR LICENSES IN THE CITY OF CHARLOTTE AND MECKLENBURG COUNTY.
Referred to State and Local Government Committee.

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By Senators Carter and Metcalf:
S.B. 532, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ASHEVILLE.
Referred to Rules and Operations of the Senate Committee.

By Senators Carter and Metcalf:
S.B. 533, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A HEALTH CARE PILOT PROGRAM IN BUNCOMBE COUNTY.
Referred to Rules and Operations of the Senate Committee.

Pursuant to Senator Rand’s motion to adjourn having prevailed, the Senate adjourns at 11:25 A.M.

THIRTY-FIFTH DAY

Senate Chamber
Monday, March 29, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“Righteous God, we give You thanks for the great gift of Your law, without which our life would explode into chaos. The Old Testament law directs us to demand an eye for an eye and a tooth for a tooth in legislating just retribution for wrongdoing. The punishment must fit the crime, it must be proportional. That is indeed the measure we would like applied to those who wrong us. But what of our own injustices? What if each of us were required to pay the fair and just price for the consequences of our sinful behaviors? Would any of us be left standing with any eyes or teeth in our heads? The prospect of a blind, lisping Senate is almost too comical to imagine.

“We clamor for just outcomes, presuming our innocence, to our conflicts, but what we really hope for is a gentle, forgiving judge. Teach us, Oh God, to be as generous with the undeserved mercy we offer as we are grateful for the undeserved mercy we receive. We make our prayer in Your Holy Name, Amen.”

With unanimous consent, the President grants leaves of absence for tonight to Senator Ballantine, Senator Garwood, Senator Odom, Senator Perdue, Senator Rucho, Senator Shaw of Guilford, Senator Webster, and Senator Weinstein.

Senator Basnight, President Pro Tempore, announces the Journal of Thursday, March 25, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Benton Sapp Satterfield from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Elizabeth Newton from Winston-Salem, North Carolina, who is serving the Senate as Nurse of the Day.

March 29, 1999
The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

**S.B. 41**, AN ACT TO REQUIRE THAT EVERY DWELLING UNIT LEASED AS RENTAL PROPERTY IN CERTAIN CITIES BE FURNISHED WITH A SOURCE OF HEAT.

The Enrolling Clerk reports the following bill and resolution duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

**S.B. 33**, AN ACT CONCERNING ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF CLAYTON.

**S.J.R. 78**, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF HAL. D. LINGERFELT AS COMMISSIONER OF BANKS. (Res. 5)

**CHAPTERED BILLS**

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

**S.B. 43**, AN ACT TO CONSOLIDATE THE TOWN OF ALEXANDER MILLS INTO THE TOWN OF FOREST CITY. (Became law upon ratification, March 25, 1999 - S.L. 1999-9.)

**REPORT TO GENERAL ASSEMBLY**

An Agency directed to report to the General Assembly submits a report which is ordered placed on file in the Legislative Library, as follows:


Upon motion of Senator Carpenter, the Chair extends courtesies of the gallery to County Commissioners of Cherokee County, Dana Jones, Barbara Vicknair, Ernest Jones; County Manager, Randy Wiggins; and Regional Economic Development Manager, Bill Gibson.

**REPORTS OF COMMITTEES**

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Cooper for the **Judiciary I Committee**:

**S.B. 255**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE LAW REQUIREING STATE AGENCIES TO REDUCE THE NUMBER OF MENUS ON AUTOMATED PHONE SYSTEMS AND TO REQUIRE STATE AGENCIES TO
REPORT ON THEIR COMPLIANCE WITH THAT LAW, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1620 is adopted and engrossed.

By Senator Kinnaird for the State and Local Government Committee:

S.B. 18, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CARTHAGE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6588 is adopted and engrossed.

S.B. 333, A BILL TO BE ENTITLED AN ACT RELATING TO THE MEMBERSHIP OF STATUTORILY CREATED DECISION-MAKING OR REGULATORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES; PROVIDING INTENT; PROVIDING POLICY WITH RESPECT TO THE APPOINTMENT OF MEMBERS TO SUCH BODIES TO ENSURE PROPORTIONATE REPRESENTATION OF WOMEN; REQUIRING ANNUAL REPORTS; AND REQUIRING RETENTION OF CERTAIN INFORMATION REGARDING APPLICANTS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3678 is adopted and engrossed.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Albertson:

S.B. 534, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE TOWN OF KENANSVILLE IS NOT OBLIGATED TO PROVIDE SERVICES TO CERTAIN ANNEXED PROPERTY.

Referred to Finance Committee.

By Senator Albertson:

S.B. 535, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF DUPLIN COUNTY.

Referred to Rules and Operations of the Senate Committee.

By Senator Albertson:

S.B. 536, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ECONOMIC DEVELOPMENT IN DUPLIN COUNTY.

Referred to Appropriations/Base Budget Committee.

By Senator Phillips:

S.B. 537, A BILL TO BE ENTITLED AN ACT RELATING TO THE 23RD SENATORIAL DISTRICT.

Referred to Rules and Operations of the Senate Committee.

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By Senator Jordan:

S.B. 538, A BILL TO BE ENTITLED AN ACT TO TRANSFER RESPONSIBILITY FOR COLLECTION OF ALL CHILD SUPPORT PAYMENTS CURRENTLY COLLECTED BY THE CLERKS OF SUPERIOR COURTS TO THE STATE CHILD SUPPORT COLLECTION AND DISBURSEMENT UNIT.

Referred to Judiciary II Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senator Jordan:

S.B. 539, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX CREDITS FOR CONSTRUCTION EMPLOYERS WHO PROVIDE CRAFTWORKER TRAINING AND WHO HIRE WELFARE RECIPIENTS.

Referred to Finance Committee.

By Senator Jordan:

S.B. 540, A BILL TO BE ENTITLED AN ACT ESTABLISHING A COMMITTEE ON ORTHOPEDIC PHYSICIAN ASSISTANTS AND A SYSTEM TO CERTIFY ORTHOPEDIC PHYSICIAN ASSISTANTS.

Referred to Health Care Committee.

By Senator Horton:

S.B. 541, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS OF NORTH CAROLINA.

Referred to Rules and Operations of the Senate Committee.

By Senator Horton:

S.B. 542, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF FORSYTH COUNTY.

Referred to Rules and Operations of the Senate Committee.

By Senator Horton:

S.B. 543, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF FORSYTH COUNTY.

Referred to Rules and Operations of the Senate Committee.

By Senators Horton and Garrou:

S.B. 544, A BILL TO BE ENTITLED AN ACT TO LIMIT APPEALS TO LOCAL BOARDS OF EDUCATION IN LARGE URBAN SCHOOL SYSTEMS.

Referred to Judiciary II Committee.

By Senator Hoyle:

S.B. 545, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR THE PURPOSE OF CONDUCTING AND PROMOTING HOSPITALITY AND TOURISM JOB TRAINING PROGRAMS.

Referred to Appropriations/Base Budget Committee.

By Senator Hoyle:

S.B. 546, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE HISTORIC PRESERVATION FOUNDATION OF NORTH CAROLINA TO HELP EXPAND NORTH CAROLINA'S STATEWIDE REVOLVING FUND FOR HISTORIC PRESERVATION.

Referred to Appropriations/Base Budget Committee.
By Senator Hoyle:

S.B. 547, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A TELECOMMUNICATIONS RELAY SERVICE TO ASSIST DEAF AND HEARING IMPAIRED PERSONS, INCLUDING THOSE WHO ALSO HAVE VISION IMPAIRMENT.
Referred to Finance Committee.

By Senators Kerr, Albertson, Carter, Perdue and Purcell:

S.B. 548, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR REPAIRS AND RENOVATIONS AT THE EASTERN REGION VOCATIONAL REHABILITATION FACILITY PROJECT IN GOLDSBORO.
Referred to Appropriations/Base Budget Committee.

By Senator Rand:

S.B. 549, A BILL TO BE ENTITLED AN ACT RELATING TO THE SALARIES OF THE DEPUTY INDUSTRIAL COMMISSIONERS.
Referred to Rules and Operations of the Senate Committee.

By Senator Lee:

S.B. 550, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE ACTIVITIES OF THE NORTH CAROLINA CENTER FOR INTERNATIONAL UNDERSTANDING.
Referred to Appropriations/Base Budget Committee.

By Senator Lee:

S.B. 551, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONSTRUCT A BUILDING TO SUPPORT THE ACTIVITIES OF THE FRANK PORTER GRAHAM CHILD DEVELOPMENT CENTER.
Referred to Appropriations/Base Budget Committee.

By Senator Lee:

S.B. 552, A BILL TO BE ENTITLED AN ACT RELATING TO THE 16TH SENATE DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Lee:

S.B. 553, A BILL TO BE ENTITLED AN ACT RELATING TO THE 16TH SENATE DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Lee:

S.B. 554, A BILL TO BE ENTITLED AN ACT RELATING TO THE 16TH SENATE DISTRICT.
Referred to Appropriations/Base Budget Committee.

By Senator Lee:

S.B. 555, A BILL TO BE ENTITLED AN ACT RELATING TO THE 16TH SENATE DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Lee:

S.B. 556, A BILL TO BE ENTITLED AN ACT RELATING TO THE 16TH
SENATE DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senators Lee, Garrou and Kinnaird:
S.B. 557, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA POTTERY CENTER TO ENHANCE ECONOMIC DEVELOPMENT IN RURAL NORTH CAROLINA THROUGH EDUCATION AND THE PROMOTION OF TOURISM RELATING TO AND DERIVED FROM THE POTTERY INDUSTRY.
Referred to Appropriations/Base Budget Committee.

By Senators Miller, Carter, Clodfelter, Gulley, Horton, Kinnaird, Lucas, Metcalf and Odom:
S.B. 558, A BILL TO BE ENTITLED AN ACT TO STANDARDIZE THE INVESTIGATION AND DISCIPLINE OF LAW ENFORCEMENT OFFICERS AND TO PROVIDE FOR JUDICIAL REVIEW.
Referred to Judiciary II Committee.

By Senators Hagan, Martin of Guilford and Shaw of Guilford:
S.B. 559, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO COMPLETE THE SCIENCE BUILDING AT THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO.
Referred to Appropriations/Base Budget Committee.

By Senators Horton, Albertson, Allran, Ballance, Ballantine, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, East, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Hoyle, Kerr, Kinnaird, Lucas, Martin of Guilford, Martin of Pitt, Metcalf, Miller, Moore, Perdue, Phillips, Plyler, Purcell, Rand, Reeves, Robinson, Rucho, Shaw of Cumberland, Shaw of Guilford, Webster and Wellons:
S.B. 560, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT MARKETS THAT SELL UNCOOKED CURED COUNTRY HAM OR UNCOOKED CURED SALTED PORK THAT INVOLVES CERTAIN MINIMAL PREPARATION ARE EXEMPT FROM REGULATION UNDER CHAPTER 130A OF THE GENERAL STATUTES WHEN THAT MINIMAL PREPARATION IS THE ONLY ACTIVITY THAT WOULD SUBJECT THESE MARKETS TO SUCH REGULATION.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Odom, Carpenter, Carter, Clodfelter, Cooper, Dannelly, Forrester, Hoyle, Kinnaird, Lee, Martin of Guilford, Metcalf and Warren:
S.B. 561, A BILL TO BE ENTITLED AN ACT TO ALLOW LAW OFFICERS WHO ARE MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OR THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO RETIRE WITH UNREDUCED BENEFITS AFTER COMPLETING TWENTY-FIVE YEARS OF SERVICE.
Referred to Pensions & Retirement and Aging Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senator Miller:
S.B. 562, A BILL TO BE ENTITLED AN ACT TO REPEAL FILING FEES, MISCELLANEOUS FEES, AND HMO ANNUAL REPORT FEES COLLECTED BY THE DEPARTMENT OF INSURANCE; TO INCREASE CERTAIN INSURANCE COMPANY LICENSE RENEWAL FEES COLLECTED BY THE DEPARTMENT OF

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INSURANCE; TO ALLOW MONEY CREDITED TO THE INSURANCE CONSUMER PROTECTION FUND TO BE USED TO RETAIN EXPERTS FOR HEARINGS; TO REQUIRE THAT MONEY RECOVERED FROM DELINQUENCY PROCEEDINGS OR CIVIL ACTIONS AGAINST THE COMMISSIONER OF INSURANCE BE CREDITED TO THE INSURANCE CONSUMER PROTECTION FUND; AND TO MOVE THE EFFECTIVE DATE FROM 2000 TO 2001 FOR THE LAW REQUIRING THE LICENSING OF THIRD PARTY ADMINISTRATORS FOR EMPLOYERS THAT SELF-INSURE THEIR WORKERS' COMPENSATION LIABILITIES.

Referred to Finance Committee.

By Senators Dannelly, Albertson, Allran, Ballance, Clodfelter, Cooper, Hartsell, Horton, Hoyle, Kerr, Lucas, Martin of Guilford, Odom, Phillips and Rucho:

S.B. 563, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO USE PHOTOGRAPHIC SPEED-MEASURING SYSTEMS TO ESTABLISH SCHOOL ZONE SPEED LIMIT VIOLATIONS AND TO AUTHORIZE THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION AND THE SECRETARY OF CRIME CONTROL AND PUBLIC SAFETY TO APPROVE STANDARDS FOR THE PHOTOGRAPHIC SPEED-MEASURING SYSTEMS.

Referred to Judiciary I Committee.

By Senator Shaw of Cumberland:

S.B. 564, A BILL TO BE ENTITLED AN ACT RELATING TO CUMBERLAND COUNTY AND THE MUNICIPALITIES LOCATED WITHIN THE COUNTY.

Referred to Rules and Operations of the Senate Committee.

By Senator Shaw of Cumberland:

S.B. 565, A BILL TO BE ENTITLED AN ACT RELATING TO CUMBERLAND COUNTY AND THE MUNICIPALITIES LOCATED WITHIN THE COUNTY.

Referred to Rules and Operations of the Senate Committee.

By Senators Kinnaird and Lee:

S.B. 566, A BILL TO BE ENTITLED AN ACT TO PROVIDE FINANCING FOR PUBLIC TRANSIT AND OTHER ISSUES IN CHAPEL HILL.

Referred to Rules and Operations of the Senate Committee.

By Senators Kinnaird, Clodfelter, Dannelly, Garrou, Gulley, Jordan, Lee, Lucas, Miller, Odom, Rucho and Shaw of Cumberland:

S.B. 567, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING NONHAZARDOUS SOLID WASTE MANAGEMENT BY PROHIBITING THE DEPARTMENT OF TRANSPORTATION FROM BURNING YARD TRASH AND OTHER ORGANIC SOLID WASTE IN HIGHWAY CONSTRUCTION AND MAINTENANCE PROJECTS AND REQUIRING THE DEPARTMENT OF TRANSPORTATION TO RECYCLE OR REUSE THIS WASTE.

Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Kinnaird, Gulley, Lee and Miller:

S.B. 568, A BILL TO BE ENTITLED AN ACT TO PERMIT COUNTY BOARDS OF ELECTIONS TO DESIGNATE ADDITIONAL SITES FOR ONE-STOP ABSENTEE VOTING.

Referred to Judiciary II Committee.
By Senators Cochrane, Allran, Ballantine, Carpenter, East, Forrester, Foxx, Garwood, Horton, Moore, Shaw of Guilford and Webster:

S.B. 569, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMUNITY COLLEGES FOR THE STAY SMART PROGRAM.

Referred to Appropriations/Base Budget Committee.

By Senators Hoyle, Ballantine, Carpenter, Carter, Dalton, Forrester, Jordan, Lee, Moore, Odom, Plyler, Purcell, Reeves, Rucho, Soles and Weinstein:

S.B. 570, A BILL TO BE ENTITLED AN ACT TO UPDATE THE NORTH CAROLINA CONSUMER FINANCE ACT TO REVISE THE COLLECTION OF INTEREST UNDER CERTAIN CIRCUMSTANCES, TO ALLOW BORROWERS TO CANCEL LOANS UNDER CERTAIN CONDITIONS, TO RECOGNIZE INADVERTENT LOANS IN THE LAW RESTRICTING MULTIPLE-OFFICE LOANS, TO REQUIRE DISCLOSURE ON SOLICITATION OF LOANS BY FACSIMILE OR NEGOTIABLE CHECKS, TO ALLOW LENDERS TO MAINTAIN CERTAIN RECORDS IN THE FORM OF OPTICAL IMAGE DISKS, TO SPECIFY A MAXIMUM CHARGE THAT LENDERS MAY ASSESS AT CLOSING, AND TO REQUIRE LICENSEES TO REPORT ADDITIONAL INFORMATION TO THE COMMISSIONER.

Referred to Commerce Committee.

By Senator Harris:

S.B. 571, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SANFORD-LEE REGIONAL AIRPORT AUTHORITY TO RECEIVE SALES TAX REFUNDS.

Referred to Finance Committee.

By Senator Harris:

S.B. 572, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF BENSON.

Referred to Finance Committee.

By Senator Clodfelter:

S.B. 573, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ENGAGE IN PUBLIC-PRIVATE PROJECTS OUTSIDE THE DOWNTOWN AREA.

Referred to State and Local Government Committee.

By Senator Clodfelter:

S.B. 574, A BILL TO BE ENTITLED AN ACT CONCERNING THE CITY OF CHARLOTTE AND MECKLENBURG COUNTY.

Referred to Rules and Operations of the Senate Committee.

By Senator Jordan:

S.B. 575, A BILL TO BE ENTITLED AN ACT TO INCREASE THE ENTRY LEVEL PAY FOR DEPUTY CLERKS.

Referred to Appropriations/Base Budget Committee.

By Senator Jordan:

S.B. 576, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH NEW DEPUTY CLERK POSITIONS.

Referred to Appropriations/Base Budget Committee.

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By Senator Jordan:
S.B. 577, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SALARY OF CLERKS OF COURT TO BE PUBLISHED IN THE CURRENT OPERATIONS APPROPRIATIONS ACT.
Referred to Appropriations/Base Budget Committee.

By Senator Jordan:
S.B. 578, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CONFERENCE OF CLERKS OF SUPERIOR COURT.
Referred to State and Local Government Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senator Jordan:
S.B. 579, A BILL TO BE ENTITLED AN ACT TO EXPAND THE AUTHORITY OF CLERKS OF SUPERIOR COURT BY ALLOWING CLERKS TO GRANT UNCONTESTED DIVORCES, TO ACCEPT GUILTY PLEAS IN INFRACTION CASES, MISDEMEANOR TRAFFIC CASES, AND WORTHLESS CHECK MATTERS, TO EXERCISE SUPERVISORY AUTHORITY OVER MAGISTRATES, AND TO AUTHORIZE VOLUNTARY SUPPORT AGREEMENTS.
Referred to Judiciary I Committee.

By Senator Hoyle:
S.B. 580, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR THE PURPOSE OF ASSISTING THE NORTH CAROLINA RESTAURANT ASSOCIATION TO ESTABLISH A STATEWIDE DINING GUIDE ON THE INTERNET TO PROMOTE TRAVEL AND TOURISM IN NORTH CAROLINA AND TO AUTHORIZE THE NORTH CAROLINA RESTAURANT ASSOCIATION TO CHARGE A FEE FOR PROPRIETARY LISTINGS IN THE DINING GUIDE.
Referred to Commerce Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senator Hoyle:
S.B. 581, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO IMPROVE THE SANITATION PROGRAM FOR FOOD AND LODGING ESTABLISHMENTS.
Referred to Appropriations/Base Budget Committee.

By Senators Horton and Garrou:
S.B. 582, A BILL TO BE ENTITLED AN ACT TO IMPROVE LAW ENFORCEMENT EFFORTS TO RECOVER STOLEN PROPERTY BY AUTHORIZING THE CHIEF OF POLICE OF WINSTON-SALEM TO REQUIRE PAWNBROKERS TO MAKE PAWN TICKET RECORDS AVAILABLE IN ELECTRONIC FORMAT.
Referred to Judiciary II Committee.

By Senators Rucho, Clodfelter, Dannelly and Odom:
S.B. 583, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ESTABLISHING THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM.
Referred to Pensions & Retirement and Aging Committee.

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By Senators Lee and Kinnaird:
**S.B. 584**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY.
Referred to Appropriations/Base Budget Committee.

By Senators Lee and Dalton:
**S.B. 585**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE STATE SCHOOL TECHNOLOGY FUND.
Referred to Appropriations/Base Budget Committee.

By Senator Lee:
**S.B. 586**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE DISTRIBUTION OF TEXTBOOKS TO THE PUBLIC SCHOOLS.
Referred to Education/Higher Education Committee.

By Senators Lee and Dalton:
**S.B. 587**, A BILL TO BE ENTITLED AN ACT DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY INCENTIVE BONUSES FOR TEACHERS TO TEACH FOR AT LEAST ONE YEAR IN A LOCAL SCHOOL ADMINISTRATIVE UNIT.
Referred to Rules and Operations of the Senate Committee.

By Senator Hartsell:
**S.B. 588**, A BILL TO BE ENTITLED AN ACT TO EARMARK ONE CENT OF THE STATE'S FOUR CENTS' SALES TAX FOR COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY.
Referred to Finance Committee.

By Senator Hartsell:
**S.B. 589**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CABARRUS COUNTY TO LEVY A ONE-CENT LOCAL SALES AND USE TAX FOR PUBLIC SCHOOL BUILDINGS, IF APPROVED BY THE VOTERS OF THE COUNTY.
Referred to Finance Committee.

By Senators Odom, Clodfelter and Foxx:
**S.B. 590**, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF FALSE IMPERSONATION AND IDENTITY FRAUD.
Referred to Judiciary I Committee.

By Senators Cooper, Albertson, Carter, Dalton, Hoyle, Kinnaird, Lucas, Martin of Guilford, Odom, Perdue, Rand, Shaw of Cumberland and Soles:
**S.B. 591**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEMBERS OF THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM TO TRANSFER CREDITABLE SERVICE FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM.
Referred to Pensions & Retirement and Aging Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Garwood, Allran and Moore:
**S.B. 592**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO

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SUPPORT THE ACTIVITIES OF THE NORTHWEST REGION EDUCATION SERVICE ALLIANCE.
Referred to Appropriations/Base Budget Committee.

By Senator Miller:
S.B. 593, A BILL TO BE ENTITLED AN ACT TO IMPROVE AMBIENT AIR QUALITY BY AUTHORIZING THE ENVIRONMENTAL MANAGEMENT COMMISSION TO EXPAND THE MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senator Miller:
S.B. 594, A BILL TO BE ENTITLED AN ACT TO IMPROVE AMBIENT AIR QUALITY BY AUTHORIZING THE ENVIRONMENTAL MANAGEMENT COMMISSION TO EXPAND THE MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senator Martin of Pitt:
S.B. 595, A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW CREATING THE NORTHEASTERN REGIONAL DEVELOPMENT COMMISSION.
Referred to State and Local Government Committee.

By Senator Robinson:
S.B. 596, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE JACKSON COUNTY TO LEVY AN EXCISE TAX ON CONVEYANCES.
Referred to Finance Committee.

By Senators Robinson, Carter and Metcalf:
S.B. 597, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTIFICATION AND LICENSE REGULATION OF BUILDING INSPECTORS ON TRIBAL LANDS IN CHEROKEE, GRAHAM, HAYWOOD, JACKSON, AND SWAIN COUNTIES.
Referred to State and Local Government Committee.

By Senator Robinson:
S.B. 598, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE STABILIZATION AND RENOVATION OF THE HISTORIC JACKSON COUNTY COURTHOUSE.
Referred to Appropriations/Base Budget Committee.

By Senators Robinson and Carpenter:
S.B. 599, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF HENDERSONVILLE TO REFLECT CHANGES IN THE GENERAL LAW.
Referred to Finance Committee.

By Senators Kerr and Perdue:
S.B. 600, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DEPARTMENT OF TRANSPORTATION FROM INSTALLING ANY ADDITIONAL STOPLIGHTS ON A CERTAIN PORTION OF HIGHWAY U.S. 70.
Referred to Transportation Committee.

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By Senators Rand, Ballance, Dannelly, Gulley and Martin of Guilford:
S.B. 601, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE SECRETARY OF CORRECTION HAS SOLE AUTHORITY TO DESIGNATE THE UNIFORMS WORN BY INMATES CONFINED IN THE DIVISION OF PRISONS.
Referred to Judiciary I Committee.

By Senators Rand, Ballantine, Dannelly and Purcell:
S.B. 602, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO COMMUNITY MEDIATION CENTERS ACROSS THE STATE.
Referred to Appropriations/Base Budget Committee.

By Senators Metcalf, Carter and Garwood:
S.B. 603, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT AND EXPAND THE WOMEN AT RISK PROGRAM.
Referred to Appropriations/Base Budget Committee.

By Senators Metcalf and Carter:
S.B. 604, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASHEVILLE-BUNCOMBE TECHNICAL COMMUNITY COLLEGE FOR THE RENOVATION AND RESTORATION OF FERNIHURST CULINARY AND HOSPITALITY CENTER.
Referred to Appropriations/Base Budget Committee.

By Senators Metcalf and Carter:
S.B. 605, A BILL TO BE ENTITLED AN ACT TO VALIDATE A REFERENDUM CHANGING THE MANNER OF ELECTION OF THE BOARD OF COMMISSIONERS OF MADISON COUNTY, EFFECTIVE IN 2002, AS APPROVED BY THE VOTERS OF THAT COUNTY.
Referred to State and Local Government Committee.

By Senator Ballance:
S.B. 606, A BILL TO BE ENTITLED AN ACT TO ESTABLISH TOURISM RESORTS AND TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO THESE ENTITIES AND TO PROHIBIT DISCRIMINATION BY ABC PERMITTEES.
Referred to Commerce Committee.

By Senator Ballance:
S.B. 607, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO SPORTS CLUBS.
Referred to Commerce Committee.

By Senators Gulley and Lucas:
S.B. 608, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE WAKE COUNTY DEPARTMENT OF LIBRARY TO ESTABLISH A LIBRARY IN THE TOWN OF MORRISVILLE.
Referred to Appropriations/Base Budget Committee.

By Senator Gulley:
S.B. 609, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE 13TH

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SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Gulley:
S.B. 610, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE 13TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Gulley:
S.B. 611, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE 13TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Gulley:
S.B. 612, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE 13TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Gulley:
S.B. 613, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE 13TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senators Purcell, Albertson, Clodfelter, Forrester, Gulley, Lucas, Miller and Phillips:
S.B. 614, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE IMMUNIZATION LAWS PERTAINING TO ADMINISTRATION AND REPORTING OF IMMUNIZATIONS, CERTIFICATES OF IMMUNIZATIONS RECEIVED IN OTHER STATES, SUBMISSION OF IMMUNIZATION CERTIFICATES TO CHILD CARE FACILITIES AND PRESCHOOL AUTHORITIES, AND TO MAKE OTHER TECHNICAL CHANGES TO THE IMMUNIZATION STATUTES.
Referred to Health Care Committee.

By Senators Purcell, Albertson, Carter, Clodfelter, Forrester, Gulley, Lucas, Metcalf, Miller, Phillips and Rucho:
S.B. 615, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ADDITIONAL DENTAL BENEFITS BE PROVIDED UNDER THE HEALTH INSURANCE PROGRAM FOR CHILDREN.
Referred to Appropriations/Base Budget Committee.

By Senators Perdue, Carter, Garrou, Hagan, Harris, Hoyle, Kerr, Kinnaird, Martin of Pitt, Metcalf, Warren and Wellons:
S.B. 616, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO FUND ANTICIPATED GROWTH IN ENROLLMENT IN THE COMMUNITY COLLEGE SYSTEM.
Referred to Appropriations/Base Budget Committee.

By Senators Perdue, Albertson, Carter, Garrou, Gulley, Hagan, Harris, Hoyle, Kerr, Kinnaird, Lee, Lucas, Martin of Guilford, Martin of Pitt, Metcalf, Purcell, Warren, Weinstein and Wellons:
S.B. 617, A BILL TO BE ENTITLED AN ACT AMENDING THE STATE PERSONNEL ACT TO PROVIDE THAT COST-OF-LIVING ADJUSTMENTS ARE
NOT AWARDED TO STATE EMPLOYEES INVOLVED IN THE FINAL STAGE OF THE DISCIPLINARY PROCEDURE AND TO PROVIDE THAT THE ADJUSTMENTS REFLECT INCREASES IN THE CONSUMER PRICE INDEX.

Referred to State and Local Government Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 62, A BILL TO BE ENTITLED AN ACT TO REQUIRE CORPORATIONS THAT ARE REQUIRED TO PAY FEDERAL-ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER TO PAY STATE-ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER.
Referred to Finance Committee.

H.B. 221 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTERS OF THE TOWN OF YAUAPON BEACH AND THE TOWN OF LONG BEACH AND ESTABLISH A CHARTER FOR THE CONSOLIDATED TOWN OF OAK ISLAND.
Referred to Finance Committee.

H.B. 274 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING CERTIFICATION AND EMPLOYMENT OF ASSISTANT PRINCIPALS.
Referred to Education/Higher Education Committee.

ADDITIONAL SPONSORS

Senator Cooper and Senator Purcell request to be added as a sponsor of previously introduced legislation:

S.B. 519, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE TEACHER ACADEMY.

CALENDAR

A bill on tonight's Calendar is taken up and disposed of, as follows:

S.B. 233 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CARRY OVER ANY UNSPENT TRANSPORTATION IMPROVEMENT PROGRAM EQUITY REGION ALLOCATION TO THE NEXT YEAR, TO AUTHORIZE LOANS OF UNSPENT EQUITY REGION ALLOCATIONS TO OTHER EQUITY REGIONS AND TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO DEMONSTRATE COMPLIANCE WITH THE HIGHWAY TRUST FUND EQUITY REGION FORMULA BY SUBMITTING YEARLY REPORTS DOCUMENTING ALLOCATIONS AND SPENDING BY EQUITY REGION.

The Committee Substitute bill passes its second reading (41-0).

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Senator Shaw of Cumberland objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Tuesday, March 30.

**SENATE PAGES**

The President recognizes the following pages serving in the Senate this week:

Frank Fisher Coan, Jr., Winston-Salem; Barbara Lee Cobb, Raleigh; Michelle Lynn Cobb, Raleigh; Larry J. Eason II, Bladenboro; Jeremy Goldsmith, Wendell; Mary Elizabeth McGinnis Hadley, Raleigh; Alecia Ward Hardy, Raleigh; Andrew Headd, Smithfield; Daniel Perry Hinsley, New Hill; James Banner Lassiter, Winston-Salem; Rochelle Lynnette Lassiter, Edenton; Lindsay Allison Sewell, Marion; Vergil J. Shamberger, Robbins; Elizabeth Whitley, Raleigh; and Jamie L. Wolfe, Wilson.

Upon motion of Senator Basnight, seconded by Senator Clodfelter, the Senate adjourns at 7:37 P.M. to meet tomorrow, Tuesday, March 30, at 3:00 P.M.

**THIRTY-SIXTH DAY**

Senate Chamber
Tuesday, March 30, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“God of all wisdom, Scripture tells us that the eye is the window to the soul, and that if our eye is sound, so shall our bodies be as well.

“When we open our eyes from this brief moment of prayer, we pray that our gaze may be strong and true. May our eyes convey purity, joy and truth, never deceit. May they never sully the ones on whom they come to rest. May our eyes never dim to the oppression of those in our midst who suffer. May they never become too weak to express our righteous indignation at the world’s injustice, nor too strong to shed tears of compassion for those in bondage.

“Open our eyes. Illuminate our hearts that we may know Your divine presence in all things seen and unseen. We pray in Your Holy Name. Amen.”

With unanimous consent, the President grants leaves of absence for today to Senator Carpenter, Senator Shaw of Guilford, and Senator Weinstein.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Monday, March 29, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Robert Coy Turner from Greenville, North Carolina, who is serving the Senate as Doctor of the Day.

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ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.B. 156, AN ACT TO REMOVE THE SUNSET ON THE AUTHORITY OF THE LAKE ROYALE COMMUNITY IN FRANKLIN AND NASH COUNTIES TO REGULATE THE OPERATION OF CERTAIN MOTOR VEHICLES AND TO ENHANCE THAT AUTHORITY.

CHAPTERED BILL

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

S.B. 33, AN ACT CONCERNING ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF CLAYTON. (Became law upon ratification, March 29, 1999 - S.L. 1999-10.)

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

S.B. 560, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT MARKETS THAT SELL UNCOOKED CURED COUNTRY HAM OR UNCOOKED CURED SALTED PORK THAT INVOLVES CERTAIN MINIMAL PREPARATION ARE EXEMPT FROM REGULATION UNDER CHAPTER 130A OF THE GENERAL STATUTES WHEN THAT MINIMAL PREPARATION IS THE ONLY ACTIVITY THAT WOULD SUBJECT THESE MARKETS TO SUCH REGULATION, with a favorable report.

With unanimous consent, upon motion of Senator Rand, the rules are suspended and the bill is placed before the Senate for immediate consideration.

The bill passes its second (45-0) and third readings and is ordered, without objection, sent by special message to the House of Representatives.

By Senator Miller for the Judiciary II Committee:

S.B. 414, A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO MUNICIPALITIES LOCATED IN COUNTIES WITH POPULATIONS IN EXCESS OF FIFTY-EIGHT THOUSAND PEOPLE BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT, with a favorable report.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and

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disposed of, as follows:

S.B. 62 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, March 31.

H.B. 19 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT CASINO BOATS FROM OPERATING IN NORTH CAROLINA, TO REGULATE CERTAIN GAMBLING BOATS THAT OPERATE IN NORTH CAROLINA PURSUANT TO FEDERAL LAW, TO LEVY A PRIVILEGE TAX ON GAMBLING BOATS OPERATING IN NORTH CAROLINA, AND TO REQUIRE WITHHOLDING FROM CERTAIN GAMBLING BOAT WINNINGS

Referred to Commerce Committee and upon a favorable report, re-referred to the Finance Committee.

H.B. 56 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE USE OF STAMPS TO INDICATE WHETHER THE EXCISE TAX ON CONVEYANCES HAS BEEN PAID AND TO MAKE THE PENALTIES THAT APPLY TO THIS TAX THE SAME AS FOR OTHER TAXES.

Referred to Finance Committee.

H.B. 149, A BILL TO BE ENTITLED AN ACT TO REDUCE THE PISTOL PERMIT FEE IN PITTS COUNTY FROM TWENTY DOLLARS TO FIVE DOLLARS.

Referred to State and Local Government Committee.

H.B. 202 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO PERMIT CERTAIN EMPLOYEE RETIREMENT PLANS TO HOLD SECURITIES AS A LICENSEE AND TO REVISE THE DEFINITION OF A FOREIGN PROFESSIONAL CORPORATION THAT MAY BE AUTHORIZED TO DO BUSINESS IN THIS STATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to Judiciary I Committee.

H.B. 226 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A NOTICE OF FORECLOSURE HEARING INCLUDE ADDITIONAL INFORMATION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to Judiciary II Committee.

H.B. 334, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE AGRICULTURAL STATUTES.

Referred to Agriculture/Environment/Natural Resources Committee.

H.B. 371 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD SEVERAL COUNTIES TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS.

Referred to State and Local Government Committee.

H.B. 429, A BILL TO BE ENTITLED AN ACT TO VALIDATE A REFERENDUM CHANGING THE MANNER OF ELECTION OF THE BOARD OF COMMISSIONERS OF MADISON COUNTY, EFFECTIVE IN 2002, AS APPROVED BY THE VOTERS

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H.B. 437, A BILL TO BE ENTITLED AN ACT AMENDING THE STATUTORY DEFINITION OF "SUBDIVISION" FOR THE PURPOSE OF SUBDIVISION REGULATION IN JONES COUNTY.
Referred to State and Local Government Committee.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 18 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CARTHAGE.

The President orders, without objection, the Committee Substitute bill temporarily displaced.

S.B. 333 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE MEMBERSHIP OF STATUTORILY CREATED DECISION-MAKING OR REGULATORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES; PROVIDING INTENT; PROVIDING POLICY WITH RESPECT TO THE APPOINTMENT OF MEMBERS TO SUCH BODIES TO ENSURE PROPORTIONATE REPRESENTATION OF WOMEN; REQUIRING ANNUAL REPORTS; AND REQUIRING RETENTION OF CERTAIN INFORMATION REGARDING APPLICANTS.

With unanimous consent, upon motion of Senator Kinnaird, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, March 31.

WITHDRAWAL FROM CALENDAR

S.B. 333 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE MEMBERSHIP OF STATUTORILY CREATED DECISION-MAKING OR REGULATORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES; PROVIDING INTENT; PROVIDING POLICY WITH RESPECT TO THE APPOINTMENT OF MEMBERS TO SUCH BODIES TO ENSURE PROPORTIONATE REPRESENTATION OF WOMEN; REQUIRING ANNUAL REPORTS; AND REQUIRING RETENTION OF CERTAIN INFORMATION REGARDING APPLICANTS.

With unanimous consent, upon motion of Senator Kinnaird, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, March 31, and re-referred to the State and Local Government Committee, which motion prevails with unanimous consent.

S.B. 272 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON AND THE TOWNS OF HUNTERSVILLE AND MATTHEWS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.

The Committee Substitute bill passes its second and third readings.

Having voted in the majority, Senator Warren offers a motion that the vote by which
the Committee Substitute bill passed its third reading be reconsidered, which motion prevails, and the question becomes the passage of the measure upon third reading.

Senator Warren offers Amendment No. 1 which is adopted (45-1), and changes the title to read S.B. 272 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF WILMINGTON AND GREENVILLE, AND THE TOWNS OF HUNTERSVILLE AND MATTHEWS, TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.

The Committee Substitute bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

COURTESIES

Upon motion of Senator Shaw of Cumberland, privileges of the floor are extended to His Majesty King Goodwill Zwelithini of the Kingdom of KwaZulu Natal, Republic of South Africa; Her Majesty Queen Mantfombi Zwelithini; Mr. S. S. Mathe, the King's Legal Advisor; Mr. N. Sithole, the King's Secretary; Mrs. B M. Ngwenya, Security; Mr. J. P. Bezeidenhout, Security; Mr. O. Ndlozi, Security; Mr. T. Ndlovu, Security; Mr. Mdletshe; and Mr. Bob Brown, host.

Upon motion of Senator Basnight, the remarks from King Zwelithini and others are spread upon the Journal as follows:

**Senator Shaw of Cumberland:**

"Thank you Lieutenant Governor. Lieutenant Governor, Mr. President, members of the Senate, distinguished ladies and gentlemen, I bring you greetings. Had I so desired I could have made you all a single people and a single nation, but I made you tribes and nations so that you may know each other. Mr. President and members, this more than ever, is an example of what the global village is all about, as evidenced by the truth we are witnessing here today in the presence of our special dignitaries. To His King Majesty, Goodwill Zwelithini, and to Her Majesty the Queen Mantfombi Zwelithini, it is with the great pride of this State and with the humbleness of this office that we welcome you and your delegation to the great State of North Carolina. Mr. President and Lieutenant Governor, I want to thank you and your excellent staff for all the assistance you have given to make this matter a reality. We also would like to thank the members of the Legislative Black Caucus for their sponsorship of this event. Before I turn the introductions over to my friend and mentor Bob Brown, I would like to share a few significant thoughts. The King is a direct descendant of Shaka. There have been four movies made about King Shaka and the resistance they put up to the British colonization. Some have compared him with the great military genius of Alexander the Great, Napoleon, Hannibal, and Genghis Kong. He was a nation builder and a man of great vision. At this point and time, I would like to ask my good friend and mentor, Bob Brown, former President, former aid to President Nixon and President Reagan, Ambassador Nominee to South Africa, and our very own Board of Governors member, if he will come forth for a few words. Mr. President, I ask that he be recognized."

**Mr. Bob Brown:**

"Thank you very much. This is a very emotional period for me because this is the State I was born in, I was raised in, and I've seen so many things happen here. North Carolina is a great place to live and I live here by choice. And I want to say without further ado that I'm grateful to Larry and to Senator Shaw and to all of you for this day. King Goodwill is a friend who rules very justly over his people in Southern Africa. King Zwelithini is a man of great stature and a man of great humility who rules almost nine

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million people in the southern part of Africa. The Zulu nation consists of more than 380 tribes in southern Africa. And he, as Larry has indicated, is a direct descendant of Shaka Zulu. The King is a King of peace. He is a King who wants to see things happen for his people and for his country. And for that reason we have been able to work very closely with him and to work very closely with his government. And we are grateful today to have him in the State of North Carolina and for your graciousness for having him here. So without further ado, I present to you the King of the Zulu Nation, King Goodwill Zwelithini.”

King Zwelithini:

“Thank you, Mr. President, honorable Members of the Senate, distinguished guests, ladies and gentlemen. I am most pleased to have this opportunity to address you this afternoon. I’d like actually to bring you some warm greetings from the people of the Republic of South Africa and in particular my people in KwaZulu-Natal. It is indeed events like our gathering here today which are constant reminders to ourselves coming from the continent of Africa that our offspring are all over the world. I bring to you the pride of your African brothers and sisters, the pride of tradition of leaders and their subjects from the African continent. As we gather here today, I’m able to feel that their spirits are with us. I’d like to first give you a brief summary of the government in South Africa and the continent as I see them. While some of you read a lot of published materials daily, I will not assume that we share the same understanding. Since the election of the Democratic South Africa in 1994, fundamental changes have been engaged in the fiber of this South African society. President Mandela, the government of the society as a whole must be commended for a job well done. Mr. President, honorable members, Senators, I wish you to know that I represent a long and heroic history. I represent our African traditions, values and customs. Here I do not refer to the ... interpretation of that history which is still very dominant in our libraries and ways of knowing about Africa. My great grandfather was King Senzangakhona. He’s today a well-known leader in contrast to how he was presented by European historians with cultural supremacist agendas. Mr. President, today I meet members of the Senate when there is a call for an African unity. This call is presently spearheaded by our Vice President ... and it seems to enhance the process of reconstruction and the government of the African continent. In that context, honorable Members, the process is only beginning in Africa wherein we must mobilize our traditional societies, rural and urban, behind in the process of cultural reconstruction and development. Africa is a continent and Africans internationally will never be free until this history has been rewritten, archived, and then engraved into the way of life for Africans in Africa. Our own cultural values and traditions must be the fundamental bases from which to reconstruct our societies. It is with an open dialogue such as this one and a sincere effort and the usual understanding and investment that will bear the most fruit for all. Thank you all and may God bless America and the people of South Africa. At this juncture I’d like to invite a few of the people who have contributed a lot towards the project that we have received from our brothers in the United States, just some small token from my office, which is myself and I’d like my legal advisor to call some certain friends of ours who should come and receive those tokens.”

Mr. S. S. Mathe, Legal Advisor:

“Your Majesty, Mr. President, and Senators by direction of His Majesty, I’m going to call out names of persons who are being recognized by His Majesty in appreciation of the services and contribution to the people of the Zulu Nation and the Republic of South Africa. The first name is that of Lieutenant Governor Dennis Wicker; Senator Frank Ballance; Senator Marc Basnight; Governor James Hunt; Senator Larry Shaw.

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Senator Basnight:

"If it would be appropriate, Mr. President, at this time, this is a message from our Governor to His Majesty the King.

"As Governor, it is indeed my pleasure to extend a warm welcome to North Carolina and to Raleigh, our State’s capital. Visits such as this are an invaluable way of fostering friendships in our ever-shrinking global society. We are honored to have you as our guest. Bridges of understanding and friendship are very essential. It is through exchange of information such as your mission, Books Smart Partnership with Guilford County, that we have the greatest opportunity to form lasting relationships with you and become familiar with your fascinating Zulu culture. We are fortunate to live in a wonderful State and I invite you to enjoy all of North Carolina of which it has to offer. Mrs. Hunt joins me in extending a cordial invitation for you to come back and join with us again. My warmest and personal regards, the Governor of the great State of North Carolina, James B. Hunt Jr.’

"Also, your Majesty, if I may, from Bailey, North Carolina, this very special piece of pottery that was handmade on the wheel, we give to you on behalf of all the Members of the State Senate of North Carolina. And also to the Queen this little small badge of beauty of this State which is our dogwood flower, which is a State flower itself. So on behalf of the Members of the Senate, to you, Her Majesty the Queen.”

Lieutenant Governor:

"Your Majesty, Queen of Zulu, let me welcome you officially to this great Body and of course to this great State. I am somewhat reluctant to say this to you but I will. There have been many people, I think, that have come to this General Assembly that felt like they were Kings and Queens but I believe you and the Queen are the first time we’ve had a real King or Queen visit us, and you do us honor. We’re very grateful that you would come here. We are grateful for your comments, for the comradery that you are obviously trying to establish between our State and your Country, and we all want you to know that we wish you the best of luck in your endeavors for economic development and prosperity in the Zulu nation. I would like if you would, Queen, madam if you would step up here and let me present to both of you the State flag. We take a great deal of pride in our flag because it is very colorful and I am very happy to report that we have at least two out of the three colors that represent Africa. As you know we have the black for the people, we have, of course, the red for the blood. What we do lack is the green for the land. We’ll work on that. But I do want to thank both of you very much and we wish you God’s speed in all your endeavors and travels. Thank you very much. We love you."

CALENDAR (Continued)

S.B. 128 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW CONCERNING INTEREST ON MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Senator Hartsell offers Amendment No. 1 which is adopted (46-0), and changes the title to read S.B. 128 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW CONCERNING INTEREST ON MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO ALLOW INTEREST ON JUDGMENTS ON PENAL BONDS.

The Committee Substitute bill, as amended, passes its second reading (46-0).

Senator Hartsell objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Wednesday, March 31.

S.B. 178, A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH
CAROLINA UNIFORM PRUDENT INVESTOR ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The bill passes its second reading (45-0).

Senator Hartsell objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Wednesday, March 31.

S.B. 255 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE LAW REQUIRING STATE AGENCIES TO REDUCE THE NUMBER OF MENUS ON AUTOMATED PHONE SYSTEMS AND TO REQUIRE STATE AGENCIES TO REPORT ON THEIR COMPLIANCE WITH THAT LAW.

The Committee Substitute bill passes its second reading (46-0).

Senator Albertson objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Wednesday, March 31.

S.B. 329 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE NORTH CAROLINA'S LAPSE STATUTE LESS RESTRICTIVE.

The Committee Substitute bill passes its second reading (45-0).

Senator Ballantine objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Wednesday, March 31.

S.B. 393 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE RULES OF CIVIL PROCEDURE TO REQUIRE BRIEFS AND MEMORANDA IN SUPPORT OF DISPOSITIVE MOTIONS TO BE SERVED UPON ALL PARTIES AND TO REQUIRE WRITTEN MOTIONS TO STATE THE GROUNDS FOR THE MOTION WITH PARTICULARITY.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

The Committee Substitute bill passes its second reading (43-2).

Senator Kerr objects to third reading of the measure. Pursuant to Rule 50, the President Pro Tempore orders the measure placed on the Calendar for tomorrow, Wednesday, March 31.

S.B. 233 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CARRY OVER ANY UNSPENT TRANSPORTATION IMPROVEMENT PROGRAM EQUITY REGION ALLOCATION TO THE NEXT YEAR, TO AUTHORIZE LOANS OF UNSPENT EQUITY REGION ALLOCATIONS TO OTHER EQUITY REGIONS AND TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO DEMONSTRATE COMPLIANCE WITH THE HIGHWAY TRUST FUND EQUITY REGION FORMULA BY SUBMITTING YEARLY REPORTS DOCUMENTING ALLOCATIONS AND SPENDING BY EQUITY REGION.

The Committee Substitute bill passes its third reading (45-0) and is ordered sent to the House of Representatives.

S.B. 18 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CARTHAGE, temporarily displaced earlier.

With unanimous consent, upon motion of Senator Kerr, the Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the Finance Committee.

ADDITIONAL SPONSOR

Senator Allran requests to be added as a sponsor of previously introduced legislation:

March 30, 1999
S.B. 603, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT AND EXPAND THE WOMEN AT RISK PROGRAM.

Upon motion of Senator Ballance, seconded by Senator Lee, the Senate adjourns subject to introduction of bills, in honor of King Goodwill Zwelithini, to meet tomorrow, Wednesday, March 31, at 3:00 P.M.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Carpenter:
S.B. 618, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF MACON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY.
Referred to Finance Committee.

By Senator Miller:
S.B. 619, A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF FUQUAY-VARINA.
Referred to Finance Committee.

By Senator Lee:
S.B. 620, A BILL TO BE ENTITLED AN ACT TO ALLOW PROFESSIONAL CORPORATIONS TO BE FORMED BETWEEN ANY PHYSICIAN AND CERTAIN NURSING SPECIALISTS, SOCIAL WORKERS, AND COUNSELORS.
Referred to Health Care Committee.

By Senator Kerr:
S.B. 621, A BILL TO BE ENTITLED AN ACT RELATING TO THE EIGHTH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Kerr:
S.B. 622, A BILL TO BE ENTITLED AN ACT TO IMPOSE ADDITIONAL FEES AND COSTS AND TO INCREASE EXISTING FEES COLLECTED UNDER THE NURSING HOME ADMINISTRATORS BOARD ACT.
Referred to Finance Committee.

By Senator Kerr:
S.B. 623, A BILL TO BE ENTITLED AN ACT TO PROVIDE MOTOR FUEL TAX EQUITY TO FACILITATE THE USE OF CLEAN BURNING FUELS.
Referred to Finance Committee.

By Senators Lucas, Ballance, Dannelly, Gulley, Jordan, Perdue, Purcell and Shaw of Cumberland:
S.B. 624, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE ESTABLISHMENT OF HEALTHY CAROLINIAN PARTNERSHIP INITIATIVES IN EACH COUNTY.
Referred to Appropriations/Base Budget Committee.
By Senators Lucas and Gulley:
**S.B. 625, A BILL TO BE ENTITLED AN ACT TO REPEAL AN OBSOLETE SECTION OF THE CHARTER OF THE CITY OF DURHAM REGARDING THE PRIVILEGE LICENSE TAX YEAR.**
Referred to State and Local Government Committee.

By Senators Lucas and Gulley:
**S.B. 626, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO CITY DEPARTMENTS THE AUTHORITY TO APPROVE FIREWORKS DISPLAYS.**
Referred to State and Local Government Committee.

By Senators Lucas and Gulley:
**S.B. 627, A BILL TO BE ENTITLED AN ACT TO PERMIT THE DURHAM CITY COUNCIL TO AUTHORIZE DEPUTY AND ASSISTANT CITY MANAGERS TO MAKE AND EXECUTE CONTRACTS.**
Referred to State and Local Government Committee.

By Senators Kinnaird and Lee:
**S.B. 628, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST THE ARTS CENTER IN THE TOWN OF CARRBORO WITH FACILITY REPAIRS.**
Referred to Appropriations/Base Budget Committee.

By Senators Wellons, Cooper and Martin of Pitt:
**S.B. 629, A BILL TO BE ENTITLED AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ALLOCATE FUNDS FOR A MAINTENANCE SHOP AT THE NORTH CAROLINA SCHOOL FOR THE DEAF.**
Referred to Appropriations/Base Budget Committee.

By Senators Wellons, Cooper and Martin of Pitt:
**S.B. 630, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A FACILITY FOR USE AS A MAINTENANCE SHOP AND STORAGE BUILDING AT THE EASTERN NORTH CAROLINA SCHOOL FOR THE DEAF.**
Referred to Appropriations/Base Budget Committee.

By Senators Wellons, Cooper and Martin of Pitt:
**S.B. 631, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF THE IMAGINATION STATION SCIENCE MUSEUM IN THE CITY OF WILSON.**
Referred to Appropriations/Base Budget Committee.

By Senators Wellons, Cooper and Martin of Pitt:
**S.B. 632, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT THE NORTH CAROLINA SPECIAL CARE CENTER IN WILSON COUNTY.**
Referred to Appropriations/Base Budget Committee.

By Senators Wellons, Cooper and Martin of Pitt:
**S.B. 633, A BILL TO BE ENTITLED AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ALLOCATE FUNDS FOR CAPITAL

March 30, 1999
IMPROVEMENTS AT THE NORTH CAROLINA SPECIAL CARE CENTER.
Referred to Appropriations/Base Budget Committee.

By Senators Wellons, Cooper and Martin of Pitt:
S.B. 634, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO WILSON COUNTY FOR THE CONSTRUCTION OF THE TRIANGLE EAST BUSINESS EXPOSITION CENTER.
Referred to Appropriations/Base Budget Committee.

By Senators Wellons, Cooper and Martin of Pitt:
S.B. 635, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RENOVATE THE WILSON OPPORTUNITIES INDUSTRIALIZATION CENTER'S FACILITY.
Referred to Appropriations/Base Budget Committee.

By Senators Kerr, Albertson, Carter, Dalton, Harris, Hoyle, Martin of Pitt, Phillips, Soles, Warren and Wellons:
S.B. 636, A BILL TO BE ENTITLED AN ACT TO INCREASE THE DEATH BENEFIT FOR LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, RESCUE SQUAD WORKERS, AND SENIOR CIVIL AIR PATROL MEMBERS KILLED IN THE LINE OF DUTY.
Referred to Pensions & Retirement and Aging Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Rand, Cooper and Gulley:
S.B. 637, A BILL TO BE ENTITLED AN ACT TO EXPAND THE LAW OF ASSAULT TO PROTECT SCHOOL PERSONNEL AND SCHOOL VOLUNTEERS.
Referred to Judiciary I Committee.

By Senators Rand, Cooper and Kerr:
S.B. 638, A BILL TO BE ENTITLED AN ACT TO REDEFINE "EMPLOYEE" AND "EMPLOYER" IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.
Referred to Pensions & Retirement and Aging Committee.

By Senator Robinson:
S.B. 639, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PLANNING AND DESIGN AND DEVELOPING ADDITIONAL JUDICIAL FACILITIES IN HAYWOOD COUNTY.
Referred to Appropriations/Base Budget Committee.

By Senator Robinson:
S.B. 640, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE JACKSON AND SWAIN COUNTIES TO LEVY A SALES AND USE TAX OF ONE PERCENT.
Referred to Finance Committee.

By Senator Robinson:
S.B. 641, A BILL TO BE ENTITLED AN ACT TO REQUIRE FINANCIAL INSTITUTIONS TO INFORM CUSTOMERS OPENING JOINT ACCOUNTS WITH RIGHT OF SURVIVORSHIP THAT THE FUNDS HELD IN THE ACCOUNT WILL NOT PASS BY INHERITANCE TO THE HEIRS OF THE DECEASED JOINT OWNER.

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OR BE CONTROLLED BY THE DECEASED JOINT OWNER'S WILL.
Referred to Commerce Committee.

By Senator Robinson:
S.B. 642, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONSTRUCT A NEW FACILITY FOR TRANSYLVANIA VOCATIONAL SERVICES.
Referred to Appropriations/Base Budget Committee.

By Senator Reeves:
S.B. 643, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING INSURANCE PREMIUM FINANCING.
Referred to Insurance Committee.

By Senator Martin of Pitt:
S.B. 644, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO WASHINGTON COUNTY FOR THE STUDY AND DESIGN PHASE OF RENOVATING THE CURRENT WASHINGTON COUNTY LIBRARY OR CONSTRUCTING A NEW LIBRARY.
Referred to Appropriations/Base Budget Committee.

By Senator Martin of Pitt:
S.B. 645, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF PARMELE.
Referred to Finance Committee.

By Senator Martin of Pitt:
S.B. 646, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMUNITY COLLEGES FOR MARTIN COMMUNITY COLLEGE FOR PHASE II CONSTRUCTION OF THE FAMILY LEARNING CENTER.
Referred to Appropriations/Base Budget Committee.

By Senator Martin of Pitt:
S.B. 647, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO WASHINGTON COUNTY TO RENOVATE ITS HISTORIC COURTHOUSE.
Referred to Appropriations/Base Budget Committee.

S.B. 648, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FUNDING FORMULA TO PROVIDE ONGOING INCREASES TO AREA MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES PROGRAMS.
Referred to Appropriations/Base Budget Committee.

By Senator Harris:
S.B. 649, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN PURCHASING A NEW BUILDING TO RELOCATE THE ANGIER
AREA PUBLIC LIBRARY.
Referred to Appropriations/Base Budget Committee.

By Senator Harris:
S.B. 650, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST THE TOWN OF FOUR OAKS TO CONSTRUCT A NEW TOWN HALL.
Referred to Appropriations/Base Budget Committee.

By Senator Harris:
S.B. 651, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A REGIONAL EMERGENCY SERVICES TRAINING FACILITY AT CENTRAL CAROLINA COMMUNITY COLLEGE.
Referred to Appropriations/Base Budget Committee.

By Senators Gulley and Lucas:
S.B. 652, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE IN DURHAM COUNTY TO FRAUDULENTLY OBTAIN AMBULANCE SERVICES.
Referred to Judiciary I Committee.

By Senators Gulley and Lucas:
S.B. 653, A BILL TO BE ENTITLED AN ACT RELATING TO INVESTMENT OF HEALTH TRUST FUND MONIES BY THE COUNTY OF DURHAM.
Referred to Finance Committee.

By Senator Gulley:
S.B. 654, A BILL TO BE ENTITLED AN ACT TO RESTORE THE PRE-1995 LAW ON DISPOSAL OF PROPERTY AND LIENS RELATING TO MANUFACTURED HOUSING.
Referred to Commerce Committee.

By Senator Gulley:
S.B. 655, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE 13TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Gulley:
S.B. 656, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO CERTAIN CRIMINAL LAWS AND TO AMEND THE CRIMINAL PENALTIES FOR CERTAIN CRIMINAL LAWS AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION.
Referred to Judiciary I Committee.

By Senator Gulley:
S.B. 657, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LIMITATION WITHIN WHICH A PRODUCT LIABILITY CASE MAY BE BROUGHT FROM SIX YEARS TO FIFTEEN YEARS AFTER THE DATE OF PURCHASE.
Referred to Judiciary I Committee.

By Senators Dalton, Cochrane, Hartsell, Metcalf, Purcell and Wellons:
S.B. 658, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON

March 30, 1999
THE LAW PROVIDING THAT CERTAIN SECONDARY SUPPLIERS OF ELECTRIC SERVICE MAY FURNISH SERVICE WITHIN THE CORPORATE LIMITS OF A CITY WITH WRITTEN CONSENT FROM THE CITY, ALLOWING THE BOARD OF AN ELECTRIC MEMBERSHIP CORPORATION TO VOTE BY PROXY ON DECISIONS TO ENCUMBER CORPORATE PROPERTY OR TO DISSOLVE THE CORPORATION, AND MAKING TECHNICAL CHANGES TO THE LAW REGARDING MUNICIPAL ELECTRIC SERVICE.

Referred to Commerce Committee.

Pursuant to Senator Ballance’s motion to adjourn having prevailed, the Senate adjourns at 4:35 P.M.

THIRTY-SEVENTH DAY

Senate Chamber

Wednesday, March 31, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“Oh blessed God, we contemplate this week the drama of the passion and death of Jesus of Nazareth. It is chilling to consider the turning of the crowds’ loyalty from Palm Sunday to Good Friday. Although Pilate discerned his innocence, Jesus was, nevertheless, sacrificed for national security interests of peace and order. And while a fairly vocal crowd did gather for the sentencing, the majority of the citizens of Jerusalem stayed away, shrouded in a comfortable cloud of ambivalence.

“There is always much at stake in our Senate business and many issues compete for our attention. There are, of course, oversights in our work, but these are not intentional. But did we notice that another prisoner has been executed at Central Prison? Awaken us from our lethargy, Oh God. Strengthen us against the creeping tide of indifference which threatens to overtake us. Do not permit our silence to feed the powers of destruction. Open our mouths to speak the truth boldly. Lord have mercy. Amen.”

With unanimous consent, the President grants a leave of absence for today to Senator Rand.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Tuesday, March 30, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Harold Reiter Silberman from Durham, North Carolina, who is serving the Senate as Doctor of the Day.

ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified, properly enrolled and
presented to the Office of the Secretary of State:

**H.B. 145**, AN ACT TO PROVIDE A SPECIAL ELECTION FOR A VACANCY ON THE EDGECOMBE COUNTY BOARD OF EDUCATION AND TO PROVIDE THAT FUTURE VACANCIES ON THE BOARD SHALL BE FILLED ONLY UNTIL THE NEXT REGULARLY SCHEDULED ELECTION FOR THE BOARD RATHER THAN FOR THE REMAINDER OF THE TERM.

CHAPTERED BILL

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

**S.B. 156**, AN ACT TO REMOVE THE SUNSET ON THE AUTHORITY OF THE LAKE ROYALE COMMUNITY IN FRANKLIN AND NASH COUNTIES TO REGULATE THE OPERATION OF CERTAIN MOTOR VEHICLES AND TO ENHANCE THAT AUTHORITY. (Became law upon ratification, March 30, 1999 – S.L. 1999-11.)

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Purcell for the Health Care Committee:

**S.B. 65**, A BILL TO BE ENTITLED AN ACT TO ENHANCE MOTOR VEHICLE OCCUPANT RESTRAINT SAFETY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7605 is adopted and engrossed.

With unanimous consent, upon motion of Senator Purcell, the Committee Substitute bill is placed on the Calendar for Tuesday, April 6.

By Senator Soles for the Commerce Committee:

**H.B. 112** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE UNIFORM TRANSFER ON DEATH (TOD) SECURITY REGISTRATION ACT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

With unanimous consent, upon motion of Senator Soles, the Committee Substitute bill is placed on the Calendar for Tuesday, April 6.

**S.B. 284**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SECRETARY OF ADMINISTRATION TO SET BUSINESS SIZE STANDARDS AND APPLY THEM TO THE PROCUREMENT PROCEEDURES TO PROMOTE INCREASED PROCUREMENTS FROM SMALL AND MEDIUM-SIZED BUSINESSES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1126, which changes the title to read **S.B. 284** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO REVIEW STATE PROCUREMENT CONTRACT AWARDS BY BUSINESS SIZE CATEGORY AND TO
REVIEW MEASURES TO ENCOURAGE PARTICIPATION BY SMALL AND MEDIUM-SIZED BUSINESSES IN STATE PROCUREMENT CONTRACTS, is adopted and engrossed.

With unanimous consent, upon motion of Senator Soles, the Committee Substitute bill is placed on the Calendar for Tuesday, April 6.

With unanimous consent, the President grants a leave of absence for today to Senator Shaw of Guilford.

By Senator Kerr for the Finance Committee:

S.B. 18 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CARTHAGE, with a favorable report.

S.B. 181, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF DALLAS TO ENACT A PROPERTY MAINTENANCE ORDINANCE AND TO ASSESS CERTAIN COSTS OF ENFORCEMENT AS A LIEN AGAINST THE PROPERTY, with a favorable report.

S.B. 436, A BILL TO BE ENTITLED AN ACT TO RATIFY, APPROVE, CONFIRM, AND VALIDATE CERTAIN BOND REFERENDA OF UNITS OF LOCAL GOVERNMENT HELD IN CONNECTION WITH THE AUTHORIZATION OF BONDS OF THOSE UNITS, with a favorable report.

By Senator Phillips for the Pensions & Retirement and Aging Committee:

S.B. 214, A BILL TO BE ENTITLED AN ACT TO PROVIDE A MEANS OF MEASURING AVERAGE FINAL COMPENSATION FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL RETIREMENT SYSTEM WHO PURCHASE CREDITABLE SERVICE FOR LEAVES OF ABSENCE INCURRED WHILE RECEIVING WORKERS' COMPENSATION PAYMENTS, with a favorable report.

With unanimous consent, upon motion of Senator Phillips, the bill is placed on the Calendar for Tuesday, April 6.


Upon motion of Senator Phillips, the bill is re-referred to the Appropriations/Base Budget Committee.

By Senator Kinnaird for the State and Local Government Committee:

H.B. 501, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING APPOINTMENTS AND COMPENSATION OF HOSPITAL AUTHORITIES IN CRAVEN COUNTY, with a favorable report.

March 31, 1999
MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 178, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF JONESVILLE TO CHARGE A FEE NOT TO EXCEED FIVE DOLLARS FOR UNCERTIFIED COPIES OF POLICE INCIDENT OR ACCIDENT REPORTS AND TO AUTHORIZE THE TOWN TO GIVE ANNUAL NOTICE OF VIOLATION TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

H.B. 190 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN FACILITIES TO SHARE PEER REVIEW INFORMATION WITH ACCREDITING ORGANIZATIONS.

Pursuant to Rule 43, the Committee Substitute bill is ordered held in the Office of the Principal Clerk pending referral to committee.

H.B. 447, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF ASHEVILLE TO PROHIBIT ACTS OF DISCRIMINATION IN EMPLOYMENT BASED ON RACE, COLOR, NATIONAL ORIGIN, RELIGION, SEX, DISABILITY, OR AGE.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 160, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF NURSING TO ESTABLISH PROGRAMS TO AID THE REHABILITATION AND MONITORING OF NURSES WHO EXPERIENCE CERTAIN ADDICTIONS AND DISABILITIES.

The bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

S.B. 194, A BILL TO BE ENTITLED AN ACT TO CREATE THE NURSE LICENSURE COMPACT.

With unanimous consent, upon motion of Senator Ballance, the bill is withdrawn from today's Calendar and is placed on the Calendar for Thursday, April 1.

S.B. 198, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE ISSUANCE OF A NEW ADULT CARE HOME LICENSE TO AN APPLICANT WHO WAS THE LICENSEE OR ADMINISTRATOR OF AN ADULT CARE HOME THE LICENSE OF WHICH HAD BEEN REVOKED OR DOWNGRADED TO PROVISIONAL STATUS OR AGAINST WHICH A TYPE A PENALTY HAD BEEN ASSESSED.

The bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

March 31, 1999
The President extends the privileges of the gallery to David Parnell, former Senator from Robeson County.

S.B. 273, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL FACILITIES AND PROVIDERS THAT DETECT, DIAGNOSE, OR TREAT CANCER PATIENTS TO REPORT CANCER CASES TO THE CANCER CONTROL REGISTRY.

The bill passes its second (47-1) and third readings and is ordered sent to the House of Representatives.

S.B. 414, A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO MUNICIPALITIES LOCATED IN COUNTIES WITH POPULATIONS IN EXCESS OF FIFTY-EIGHT THOUSAND PEOPLE BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT.

The bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

H.B. 238 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM LAWS ENCOURAGING THE PURCHASE OF COMMODITIES AND SERVICES OFFERED BY BLIND AND BY SEVERELY DISABLED PERSONS.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered enrolled and sent to the Governor.

S.B. 255 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE LAW REQUIRING STATE AGENCIES TO REDUCE THE NUMBER OF MENUS ON AUTOMATED PHONE SYSTEMS AND TO REQUIRE STATE AGENCIES TO REPORT ON THEIR COMPLIANCE WITH THAT LAW.

With unanimous consent, upon motion of Senator Albertson, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Thursday, April 1.

S.B. 128 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW CONCERNING INTEREST ON MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO ALLOW INTEREST ON JUDGMENTS ON PENAL BONDS, as amended, upon second reading.

The Committee Substitute bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S.B. 329 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE NORTH CAROLINA'S LAPSE STATUTE LESS RESTRICTIVE.

The Committee Substitute bill passes its third reading and is ordered sent to the House of Representatives.

S.B. 393 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE RULES OF CIVIL PROCEDURE TO REQUIRE BRIEFS AND MEMORANDA IN SUPPORT OF DISPOSITIVE MOTIONS TO BE SERVED UPON ALL PARTIES AND TO REQUIRE WRITTEN MOTIONS TO STATE THE GROUNDS FOR THE MOTION WITH PARTICULARITY.

The Committee Substitute bill passes its third reading and is ordered sent.
to the House of Representatives.

S.B. 178, A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA UNIFORM PRUDENT INVESTOR ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The bill passes its third reading and is ordered sent to the House of Representatives.

S.B. 62 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (48-0) and the measure is ordered enrolled and sent to the Governor.

ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.B. 560, AN ACT TO CLARIFY THAT MARKETS THAT SELL UNCOOKED CURED COUNTRY HAM OR UNCOOKED CURED SALTED PORK THAT INVOLVES CERTAIN MINIMAL PREPARATION ARE EXEMPT FROM REGULATION UNDER CHAPTER 130A OF THE GENERAL STATUTES WHEN THAT MINIMAL PREPARATION IS THE ONLY ACTIVITY THAT WOULD SUBJECT THESE MARKETS TO SUCH REGULATION.

COMMITTEE REFERRAL RECALL

S.B. 654, A BILL TO BE ENTITLED AN ACT TO RESTORE THE PRE-1995 LAW ON DISPOSAL OF PROPERTY AND LIENS RELATING TO MANUFACTURED HOUSING, referred to the Commerce Committee on March 30.

Pursuant to Rule 47(a), Senator Soles offers a motion that the bill be withdrawn from the Commerce Committee and re-referred to the Judiciary I Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Commerce Committee and re-refers the measure to the Judiciary I Committee.

ADDITIONAL SPONSOR

Senator Allran requests to be added as a sponsor of previously introduced legislation:

S.B. 602, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO COMMUNITY MEDIATION CENTERS ACROSS THE STATE.

Upon motion of Senator Basnight, seconded by Senator Jordan, the Senate adjourns subject to introduction of bills, to meet tomorrow, Thursday, April 1, at 11:00 A.M.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

March 31, 1999
By Senator Clodfelter:

S.B. 659, A BILL TO BE ENTITLED AN ACT TO PROVIDE FLEXIBILITY IN CONSTRUCTION CONTRACTING FOR THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION.

Referred to State and Local Government Committee.

By Senator Clodfelter:

S.B. 660, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING LIMITED LIABILITY COMPANIES TO CLARIFY CERTAIN DEFINITIONS OF TERMS, TO PROVIDE MORE FLEXIBILITY WITH REGARD TO ORGANIZERS, TO CLARIFY THAT THE FILING OF THE ARTICLES OF ORGANIZATION IS CONCLUSIVE EVIDENCE OF THE FORMATION OF A COMPANY, TO REVISE THE CIRCUMSTANCES AND RESTRICTIONS REGARDING FORMATION OF A COMPANY, TO PROVIDE FOR THE INDEXING OF REAL ESTATE RECORDS TO REFLECT MERGERS AND CONVERSIONS OF BUSINESS ENTITIES, TO ALLOW ALTERNATIVE MANAGEMENT STRUCTURES, TO PROVIDE FOR WITHDRAWAL FROM A COMPANY ONLY AS PERMITTED BY THE ARTICLES OF ORGANIZATION OR WRITTEN OPERATING AGREEMENT, TO REVISE THE PERMITTED GROUNDS FOR DISSOLUTION, AND TO CLARIFY THAT A COMPANY MAY ENGAGE IN A BUSINESS UNDER AN ASSUMED NAME.

Referred to Commerce Committee.

By Senator Wellons:

S.B. 661, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SAFE SPACE, INC., TO PURCHASE A PERMANENT SHELTER FOR BATTERED WOMEN AND CHILDREN.

Referred to Appropriations/Base Budget Committee.

By Senators Wellons and Harris:

S.B. 662, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTING A NEW BUILDING ON THE CAMPUS OF JOHNSTON COMMUNITY COLLEGE.

Referred to Appropriations/Base Budget Committee.

By Senators Moore and Garwood:

S.B. 663, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR MAINTENANCE AND REPAIRS OF THE CALDWELL COUNTY HERITAGE MUSEUM'S FACILITY AND HISTORICAL DISPLAYS.

Referred to Appropriations/Base Budget Committee.

By Senators Moore and Garwood:

S.B. 664, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A CAREER CENTER AT CALDWELL COMMUNITY COLLEGE.

Referred to Appropriations/Base Budget Committee.

By Senator Soles:

S.B. 665, A BILL TO BE ENTITLED AN ACT AUTHORIZING DENTAL HYGIENIST LICENSURE BY CREDENTIAL AND AMENDING THE LICENSURE REQUIREMENTS FOR DENTAL HYGIENISTS.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

March 31, 1999
By Senators Purcell and Plyler:
S.B. 666, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR IMPROVEMENTS TO THE HISTORIC JOHN BLUE COMPLEX.
Referred to Appropriations/Base Budget Committee.

By Senators Purcell and Plyler:
S.B. 667, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR REPAIRS TO THE HISTORIC GILL HOUSE.
Referred to Appropriations/Base Budget Committee.

By Senators Metcalf and Carter:
S.B. 668, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF BUNCOMBE COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senators Metcalf and Carter:
S.B. 669, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF BURKE COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senators Metcalf and Carter:
S.B. 670, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF MADISON COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senators Metcalf and Carter:
S.B. 671, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF MCDOWELL COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senators Metcalf and Carter:
S.B. 672, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF YANCEY COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senator Jordan:
S.B. 673, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF THREATENING JUDGES, DISTRICT ATTORNEYS, AND OTHER COURT OFFICERS.
Referred to Judiciary II Committee.

By Senator Rucho:
S.B. 674, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF PINEVILLE.
Referred to Rules and Operations of the Senate Committee.

Pursuant to Senator Basnight’s motion to adjourn having prevailed, the Senate adjourns at 3:54 P.M.

March 31, 1999
THIRTY-EIGHTH DAY

Senate Chamber
Thursday, April 1, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“God of unity and power, this week we celebrate two important events in the life of Your people, the Passover, in which You saved the children of Israel from the angel of death and delivered them from slavery in Egypt, and also the Last Supper of Jesus with his disciples, in which a new covenant of love was made.

“In both the Seder and the Lord’s Supper, people of faith remember with joy Your mighty deeds of love that delivered us from death to new life. We acknowledge that the faithful are liberated not through the wielding of coercive power, but through radical obedience to Your Will and the shedding of sacrificial blood.

“When we gather for holy meals in our homes and places of worship, we cannot deny that we are people of different faiths. Nevertheless, we are united as a people of remembrance and hope. For Christians and Jews alike proclaim Your powerful presence in all creation, a presence that was, and is, and is to be.

“Bind us together in love as Your children, if not yet united in our doctrine and our creeds, then united in our gratitude for Your saving acts in all creation. For the Lord our God is indeed one. We make this prayer in Your Holy Name, Amen.”

With unanimous consent, the President grants leaves of absence for today to Senator Carrington, Senator Garwood, and Senator Shaw of Guilford.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Wednesday, March 31, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Charles Hayes Mann from Cary, North Carolina, who is serving the Senate as Doctor of the Day, and to Debbie Moore from Wake Forest, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified, for presentation to the Governor:

S.B. 62, AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS.

H.B. 238, AN ACT TO REMOVE THE SUNSET FROM LAWS ENCOURAGING THE PURCHASE OF COMMODITIES AND SERVICES OFFERED BY BLIND AND BY SEVERELY DISABLED PERSONS.

CHAPTERED BILL

The Enrolling Clerk reports the following bill properly enrolled, assigned the
following Chapter Number, and presented to the Office of the Secretary of State:

**H.B. 145, AN ACT TO PROVIDE A SPECIAL ELECTION FOR A VACANCY ON THE EDGECOMBE COUNTY BOARD OF EDUCATION AND TO PROVIDE THAT FUTURE VACANCIES ON THE BOARD SHALL BE FILLED ONLY UNTIL THE NEXT REGULARLY SCHEDULED ELECTION FOR THE BOARD RATHER THAN FOR THE REMAINDER OF THE TERM.** (Became law upon ratification, March 31, 1999 – S.L. 1999-12.)

**REPORTS OF COMMITTEES**

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Dalton for the Education/Higher Education Committee:

**S.B. 335, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING REDUCTION OR CONTINUATION OF A TEACHER’S BONUS, AS IT APPLIES TO THE CHARLOTTE-MECKLENBURG COUNTY SCHOOL ADMINISTRATIVE UNIT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.**

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6599 is adopted and engrossed.

By Senator Wellons for the Insurance Committee:

**S.B. 394, A BILL TO BE ENTITLED AN ACT TO ALLOW PREMIUMS FOR AUTOMOBILE AND PROPERTY AND CASUALTY INSURANCE COVERAGE TO BE PAID BY CREDIT CARD, with a favorable report.**

**S.B. 293, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM AN ACT PROVIDING FOR REIMBURSEMENT BY HEALTH INSURERS FOR SERVICES PROVIDED BY FEE-BASED PRACTICING PASTORAL COUNSELORS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.**

Pursuant to Rule 45.1, the proposed Committee Substitute bill 8576 is adopted and engrossed.

By Senator Miller for the Judiciary II Committee:

**S.B. 525, A BILL TO BE ENTITLED AN ACT TO ALLOW NON-UNITED STATES CITIZENS WHO ARE RESIDENTS OF NORTH CAROLINA TO SERVE AS PERSONAL REPRESENTATIVES IN THE ADMINISTRATION OF ESTATES, with a favorable report.**

By Senator Dalton for the Education/Higher Education Committee:

**S.B. 95, A BILL TO BE ENTITLED AN ACT TO MODIFY THE ELIGIBILITY REQUIREMENTS FOR MEMBERSHIP ON THE STATE BOARD OF COMMUNITY COLLEGES AND FOR MEMBERSHIP ON THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.**

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4621 is adopted and engrossed.

April 1, 1999
MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 51 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING HIGHWAY SMALL PROJECT BIDDING, for concurrence in the House Committee Substitute, which is placed on the Calendar for Monday, April 5.

H.B. 253 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE STATE INFORMATION PROCESSING SERVICES TO THE DIVISION OF INFORMATION TECHNOLOGY SERVICES.

Referred to State and Local Government Committee.

H.B. 259 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LAPSE OF A HOME INSPECTOR'S LICENSE AND AN ASSOCIATE HOME INSPECTOR'S LICENSE UNDER CERTAIN CONDITIONS; TO ESTABLISH RECORD-KEEPING REQUIREMENTS FOR HOME INSPECTORS; AND TO AUTHORIZ THE HOME INSPECTOR LICENSURE BOARD TO ESTABLISH CONTINUING EDUCATION PROGRAMS AND CHARGE FEES FOR THOSE PROGRAMS.

Referred to Finance Committee.

H.B. 326 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF NORTH CAROLINA AQUARIUMS TO DISPOSE OF EXHIBITS FROM THE COLLECTIONS OF THE NORTH CAROLINA AQUARIUMS IN ACCORDANCE WITH GENERALLY ACCEPTED PRACTICES FOR ACCREDITED ZOOS AND AQUARIUMS, TO REQUIRE THAT THE NET PROCEEDS OF ANY SALE OR LEASE OF EXHIBITS BE CREDITED TO THE NORTH CAROLINA AQUARIUMS FUND, AND TO REQUIRE THE DIVISION OF NORTH CAROLINA AQUARIUMS TO REPORT ON RECEIPTS OF AND EXPENDITURES FROM THE NORTH CAROLINA AQUARIUMS FUND.

Referred to State and Local Government Committee.

H.B. 331 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDESIGNATE THE COMMUNITY PENALTIES PROGRAM AS THE SENTENCING SERVICES PROGRAM, TO CLARIFY THAT THE WORK PRODUCT OF THESE PROGRAMS IS ALWAYS PRESENTED TO THE COURTS, AND TO MAKE OTHER CLARIFYING CHANGES.

Referred to Judiciary II Committee.

H.B. 414, A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA VETERINARY MEDICAL BOARD TO LICENSE VETERINARIANS WHO ARE LICENSED IN OTHER STATES BUT HAVE NOT COMPLETED THE CERTIFICATION PROGRAM FOR FOREIGN VETERINARY GRADUATES.

Referred to Commerce Committee.

April 1, 1999
APPOINTMENTS BY THE GOVERNOR

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

JAMES B. HUNT JR.
GOVERNOR

March 29, 1999

The Honorable Marc Basnight
Senate President Pro Tempore
Legislative Building
Raleigh, North Carolina 27603

Dear Mr. President Pro Tempore:

Pursuant to North Carolina General Statute 135-6, I hereby appoint/re-appoint the following individuals to the Board of Trustees for the Teachers' and State Employees' Retirement System and submit their names for confirmation by the North Carolina Senate.

Daniel H. DeVane, Department of Transportation employee position, appointed for a term expiring on March 31, 2003.


Shirley Ann Bell, active state employee position, re-appointed for a term expiring on March 31, 2003.

Please contact my office of Boards and Commissions if you need further information on any of these individuals. Thank you for your attention to this important matter.

My warmest personal regards.

Sincerely,
S/James B. Hunt Jr.

cc: The Honorable Dennis Wicker
    Janet Pruitt

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 18 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CARTHAGE, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 47, noes 0, as follows:

April 1, 1999

Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for Monday, April 5, upon third reading.

**S.B. 181**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF DALLAS TO ENACT A PROPERTY MAINTENANCE ORDINANCE AND TO ASSESS CERTAIN COSTS OF ENFORCEMENT AS A LIEN AGAINST THE PROPERTY.

Senator Soles offers Amendment No. 1 which is adopted (47-0) and changes the title to read **S.B. 181**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF DALLAS AND THE TOWN OF TABOR CITY TO ENACT A PROPERTY MAINTENANCE ORDINANCE AND TO ASSESS CERTAIN COSTS OF ENFORCEMENT AS A LIEN AGAINST THE PROPERTY.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

**H.B. 501**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING APPOINTMENTS AND COMPENSATION OF HOSPITAL AUTHORITIES IN CRAVEN COUNTY.

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

**S.B. 436**, A BILL TO BE ENTITLED AN ACT TO RATIFY, APPROVE, CONFIRM, AND VALIDATE CERTAIN BOND REFERENDA OF UNITS OF LOCAL GOVERNMENT HELD IN CONNECTION WITH THE AUTHORIZATION OF BONDS OF THOSE UNITS, upon second reading.

The bill passes its second reading by roll-call vote, ayes 46, noes 0, as follows:


Voting in the negative: None.

The bill is ordered placed on the Calendar for Monday, April 5, upon third reading.

**S.B. 194**, A BILL TO BE ENTITLED AN ACT TO CREATE THE NURSE LICENSURE COMPACT.

The bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 255** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE LAW REQUIRING STATE AGENCIES TO REDUCE THE NUMBER OF MENUS ON AUTOMATED PHONE SYSTEMS AND TO REQUIRE STATE AGENCIES TO REPORT ON THEIR COMPLIANCE WITH THAT LAW.

Senator Foxx offers Amendment No. 1 which is adopted (46-0) and changes the title to read **S.B. 255** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO
CLARIFY THE STATE LAW REQUIRING STATE AGENCIES TO REDUCE THE NUMBER OF MENUS ON AUTOMATED PHONE SYSTEMS AND TO REQUIRE STATE AGENCIES TO REPORT ON THEIR COMPLIANCE WITH THAT LAW, AND TO REQUIRE ALL STATE AGENCIES TO INCLUDE THE AGENCY TELEPHONE NUMBER ON AGENCY LETTERHEAD.

The Committee Substitute bill, as amended, passes its third reading (46-0) and is ordered engrossed and sent to the House of Representatives.

Upon motion of Senator Basnight, seconded by Senator Weinstein, the Senate adjourns subject to introduction of bills, to meet Monday, April 5, at 7:00 P.M.

**INTRODUCTION OF BILLS**

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Plyler and Purcell:

**S.B. 675**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO AN ACT WHICH REVIVED THE CHARTER OF THE TOWN OF UNIONVILLE.

Referred to Finance Committee.

By Senators Wellons and Martin of Pitt:

**S.B. 676**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF WILSON TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND.

Referred to State and Local Government Committee.

By Senator Odom:

**S.B. 677**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO A NONREVERTING RESERVE FOR THE START-UP COSTS OF THE SOUTHERN DAIRY COMPACT COMMISSION AND THE INITIAL COSTS OF ADMINISTERING AND ENFORCING THE SOUTHERN DAIRY COMPACT AND TO PROVIDE FOR THE REPAYMENT OF THOSE FUNDS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to Appropriations/Base Budget Committee.

By Senator Odom:

**S.B. 678**, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH CARE PROVIDERS PERFORMING SPINAL MANIPULATION TO ATTAIN MINIMUM HOURS OF CLASSROOM INSTRUCTION AND SUPERVISED CLINICAL TRAINING.

Referred to Health Care Committee.

By Senators Warren, Cooper, Hoyle, Martin of Pitt, Martin of Guilford and Perdue:

**S.B. 679**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A FORESTRY HEADQUARTERS BUILDING TO BE LOCATED IN PITT COUNTY.

Referred to Appropriations/Base Budget Committee.

By Senators Warren, Albertson, Clodfelter, Cooper, Dannelly, Gulley, Hoyle, Martin

April 1, 1999
of Pitt, Martin of Guilford and Perdue:

**S.B. 680**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR CULTURAL, HISTORICAL, AND ARTISTIC GRANTS.

Referred to Appropriations/Base Budget Committee.

By Senators Warren, Albertson, Clodfelter, Cooper, Dannelly, Hoyle, Martin of Guilford, Martin of Pitt and Perdue:

**S.B. 681**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MEDIATION CENTER OF EASTERN CAROLINA TO EXPAND ITS SERVICES.

Referred to Appropriations/Base Budget Committee.

By Senators Warren, Albertson, Cooper, Hoyle, Martin of Guilford, Martin of Pitt and Perdue:

**S.B. 682**, A BILL TO BE ENTITLED AN ACT TO INCLUDE FULL-TIME COUNTY FIRE MARSHALS IN THE FIREMEN’S AND RESCUE SQUAD WORKERS’ PENSION FUND.

Referred to the Pensions & Retirement and Aging Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senator Rand:

**S.B. 683**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ENABLE THE TEACCH PROGRAM TO PROVIDE SERVICES TO CHILDREN AND ADULTS WITH AUTISM AND OTHER COMMUNICATION HANDICAPS.

Referred to Appropriations/Base Budget Committee.

By Senator Rand:

**S.B. 684**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE AUTISM SOCIETY OF NORTH CAROLINA’S PROGRAMS.

Referred to Appropriations/Base Budget Committee.

By Senators Lucas, Dannelly, Kinnaird, Phillips, Rand and Shaw of Cumberland:

**S.B. 685**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT TREATMENT OR SERVICES RENDERED BY PHYSICIAN ASSISTANTS SHALL BE REIMBURSABLE UNDER THE STATE HEALTH PLAN AND OTHER HEALTH INSURANCE POLICIES UNDER CERTAIN CIRCUMSTANCES.

Referred to Health Care Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Garwood and Moore:

**S.B. 686**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RENOVATE THE JOHN A. WALKER COMMUNITY CENTER BUILDING AT WILKES COMMUNITY COLLEGE.

Referred to Appropriations/Base Budget Committee.

By Senator Allran:

**S.B. 687**, A BILL TO BE ENTITLED AN ACT TO AMEND THE SUPPLEMENTAL RETIREMENT FUND FOR FULL-TIME PAID FIREFIGHTERS IN THE CITY OF HICKORY.

Referred to Pensions & Retirement and Aging Committee.

April 1, 1999
By Senator Dalton:

**S.B. 688**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CITY OF SHELBY FOR CAPITAL IMPROVEMENTS OF THE CITY'S AIRPORT.

Referred to Appropriations/Base Budget Committee.

By Senators Plyler and Purcell:

**S.B. 689**, A BILL TO BE ENTITLED AN ACT EXEMPTING CERTAIN STATE PROPERTY FROM FIRE PROTECTION FEES IMPOSED BY UNION COUNTY.

Referred to Finance Committee.

By Senators Dalton, Gulley, Miller and Odom:

**S.B. 690**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR NONPARTISAN ELECTION OF DISTRICT COURT JUDGES.

Referred to Judiciary II Committee.

By Senator Cochrane:

**S.B. 691**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF BERMUDA RUN AND TO SIMULTANEOUSLY DISSOLVE THE BERMUDA CENTER SANITARY DISTRICT.

Referred to Rules and Operations of the Senate Committee.

By Senators Hagan and Martin of Guilford:

**S.B. 692**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE NORTH CAROLINA SHAKESPEARE FESTIVAL.

Referred to Appropriations/Base Budget Committee.

By Senators Kinnaird, Ballance, Clodfelter, Hartsell, Horton, Martin of Guilford, Miller and Wellons:

**S.B. 693**, A BILL TO BE ENTITLED AN ACT TO PROVIDE, UPON THE MOTION OF A DEFENDANT MADE AFTER ISSUANCE OF SUMMONS, THAT A PLAINTIFF IS NOT ALWAYS REQUIRED TO POST A PROSECUTION BOND, PROVIDE SECURITY, OR SHOW THE PLAINTIFF IS SUING AS AN INDIGENT BUT TO PROVIDE THAT THE PLAINTIFF MAY BE SO REQUIRED BY THE CLERK OR JUDGE UPON A SHOWING OF GOOD CAUSE BY THE DEFENDANT.

Referred to Judiciary II Committee.

By Senator Hartsell:

**S.B. 694**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF RIMERTOWN SUBJECT TO A REFERENDUM.

Referred to Rules and Operations of the Senate Committee.

By Senator Soles:

**S.B. 695**, A BILL TO BE ENTITLED AN ACT TO SUBJECT GIFT CERTIFICATES AND Electronic Gift Cards Bearing An Expiration Date To The Unclaimed Property Laws Of North Carolina And To Exempt Gift Certificates And Electronic Gift Cards Which Are Perpetually Redeemable From The Unclaimed Property Laws Of North Carolina.

Withdrawn by sponsor prior to introduction.

April 1, 1999
By Senators Plyler and Purcell:
S.B. 696, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF WAXHAW AND EXEMPTING THAT PROPERTY FROM THE CEILING ON SATELLITE ANNEXATIONS.
Referred to Finance Committee.

By Senators Plyler and Purcell:
S.B. 697, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE UNION COUNTY TO IMPOSE AN IMPACT FEE TO GENERATE FUNDS FOR PUBLIC SCHOOL CAPITAL NEEDS.
Referred to Finance Committee.

By Senator Kinnaird:
S.B. 698, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF HEBRON.
Referred to Rules and Operations of the Senate Committee.

By Senator Harris:
S.B. 699, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF ANGIER.
Referred to Rules and Operations of the Senate Committee.

By Senators Lucas and Gulley:
S.B. 700, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE CITY OF DURHAM WITH ADDITIONAL OPTIONS FOR SERVICE OF PROCESS IN ZONING CODE CASES.
Referred to State and Local Government Committee.

By Senators Lucas and Gulley:
S.B. 701, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO PROHIBIT DISCRIMINATION IN EMPLOYMENT, PUBLIC ACCOMMODATIONS, AND HOUSING BASED ON CRITERIA IN ADDITION TO RACE, COLOR, NATIONAL ORIGIN, RELIGION, SEX, DISABILITY, AND AGE, AND TO PRESCRIBE THE PROCEDURE FOR THE ADOPTION OF ANY SUCH ORDINANCE.
Referred to State and Local Government Committee.

By Senator Rucho:
S.B. 702, A BILL TO BE ENTITLED AN ACT TO ALLOW RESTORATION OF ZONING AUTHORITY OF THE TOWN OF MATTHEWS AS TO CERTAIN PROPERTY IF MECKLENBURG COUNTY DISPOSES OF IT.
Referred to State and Local Government Committee.

By Senator Ballantine:
S.B. 703, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF HAMPSTEAD SUBJECT TO A REFERENDUM.
Referred to Rules and Operations of the Senate Committee.

By Senator Wellons:
S.B. 704, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF NORTH CLEVELAND SUBJECT TO A REFERENDUM.

April 1, 1999
Referred to Rules and Operations of the Senate Committee.

By Senator Wellons:
S.B. 705, A BILL TO BE ENTITLED AN ACT TO ASSIST THE JOHNSTON COUNTY BOARD OF EDUCATION WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES.
Referred to State and Local Government Committee.

By Senator Hoyle:
S.B. 706, A BILL TO BE ENTITLED AN ACT TO AMEND THE LOCAL TAX LAWS.
Referred to Rules and Operations of the Senate Committee.

By Senator Hoyle:
S.B. 707, A BILL TO BE ENTITLED AN ACT TO REFORM AND MODERNIZE THE ACKNOWLEDGMENT OF CORPORATE REAL PROPERTY INSTRUMENTS AND THE EXECUTION OF REAL PROPERTY INSTRUMENTS GENERALLY.
Referred to Judiciary I Committee.

By Senator Odom:
S.B. 708, A BILL TO BE ENTITLED AN ACT ALLOWING COUNTIES HAVING A POPULATION IN EXCESS OF 500,000 TO PROVIDE AFFORDABLE HOUSING FOR PERSONS OF LOW AND MODERATE INCOME.
Referred to State and Local Government Committee.

By Senators Odom and Clodfelter:
S.B. 709, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS BOARDS OF EDUCATION.
Referred to State and Local Government Committee.

By Senator Odom:
S.B. 710, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF HUNTERSVILLE TO ESTABLISH A VOLUNTARY TRANSFER OF DEVELOPMENT RIGHTS PILOT PROGRAM FOR THE PROTECTION OF FARMLAND, ENVIRONMENTALLY SENSITIVE LAND, AND OTHER OPEN LAND WITHIN THE TOWN'S EXTRATERRITORIAL JURISDICTION.
Referred to State and Local Government Committee.

By Senator Odom:
S.B. 711, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CORNELIUS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.
Referred to Judiciary I Committee.

By Senator Odom:
S.B. 712, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF CORNELIUS TO PROVIDE FOR VOLUNTARY ANNEXATION OF PROPERTY SUBJECT TO PRESENT-USE VALUE APPRAISAL.
Referred to Finance Committee.

By Senator Odom:
S.B. 713, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LINCOLN  

April 1, 1999
COUNTY TO LEVY A ONE-CENT LOCAL SALES TAX FOR PUBLIC SCHOOL CAPITAL OUTLAY, SUBJECT TO APPROVAL BY THE VOTERS OF THE COUNTY.

Referred to Finance Committee.

By Senator Carter:
S.B. 714, A BILL TO BE ENTITLED AN ACT RELATING TO YANCEY COUNTY.

Referred to Rules and Operations of the Senate Committee.

By Senator Miller:
S.B. 715, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WAKE COUNTY TO LEVY A ONE-CENT LOCAL SALES AND USE TAX FOR PUBLIC SCHOOL CAPITAL OUTLAY, IF APPROVED BY THE VOTERS OF THE COUNTY.

Referred to Finance Committee.

By Senator Miller:
S.B. 716, A BILL TO BE ENTITLED AN ACT AUTHORIZING WAKE COUNTY TO IMPOSE IMPACT FEES FOR SCHOOL CONSTRUCTION.

Referred to Finance Committee.

By Senator Miller:
S.B. 717, A BILL TO BE ENTITLED AN ACT CONCERNING TRANSPORTATION IMPACT FEES BY THE TOWN OF GARNER.

Referred to Finance Committee.

By Senator Miller:
S.B. 718, A BILL TO BE ENTITLED AN ACT CONCERNING WATER AND SEWER CAPACITY REPLACEMENT FACILITY FEES BY THE TOWN OF GARNER.

Referred to Finance Committee.

By Senators Gulley and Lucas:
S.B. 719, A BILL TO BE ENTITLED AN ACT ALLOWING THE CITY OF DURHAM TO CONSIDER LIMITATIONS ON USES AS REQUESTED IN THE DEVELOPMENT PLANS SUBMITTED FOR REZONINGS AND TO MAKE OTHER CHANGES REGARDING THE CONSIDERATION OF DEVELOPMENT PLANS.

Referred to State and Local Government Committee.

By Senator Gulley:
S.B. 720, A BILL TO BE ENTITLED AN ACT TO PROVIDE DURHAM COUNTY AND THE CITY OF DURHAM WITH ADDITIONAL OPTIONS FOR SERVICE OF PROCESS IN ZONING CODE CASES.

Referred to State and Local Government Committee.

By Senator Albertson:
S.B. 721, A BILL TO BE ENTITLED AN ACT RELATING TO SAMPSON COUNTY.

Referred to Rules and Operations of the Senate Committee.

By Senators Kinnaird and Lee:
S.B. 722, A BILL TO BE ENTITLED AN ACT REGARDING DEVELOPMENT IN

April 1, 1999
THE CITY OF CHAPEL HILL.
Referred to Rules and Operations of the Senate Committee.

By Senators Kinnaird and Lee:
S.B. 723, A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS AMENDMENTS CONCERNING THE TOWN OF CHAPEL HILL.
Referred to State and Local Government Committee.

By Senators Kinnaird and Lee:
S.B. 724, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF ORANGE COUNTY TO REQUIRE BY ORDINANCE CERTAIN NOTICE OF PESTICIDE APPLICATION, TO AUTHORIZE ORANGE COUNTY TO REGULATE BY ORDINANCE THE EMISSION OF POLLUTANTS OR CONTAMINANTS, AND TO AUTHORIZE THE TOWN OF CHAPEL HILL TO REGULATE THE TIMING, NUMBER, AND SIZE OF PRIVATE DEVELOPMENT PROJECTS UNDER CONSTRUCTION WITHIN A SPECIFIED WATERSHED.
Referred to State and Local Government Committee.

By Senators Kinnaird and Lee:
S.B. 725, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHATHAM COUNTY TO LEVY AN IMPACT TAX AND A VEHICLE REGISTRATION TAX, TO AUTHORIZE ORANGE COUNTY TO LEVY AN IMPACT TAX, TO AUTHORIZE THE TOWN OF CHAPEL HILL TO LEVY AN IMPACT TAX IN ADDITION TO ITS IMPACT FEES, TO AUTHORIZE THE TOWN OF CARRBORO TO LEVY A ROOM OCCUPANCY TAX, AND TO MODIFY THE HILLSBOROUGH MEALS TAX PENALTIES.
Referred to Finance Committee.

By Senator Martin of Pitt:
S.B. 726, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE COMPLETION OF THE EASTERN AGRICULTURAL CENTER.
Referred to Appropriations/Base Budget Committee.

By Senator Hoyle:
S.B. 727, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ECONOMIC DEVELOPMENT IN THE NORTH CAROLINA RAILROAD CORRIDOR.
Referred to Rules and Operations of the Senate Committee.

By Senator Harris:
S.B. 728, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF THE WESTERN HARNETT SENIOR CENTER.
Referred to Appropriations/Base Budget Committee.

By Senators Moore, Allran, Ballantine, Carpenter, Carrington, Cochrane, East, Forrester, Foxx, Garwood, Hartsell, Horton, Rucho, Shaw of Guilford and Webster:
S.B. 729, A BILL TO BE ENTITLED AN ACT TO ALLOW COMMUNITY COLLEGES REFUNDS OF SALES TAXES PAID BY THEM ON TANGIBLE PERSONAL PROPERTY.
Referred to Finance Committee.

By Senators Reeves and Carter:
S.B. 730, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO
PROVIDE ADDITIONAL DAYS OF INSTRUCTION FOR CHILDREN WHO RECEIVE LOW GRADES ON END-OF-GRADE OR END-OF-COURSE TESTS.
Referred to Appropriations/Base Budget Committee.

By Senators Clodfelter, Hagan, Horton, Kinnaird, Miller and Phillips:
S.B. 731, A BILL TO BE ENTITLED AN ACT TO ALLOW PROPERTY SUBJECT TO CONSERVATION MANAGEMENT AGREEMENTS TO BE TAXED AT ITS PRESENT-USE VALUE.
Referred to Finance Committee.

By Senator Soles:
S.B. 732, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF CHIROPRACTIC EXAMINERS TO ASSESS LICENSEES CERTAIN COSTS AND LIMITING THE OWNERSHIP OF CHIROPRACTIC PRACTICES TO PERSONS LICENSED AS CHIROPRACTORS.
Referred to Commerce Committee.

By Senator Soles:
S.B. 733, A BILL TO BE ENTITLED AN ACT REQUIRING THAT THE REVIEW OF CERTAIN MEDICAL CLAIMS BE CONDUCTED BY PERSONS LICENSED TO PRACTICE CHIROPRACTIC IN THIS STATE.
Referred to Health Care Committee.

By Senators Albertson, Clodfelter, Cooper, Dannelly, Hoyle, Kerr, Martin of Guilford, Martin of Pitt, Perdue and Warren:
S.B. 734, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA AGRICULTURAL FINANCE AUTHORITY FOR THE RESERVE FOR FARM LOANS.
Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Allran, Carrington, Clodfelter, Cochrane, Cooper, Dannelly, East, Forrester, Garrou, Garwood, Hartsell, Horton, Hoyle, Jordan, Kerr, Kinnaird, Lee, Lucas, Martin of Guilford, Martin of Pitt, Miller, Moore, Odom, Perdue, Phillips, Plyler, Rand, Reeves, Shaw of Cumberland, Shaw of Guilford, Soles, Warren, Weinstein and Wellons:
S.B. 735, A BILL TO BE ENTITLED AN ACT TO PROHIBIT MEMBERS OF THE GENERAL ASSEMBLY FROM SERVING ON THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE.
Referred to Education/Higher Education Committee.

By Senators Warren, Albertson, Kerr, Martin of Guilford, Martin of Pitt and Perdue:
S.B. 736, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE TUITION REMISSIONS AND TUITION AWARDS FOR GRADUATE PROGRAMS AT EAST CAROLINA UNIVERSITY.
Referred to Appropriations/Base Budget Committee.

REFERRAL OF HOUSE MESSAGES

Bills received from the House of Representatives on Wednesday, March 31, and ordered held in the Office of the Principal Clerk pending referral by the Chairman of the Rules and Operations of the Senate Committee pursuant to Rule 43, are referred to committee, as follows:

April 1, 1999
H.B. 178, a bill to be entitled an act to authorize the town of Jonesville to charge a fee not to exceed five dollars for uncertified copies of police incident or accident reports and to authorize the town to give annual notice of violation to chronic violators of the city's overgrown vegetation ordinance.

Referred to Finance Committee.

H.B. 190, a bill to be entitled an act to authorize certain facilities to share peer review information with accrediting organizations.

Referred to Health Care Committee.

H.B. 447, a bill to be entitled an act to authorize the city of Asheville to prohibit acts of discrimination in employment based on race, color, national origin, religion, sex, disability, or age.

Referred to State and Local Government Committee.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 11:42 A.M.

THIRTY-NINTH DAY

Senate Chamber
Monday, April 5, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Honorable Linda Garrou, Senator from Forsyth County, as follows:

"Oh God, our Father, gaver of every good and perfect gift, we thank You for Your many blessings. Lord, You know that we in this country take so much for granted. I was reminded again and again of that fact this weekend when I had the opportunity to marvel in the beauty of Your renewing gift of spring and share conversations with beloved friends and family. I had the freedom to celebrate my faith by responding, 'The Lord Is Risen Indeed!' free of reprisals. How ironic during this special season that we have people who have lost their lives and others wandering in the cold searching for food and rest because of their beliefs.

"I pray that Your loving and calming hand will bring order to this war-torn country. Be with our soldiers, surround them with Your protection. Be with those in positions of authority and give them wisdom to make the right decisions as they seek to bring an end to this conflict when all the while we know that only in You can we find perfect peace.

"Gracious God, forgive our selfish attitudes and our stumbling ways. Implant in our hearts a grateful spirit. Be with our families whom we leave behind at home. Grant that we here in this place will be willing servants to the people whom we represent. We ask this in Your Holy Name. Amen."

April 5, 1999
With unanimous consent, the President grants leaves of absence for tonight to Senator East, Senator Webster, and Senator Weinstein.

Senator Basnight, President Pro Tempore, announces the Journal of Thursday, April 1, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified, properly enrolled and presented to the Office of the Secretary of State:

H.B. 501, AN ACT TO AMEND THE LAW REGARDING APPOINTMENTS AND COMPENSATION OF HOSPITAL AUTHORITIES IN CRAVEN COUNTY.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

S.B. 560, AN ACT TO CLARIFY THAT MARKETS THAT SELL UNCOOKED CURED COUNTRY HAM OR UNCOOKED CURED SALTED PORK THAT INVOLVES CERTAIN MINIMAL PREPARATION ARE EXEMPT FROM REGULATION UNDER CHAPTER 130A OF THE GENERAL STATUTES WHEN THAT MINIMAL PREPARATION IS THE ONLY ACTIVITY THAT WOULD SUBJECT THESE MARKETS TO SUCH REGULATION. (Became law upon approval of the Governor, March 31, 1999 - S.L. 1999-13.)

S.B. 41, AN ACT TO REQUIRE THAT EVERY DWELLING UNIT LEASED AS RENTAL PROPERTY IN CERTAIN CITIES BE FURNISHED WITH A SOURCE OF HEAT. (Became law upon approval of the Governor, April 1, 1999 - S.L. 1999-14.)

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Cooper for the Judiciary I Committee:

H.B. 50, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF FAYETTEVILLE TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION, with a favorable report.

By Senator Kinnaird for the State and Local Government Committee:

H.B. 153, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FILING PERIOD FOR THE HOKE COUNTY BOARD OF EDUCATION, with a favorable report.

S.B. 474, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DISTRIBUTION OF THE PROFITS FROM THE HENDERSONVILLE LOCAL ALCOHOLIC BEVERAGE CONTROL SYSTEM, with a favorable report.

April 5, 1999
S.B. 302, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING IN LEE COUNTY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2635 is adopted and engrossed.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 197 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE GENERAL STATUTES TO IMPLEMENT CERTAIN RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON DOMESTIC VIOLENCE, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, April 6.

H.B. 165 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REENACT THE 1986 LAW PROVIDING FOR RISK-SHARING PLANS, TO AMEND THE IMMUNITY STATUTES FOR THE FAIR AND BEACH PLANS, AND TO MAKE A TECHNICAL AMENDMENT IN THE BEACH PLAN LAWS.

Referred to Insurance Committee.

H.B. 216, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO DIRECT THE STATE BOARD OF EDUCATION TO EXTEND ITS REVIEW AND EVALUATION OF CHARTER SCHOOLS.

Referred to Education/Higher Education Committee.

H.B. 248 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES CONCERNING PRECINCT BOUNDARIES.

Referred to Judiciary I Committee.

H.B. 327 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF NORTH CAROLINA AQUARIUMS, RATHER THAN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO OPERATE OR CONTRACT FOR FOOD AND VENDING SERVICES AT THE NORTH CAROLINA AQUARIUMS, AND TO REQUIRE THE NET PROCEEDS OF THESE FOOD AND VENDING SERVICES TO BE CREDITED TO THE NORTH CAROLINA AQUARIUMS FUND.

Referred to State and Local Government Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

RESOLUTION FROM ANOTHER STATE

The following resolution received from another Legislative Body is presented to the Senate and is ordered placed on file in the Principal Clerk's Office:

Commonwealth of Virginia House Joint Resolution 552, Memorializing the Congress of the United States to either enact meaningful patient protections at the federal level with respect to employer self-funded plans or, in the absence of such federal action, amend the

April 5, 1999
Employee Retirement Income Security Act (ERISA) of 1974 to grant authority to all individual states to monitor and regulate self-funded, employer-based health plans. (See Appendix.)

CALENDAR

Bills on tonight's Calendar are taken up and disposed of, as follows:

S.B. 18 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CARTHAGE, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 44, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives.

S.B. 335 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING REDUCTION OR CONTINUATION OF A TEACHER'S BONUS, AS IT APPLIES TO THE CHARLOTTE-MECKLENBURG COUNTY SCHOOL ADMINISTRATIVE UNIT.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 436, A BILL TO BE ENTITLED AN ACT TO RATIFY, APPROVE, CONFIRM, AND VALIDATE CERTAIN BOND REFERENDA OF UNITS OF LOCAL GOVERNMENT HELD IN CONNECTION WITH THE AUTHORIZATION OF BONDS OF THOSE UNITS, upon third reading.

The bill passes its third reading by roll-call vote, ayes 46, noes 0, as follows:


Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

S.B. 95 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE ELIGIBILITY REQUIREMENTS FOR MEMBERSHIP ON THE STATE BOARD OF COMMUNITY COLLEGES AND FOR MEMBERSHIP ON THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

The Committee Substitute bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

S.B. 293 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM AN ACT PROVIDING FOR REIMBURSEMENT BY
HEALTH INSURERS FOR SERVICES PROVIDED BY FEE-BASED PRACTICING PASTORAL COUNSELORS.

The Committee Substitute bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

S.B. 394, A BILL TO BE ENTITLED AN ACT TO ALLOW PREMIUMS FOR AUTOMOBILE AND PROPERTY AND CASUALTY INSURANCE COVERAGE TO BE PAID BY CREDIT CARD.

The bill passes its second (44-2) and third readings and is ordered sent to the House of Representatives.

S.B. 525, A BILL TO BE ENTITLED AN ACT TO ALLOW NON-UNITED STATES CITIZENS WHO ARE RESIDENTS OF NORTH CAROLINA TO SERVE AS PERSONAL REPRESENTATIVES IN THE ADMINISTRATION OF ESTATES.

The bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

S.B. 51 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING HIGHWAY SMALL PROJECT BIDDING, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (46-0) and the measure is ordered enrolled and sent to the Governor.

COMMITTEE REFERRAL RECALL

S.B. 44, A BILL TO BE ENTITLED AN ACT RELATING TO THE 18TH SENATORIAL DISTRICT, referred to the Rules and Operations of the Senate Committee on February 8.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Finance Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Finance Committee.

WITHDRAWAL FROM CALENDAR

S.B. 65 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE MOTOR VEHICLE OCCUPANT RESTRAINT SAFETY, placed on the Calendar for Tuesday, April 6.

Senator Purcell offers a motion that the Committee Substitute bill be withdrawn from the Calendar for Tuesday, April 6, and placed on the Calendar for Wednesday April 14, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Calendar for Tuesday, April 6, and places it on the Calendar for Wednesday, April 14.

SENATE PAGES

The President recognizes the following pages serving in the Senate this week:

Abhay Aneja, Greenville; Allison Jane Avery, Gastonia; William Henderson Bledsoe, La Grange; Laura Bortz, Southern Shores; Julia Elizabeth Bowling, Franklin; Christy Cagle, Graham; Thomas Collins Cooper III, Goldsboro; Diane L. Hake, Spindale; Kelly Leigh Harmon, Vilas; Cooper Buxton Healey, Chapel Hill; Kempton Lark Healey, Chapel
Upon motion of Senator Basnight, seconded by Senator Rand, the Senate adjourns subject to introduction of bills, to meet tomorrow, Tuesday, April 6, at 2:00 P.M.

INTRODUCTION OF BILLS AND A RESOLUTION

Bills and a resolution filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Martin of Guilford, Hagan, Shaw of Guilford and Warren:

**S.B. 737**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PROJECT HOMESTEAD, A NONPROFIT COMMUNITY DEVELOPMENT CORPORATION.

Referred to Appropriations/Base Budget Committee.

By Senators Martin of Guilford, Hagan, Shaw of Guilford and Warren:

**S.B. 738**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE GUILFORD COUNTY TEEN COURT PROGRAM.

Referred to Appropriations/Base Budget Committee.

By Senators Martin of Guilford, Hagan, Shaw of Guilford and Warren:

**S.B. 739**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF SCHOOL ADMINISTRATOR PROGRAMS THAT MAY BE ESTABLISHED BY THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND TO PROVIDE THAT ONE OF THOSE PROGRAMS SHALL BE AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY.

Referred to Education/Higher Education Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Wellons, Carter, Kinnaird, Lucas, Martin of Guilford, Metcalf, Phillips and Robinson:

**S.B. 740**, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR ALTERNATIVE TESTING STANDARDS FOR CERTAIN CHILDREN WITH SPECIAL NEEDS.

Referred to Education/Higher Education Committee.

By Senators Hagan and Martin of Guilford:

**S.B. 741**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REPLACE THE ROOF AND UPGRADE THE HISTORIC CAROLINA THEATRE IN THE CITY OF GREENSBORO.

Referred to Appropriations/Base Budget Committee.

By Senators Dalton, Allran, Carpenter, Carrington, Carter, Cochrane, Cooper, Forrester, Foxx, Garrou, Garwood, Horton, Hoyle, Lucas, Martin of Guilford, Metcalf, Moore, Odom, Phillips, Rucho, Warren, Weinstein and Wellons:

**S.B. 742**, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR A SCHOOL TEACHER OR ADMINISTRATOR TO ENGAGE IN SEXUAL ACTS
WITH A STUDENT.
Referred to Judiciary II Committee.

By Senators Dalton and Moore:
S.B. 743, A BILL TO BE ENTITLED AN ACT TO REDUCE THE COUNTY SHARE OF FUNDS FOR STATE-COUNTY SPECIAL ASSISTANCE.
Referred to Appropriations/Base Budget Committee.

By Senators Perdue, Allran, Ballantine, Carter, Clodfelter, Cooper, Dannelly, Hoyle, Martin of Guilford, Metcalf, Rand, Warren and Wellons:
S.B. 744, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DIVISION OF TOURISM, FILM AND SPORTS DEVELOPMENT FOR MARKETING AND ADVERTISING.
Referred to Appropriations/Base Budget Committee.

By Senators East, Carrington and Foxx:
S.B. 745, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A CHILDREN'S HEALTH AND SERVICES CENTER IN SURRY COUNTY.
Referred to Appropriations/Base Budget Committee.

By Senators Cooper, Ballance, Foxx, Kinnaird, Martin of Guilford, Miller, Rand, Reeves and Soles:
S.B. 746, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA STRUCTURED SETTLEMENT PROTECTION ACT.
Referred to Judiciary I Committee.

By Senator Cooper:
S.B. 747, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ACQUISITION OF LAND AT NASH COMMUNITY COLLEGE.
Referred to Appropriations/Base Budget Committee.

By Senators Foxx, Allran, Ballantine, Carpenter, Carrington, Cochrane, East, Forrester, Garwood, Hartsell, Horton, Kerr, Moore, Rucho and Webster:
S.B. 748, A BILL TO BE ENTITLED AN ACT TO GIVE TEACHERS CREDIT FOR THE EXCESS PERSONAL LEAVE TIME THAT THEY EARN.
Referred to Education/Higher Education Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Reeves and Perdue:
S.B. 749, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF THE EXPLORIS CHILDREN'S MUSEUM ABOUT THE WORLD.
Referred to Appropriations/Base Budget Committee.

By Senators Dalton, Hoyle and Perdue:
S.R. 750, A SENATE RESOLUTION HONORING THE TOWN OF LATTIMORE UPON ITS ONE HUNDREDTH ANNIVERSARY AND HONORING ITS Founder, THE HONORABLE AUDLEY M. LATTIMORE.
Referred to Judiciary II Committee.

By Senators Lee and Perdue:
S.B. 751, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO

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EXPAND THE PUBLIC-PRIVATE PARTNERSHIP TO EXPAND TECHNOLOGY IN NORTH CAROLINA PUBLIC SCHOOLS AND THEIR COMMUNITIES, INCLUDING A VOCATIONAL EDUCATION COMPUTER RECYCLING AND BUILDING PROGRAM.

Referred to Appropriations/Base Budget Committee.

By Senators Lee and Perdue:
S.B. 752, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ADD THREE PEDIATRIC DENTISTRY RESIDENTS AT THE DEPARTMENT OF PEDIATRIC DENTISTRY AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL.

Referred to Appropriations/Base Budget Committee.

By Senators Plyler, Albertson, Perdue, Purcell and Rucho:
S.B. 753, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT TURF GRASS RESEARCH PROJECTS AT NORTH CAROLINA STATE UNIVERSITY.

Referred to Appropriations/Base Budget Committee.

By Senators Phillips, Albertson, Allran, Carter, Clodfelter, Cochrane, Dalton, Dannelly, Foxx, Garrou, Gulley, Hagan, Harris, Hartsell, Horton, Kinnaird, Lucas, Martin of Guilford, Metcalf, Miller, Moore, Odom, Perdue, Purcell, Reeves, Robinson, Rucho, Shaw of Cumberland, Soles, Warren, Weinstein and Wellons:
S.B. 754, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA FARMLAND PRESERVATION TRUST FUND FOR THE ACQUISITION OF AGRICULTURAL CONSERVATION EASEMENTS.

Referred to Appropriations/Base Budget Committee.

By Senators Perdue, Allran, Ballantine, Carter, Foxx, Garrou, Hagan, Harris, Horton, Hoyle, Kinnaird, Lucas, Martin of Guilford, Metcalf, Miller, Phillips, Plyer, Purcell, Robinson, Shaw of Cumberland, Soles and Wellons:
S.B. 755, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA MUSEUM OF ART.

Referred to Appropriations/Base Budget Committee.

By Senators Horton, Allran, Ballance, Ballantine, Carpenter, Cochrane, Dalton, East, Forrester, Foxx, Gulley, Hartsell, Kerr, Martin of Guilford, Miller, Odom, Perdue, Phillips, Rand, Rucho, Soles and Wellons:
S.B. 756, A BILL TO BE ENTITLED AN ACT TO INCREASE MANDATORY LIABILITY INSURANCE REQUIREMENTS FOR CERTAIN MOTOR VEHICLES AND TO MAKE CONFORMING CHANGES IN CHAPTER 58 OF THE GENERAL STATUTES.

Referred to Judiciary II Committee.

By Senators Rucho, Allran, Ballantine, Clodfelter, Cochrane, Dannelly, Forrester, Foxx, Gulley, Lucas, Odom, Perdue, Plyer and Rand:
S.B. 757, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A LITERACY-BASED PRESCHOOL GRANT PROGRAM TO PREPARE AT-RISK STUDENTS FOR KINDERGARTEN.

Referred to Appropriations/Base Budget Committee.
By Senators Kinnaird, Foxx, Lee, Miller, Reeves and Wellons:
S.B. 758, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CERTAIN PART-TIME SERVICE RENDERED WHILE FULL-TIME STUDENTS.
Referred to Pensions & Retirement and Aging Committee:

By Senators Kinnaird, Gulley and Lucas:
S.B. 759, A BILL TO BE ENTITLED AN ACT RELATING TO CRIMINAL PENALTIES FOR PRIVATE SEXUAL ACTIVITY BETWEEN CONSENTING ADULTS.
Referred to Judiciary II Committee.

By Senators Gulley, Cooper and Perdue:
S.B. 760, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE CAMPAIGN FINANCE LAWS.
Referred to Judiciary I Committee.

By Senator Wellons:
S.B. 761, A BILL TO BE ENTITLED AN ACT TO REFORM AND MODERNIZE THE ACKNOWLEDGMENT OF CORPORATE REAL PROPERTY INSTRUMENTS AND THE EXECUTION OF REAL PROPERTY INSTRUMENTS GENERALLY.
Referred to Judiciary I Committee.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 7:47 P.M.

FORTIETH DAY

Senate Chamber
Tuesday, April 6, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend Patricia Stone, Gilboa Peachland United Methodist Church, Peachland, North Carolina, as follows:

"God of all Creation, in this Holy season, we praise You for the beauty of Your earth. In this great State of North Carolina, we thank You for the dogwood trees and the long-leaf pines, for the cardinals winging their flight from the majestic mountain heights to the mighty ocean sands.

"As Your creatures embodied with the gift of mind, we gather as Your entrusted leaders to make decisions for the people of North Carolina. We pray for wisdom to discern Your truth and justice in all matters of business brought before this Senate Body.

"Grant us compassion to ease those bearing heavy burdens; especially do we lift up all fleeing oppression this day. Give them bread for body and soul and hope for the future.

"Enclose in Your care our leaders, our sons and daughters, who serve in the armed forces, and return them safely to us.

"We offer this prayer in the spirit of unity and peace. Amen."

April 6, 1999
With unanimous consent, the President Pro Tempore grants a leave of absence for today to Senator Webster.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Monday, April 5, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore of the Senate extends courtesies of the floor to Dr. Carl James Scharf from Charlotte, North Carolina, who is serving the Senate as Doctor of the Day, and to Alma Kay Woolard from Laurinburg, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

S.B. 51, AN ACT TO AMEND THE LAW GOVERNING HIGHWAY SMALL PROJECT BIDDING.

The Enrolling Clerk reports the following bill duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.B. 300, AN ACT REPEALING THE TOWN OF CALABASH'S LIMITATIONS ON THE HEIGHT OF BUILDINGS, EXTENDING THE TOWN'S EXTRATERRITORIAL JURISDICTION, INCREASING THE NUMBER OF TOWN COMMISSIONERS, AND STAGGERING THE COMMISSIONERS' TERMS.

CHAPTERED BILL

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

H.B. 501, AN ACT TO AMEND THE LAW REGARDING APPOINTMENTS AND COMPENSATION OF HOSPITAL AUTHORITIES IN CRAVEN COUNTY. (Became law upon ratification, April 5, 1999 - S.L. 1999-15.)

REPORT OF COMMITTEE

A bill and a resolution are reported from a standing committee, read by their titles, together with the report accompanying them, and take their place on the Calendar, as follows:

By Senator Miller for the Judiciary II Committee:

S.B. 690, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR NONPARTISAN ELECTION OF DISTRICT COURT JUDGES, with a favorable report.

S.R. 750, A SENATE RESOLUTION HONORING THE TOWN OF LATTIMORE UPON ITS ONE HUNDREDTH ANNIVERSARY AND HONORING ITS FOUNDER, THE HONORABLE AUDLEY M. LATTIMORE, with an unfavorable report as to Senate Resolution, but favorable as to Committee Substitute Senate Resolution.

April 6, 1999
Pursuant to Rule 45.1, the proposed Committee Substitute Senate Resolution 6607 is adopted and engrossed.

With unanimous consent, upon motion of Senator Dalton, the rules are suspended and the Committee Substitute Senate Resolution is placed before the Senate for immediate consideration.

Upon motion of Senator Dalton, the Committee Substitute Senate Resolution is adopted (47-0). (See Appendix.)

INTRODUCTION OF BILLS AND A RESOLUTION

Bills and a resolution filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Carter:
S.B. 762, A BILL TO BE ENTITLED AN ACT DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY HIGH SCHOOL GRADUATION STANDARDS.
Referred to Rules and Operations of the Senate Committee.

By Senator Webster:
S.R. 763, A SENATE RESOLUTION COMMENDING ALAMANCE COUNTY ON ITS SESQUICENTENNIAL.
Referred to Rules and Operations of the Senate Committee.

By Senator Lee:
S.B. 764, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA MUSEUM OF ART FOUNDATION TO ASSIST IN THE DEVELOPMENT OF THE FILM, KAY KYSER-A LIFE IN MOTION.
Referred to Appropriations/Base Budget Committee.

By Senator Lee:
S.B. 765, A BILL TO BE ENTITLED AN ACT PROVIDING THAT STATE EMPLOYEES AND PUBLIC SCHOOL EMPLOYEES MAY SHARE LEAVE VOLUNTARILY.
Referred to Education/Higher Education Committee.

By Senator Miller:
S.B. 766, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN PROVISIONS IN THE INSURANCE LAW APPLICABLE TO HOSPITAL, MEDICAL, AND DENTAL SERVICE CORPORATIONS AND TO HEALTH MAINTENANCE ORGANIZATIONS.
Referred to Insurance Committee.

By Senator Miller:
S.B. 767, A BILL TO BE ENTITLED AN ACT TO PROVIDE A ONE-YEAR WAITING PERIOD BEFORE FORMER LEGISLATORS MAY BECOME LOBBYISTS.
Referred to Judiciary II Committee.

By Senator Miller:
S.B. 768, A BILL TO BE ENTITLED AN ACT TO ALLOW JUDICIAL DISCRETION IN DETERMINING THE AMOUNT OF SUBROGATION OF EMPLOYERS' LIENS IN ACTIONS AGAINST THIRD PARTIES UNDER THE
WORKERS' COMPENSATION ACT.
Referred to Judiciary II Committee.

By Senators Foxx, Allran, Carpenter, Carrington, Cochrane, East, Forrester, Garwood, Hartsell, Horton, Odom, Purcell, Rucho, Shaw of Guilford, Webster and Weinstein:
S.B. 769, A BILL TO BE ENTITLED AN ACT TO MODIFY THE ESSENTIAL ELEMENTS OF THE FELONY OFFENSE OF LARCENY OF GINSENG.
Referred to Judiciary I Committee.

By Senators Rand, Allran, Ballantine, Clodfelter, Cooper, Foxx, Gulley, Hartsell, Miller, Reeves, Soles and Wellons:
S.B. 770, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COMMUNITY MEDIATION CENTERS.
Referred to Judiciary I Committee.

By Senators Kinnaird and Lee:
S.B. 771, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO COMPLETE THE CONSTRUCTION OF THE BANDSTAND AT THE CARRBORO FARMERS' MARKET.
Referred to Appropriations/Base Budget Committee.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message received in the Office of the Principal Clerk from the House of Representatives transmitting a bill is presented to the Senate, read the first time, and disposed of, as follows:

H.B. 462, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHADBOWN AND MOUNT GILEAD, AND MONTGOMERY COUNTY, TO COLLECT UTILTY BILLS AS IF THEY WERE TAXES DUE THE TOWN.
Referred to Finance Committee.

CALENDAR

Bills on today's calendar are taken up and disposed of as follows:

S.B. 302 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING IN LEE COUNTY.
The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

S.B. 474, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DISTRIBUTION OF THE PROFITS FROM THE HENDERSONVILLE LOCAL ALCOHOLIC BEVERAGE CONTROL SYSTEM.
The bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

H.B. 50, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF FAYETTEVILLE TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.
The bill passes its second (49-0) and third readings and is ordered enrolled.

H.B. 153, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FILING

April 6, 1999
PERIOD FOR THE HOKE COUNTY BOARD OF EDUCATION.
The bill passes its second (49-0) and third readings and is ordered enrolled.

H.B. 112 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE UNIFORM TRANSFER ON DEATH (TOD) SECURITY REGISTRATION ACT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

With unanimous consent, upon motion of Senator Soles, the Committee Substitute bill is withdrawn from today’s Calendar and is re-referred to the Finance Committee.

S.B. 40, A BILL TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF PERSONS AUTHORIZED TO BE APPOINTED TO SUBCOMMITTEES OF THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Upon the appearance of Senator Webster in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

The bill passes its second reading (49-0) and third reading (50-0) and is ordered sent to the House of Representatives.

S.B. 214, A BILL TO BE ENTITLED AN ACT TO PROVIDE A MEANS OF MEASURING AVERAGE FINAL COMPENSATION FOR MEMBERS OF THE TEACHERS’ AND STATE EMPLOYEES’ RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL RETIREMENT SYSTEM WHO PURCHASE CREDITABLE SERVICE FOR LEAVES OF ABSENCE INCURRED WHILE RECEIVING WORKERS’ COMPENSATION PAYMENTS.

The bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 284 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO REVIEW STATE PROCUREMENT CONTRACT AWARDS BY BUSINESS SIZE CATEGORY AND TO REVIEW MEASURES TO ENCOURAGE PARTICIPATION BY SMALL AND MEDIUM-SIZED BUSINESSES IN STATE PROCUREMENT CONTRACTS.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 197 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE GENERAL STATUTES TO IMPLEMENT CERTAIN RECOMMENDATIONS OF THE GOVERNOR’S TASK FORCE ON DOMESTIC VIOLENCE, FOR CONCURRENCE IN THE HOUSE COMMITTEE SUBSTITUTE BILL.

The Senate concurs in the House Committee Substitute bill (50-0) and the measure is ordered enrolled and sent to the Governor.

COMMITTEE REFERRAL RECALL

S.B. 691, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF BERMUDA RUN AND TO SIMULTANEOUSLY DISSOLVE THE BERMUDA CENTER SANITARY DISTRICT.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Finance Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Finance Committee.

April 6, 1999
Upon motion of Senator Ballance, seconded by Senator Webster, the Senate adjourns at 2:45 P.M. to meet tomorrow, Wednesday, April 7, at 4:00 P.M.

FORTY-FIRST DAY

Senate Chamber
Wednesday, April 7, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Terence Rose, Campaign for Christ Ministries, Dunwoody, Georgia, as follows:

"Heavenly Father, on this day when we defy and deny You, where we redefine right and wrong and we manufacture excuses, open the hearts of us all to receive Your wisdom, Your direction, Your inspiration. We need Your guidance. Lord, please bless this gathering, this Assembly that You have called and that You have appointed.

"I pray we will undertake the responsibility that we bear to maintain spiritual awareness and sensitivity that through respect for Your Word, Your Will, and Your covenant promise, this nation will prosper and show forth Your blessing with consistent integrity and commitment to boldly stand for truth, righteousness, and peace, to abhor evil and through courage refuse to compromise for the sake of popularity, power, or self gratification. Thereby, Lord, honoring You, this nation and its people, I pray Lord that You bless these Your instruments for the glory of Your Name, and it is in the Name of our Savior that I pray, Amen."

With unanimous consent, the President grants leaves of absence for today to Senator Carter, Senator Odom, Senator Shaw of Guilford, and Senator Weinstein.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Tuesday, April 6, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Robert Howard McConville, Jr. from Sanford, North Carolina, who is serving the Senate as Doctor of the Day, and to Kay Lanier from Johnston Community College, who is serving the Senate as Nurse of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

S.B. 197, AN ACT TO MODIFY THE GENERAL STATUTES TO IMPLEMENT CERTAIN RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON DOMESTIC VIOLENCE.

The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

April 7, 1999
H.B. 50, AN ACT TO AUTHORIZE THE CITY OF FAYETTEVILLE TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.

H.B. 153, AN ACT TO CHANGE THE FILING PERIOD FOR THE HOKE COUNTY BOARD OF EDUCATION.

CHAPTERED BILL

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

S.B. 300, AN ACT REPEALING THE TOWN OF CALABASH'S LIMITATIONS ON THE HEIGHT OF BUILDINGS, EXTENDING THE TOWN'S EXTRATERRITORIAL JURISDICTION, INCREASING THE NUMBER OF TOWN COMMISSIONERS, AND STAGGERING THE COMMISSIONERS' TERMS. (Became law upon ratification, April 6, 1999 - S.L. 1999-16.)

COMMITTEE REFERRAL RECALL

S.B. 733, A BILL TO BE ENTITLED AN ACT REQUIRING THAT THE REVIEW OF CERTAIN MEDICAL CLAIMS BE CONDUCTED BY PERSONS LICENSED TO PRACTICE CHIROPRACTIC IN THIS STATE, referred to the Health Care Committee on April 1.

Pursuant to Rule 47(a), Senator Purcell offers a motion that the bill be withdrawn from the Health Care Committee and re-referred to the Commerce Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Health Care Committee and re-refers the measure to the Commerce Committee.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Purcell for the Health Care Committee:

S.B. 345, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT RECONSIDERATION AND APPEAL OF UTILIZATION REVIEW NONCERTIFICATION BE EVALUATED BY MEDICAL DOCTORS LICENSED TO PRACTICE IN THIS STATE, with a favorable report.

Upon motion of Senator Purcell, the bill is re-referred to the Insurance Committee.

S.B. 344, A BILL TO BE ENTITLED AN ACT TO PROVIDE EXPANDED ACCESS TO SPECIALTY CARE IN MANAGED CARE PLANS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill A605 is adopted and engrossed.

By Senator Soles for the Commerce Committee:

S.B. 417, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF
LETTERS OF CREDIT FROM A FEDERAL HOME LOAN BANK AS COLLATERAL FOR DEPOSITS OF LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES, with a favorable report.

S.B. 192, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FILING WITH THE SECRETARY OF STATE OF ALL MEMORANDA OF UNDERSTANDING AND AGREEMENTS OF A NONCOMMERCIAL NATURE BETWEEN THE STATE OF NORTH CAROLINA AND FOREIGN GOVERNMENTS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4630, which changes the title to read S.B. 192 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FILING WITH THE SECRETARY OF STATE OF ALL MEMORANDA OF UNDERSTANDING AND AGREEMENTS OF A NONCOMMERCIAL NATURE BETWEEN THE STATE OF NORTH CAROLINA AND FOREIGN GOVERNMENTS, TO AUTHORIZE THE SECRETARY OF STATE TO PROVIDE INTERNATIONAL RELATIONS ASSISTANCE AND TO PUBLISH PUBLICATIONS ELECTRONICALLY, AND TO PROVIDE FOR GUBERNATORIAL OVERSIGHT OF AGREEMENTS INVOLVING THE STATE AND FOREIGN GOVERNMENTS, is adopted and engrossed.

S.B. 254, A BILL TO BE ENTITLED AN ACT TO MODIFY AND UPDATE THE OUTDOOR ADVERTISING CONTROL ACT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1647, which changes the title to read S.B. 254 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE VARIOUS OUTDOOR ADVERTISING PERMIT FEES, CHANGE THE ADMINISTRATIVE REVIEW AND JUDICIAL REVIEW OF OUTDOOR ADVERTISING DECISIONS, EXPAND CURRENT NOTIFICATION REQUIREMENTS, AND MODIFY AND UPDATE THE OUTDOOR ADVERTISING CONTROL ACT WITH RESPECT TO VENUE REQUIREMENTS, DEFINITIONS, AND PARTIES RESPONSIBLE FOR PAYMENT OF REMOVAL OF ILLEGAL OUTDOOR ADVERTISING, is adopted and engrossed.

Upon motion of Senator Soles, the Committee Substitute bill is re-referred to the Finance Committee.

By Senator Kinnaird for the State and Local Government Committee:

S.B. 391, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DEER HUNTING IN MOORE COUNTY WITHOUT THE WRITTEN PERMISSION OF THE LANDOWNER, TO PROHIBIT DEER HUNTING FROM THE RIGHT-OF-WAY OF A PUBLIC ROAD IN MOORE COUNTY, AND TO REQUIRE OWNER IDENTIFICATION ON DOGS USED TO HUNT DEER IN MOORE COUNTY, with a favorable report.

S.B. 709, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS BOARDS OF EDUCATION, with a favorable report.

S.B. 333 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE MEMBERSHIP OF STATUTORILY CREATED DECISION-MAKING OR REGULATORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES; PROVIDING INTENT; PROVIDING POLICY WITH RESPECT TO THE

April 7, 1999
APPOINTMENT OF MEMBERS TO SUCH BODIES TO ENSURE PROPORTIONATE REPRESENTATION OF WOMEN; REQUIRING ANNUAL REPORTS; AND REQUIRING RETENTION OF CERTAIN INFORMATION REGARDING APPLICANTS, with an unfavorable report as to Committee Substitute bill No. 1, but favorable as to Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 1650, which changes the title to read S.B. 333 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT RELATING TO THE MEMBERSHIP OF STATUTORILY CREATED DECISION-MAKING OR REGULATORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES; PROVIDING INTENT; PROVIDING POLICY WITH RESPECT TO THE APPOINTMENT OF MEMBERS TO SUCH BODIES TO ENCOURAGE PROPORTIONATE REPRESENTATION OF WOMEN; REQUIRING ANNUAL REPORTS; AND REQUIRING RETENTION OF CERTAIN INFORMATION REGARDING APPLICANTS, is adopted and engrossed.

By Senator Wellons for the Insurance Committee:

S.B. 389, A BILL TO BE ENTITLED AN ACT TO REVISE THE REQUIREMENTS OF FINANCIAL REPORTS OF CERTAIN TOWN OR COUNTY MUTUALS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1658, which changes the title to read S.B. 389 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE 1998 CHANGE IN THE LAW GOVERNING THE FILING OF FINANCIAL REPORTS BY SMALL TOWN OR COUNTY MUTUALS, is adopted and engrossed.

By Senator Lee for the Education/Higher Education Committee:

H.B. 216, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO DIRECT THE STATE BOARD OF EDUCATION TO EXTEND ITS REVIEW AND EVALUATION OF CHARTER SCHOOLS, with a favorable report.

S.B. 735, A BILL TO BE ENTITLED AN ACT TO PROHIBIT MEMBERS OF THE GENERAL ASSEMBLY FROM SERVING ON THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE, with a favorable report.

By Senator Hoyle for the Finance Committee:

H.B. 56 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE USE OF STAMPS TO INDICATE WHETHER THE EXCISE TAX ON CONVEYANCES HAS BEEN PAID AND TO MAKE THE PENALTIES THAT APPLY TO THIS TAX THE SAME AS FOR OTHER TAXES, with a favorable report.

S.B. 515, A BILL TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF PAID MEMBERS A RESCUE OR RESCUE/EMS UNIT MAY HAVE TO RECEIVE GRANTS, with a favorable report.

S.B. 622, A BILL TO BE ENTITLED AN ACT TO IMPOSE ADDITIONAL FEES AND COSTS AND TO INCREASE EXISTING FEES COLLECTED UNDER THE NURSING HOME ADMINISTRATORS BOARD ACT, with a favorable report.

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S.B. 44, A BILL TO BE ENTITLED AN ACT RELATING TO THE 18TH SENATORIAL DISTRICT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill A602, which changes the title to read S.B. 44 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE TOWN OF LAKE WACCAMAW, is adopted and engrossed.

S.B. 286, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO AUTHORIZE THE GENERAL ASSEMBLY TO ENACT LEGISLATION ALLOWING EACH COUNTY TO (I) INCREASE THE AMOUNT OF THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS IN THAT COUNTY AND (II) RAISE THE DEFINITION OF "LOW-INCOME" SO THAT MORE ELDERLY AND DISABLED INDIVIDUALS CAN QUALIFY FOR THE EXEMPTION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7590, which changes the title to read S.B. 286 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA, IF APPROVED BY THE VOTERS IN THE 2000 GENERAL ELECTION, TO AUTHORIZE THE GENERAL ASSEMBLY TO ENACT LEGISLATION ALLOWING EACH COUNTY TO (I) INCREASE THE AMOUNT OF THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS IN THAT COUNTY AND (II) RAISE THE DEFINITION OF "LOW-INCOME" SO THAT MORE ELDERLY AND DISABLED INDIVIDUALS CAN QUALIFY FOR THE EXEMPTION, is adopted and engrossed.

INTRODUCTION OF BILLS AND A RESOLUTION

Bills and a resolution filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Clodfelter, Dannelly and Odom:
S.B. 772, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF MUNICIPAL SERVICE DISTRICTS IN CERTAIN CITIES FOR URBAN AREA REVITALIZATION PROJECTS.
Referred to Finance Committee.

By Senator Clodfelter:
S.B. 773, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE TIME FOR ACTION ON REMAND FOLLOWING COURT REVIEW OF ANNEXATIONS ORDINANCES.
Referred to Judiciary I Committee.

By Senators Clodfelter and Dannelly:
S.B. 774, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPOINTMENT OF MULTIPLE PROXIES OF MEMBERS OF NONPROFIT CORPORATIONS BY ELECTRONIC OR TELEPHONIC COMMUNICATION.
Referred to Judiciary I Committee.

By Senators Clodfelter and Dannelly:
S.B. 775, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE EXPRESSLY
THE APPOINTMENT OF MULTIPLE PROXIES BY ELECTRONIC OR TELEPHONIC COMMUNICATION.
Referred to Judiciary I Committee.

By Senator Rand:
S.B. 776, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE LAW EXEMPTING CERTAIN GOVERNMENTAL ENTITIES FROM STATE PURCHASE AND CONTRACT REQUIREMENTS.
Referred to Finance Committee.

By Senator Albertson:
Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Albertson and Warren:
S.B. 778, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ECONOMIC DEVELOPMENT IN SAMPSON COUNTY.
Referred to Appropriations/Base Budget Committee.

By Senator Albertson:
S.B. 779, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SAMPSON COUNTY TO RELOCATE THE CLAUDE MOORE CABIN MUSEUMS.
Referred to Appropriations/Base Budget Committee.

By Senators Reeves, Ballance, Clodfelter, Dannelly, Gulley, Kinnaird, Lucas, Martin of Guilford and Miller:
S.B. 780, A BILL TO BE ENTITLED AN ACT TO ALLOW A STATE EARNED INCOME TAX CREDIT.
Referred to Finance Committee.

By Senators Forrester and Purcell:
Referred to Rules and Operations of the Senate Committee.

By Senator Perdue:
S.B. 782, A BILL TO BE ENTITLED AN ACT TO DEVELOP A STRATEGY AND A PLAN FOR BEACH MANAGEMENT AND RESTORATION.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Cochrane, Ballantine, Carpenter, Carrington, East, Forrester, Foxx, Garwood, Hartsell, Horton, Martin of Pitt, Martin of Guilford and Webster:
S.B. 783, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ADULT CARE HOMES, NURSING HOMES, AND ADULT DAY CARE PROGRAMS PROVIDING SPECIAL CARE FOR PERSONS WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIAS DISCLOSE CERTAIN INFORMATION.
Referred to Health Care Committee.
By Senators Martin of Guilford, Albertson, Ballance, Cooper, Dannelly, Gulley, Kinnaird, Lucas, Perdue, Phillips, Purcell and Warren:

S.B. 784, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO MAINTAIN THE ASSISTIVE TECHNOLOGY PROJECT.

Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Clodfelter, Cooper, Dannelly, Horton, Hoyle, Kerr, Martin of Pitt, Martin of Guilford, Perdue and Warren:

S.B. 785, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE INSPECTION AND REGULATION OF LIQUEFIED PETROLEUM GASES.

Referred to Commerce Committee.

By Senators Albertson, Harris and Weinstein:

S.B. 786, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CORRECT A DANGEROUS STATE HIGHWAY CONDITION ADJACENT TO THE SAMPSON COMMUNITY COLLEGE CAMPUS THAT IMPERILS PUBLIC SAFETY.

Referred to Appropriations/Base Budget Committee.

By Senators Shaw of Cumberland, Allran, Foxx, Lucas and Weinstein:

S.B. 787, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO STUDY THE NEED FOR RECONSTRUCTING OVERPASSES TO REDUCE OR ELIMINATE THE POSSIBILITY OF THROWING OBJECTS FROM THEM.

Referred to Transportation Committee.

By Senators Clodfelter, Dannelly, Gulley, Horton and Odom:

S.B. 788, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN PRIVATE NONPROFIT LAND CONSERVATION ORGANIZATIONS TO ACQUIRE CERTAIN LANDS WITH FUNDS FROM THE NATURAL HERITAGE TRUST FUND UNDER CERTAIN CONDITIONS.

Referred to Judiciary I Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senator Soles:

S.B. 789, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES TO THE NOTICE TO BE GIVEN UPON THE SALE, LEASE, OR EXCHANGE OF THE ASSETS OF A CHARITABLE OR RELIGIOUS NONPROFIT CORPORATION UNDER THE NONPROFIT CORPORATION ACT.

Referred to Judiciary I Committee.

By Senator Soles:

S.B. 790, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHICH LENDERS MAY CHARGE CERTAIN FEES UNDER THE GENERAL CONTRACT LOAN PROVISION OF CHAPTER 24 OF THE GENERAL STATUTES.

Referred to Commerce Committee.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and

April 7, 1999
disposed of, as follows:

**H.B. 486** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE PERMANENT REGISTRATION PLATES TO TRAILERS OWNED BY CHARITABLE ORGANIZATIONS AND USED ONLY IN PARADES AND TO CONSOLIDATE AND MODERNIZE THE STATUTES PROVIDING FOR PERMANENT REGISTRATION PLATES.

Referred to Finance Committee.

**H.B. 652** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE ROANOKE ISLAND HISTORICAL ASSOCIATION.

Referred to State and Local Government Committee.

**APPOINTMENT BY THE GOVERNOR**

The President directs the Reading Clerk to read, as follows:

STATE OF NORTH CAROLINA
OFFICER OF THE GOVERNOR
RALEIGH 27603-8001

JAMES B. HUNT JR.
GOVERNOR

April 6, 1999

The Honorable Dennis Wicker
President of the Senate
State Capitol
Raleigh, North Carolina 27601

Dear Mr. President:

Pursuant to General Statute 62-10, I hereby appoint Samuel James Ervin, IV to serve as a member of the North Carolina Utilities Commission and submit his name for confirmation by the North Carolina General Assembly. Mr. Ervin’s term will begin July 1, 1999 and will expire July 1, 2007.

Enclosed is biographical information on Mr. Ervin. Please feel free to call on him or members of my staff if you need additional information.

My warmest personal regards.

Sincerely,

S/James B. Hunt Jr.

JBH:mc
Enclosures

cc: The Honorable Marc Basnight

April 7, 1999
The Honorable Jim Black  
Ms. Janet Pruitt 
Ms. Denise Weeks

Referred to Commerce Committee.

CALENDAR

A bill on today’s Calendar is taken up and disposed of, as follows:

S.B. 690, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR NONPARTISAN ELECTION OF DISTRICT COURT JUDGES.

With unanimous consent, upon motion of Senator Dalton, the bill is withdrawn from today’s Calendar and placed on the Calendar for Tuesday, April 13.

COMMITTEE REFERRAL RECALL

S.B. 703, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF HAMPSTEAD SUBJECT TO A REFERENDUM, referred to Rules and Operations of the Senate Committee on April 1.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Finance Committee which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Finance Committee.

S.B. 314, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MINERAL SPRINGS, referred to Rules and Operations of the Senate Committee on March 11.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Finance Committee which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Finance Committee.

S.B. 652, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE IN DURHAM COUNTY TO FRAUDULENTLY OBTAIN AMBULANCE SERVICES, referred to Judiciary I Committee on March 30.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Judiciary I Committee and re-referred to the State and Local Government Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Judiciary I Committee and re-refers the measure to the State and Local Government Committee.

Upon motion of Senator Basnight, seconded by Senator Moore, the Senate adjourns at 4:48 P.M. to meet tomorrow, Thursday, April 8, at 11:00 A.M.

April 7, 1999
FORTY-SECOND DAY

Senate Chamber
Thursday, April 8, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Oh Lord, our Lord, we praise You for the power and excellence of Your Name in all the earth!

"We recall that when Moses pleaded with You for some proof of Your divine credentials that he could present to the people so that they would listen to him, You told him succinctly, "Tell them, I am that I am sent you." The Lord God simply is. That is the beginning and the end of it. That is all we need to know.

"And when Jesus wanted to show his ambitious disciples how to be faithful leaders, he put a small child in their midst. 'You want to know what greatness looks like,' he asked them, 'then look at this little one.'

"Help us, Oh God, to keep our speech and our actions simple. Today, let our 'yes' be 'yes' and our 'no' be 'no'. Remind us once again that in Your Kingdom, less can indeed be more. In Your excellent Name we pray, Amen."

With unanimous consent, the President grants leaves of absence for today to Senator Metcalf and Senator Weinstein.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Wednesday, April 7, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Michael Elliott Norins from Greensboro, North Carolina, who is serving the Senate as Doctor of the Day, and to Penny Faulkner from Morehead City, North Carolina, who is serving the Senate as Nurse of the Day.

Upon motion of Senator Basnight and Senator Warren, the Chair extends courtesies of the gallery to Mayor Grace Bonner of Aurora, North Carolina and her husband Frank Bonner.

Upon motion of Senator Ballance, the Chair extends courtesies of the gallery to members of the North Carolina Association of Community Development Corporations.

RECOGNITION OF THE ACC/SEC HOOPS CHALLENGE BASKETBALL TEAMS

Upon motion of Senator Basnight, privileges of the floor are extended to the ACC/SEC Hoops Challenge Basketball Players who are participating in a basketball game to raise funds to support the Special Olympics. The Sergeant-at-Arms is directed to escort the guests to the Well of the Senate. The guests and their coaches are received with a standing ovation.
The members of the Atlantic Coast Conference Team are as follows: Steven Blake, Tony Bobbitt, Joe Forte, Jon Holmes, Nick Horvath, Josh Howard, Will Johnson, Jason Parker, Jason Rogers, Travis Walson, David West, and Damien Wilkins.

The members of the Southeastern Conference Team are as follows: Carl Baker, Matt Bonner, Jamison Brewer, Ronald Dupree, Chuck Eidson, Travis Kraft, Nathan Popp, Tony Robertson, Ronald Slay, Harris Walker, Kenny Walker, and Ezra Williams.

ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

S.B. 289, AN ACT TO NAME THE NORTH CAROLINA CHILDREN'S VISION SCREENING IMPROVEMENT PROGRAM IN HONOR OF KENNETH C. ROYALL, JR.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

H.B. 50, AN ACT TO AUTHORIZE THE CITY OF FAYETTEVILLE TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION. (Became law upon ratification, April 7, 1999 - S.L. 1999-17.)

H.B. 153, AN ACT TO CHANGE THE FILING PERIOD FOR THE HOKE COUNTY BOARD OF EDUCATION. (Became law upon ratification, April 7, 1999 - S.L. 1999-18.)

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Wellons for the Insurance Committee:

H.B. 165 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REENACT THE 1986 LAW PROVIDING FOR RISK-SHARING PLANS, TO AMEND THE IMMUNITY STATUTES FOR THE FAIR AND BEACH PLANS, AND TO MAKE A TECHNICAL AMENDMENT IN THE BEACH PLAN LAWS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 4177, which changes the title, upon concurrence, to read H.B. 165 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REENACT THE 1986 LAW PROVIDING FOR RISK-SHARING PLANS, TO AMEND THE IMMUNITY STATUTES FOR THE FAIR AND BEACH PLANS, TO EXTEND THE BEACH PLAN RATE CAP ON WIND POLICIES ISSUED IN THE COASTAL AREA FOR TWO YEARS, AND TO MAKE A TECHNICAL AMENDMENT IN THE BEACH PLAN LAWS, is adopted and engrossed.

April 8, 1999
By Senator Miller for the Judiciary II Committee:

S.B. 568, A BILL TO BE ENTITLED AN ACT TO PERMIT COUNTY BOARDS OF ELECTIONS TO DESIGNATE ADDITIONAL SITES FOR ONE-STOP ABSENTEE VOTING, with a favorable report.

S.B. 398, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill. Pursuant to Rule 45.1, the proposed Committee Substitute bill 2667, which changes the title to read S.B. 398 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF GREENSBORO AND RALEIGH AND THE TOWNS OF CHAPEL HILL AND CORNELIUS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION, is adopted and engrossed.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Hoyle:

S.B. 791, A BILL TO BE ENTITLED AN ACT TO CHANGE THE GENERAL DRIVERS LICENSE RENEWAL CYCLE FROM FIVE TO TEN YEARS. Referred to Finance Committee.

By Senators Hoyle and Forrester:

S.B. 792, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMUNITY COLLEGES FOR THE CENTER FOR APPLIED TEXTILE TECHNOLOGY. Referred to Appropriations/Base Budget Committee.

By Senator Clodfelter:

S.B. 793, A BILL TO BE ENTITLED AN ACT AMENDING THE PSYCHOLOGY PRACTICE ACT TO INCLUDE WITHIN THE SCOPE OF PRACTICE THE DIAGNOSIS AND TREATMENT OF NEUROPSYCHOLOGICAL ASPECTS OF PHYSICAL ILLNESS, ACCIDENT, INJURY, OR DISABILITY AND TO DEFINE THE TERM NEUROPSYCHOLOGICAL. Referred to Health Care Committee.

By Senators Wellons, Albertson, Gulley, Harris, Jordan, Kerr, Lucas, Martin of Pitt, Purcell and Warren:

S.B. 794, A BILL TO BE ENTITLED AN ACT TO EXEMPT PAYMENTS UNDER PHASE I AND PHASE II OF THE TOBACCO SETTLEMENT AGREEMENT FROM EXECUTION EXCEPT FOR DEBTS INCURRED FOR FARMING OPERATIONS IN CALENDAR YEARS 1999 AND 2000. Referred to Judiciary I Committee.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of

April 8, 1999
Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

**H.B. 328** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO CERTAIN CRIMINAL LAWS AND TO AMEND THE CRIMINAL PENALTIES FOR CERTAIN CRIMINAL LAWS AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION.

Referred to Judiciary II Committee.

**H.B. 661**, A BILL TO BE ENTITLED AN ACT TO AMEND THE JUVENILE CODE TO REVISE THE COMMUNITY SERVICE DISPOSITIONAL ALTERNATIVE FOR JUVENILE OFFENDERS WHO HAVE BEEN ADJUDICATED DELINQUENT FOR LEVEL 2 OFFENSES.

Referred to Judiciary II Committee.

**CALENDAR**

Bills on today's Calendar are taken up and disposed of, as follows:

**S.B. 44** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE TOWN OF LAKE WACCAMAW, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 46, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for Monday, April 12, upon third reading.

**S.B. 192** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FILING WITH THE SECRETARY OF STATE OF ALL MEMORANDA OF UNDERSTANDING AND AGREEMENTS OF A NONCOMMERCIAL NATURE BETWEEN THE STATE OF NORTH CAROLINA AND FOREIGN GOVERNMENTS, TO AUTHORIZE THE SECRETARY OF STATE TO PROVIDE INTERNATIONAL RELATIONS ASSISTANCE AND TO PUBLISH PUBLICATIONS ELECTRONICALLY, AND TO PROVIDE FOR GUBERNATORIAL OVERSIGHT OF AGREEMENTS INVOLVING THE STATE AND FOREIGN GOVERNMENTS.

Upon motion of Senator Reeves, the Committee Substitute bill is placed at the end of today's Calendar, without objection.

**S.B. 391**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DEER HUNTING IN MOORE COUNTY WITHOUT THE WRITTEN PERMISSION OF THE LANDOWNER, TO PROHIBIT DEER HUNTING FROM THE RIGHT-OF-WAY OF A PUBLIC ROAD IN MOORE COUNTY, AND TO REQUIRE OWNER IDENTIFICATION ON DOGS USED TO HUNT DEER IN MOORE COUNTY.

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The bill passes its second and third readings and is ordered sent to the House of Representatives.

**S.B. 709**, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS BOARDS OF EDUCATION.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

**S.B. 286** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA, IF APPROVED BY THE VOTERS IN THE 2000 GENERAL ELECTION, TO AUTHORIZE THE GENERAL ASSEMBLY TO ENACT LEGISLATION ALLOWING EACH COUNTY TO (I) INCREASE THE AMOUNT OF THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS IN THAT COUNTY AND (II) RAISE THE DEFINITION OF "LOW-INCOME" SO THAT MORE ELDERLY AND DISABLED INDIVIDUALS CAN QUALIFY FOR THE EXEMPTION.

The Committee Substitute bill passes its second reading by a three-fifths majority vote, ayes 46, noes 1, as follows:


Voting in the negative: Senator Webster—1.

The Committee Substitute bill passes its third reading by a three-fifths majority vote, ayes 44, noes 1, as follows:


Voting in the negative: Senator Webster—1.

The Committee Substitute bill is ordered sent to the House of Representatives.

**S.B. 333** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT RELATING TO THE MEMBERSHIP OF STATUTORILY CREATED DECISION-MAKING OR REGULATORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES; PROVIDING INTENT; PROVIDING POLICY WITH RESPECT TO THE APPOINTMENT OF MEMBERS TO SUCH BODIES TO ENCOURAGE PROPORTIONATE REPRESENTATION OF WOMEN; REQUIRING ANNUAL REPORTS; AND REQUIRING RETENTION OF CERTAIN INFORMATION REGARDING APPLICANTS.

Senator Horton offers Amendment No. 1 which is adopted (35-8).

The Committee Substitute bill No. 2, as amended, passes its second (45-1) and third readings and is ordered engrossed and sent to the House of Representatives.

Having voted in the majority, Senator Rand moves that the vote by which the Committee Substitute bill No. 2 passed its third reading be reconsidered.

Senator Rand further moves that the vote by which the Committee Substitute bill No. 2 passed its second reading be reconsidered and further moves that the vote by which Amendment No. 1 was adopted be reconsidered.

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The motion prevails and the question before the Body becomes the adoption of Amendment No. 1.

Amendment No. 1 is adopted (37-10).

The Committee Substitute bill No. 2, as amended, passes its second (46-1) and third readings and is ordered engrossed and sent to the House of Representatives.

S.B. 344 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE EXPANDED ACCESS TO SPECIALTY CARE IN MANAGED CARE PLANS.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides.

The Committee Substitute bill passes its second reading (44-0) and third reading (43-0) and is ordered sent to the House of Representatives.

S.B. 389 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE 1998 CHANGE IN THE LAW GOVERNING THE FILING OF FINANCIAL REPORTS BY SMALL TOWN OR COUNTY MUTUALS.

The Committee Substitute bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

S.B. 417, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF LETTERS OF CREDIT FROM A FEDERAL HOME LOAN BANK AS COLLATERAL FOR DEPOSITS OF LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES.

The bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

S.B. 515, A BILL TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF PAID MEMBERS A RESCUE OR RESCUE/EMS UNIT MAY HAVE TO RECEIVE GRANTS.

The bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

S.B. 622, A BILL TO BE ENTITLED AN ACT TO IMPOSE ADDITIONAL FEES AND COSTS AND TO INCREASE EXISTING FEES COLLECTED UNDER THE NURSING HOME ADMINISTRATORS BOARD ACT.

The bill passes its second (44-1) and third readings and is ordered sent to the House of Representatives.

S.B. 735, A BILL TO BE ENTITLED AN ACT TO PROHIBIT MEMBERS OF THE GENERAL ASSEMBLY FROM SERVING ON THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE.

The bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

H.B. 56 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE USE OF STAMPS TO INDICATE WHETHER THE EXCISE TAX ON CONVEYANCES HAS BEEN PAID AND TO MAKE THE PENALTIES THAT APPLY TO THIS TAX THE SAME AS FOR OTHER TAXES.

The Committee Substitute bill passes its second (46-0) and third readings and is ordered enrolled and sent to the Governor.

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H.B. 216, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO DIRECT THE STATE BOARD OF EDUCATION TO EXTEND ITS REVIEW AND EVALUATION OF CHARTER SCHOOLS.

The bill passes its second (45-1) and third readings and is ordered enrolled and sent to the Governor.

S.B. 192 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FILING WITH THE SECRETARY OF STATE OF ALL MEMORANDA OF UNDERSTANDING AND AGREEMENTS OF A NONCOMMERCIAL NATURE BETWEEN THE STATE OF NORTH CAROLINA AND FOREIGN GOVERNMENTS, TO AUTHORIZE THE SECRETARY OF STATE TO PROVIDE INTERNATIONAL RELATIONS ASSISTANCE AND TO PUBLISH PUBLICATIONS ELECTRONICALLY, AND TO PROVIDE FOR GUBERNATORIAL OVERSIGHT OF AGREEMENTS INVOLVING THE STATE AND FOREIGN GOVERNMENTS.

Senator Reeves offers Amendment No. 1 which is adopted (46-0).

The Committee Substitute bill, as amended, passes its second (46-0) and third readings and is ordered engrossed and sent to the House of Representatives.

REPORTS OF COMMITTEES (Continued)

By Senator Hoyle for the Finance Committee:

S.B. 691, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF BERMUDA RUN AND TO SIMULTANEOUSLY DISSOLVE THE BERMUDA CENTER SANITARY DISTRICT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4637 is adopted and engrossed.

Upon motion of Senator Ballance, seconded by Senator Lucas, the Senate adjourns at 12:21 P.M. to meet Monday, April 12, at 7:00 P.M.

FORTY-THIRD DAY

Senate Chamber
Monday, April 12, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Gracious and merciful God, we give thanks for Your diligence in seeking us at every moment in our lives. When the earth is bathed in spring sunlight and the trees are exploding into bloom, it is not too difficult to believe in Your goodness and to live thankfully.

"But the hardest times are when our minds are filled with anxiety and dread, or when

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we are tired out with caring for others, or discouraged in our once gratifying duties which have turned into joyless obligations.

"Direct our gaze this day into the infinite depth of Your blue heavens, and give us the wings of Your Spirit, not to escape from all that we must do this day, but to face it with a calm mind and a peaceful heart, fully conscious of Your unfailing presence with us. Be not far from us this day, for we make our prayer in Your Holy Name, Amen."

With unanimous consent, the President Pro Tempore grants leaves of absence for tonight to Senator Gulley, Senator Moore, Senator Odom, Senator Shaw of Cumberland, and Senator Webster.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of Thursday, April 8, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore of the Senate extends courtesies of the floor to Dr. Stephen Paul Montgomery from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day.

**ENROLLED BILLS**

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

**S.B. 27**, AN ACT TO REPEAL THE PROHIBITION AGAINST THE DEPARTMENT OF TRANSPORTATION USING BERMUDA GRASS ALONG CERTAIN ROADS.

**H.B. 56**, AN ACT TO ELIMINATE THE USE OF STAMPS TO INDICATE WHETHER THE EXCISE TAX ON CONVEYANCES HAS BEEN PAID AND TO MAKE THE PENALTIES THAT APPLY TO THIS TAX THE SAME AS FOR OTHER TAXES.

**H.B. 216**, AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO DIRECT THE STATE BOARD OF EDUCATION TO EXTEND ITS REVIEW AND EVALUATION OF CHARTER SCHOOLS.

The Enrolling Clerk reports the following bill duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

**S.B. 270**, AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO PROVIDE FOR VOLUNTARY ANNEXATION OF PROPERTY SUBJECT TO PRESENT-USE VALUE APPRAISAL.

**CALENDAR**

Bills on tonight's Calendar are taken up and disposed of, as follows:

**S.B. 44** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE TOWN OF LAKE WACCAMAW, upon third reading.

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The Committee Substitute bill passes its third reading by roll-call vote, ayes 45, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives.

S.B. 691 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF BERMUDA RUN AND TO SIMULTANEOUSLY DISSOLVE THE BERMUDA CENTER SANITARY DISTRICT, upon second reading.

The Committee Substitute bill passes its second reading roll-call vote by a three-fifths majority, ayes 40, noes 4, as follows:


Voting in the negative: Senators Ballance, Kinnaird, Reeves, and Wellons—4.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Tuesday, April 13, upon third reading.

S.B. 398 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF GREENSBORO AND RALEIGH AND THE TOWNS OF CHAPEL HILL AND CORNELIUS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.

The Committee Substitute bill passes its second (43-2) and third readings and is ordered sent to the House of Representatives.

COURTESIES

Upon motion of Senator Soles, the President Pro Tempore extends privileges of the floor to the Whiteville High School Basketball Team which recently won the State 2-A Basketball Conference Championship. The following members and coaches are recognized: Jason McNair, Isaac Norris, Jameika Bellamy, Norris Scott, Jason Marriner, Michael Pierce, Daniel Traylor, Mike Fiebemitz, Eric Black, Antonio McCullom, Gregory Robinson, Michael Pittman, Albert Ganus, Anwar Smith, Chris Wilcox, Bernard Godfrey, Coach Glenn McRoy, Assistant Coaches Phillip Penny, Brian McClaney, and Michael Slater.

Senator Basnight, President Pro Tempore, relinquishes the gavel to Senator Ballance, Deputy President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Upon the appearance of Senator Gulley in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

CALENDAR (Continued)

S.B. 568, A BILL TO BE ENTITLED AN ACT TO PERMIT COUNTY BOARDS OF ELECTIONS TO DESIGNATE ADDITIONAL SITES FOR ONE-STOP ABSENTEE VOTING.

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Senator Kerr announces a pair. If Senator Webster were present he would vote "no"; Senator Kerr votes "aye".

The bill passes its second reading (34-11).

Senator Rucho objects to third reading of the measure. Pursuant to Rule 50, the Deputy President Pro Tempore orders the measure placed on the Calendar for tomorrow, Tuesday, April 13.

H.B. 165 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REENACT THE 1986 LAW PROVIDING FOR RISK-SHARING PLANS, TO AMEND THE IMMUNITY STATUTES FOR THE FAIR AND BEACH PLANS, TO EXTEND THE BEACH PLAN RATE CAP ON WIND POLICIES ISSUED IN THE COASTAL AREA FOR TWO YEARS, AND TO MAKE A TECHNICAL AMENDMENT IN THE BEACH PLAN LAWS.

The Senate Committee Substitute bill passes its second (45-1) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Kinnaird for the State and Local Government Committee:

S.B. 578, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CONFERENCE OF CLERKS OF SUPERIOR COURT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill A607 is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 595, A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW CREATING THE NORTHEASTERN REGIONAL DEVELOPMENT COMMISSION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3714, which changes the title to read S.B. 595 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW CREATING THE NORTHEASTERN REGIONAL ECONOMIC DEVELOPMENT COMMISSION, is adopted and engrossed.

By Senator Cooper for the Judiciary I Committee:

S.B. 563, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO USE PHOTOGRAPHIC SPEED-MEASURING SYSTEMS TO ESTABLISH SCHOOL ZONE SPEED LIMIT VIOLATIONS AND TO AUTHORIZE THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION AND THE SECRETARY OF CRIME CONTROL AND PUBLIC SAFETY TO APPROVE STANDARDS FOR THE PHOTOGRAPHIC SPEED-MEASURING SYSTEMS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1671 is adopted and engrossed.

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COMMITTEE REFERRAL RECALL

S.B. 288, A BILL TO BE ENTITLED AN ACT TO EXTEND NORTH CAROLINA'S "LONG ARM JURISDICTION" STATUTE TO INCLUDE SENDERS OF UNSOLICITED ELECTRONIC BULK MAIL AND TO MAKE THE SENDING OF UNSOLICITED ELECTRONIC BULK MAIL UNLAWFUL IN THIS STATE, referred to the Judiciary I Committee on March 8.

Pursuant to Rule 47(a), Senator Cooper offers a motion that the bill be withdrawn from the Judiciary I Committee and re-referred to the Information and Technology Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Judiciary I Committee and re-refers the measure to the Information and Technology Committee.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 76 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF CRIMINAL STATISTICS TO COLLECT AND MAINTAIN STATISTICS ON TRAFFIC LAW ENFORCEMENT, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, April 13.

S.B. 269 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, April 13.

H.B. 219, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTERS 54B AND 54C OF THE GENERAL STATUTES TO MAKE TECHNICAL CHANGES TO THE LAW GOVERNING STATE-CHARTERED SAVINGS AND LOAN ASSOCIATIONS AND SAVINGS BANKS AND TO INCREASE THE PERMITTED PERCENTAGE OF COMMERCIAL LOANS.

Referred to Commerce Committee.

H.B. 262, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CUSTODY OF ABUSED, NEGLECTED, OR DEPENDENT JUVENILES IN THE CUSTODY OR AUTHORITY OF THE COUNTY DEPARTMENTS OF SOCIAL SERVICES.

Referred to Children & Human Resources Committee.

H.B. 290, A BILL TO BE ENTITLED AN ACT TO AMEND THE CRIME VICTIMS' COMPENSATION ACT BY INCREASING THE MEMBERSHIP OF THE CRIME VICTIMS' COMPENSATION COMMISSION, BY INCREASING THE SIZE OF INITIAL CLAIMS THAT MAY BE AWARDED BY THE DIRECTOR OF THE COMMISSION, AND BY PROVIDING THE COMMISSION WITH THE DISCRETION TO PAY CERTAIN CLAIMS PREVIOUSLY DENIED.

Referred to Judiciary II Committee.

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H.B. 570, A BILL TO BE ENTITLED AN ACT TO REMOVE THE TOWN OF CAROLINA SHORES FROM THE 201 PLANNING AREA IN BRUNSWICK COUNTY.
Referred to State and Local Government Committee.

H.B. 649, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE IN HOLDEN BEACH.
Referred to State and Local Government Committee.

H.B. 660, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF COLLECTION AGENCY SO THAT THE IV-D CHILD ENFORCEMENT PROGRAM IS REGULATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.
Referred to Judiciary II Committee.

H.B. 728, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GREENVILLE TO REQUIRE FIRE ALARM SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITY AND THE CITY'S EXTRATERRITORIAL PLANNING JURISDICTION.
Referred to State and Local Government Committee.

RESOLUTIONS FROM OTHER STATES

The following resolutions received from other Legislative Bodies are presented to the Senate and are ordered placed on file in the Office of the Principal Clerk:

Commonwealth of Virginia Senate Joint Resolution No. 487, Memorializing the Congress of the United States to either enact meaningful patient protections at the federal level with respect to employer self-funded plans or, in the absence of such federal action, amend the Employment Retirement Income Security Act (ERISA) of 1974 to grant authority to all individual states to monitor and regulate self-funded, employer-based health plans. (See Appendix.)

State of Maine House of Representatives Joint Resolution No. 1373, Memorializing the President of the United States and the Congress of the United States to ratify the United Nations Convention on the Rights of the Child. (See Appendix.)

EXECUTIVE ORDERS

Executive Orders received in the Office of the Senate Principal Clerk are presented to the Senate and read as follows:

Executive Order Number 146, North Carolina Interagency Council for Coordinating Homeless Programs.

Executive Order Number 147, Governor’s Task Force for Healthy Carolinians.

SENATE PAGES

The Deputy President Pro Tempore recognizes the following pages serving in the Senate this week:

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A’ishah Abdullah, Chocowinity; Patricia Foust Ball, Lenoir; Catherine Best, Benson; John Arthur Core, Stanley; Lavetta Crawford, Chocowinity; Patrick Michael Creech, Pink Hill; Eric Dail, Goldsboro; Jeremy Dail, Goldsboro; Charity Elizabeth Daniel, Fremont; Erica Fountain, Hatteras; Ashley Marie Hare, Kinston; Rachel E. Hunt, Goldsboro; Rebecca Lynne Lee, Goldsboro; Sean Macha, Goldsboro; Virginia Macha, Goldsboro; Lynnea Mary McElreath, Southern Pines; Christopher G. Michalec, Goldsboro; Jennalee Russell, Candler; and Kristin Throne, Avon.

Upon motion of Senator Basnight, seconded by Senator Lee, the Senate adjourns subject to introduction of bills to meet tomorrow, Tuesday, April 13, at 2:00 P.M.

INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Dalton and Lee:
S.J.R. 795, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES.
Referred to Education/Higher Education Committee.

By Senator Hoyle:
S.B. 796, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE LICENSING BOARD FOR GENERAL CONTRACTORS TO OWN REAL PROPERTY AND TO PURCHASE EQUIPMENT AND LIABILITY INSURANCE.
Referred to Commerce Committee.

By Senator Kerr:
S.B. 797, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO GOVERNMENT FINANCE.
Referred to Rules and Operations of the Senate Committee.

By Senator Kerr:
S.B. 798, A BILL TO BE ENTITLED AN ACT TO AMEND THE TAX LAWS.
Referred to Rules and Operations of the Senate Committee.

By Senator Kerr:
S.B. 799, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES COLLECTED BY THE NORTH CAROLINA BOARD OF PHYSICAL THERAPY EXAMINERS.
Referred to Finance Committee.

By Senators Rand, Clodfelter and Cooper:
S.B. 800, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE NORTH CAROLINA COURT OF APPEALS TO CONDUCT EN BANC PROCEEDINGS.
Referred to Judiciary I Committee.

By Senator Rand:
S.B. 801, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR DATA COLLECTION, RESTORATION EFFORTS, RESEARCH, AND PUBLIC

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EDUCATION REGARDING THE CAPE FEAR RIVER BASIN.
Referred to Appropriations/Base Budget Committee.

By Senators Plyler and Purcell:
S.B. 802, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF THE J. C. RAULSTON ARBORETUM EDUCATION CENTER ON THE NORTH CAROLINA STATE UNIVERSITY CAMPUS.
Referred to Appropriations/Base Budget Committee.

By Senator Lee:
S.B. 803, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE A+ SCHOOLS PROGRAM.
Referred to Appropriations/Base Budget Committee.

By Senator Lee:
S.B. 804, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT WORLD VIEW, AN INTERNATIONAL PROGRAM FOR EDUCATORS, IN THE UNIVERSITY CENTER FOR INTERNATIONAL STUDIES AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL.
Referred to Appropriations/Base Budget Committee.

By Senator Lee:
S.B. 805, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR STAFF DEVELOPMENT FOR THE PUBLIC SCHOOLS.
Referred to Appropriations/Base Budget Committee.

By Senator Lee:
S.B. 806, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE K-12 INTERNATIONAL OUTREACH PROGRAM IN THE UNIVERSITY CENTER FOR INTERNATIONAL STUDIES AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL.
Referred to Appropriations/Base Budget Committee.

By Senator Lee:
S.B. 807, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CAROLINA BALLET, INC., A PROFESSIONAL BALLET.
Referred to Appropriations/Base Budget Committee.

By Senator Reeves:
S.B. 808, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A DIGITAL SIGNATURE PILOT PROJECT.
Referred to Appropriations/Base Budget Committee.

By Senators Reeves, Clodfelter and Lucas:
S.B. 809, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE AND SUSTAIN THE CAPACITY OF NONPROFIT HOUSING ORGANIZATIONS TO PROVIDE AFFORDABLE HOMES.
Referred to Appropriations/Base Budget Committee.

By Senators Reeves and Lee:
S.B. 810, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE UNIVERSITY OF NORTH CAROLINA FOR THE LOCAL GOVERNMENT
INFORMATION TECHNOLOGY PROGRAM AT THE INSTITUTE OF
GOVERNMENT.
Referred to Appropriations/Base Budget Committee.

By Senators Reeves and Clodfelter:
S.B. 811, A BILL TO BE ENTITLED AN ACT TO PERMIT AN ALTERNATIVE
COMPUTATION OF THE STATE TAX CREDIT FOR RESEARCH AND
DEVELOPMENT.
Referred to Finance Committee.

By Senators Reeves and Miller:
S.B. 812, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A FOOD OR
RETAIL BUSINESS THAT HOLDS AN ABC PERMIT AND IS LOCATED IN AN
URBAN REDEVELOPMENT AREA SHALL NOT HAVE ALCOHOLIC BEVERAGE
SALES IN EXCESS OF FIFTY PERCENT OF THE BUSINESS'S TOTAL ANNUAL
SALES.
Referred to Judiciary II Committee.

By Senators Lucas, Ballance, Carrington, Cooper, Dalton, Dannelly, Gulley, Jordan, Kinnaird, Lee, Martin of Guilford, Miller, Perdue, Reeves, Shaw of Cumberland, Soles, Warren and Wellons:
S.B. 813, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A STATE STUDY
to determine whether there exists an overrepresentation of minority youth in North Carolina Training Schools and to consider statewide dispositional alternatives and to appropriate funds for this purpose.
Referred to Appropriations/Base Budget Committee.

By Senators Gulley, Ballance, Dannelly, Kinnaird, Lucas, Martin of Guilford, Miller, Reeves and Shaw of Cumberland:
S.B. 814, A BILL TO BE ENTITLED AN ACT TO HONOR THE MEMORY OF
MATTHEW SHEPARD BY EXPANDING THE SCOPE OF THE HATE CRIME LAWS
AND INCREASING THE CRIMINAL PENALTY FOR COMMITTING A HATE
CRIME.
Referred to Judiciary II Committee.

By Senators Kinnaird, Garrou, Lucas, Phillips and Purcell:
S.B. 815, A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH
CAROLINA STUDY COMMISSION ON AGING TO STUDY RESPITE CARE
SERVICES.
Referred to Rules and Operations of the Senate Committee.

By Senators Kinnaird, Ballance, Gulley and Lucas:
S.B. 816, A BILL TO BE ENTITLED AN ACT TO PROTECT PRIVACY BY
REPEALING THE ANTIQUATED LAW THAT MAKES IT A CRIMINAL OFFENSE
FOR CERTAIN PEOPLE TO COHABIT.
Referred to Judiciary II Committee.

By Senator Ballance:
S.B. 817, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXCEPTION TO
THE LATE LISTING PENALTY FOR CERTAIN REAL PROPERTY IN COUNTIES

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THAT HAVE NOT ADOPTED PERMANENT LISTING AND TO PHASE IN PERMANENT LISTING IN ALL COUNTIES.

Referred to Finance Committee.

By Senators Hartsell, Clodfelter, Cochrane and Lucas:
S.B. 818, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE PREPAID POSTSECONDARY EDUCATION EXPENSE PROGRAM, THE PREPAID POSTSECONDARY EDUCATION EXPENSE TRUST FUND, THE NORTH CAROLINA PREPAID POSTSECONDARY EDUCATION EXPENSE BOARD, AND THE NORTH CAROLINA PREPAID TUITION SCHOLARSHIP PROGRAM.

Referred to Education/Higher Education Committee and upon a favorable report, re-referred to the Finance Committee.

By Senators Cochrane, Allran, Ballantine, Carpenter, Carrington, East, Forrester, Foxx, Garwood, Gulley, Hartsell, Horton, Kerr, Martin of Pitt, Moore, Phillips, Purcell, Rucho, Webster and Wellons:
S.J.R. 819, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WILMER DAVID "VINEGAR BEND" MIZELL, FORMER NORTH CAROLINA CONGRESSMAN.

Referred to Rules and Operations of the Senate Committee.

By Senator Gulley:
S.B. 820, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW OF NORTH CAROLINA.

Referred to Rules and Operations of the Senate Committee.

By Senator Gulley:
S.B. 821, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW OF NORTH CAROLINA.

Referred to Rules and Operations of the Senate Committee.

By Senator Gulley:
S.B. 822, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW OF NORTH CAROLINA.

Referred to Rules and Operations of the Senate Committee.

By Senator Shaw of Cumberland:
S.B. 823, A BILL TO BE ENTITLED AN ACT RELATING TO THE AMENDMENT OF THE GENERAL LAWS OF NORTH CAROLINA.

Referred to Rules and Operations of the Senate Committee.

By Senator Shaw of Cumberland:
S.B. 824, A BILL TO BE ENTITLED AN ACT RELATING TO THE AMENDMENT OF THE GENERAL LAWS OF NORTH CAROLINA.

Referred to Rules and Operations of the Senate Committee.

By Senator Shaw of Cumberland:
S.B. 825, A BILL TO BE ENTITLED AN ACT TO TRANSFER CERTAIN FUNDS APPROPRIATED FOR THE 1998-99 FISCAL YEAR FROM THE DEPARTMENT OF COMMERCE TO THE HOUSING FINANCE AGENCY FOR THE HOUSING TRUST FUND.

Referred to Appropriations/Base Budget Committee.

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By Senators Lee, Kinnaird and Rand:

S.B. 826, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE HORACE WILLIAMS CAMPUS TRUST FUND, TO AUTHORIZ E THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ISSUE REVENUE BONDS FOR THE DEVELOPMENT OF THE HORACE WILLIAMS CAMPUS, TO EXEMPT THE HORACE WILLIAMS CAMPUS FROM THE UMSTEAD ACT, AND TO MAKE VARIOUS CONFORMING CHANGES.

Referred to Education/Higher Education Committee and upon a favorable report, re-referred to the Finance Committee.

By Senator Lee:

S.B. 827, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMUNITY COLLEGES TO SUPPORT THE NORTH CAROLINA INDUSTRIES FOR TECHNICAL EDUCATION.

Referred to Appropriations/Base Budget Committee.

By Senators Kinnaird and Lee:

S.B. 828, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COST AND EXPENSES OF TRANSPORTING A RESPONDENT IN AN INVOLUNTARY COMMITMENT PROCEEDING MAY BE RECOVERED FROM THE RESPONDENT'S COUNTY OF RESIDENCE.

Referred to Finance Committee.

By Senators Jordan, Gulley and Kinnaird:

S.B. 829, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ERECTION OF OUTDOOR ADVERTISING ON A PORTION OF INTERSTATE HIGHWAY 40.

Referred to Transportation Committee.

By Senators Miller, Ballance, Lucas and Reeves:

S.B. 830, A BILL TO BE ENTITLED AN ACT TO REGULATE AUTO REPAIRS.

Referred to Commerce Committee.

By Senators Purcell, Forrester and Reeves:

S.B. 831, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPROVE THE UNIVERSAL CHILDHOOD VACCINE DISTRIBUTION PROGRAM.

Referred to Appropriations/Base Budget Committee.

By Senators Purcell, Hartsell and Kerr:

S.B. 832, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT A HOME AND COMMUNITY-BASED MEDICAID WAIVER FOR INDIVIDUALS WITH TRAUMATIC BRAIN INJURY.

Referred to Appropriations/Base Budget Committee.

By Senators Purcell, Hartsell, Kerr and Reeves:

S.B. 833, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A DHHS STUDY AND ANALYSIS OF THE COSTS OF TREATING AND CARING FOR PERSONS WITH TRAUMATIC BRAIN INJURY.

Referred to Appropriations/Base Budget Committee.

By Senators Purcell, Albertson, Allran, Ballantine, Clodfelter, Cooper, Dannelly, Forrester, Garrou, Gulley, Hagan, Lee, Lucas, Martin of Guilford, Metcalf, Perdue,
Phillips, Rand, Reeves and Warren:

**S.B. 834**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A BIRTH DEFECT MONITORING PROGRAM.

Referred to Appropriations/Base Budget Committee.

By Senator Clodfelter:

**S.B. 835**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING MERGERS, CONSOLIDATIONS, AND CONVERSIONS AMONG BUSINESS CORPORATIONS, NONPROFIT CORPORATIONS, AND UNINCORPORATED ENTITIES, INCLUDING LIMITED LIABILITY COMPANIES AND PARTNERSHIPS, FOR THE PURPOSE OF CONFORMING THE LAWS WITH THOSE OF OTHER STATES AND MODERN BUSINESS PRACTICES.

Referred to Judiciary I Committee.

Pursuant to Senator Basnight’s motion to adjourn having prevailed, the Senate adjourns at 8:08 P.M.

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**FORTY-FOURTH DAY**

Senate Chamber
Tuesday, April 13, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“God of strength and goodness, You hold onto us with fierce affection, in spite of our desire to keep You at arms length. It is so difficult to stay safely in Your embrace when we are so prone to be tempted. And how incessantly temptation pursues us. How subtle, tender and seductive it is.

“You know how temptation has a way of following and engulfing us. We may leave it behind in the conference room only to find it waiting for us in the office. We may rebuke it in a telephone conversation only to read it hidden between the lines in the morning papers. How is it that temptation settles so comfortably into the crevices of our memories and the beating of our hearts?

“Lord, we have no strength to resist the lure of temptation on our own. Only You can save us from the destruction of this spiritual hurricane. Help us to surrender our will fully to Your control. Take our hands tenderly as if we were children and guide us in Your paths of righteousness. We pray in Your Holy Name, Amen.”

With unanimous consent, the President grants a leave of absence for today to Senator Odom.

Senator Ballance, Deputy President *Pro Tempore*, announces the Journal of yesterday, Monday, April 12, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Michael Alvin McCall from Marion, North Carolina, who is serving the Senate as Doctor of the Day, and
to Janice Garner from Clayton, North Carolina, who is serving the Senate as Nurse of the Day.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 426, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HIGH POINT TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.
Referred to State and Local Government Committee.

H.B. 514, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.
Referred to State and Local Government Committee.

H.B. 604, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CIRCUMSTANCES UNDER WHICH AN ATTORNEY-IN-FACT MAY MAKE GIFTS.
Referred to Judiciary II Committee.

H.B. 638 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE OWNERS OF CERTAIN INNOVATIVE SEPTIC SYSTEMS IN THE COUNTIES OF CAMDEN, CHOWAN, CURRITUCK, GATES, HERTFORD, PASQUOTANK, PERQUIMANS, TYRRELL, AND WASHINGTON TO TRANSFER THE OWNERSHIP OF THE SYSTEMS TO ONE OR MORE UNITS OF LOCAL GOVERNMENT.
Referred to Agriculture/Environment/Natural Resources Committee.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 691 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF BERMUDA RUN AND TO SIMULTANEously DISSOLVE THE BERMUDA CENTER SANITARY DISTRICT, upon third reading.
The Committee Substitute bill passes its third reading roll-call vote by a three-fifths majority, ayes 42, noes 5, as follows:
Voting in the negative: Senators Ballance, Hagan, Kinnaird, Purcell, and Robinson—5.
The Committee Substitute bill is ordered sent to the House of Representatives.

Upon motion of Senator Albertson, the President extends the courtesies of the gallery to the Farm Bureau County Leaders from the Foothills and Western Districts of North Carolina.

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S.B. 271 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX TO THE EXISTING CITY LIMITS OF THE TOWN OF HUNTERSVILLE CERTAIN AREAS SURrounded BY EXISTING CITY LIMITS OF THE TOWN OF HUNTERSVILLE, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 43, noes 4, as follows:


Voting in the negative: Senators Ballantine, Foxx, Rucho, and Webster—4.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Wednesday, April 14, upon third reading.

S.B. 269 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET, for concurrence in the House Committee Substitute bill, upon second reading.

The Senate concurs in the House Committee Substitute bill on its second reading by roll-call vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill remains on the Calendar for tomorrow, Wednesday, April 14, upon third reading.

S.B. 563 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO USE PHOTOGRAPHIC SPEED-MEASURING SYSTEMS TO ESTABLISH SCHOOL ZONE SPEED LIMIT VIOLATIONS AND TO AUTHORIZE THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION AND THE SECRETARY OF CRIME CONTROL AND PUBLIC SAFETY TO APPROVE STANDARDS FOR THE PHOTOGRAPHIC SPEED-MEASURING SYSTEMS.

The Committee Substitute bill passes its second (45-4) and third readings and is ordered sent to the House of Representatives.

S.B. 568, A BILL TO BE ENTITLED AN ACT TO PERMIT COUNTYBOARDS OF ELECTIONS TO DESIGNATE ADDITIONAL SITES FOR ONE-STOP ABSENTEE VOTING.

With unanimous consent, upon motion of Senator Kinnaird, the bill is withdrawn from today’s Calendar and is placed on the Calendar for Wednesday, April 21.

S.B. 595 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW CREATING THE NORTHEASTERN REGIONAL ECONOMIC DEVELOPMENT COMMISSION.

The Committee Substitute bill passes its second (49-0) and third readings and is
ordered sent to the House of Representatives.

**S.B. 690, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR NONPARTISAN ELECTION OF DISTRICT COURT JUDGES.**

Senator Foxx offers Amendment No. 1 which fails of adoption (11-38).
The bill passes its second (38-11) and third readings and is ordered sent to the House of Representatives.

**S.B. 76 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF CRIMINAL STATISTICS TO COLLECT AND MAINTAIN STATISTICS ON TRAFFIC LAW ENFORCEMENT, for concurrence in the House Committee Substitute bill.**

The Senate concurs in the House Committee Substitute bill (43-6) and the measure is ordered enrolled and sent to the Governor by special message.

**COMMITTEE REFERRAL RECALL**

**S.B. 514, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DEVELOPMENT OF AN EFFECTIVE AND EFFICIENT MEANS TO PROMOTE HEALTH INSURANCE COVERAGE FOR UNINSURED CHILDREN IN MODERATE-INCOME FAMILIES, referred to the Rules and Operations of the Senate Committee on March 25.**

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Finance Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Finance Committee.

**S.J.R. 416, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SAMUEL ASHE FOR WHOM ASHE COUNTY IS NAMED UPON THE COUNTY’S BICENTENNIAL CELEBRATION, referred to Rules and Operations of the Senate Committee on March 18.**

Pursuant to Rule 47(a), Senator Rand offers a motion that the joint resolution be withdrawn from the Rules and Operations of the Senate Committee and placed on the Calendar for Wednesday, April 14.

The Chair orders the joint resolution withdrawn from the Rules and Operations of the Senate Committee and places it on the Calendar for Wednesday, April 14.

Upon motion of Senator Ballance, seconded by Senator Gulley, the Senate adjourns subject to introduction of bills, to meet tomorrow, Wednesday, April 14, at 4:00 P.M.

**INTRODUCTION OF BILLS**

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Martin of Pitt, Ballance, Carpenter, Cooper, Dannelly, Forrester, Jordan, Kinnaird, Lee, Lucas, Martin of Guilford, Purcell, Warren and Wellons:

**S.B. 836, A BILL TO BE ENTITLED AN ACT TO REQUIRE PARITY IN HEALTH INSURANCE COVERAGE FOR MENTAL ILLNESS AND CHEMICAL DEPENDENCY TREATMENT.**

Referred to Insurance Committee.
By Senator Allran:
S.B. 837, A BILL TO BE ENTITLED AN ACT TO IMPROVE AND MODERNIZE THE TORRENS LAND TITLE REGISTRATION PROCEDURES OF THE STATE.
Referred to Judiciary I Committee.

By Senator Wellons:
S.B. 838, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COMPENSATION TO PERSONS ERRONEOUSLY CONVICTED OF CRIMINAL OFFENSES IN CASES IN WHICH THE CONVICTION WAS VACATED OR OTHERWISE SET ASIDE.
Referred to Judiciary I Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senator Wellons:
S.B. 839, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO REQUIRE INTERIM CLAIMS PAYMENTS TO PROVIDERS IN THE EVENT CLAIMS CANNOT BE TIMELY PROCESSED DUE TO YEAR 2000 COMPUTER PROBLEMS.
Referred to Insurance Committee.

By Senator Wellons:
S.B. 840, A BILL TO BE ENTITLED AN ACT TO ENACT THE COMPREHENSIVE COMMUNITY COLLEGE IMPROVEMENT ACT OF 1999.
Referred to Appropriations/Base Budget Committee.

By Senators Wellons and Martin of Pitt:
S.B. 841, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH AND SUPPORT FIVE POSITIONS FOR THE COOPERATIVE EXTENSION SERVICE OF NORTH CAROLINA STATE UNIVERSITY, WHICH POSITIONS SHALL COMPRIZE THE TAR-PAMLICO EXTENSION ENVIRONMENTAL EDUCATION TEAM.
Referred to Appropriations/Base Budget Committee.

By Senators Wellons, Dalton and Garrou:
S.B. 842, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME LIMITATION ON FILING A PETITION IN CONTESTED CASES WHEN THE SUBJECT MATTER OF THE HEARING IS PROGRAMS AND SERVICES FOR CHILDREN WITH SPECIAL NEEDS.
Referred to Judiciary I Committee.

By Senators Weinstein, Carpenter, Dalton, Garwood, Harris, Phillips, Purcell, Soles and Wellons:
S.B. 843, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF NURSING TO INCREASE THE ANNUAL FEE CHARGED NURSES AIDES II.
Referred to Finance Committee.

By Senator Allran:
S.B. 844, A BILL TO BE ENTITLED AN ACT TO ALLOW CHARTER SCHOOLS TO OBTAIN THE SAME PERMANENT LICENSE PLATES AS PUBLIC SCHOOLS.
Referred to Transportation Committee and upon a favorable report, re-referred to the Finance Committee.

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By Senators Lee and Purcell:

**S.B. 845**, A BILL TO BE ENTITLED AN ACT TO CREATE A HEALTHY SCHOOL ENVIRONMENT IN OUR PUBLIC SCHOOLS BY HIRING ONE HUNDRED FIFTY SCHOOL NURSES PER YEAR TO REACH A RATIO OF ONE SCHOOL NURSE FOR EVERY SEVEN HUNDRED FIFTY STUDENTS BY THE YEAR 2010.

Referred to Appropriations/Base Budget Committee.

By Senators Lee and Kinnaird:

**S.B. 846**, A BILL TO BE ENTITLED AN ACT REGARDING PROPERTY MATTERS OF THE UNIVERSITY OF NORTH CAROLINA.

Referred to Rules and Operations of the Senate Committee.

By Senators Lee and Kinnaird:

**S.B. 847**, A BILL TO BE ENTITLED AN ACT REGARDING THE UNIVERSITY OF NORTH CAROLINA.

Referred to Rules and Operations of the Senate Committee.

By Senators Lee and Kinnaird:

**S.B. 848**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DEVELOPMENT PROJECTS FOR THE UNIVERSITY OF NORTH CAROLINA.

Referred to Rules and Operations of the Senate Committee.

By Senators Lee and Kinnaird:

**S.B. 849**, A BILL TO BE ENTITLED AN ACT REGARDING THE FINANCING OF CAPITAL IMPROVEMENTS FOR CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.

Referred to Rules and Operations of the Senate Committee.

By Senators Lee and Kinnaird:

**S.B. 850**, A BILL TO BE ENTITLED AN ACT REGARDING NONAPPROPRIATED CAPITAL PROJECTS FOR THE UNIVERSITY OF NORTH CAROLINA.

Referred to Rules and Operations of the Senate Committee.

By Senators Jordan and Ballantine:

**S.B. 851**, A BILL TO BE ENTITLED AN ACT TO DIVIDE SUPERIOR COURT DISTRICT 5 INTO A SET OF DISTRICTS.

Referred to Judiciary II Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Jordan and Ballance:

**S.B. 852**, A BILL TO BE ENTITLED AN ACT TO MAKE DEFENDANTS WHO ARE ELIGIBLE FOR A DRUG TREATMENT COURT PROGRAM ELIGIBLE FOR DEFERRED PROSECUTION, AND TO AUTHORIZE PARTICIPATION IN A DRUG TREATMENT COURT PROGRAM AS A SPECIAL CONDITION OF PROBATION FOR CONVICTED DEFENDANTS.

Referred to Judiciary I Committee.

By Senators Jordan and Soles:

OF WILMINGTON.
Referred to Appropriations/Base Budget Committee.

By Senators Perdue, Ballantine, Hoyle and Plyler:
S.B. 854, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS TO THE STATE PORTS.
Referred to Appropriations/Base Budget Committee.

By Senators Perdue and Hoyle:
S.B. 855, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE PORTS AUTHORITY TO OBTAIN ANNUAL REFUNDS OF STATE AND LOCAL SALES AND USE TAXES IT PAYS.
Referred to Finance Committee.

By Senators Perdue and Ballantine:
S.B. 856, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE PORTS AUTHORITY TO OBTAIN ANNUAL REFUNDS OF STATE AND LOCAL SALES AND USE TAXES IT PAYS.
Referred to Appropriations/Base Budget Committee.

By Senator Perdue:
S.B. 857, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR TRYON PALACE HISTORIC SITES AND GARDENS.
Referred to Appropriations/Base Budget Committee.

By Senator Perdue:
S.B. 858, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MONITORING WATER QUALITY IN PAMLICO SOUND AND DEVELOPING A MODEL CAPABLE OF PREDICTING THE IMPACTS OF NUTRIENT LOADING IN PAMLICO SOUND AND TO APPROPRIATE FUNDS TO MONITOR AND MODEL PAMLICO SOUND.
Referred to Appropriations/Base Budget Committee.

By Senators Perdue and Warren:
S.B. 859, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INITIATE THE DEVELOPMENT OF A PERMANENT COLLABORATIVE DELIVERY SYSTEM OF HIGHER EDUCATION IN EASTERN NORTH CAROLINA.
Referred to Appropriations/Base Budget Committee.

S.B. 860, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EXHIBITS AND UPFIT FOR THE NEW NORTH CAROLINA STATE MUSEUM OF NATURAL SCIENCES.
Referred to Appropriations/Base Budget Committee.

By Senator Rand:
S.B. 861, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTES ON

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UNCLAIMED PROPERTY.
Referred to Rules and Operations of the Senate Committee.

By Senators Kinnaird, Clodfelter, Foxx, Garrou, Garwood, Gulley, Hagan, Horton, Lucas, Martin of Guilford, Miller, Phillips, Robinson, Shaw of Cumberland, Warren and Weinstein:
S.B. 862, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STUDENT MEMBER OF THE BOARD OF GOVERNORS SHALL HAVE THE SAME RIGHT TO VOTE AS ALL OTHER MEMBERS.
Referred to Rules and Operations of the Senate Committee.

By Senator Gulley:
S.B. 863, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW OF NORTH CAROLINA.
Referred to Rules and Operations of the Senate Committee.

By Senators Gulley and Hoyle:
S.B. 864, A BILL TO BE ENTITLED AN ACT TO PROVIDE SALES TAX REDUCTIONS FOR CERTAIN CLINICAL LABORATORY TESTING COMPANIES.
Referred to Finance Committee.

By Senator Gulley:
S.B. 865, A BILL TO BE ENTITLED AN ACT TO CORRECT A PROVISION REGARDING TRANSIT AUTHORITY FINANCE.
Referred to Rules and Operations of the Senate Committee.

By Senator Gulley:
S.B. 866, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS CONCERNING THE LICENSURE OF MORTGAGE LENDERS AND BROKERS.
Referred to Commerce Committee and upon a favorable report, re-referred to the Finance Committee.

By Senator Gulley:
S.B. 867, A BILL TO BE ENTITLED AN ACT AMENDING CERTAIN PROVISIONS OF THE REAL ESTATE LICENSE LAW.
Referred to Judiciary II Committee.

By Senators Plyler, Hoyle, Kerr, Martin of Pitt, Miller, Perdue, Purcell, Rand, Reeves and Soles:
S.B. 868, A BILL TO BE ENTITLED AN ACT TO ADJUST THE CHARGE FOR THE INSPECTION OF A MOTOR VEHICLE DUE TO FEDERAL ENVIRONMENTAL PROTECTION AGENCY MANDATES THAT REQUIRE THE NORTH CAROLINA DIVISION OF MOTOR VEHICLES TO IMPLEMENT THE REGISTRATION DENIAL PROGRAM THROUGH THE MOTOR VEHICLE INSPECTION PROGRAM, AND DUE TO VARIOUS OTHER INCREASED COSTS AND EXPENSES INCURRED BY THE MOTOR VEHICLE INSPECTION STATIONS IN IMPLEMENTING THE MOTOR VEHICLE INSPECTION PROGRAM IN NORTH CAROLINA.
Referred to Finance Committee.

By Senator Martin of Pitt:
S.B. 869, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO

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PARTIALLY REIMBURSE PITT COUNTY FOR ITS COSTS TO MONITOR, INVESTIGATE, AND CONTAIN CONTAMINATION CAUSED BY THE DISPOSAL OF HAZARDOUS WASTE AT ITS COUNTY LANDFILL IN 1979 AT THE URGING OF THE STATE.

Referred to Appropriations/Base Budget Committee.

By Senators Reeves and Miller:

S.B. 870, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO WAKE COUNTY FOR THE COMMUNITY LEARNING CENTERS FOR EXPANSION OF SERVICES.

Referred to Appropriations/Base Budget Committee.

By Senator Reeves:

S.B. 871, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE OBLIGATION OF DECEDENTS' ESTATES FOR FUNERAL EXPENSES AND RELATED EXPENSES.

Referred to Commerce Committee.

By Senators Foxx, Albertson, Allran, Ballantine, Carpenter, Carrington, Carter, Clodfelter, Cochrane, East, Forrester, Garrou, Garwood, Gulley, Horton, Kinnaird, Lee, Metcalf, Phillips, Rand, Reeves, Rucho, Shaw of Guilford and Wellons:

S.B. 872, A BILL TO BE ENTITLED AN ACT TO AMEND THE NATURAL AND SCENIC RIVERS ACT OF 1971 TO REMOVE THE LIMIT ON THE AMOUNT OF ACREAGE THE STATE MAY ACQUIRE FOR INCLUSION IN THE NEW RIVER STATE PARK.

Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Dalton, Albertson, Hagan, Kerr, Lee, Miller, Phillips, Reeves, Soles and Wellons:

S.B. 873, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE QUALITY OF DOCUMENTS RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS.

Referred to Judiciary I Committee.

By Senator Ballance:

S.B. 874, A BILL TO BE ENTITLED AN ACT TO DEFINE A PROFESSIONAL FIREFIGHTERS' BENEFIT ACCRUAL RATE FOR MEMBERS AND BENEFICIARIES OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

Referred to Pensions & Retirement and Aging Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Lucas, Carter, Foxx, Gulley, Jordan, Kinnaird, Martin of Guilford, Metcalf, Perdue and Robinson:

S.B. 875, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PRACTICE OF MIDWIFERY BY CERTIFIED PROFESSIONAL MIDWIVES.

Referred to Health Care Committee and upon a favorable report, re-referred to the Finance Committee.

By Senator Kerr:

S.B. 876, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE USE OF NATURAL GAS EXPANSION FUNDS.

Referred to Finance Committee.

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By Senator Kerr:

**S.B. 877, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN MEMBERS OF THE NORTH CAROLINA NATIONAL GUARD AND NORTH CAROLINA STATE GUARD ARE EMPLOYEES SUBJECT TO THE WORKERS' COMPENSATION ACT.**

Referred to Judiciary II Committee.

By Senators Kerr, Cochrane, Dalton, Hoyle and Phillips:

**S.B. 878, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN NONPROFIT WATER CORPORATIONS TO BE ELIGIBLE FOR REVOLVING LOANS AND GRANTS FROM THE DRINKING WATER TREATMENT REVOLVING LOAN FUND.**

Referred to Finance Committee.

By Senators Martin of Guilford, Dannelly, Forrester, Gulley, Kerr, Kinnaird, Lucas, Phillips and Purcell:

**S.B. 879, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA HEALTHY START FOUNDATION.**

Referred to Appropriations/Base Budget Committee.

By Senators Martin of Guilford, Dannelly, Forrester, Gulley, Kerr, Kinnaird, Lucas, Phillips and Purcell:

**S.B. 880, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CHILD IS DEEMED UNINSURED FOR PURPOSES OF HEALTH INSURANCE UNDER HEALTH CHOICE IF THE CHILD'S PARENT FAILS TO COMPLY WITH COURT-ORDERED HEALTH INSURANCE.**

Referred to Insurance Committee.

By Senators Gulley, Ballance, Cooper, Garrou, Hagan, Kinnaird, Lucas, Martin of Guilford, Miller, Perdue, Phillips, Rand and Reeves:

**S.B. 881, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CAMPAIGN REFORM ACT OF 1999.**

Referred to Rules and Operations of the Senate Committee.

By Senators Gulley, Ballance, Kinnaird, Lucas, Martin of Guilford, Miller, Phillips and Reeves:

**S.B. 882, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SYSTEM OF COMPREHENSIVE PUBLIC FINANCING OF ELECTIONS FOR GOVERNOR, COUNCIL OF STATE, AND GENERAL ASSEMBLY; AND TO MAKE RELATED CHANGES.**

Referred to Rules and Operations of the Senate Committee.

By Senators Gulley, Lucas, Miller and Reeves:

**S.B. 883, A BILL TO BE ENTITLED AN ACT TO INCREASE THE GAS TAX TO PROVIDE FUNDS FOR TRANSPORTATION NEEDS.**

Referred to Finance Committee.

By Senator Cooper:

**S.B. 884, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES AND USE TAX DURABLE MEDICAL EQUIPMENT AND RELATED MEDICAL SUPPLIES COVERED UNDER MEDICAID OR MEDICARE.**

Referred to Finance Committee.

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By Senators Cooper and Martin of Guilford:

S.B. 885, A BILL TO BE ENTITLED AN ACT CLARIFYING THE AUTHORITY OF THE STATE AUDITOR TO EXAMINE STATE EMPLOYEE PERSONNEL RECORDS.
Referred to Judiciary I Committee.

By Senator Cooper:

S.B. 886, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH AND SUPPORT AN ASSISTANT FOREST RANGER POSITION FOR NASH COUNTY.
Referred to Appropriations/Base Budget Committee.

By Senators Cooper, Gulley and Martin of Guilford:

S.B. 887, A BILL TO BE ENTITLED AN ACT TO TRANSFER CERTAIN FUNDS APPROPRIATED FOR THE 1998-99 FISCAL YEAR FROM THE DEPARTMENT OF COMMERCE TO THE HOUSING FINANCE AGENCY FOR THE HOUSING TRUST FUND.
Referred to Appropriations/Base Budget Committee.

By Senator Cooper:

S.B. 888, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING CONTROLLED SUBSTANCES.
Referred to Judiciary I Committee.


S.B. 889, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ENABLE THE CONSERVATION TRUST FOR NORTH CAROLINA TO SUPPORT THE WORK OF THE STATE'S PRIVATE LAND TRUSTS AND TO PROMOTE THE CONSERVATION TAX CREDIT PROGRAM FOR CONSERVATION OF CERTAIN ELIGIBLE LANDS.
Referred to Appropriations/Base Budget Committee.

By Senators Metcalf and Carter:

S.B. 890, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PUBLIC-PRIVATE PARTNERSHIP PILOT PROJECTS TO EXPAND ACCESS TO HEALTH CARE.
Referred to Rules and Operations of the Senate Committee.

By Senators Metcalf and Carter:

S.B. 891, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ENHANCE ECONOMIC DEVELOPMENT IN WESTERN NORTH CAROLINA THROUGH THE SMALL TOWN REVITALIZATION AND COUNTY PLANNING PROGRAM.
Referred to Appropriations/Base Budget Committee.

By Senators Metcalf, Carter and Garwood:

S.B. 892, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMUNITY COLLEGES TO BE ALLOCATED TO THE WESTERN PIEDMONT COMMUNITY COLLEGE BOARD OF TRUSTEES TO
ESTABLISH A MODEL EARLY CHILDHOOD EDUCATION CENTER FOR BURKE COUNTY.

Referred to Appropriations/Base Budget Committee.

By Senators Metcalf, Carter and Robinson:
S.B. 893, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR IDENTIFYING AND EVALUATING POTENTIAL INDUSTRIAL AND BUSINESS SITES IN WESTERN NORTH CAROLINA AND TO BEGIN THE DEVELOPMENT ON SELECTED SITES.

Referred to Appropriations/Base Budget Committee.

By Senators Carter, Harris, Kerr, Metcalf and Robinson:
S.B. 894, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A NEUROBEHAVIORAL TREATMENT PROGRAM AT BLACK MOUNTAIN CENTER FOR PERSONS WITH TRAUMATIC BRAIN INJURY.

Referred to Appropriations/Base Budget Committee.

Pursuant to Senator Ballance’s motion to adjourn having prevailed, the Senate adjourns at 2:58 P.M.

FORTY-FIFTH DAY

Senate Chamber
Wednesday, April 14, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“Ever constant God, the pendulum of power and consent swings widely in this Chamber. On any day it may lean in support of a position we advocate just as easily as it swings in opposition to us. Winners and losers are delineated in only five seconds, with each flip of the voting levers.

“When we find ourselves on the prevailing side of a vote, keep us from the temptation of gloating in our victory, and from equating a victorious outcome with a virtuous outcome. Help us to remember that our green and red voting lights do not necessarily denote right and wrong. And when our passionately held positions are overruled by the will of the majority and we sense ourselves misunderstood in our defeat, save us from slipping into bitterness.

“Grant us grace, humility, and Your Spirit of peace in all our deliberations this day. For we make our prayer in Your Holy Name, Amen.”

With unanimous consent, the President grants leaves of absence for today to Senator Carter, Senator Gulley, and Senator Shaw of Cumberland.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Tuesday, April 13, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

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The President of the Senate extends courtesies of the floor to Dr. Thomas Adams Roberts, Jr. from Charlotte, North Carolina, who is serving the Senate as Doctor of the Day.

ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

S.B. 76, AN ACT TO REQUIRE THE DIVISION OF CRIMINAL STATISTICS TO COLLECT AND MAINTAIN STATISTICS ON TRAFFIC LAW ENFORCEMENT.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

S.B. 270, AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO PROVIDE FOR VOLUNTARY ANNEXATION OF PROPERTY SUBJECT TO PRESENT-USE VALUE APPRAISAL. (Became law upon ratification, April 12, 1999 - S.L. 1999-19.)

H.B. 238, AN ACT TO REMOVE THE SUNSET FROM LAWS ENCOURAGING THE PURCHASE OF COMMODITIES AND SERVICES OFFERED BY BLIND AND BY SEVERELY DISABLED PERSONS. (Became law upon approval of the Governor, April 13, 1999 - S.L. 1999-20.)

S.B. 62, AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS. (Became law upon approval of the Governor, April 13, 1999 - S.L. 1999-21.)

CALENDAR

Bills and a resolution on today's Calendar are taken up and disposed of, as follows:

S.B. 65 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE MOTOR VEHICLE OCCUPANT RESTRANST SAFETY.

With unanimous consent, upon motion of Senator Purcell, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, April 20.

INTRODUCTION OF A RESOLUTION

A resolution filed for introduction is presented to the Senate, read the first time, and disposed of, as follows:

By Senator Rand:


Upon motion of Senator Rand, the rules are suspended and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second (42-0) and third readings and is ordered sent by April 14, 1999
special message to the House of Representatives.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Purcell for the Health Care Committee:

S.B. 793, A BILL TO BE ENTITLED AN ACT AMENDING THE PSYCHOLOGY PRACTICE ACT TO INCLUDE WITHIN THE SCOPE OF PRACTICE THE DIAGNOSIS AND TREATMENT OF NEUROPSYCHOLOGICAL ASPECTS OF PHYSICAL ILLNESS, ACCIDENT, INJURY, OR DISABILITY AND TO DEFINE THE TERM NEUROPSYCHOLOGICAL, with a favorable report.

By Senator Phillips for the Pensions & Retirement and Aging Committee:

S.B. 304, A BILL TO BE ENTITLED AN ACT TO INCLUDE PUBLIC DEFENDERS AND THE APPELLATE DEFENDER AS MEMBERS OF THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 296, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROVISIONS REGARDING SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE CHARTER OF THE TOWN OF FOREST CITY, with a favorable report, as amended.

Pursuant to Rule 45.1, the proposed Committee Amendment No. 1 is adopted and engrossed.

S.B. 687, A BILL TO BE ENTITLED AN ACT TO AMEND THE SUPPLEMENTAL RETIREMENT FUND FOR FULL-TIME PAID FIREFIGHTERS IN THE CITY OF HICKORY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2643 is adopted and engrossed.

By Senator Kinnaird for the State and Local Government Committee:

S.B. 573, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ENGAGE IN PUBLIC-PRIVATE PROJECTS OUTSIDE THE DOWNTOWN AREA, with a favorable report.

S.B. 625, A BILL TO BE ENTITLED AN ACT TO REPEAL AN OBSOLETE SECTION OF THE CHARTER OF THE CITY OF DURHAM REGARDING THE PRIVILEGE LICENSE TAX YEAR, with a favorable report.

S.B. 627, A BILL TO BE ENTITLED AN ACT TO PERMIT THE DURHAM CITY COUNCIL TO AUTHORIZE DEPUTY AND ASSISTANT CITY MANAGERS TO MAKE AND EXECUTE CONTRACTS, with a favorable report.

S.B. 652, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE IN DURHAM COUNTY TO FRAUDULENTLY OBTAIN AMBULANCE
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S.B. 719, A BILL TO BE ENTITLED AN ACT ALLOWING THE CITY OF DURHAM TO CONSIDER LIMITATIONS ON USES AS REQUESTED IN THE DEVELOPMENT PLANS SUBMITTED FOR REZONINGS AND TO MAKE OTHER CHANGES REGARDING THE CONSIDERATION OF DEVELOPMENT PLANS, with a favorable report.

S.B. 626, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO CITY DEPARTMENTS THE AUTHORITY TO APPROVE FIREWORKS DISPLAYS, with a favorable report, as amended.

Pursuant to Rule 45.1, the proposed Committee Amendment No. 1 is adopted and engrossed.

COMMITTEE REFERRAL RECALL

S.B. 392, A BILL TO BE ENTITLED AN ACT TO PROVIDE A COMPREHENSIVE CAMPUS VOTER REGISTRATION PROGRAM, referred to the Education/Higher Education Committee on March 16.

Pursuant to Rule 47(a), Senator Dalton offers a motion that the bill be withdrawn from the Education/Higher Education Committee and re-referred to the Judiciary II Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Education/Higher Education Committee and re-refers the measure to the Judiciary II Committee.

REPORTS OF COMMITTEES (Continued)

By Senator Wellons for the Insurance Committee:

S.B. 347, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS TO COVER NONFORMULARY DRUGS AND DEVICES WHEN MEDICALLY NECESSARY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2637 is adopted and engrossed.

By Senator Soles for the Commerce Committee:

S.B. 607, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO SPORTS CLUBS, with a favorable report.

S.B. 606, A BILL TO BE ENTITLED AN ACT TO ESTABLISH TOURISM RESORTS AND TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO THESE ENTITIES AND TO PROHIBIT DISCRIMINATION BY ABC PERMITEES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2726 is adopted and engrossed.

S.B. 658, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE LAW PROVIDING THAT CERTAIN SECONDARY SUPPLIERS OF ELECTRIC

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SERVICE MAY FURNISH SERVICE WITHIN THE CORPORATE LIMITS OF A CITY WITH WRITTEN CONSENT FROM THE CITY, ALLOWING THE BOARD OF AN ELECTRIC MEMBERSHIP CORPORATION TO VOTE BY PROXY ON DECISIONS TO ENCUMBER CORPORATE PROPERTY OR TO DISSOLVE THE CORPORATION, AND MAKING TECHNICAL CHANGES TO THE LAW REGARDING MUNICIPAL ELECTRIC SERVICE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4655, which changes the title to read S.B. 658 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE LAW PROVIDING THAT CERTAIN SECONDARY SUPPLIERS OF ELECTRIC SERVICE MAY FURNISH SERVICE WITHIN THE CORPORATE LIMITS OF A CITY WITH WRITTEN CONSENT FROM THE CITY, ALLOWING THE BOARD OF AN ELECTRIC OR TELEPHONE MEMBERSHIP CORPORATION TO VOTE BY PROXY ON DECISIONS TO ENCUMBER CORPORATE PROPERTY OR TO DISSOLVE AN ELECTRIC MEMBERSHIP CORPORATION, AND MAKING TECHNICAL CHANGES TO THE LAW REGARDING MUNICIPAL ELECTRIC SERVICE, is adopted and engrossed.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 225 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING CERTIFICATION AND EMPLOYMENT OF ASSISTANT PRINCIPALS, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, April 15.

H.B. 294 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING THE APPLICABILITY OF PREEXISTING CONDITION LIMITATIONS TO CERTAIN TYPES OF HEALTH INSURANCE POLICIES; TO PRESCRIBE STANDARDS FOR DISABILITY INCOME INSURANCE; TO CONFORM NORTH CAROLINA'S 1997 POSTMASTECTOMY RECONSTRUCTIVE SURGERY LAWS TO THE FEDERAL WOMEN'S HEALTH AND CANCER RIGHTS ACT OF 1998; TO UPDATE THE LAW ON VIATICAL SETTLEMENTS; AND TO AUTHORIZE THE WRITING OF FAMILY LEAVE CREDIT INSURANCE.

Referred to Insurance Committee.

H.B. 495 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ARBITRATION OF ALL ISSUES ARISING FROM A MARITAL SEPARATION OR DIVORCE, EXCEPT FOR THE DIVORCE ITSELF, UPON THE AGREEMENT OF ALL PARTIES; AND TO AMEND G.S. 1-567.57.

Referred to Judiciary II Committee.

H.B. 531 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING IN LEE COUNTY.

Referred to State and Local Government Committee.

H.B. 587, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INFORMAL BID LIMITS RELATING TO THE LETTING OF PURCHASE CONTRACTS BY THE

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CITY OF GREENSBORO.

Referred to State and Local Government Committee.

H.B. 615, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ELIZABETH CITY TO REGULATE THE OPERATION OF VESSELS WITHIN THE CITY.

Referred to State and Local Government Committee.

H.B. 637, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE IN COINJOCK CANAL IN CURRITUCK COUNTY.

Referred to State and Local Government Committee.

H.B. 685 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LAW ENFORCEMENT OFFICER MAY ARREST A PERSON ON PRIVATE PREMISES OR IN A VEHICLE IN ACCORDANCE WITH STATE LAW WITH A COPY OF THE ORIGINAL ARREST WARRANT OR ORDER.

Referred to Judiciary II Committee.

**EXECUTIVE ORDER**

An Executive Order received is presented to the Senate, read, and ordered filed in the Office of the Principal Clerk with the papers of the Senate, as follows:

Executive Order Number 148, Governor’s Commission on Responsible Fatherhood.

*With unanimous consent, the President grants a leave of absence for the remainder of today’s Session to Senator Webster.*

**CALENDAR (Continued)**

S.B. 271 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX TO THE EXISTING CITY LIMITS OF THE TOWN OF HUNTERSVILLE CERTAIN AREAS SURROUNDED BY EXISTING CITY LIMITS OF THE TOWN OF HUNTERSVILLE, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 42, noes 2, as follows:


Voting in the negative: Senators Ballantine and Foxx—2.

The Committee Substitute bill is ordered sent to the House of Representatives.

S.B. 269 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET, for concurrence in the House Committee Substitute bill, upon third reading.

The Senate concurs in the House Committee Substitute bill on its third reading by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Clodfelter, Cochrane, Dalton, Dannelly, East, Forrester, Foxx, Garrou, Garwood, Hagan, Harris, Hartsell, Horton, Hoyle, Jordan, Kerr, Kinnaird, Lee,

Voting in the negative: None.
The House Committee Substitute bill is ordered enrolled.

REPORTS OF COMMITTEES (Continued)

By Senator Kerr for the Finance Committee:

S.B. 313, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO CONTINUE TO LEVY STORMWATER FEES IF REVENUE BONDS HAVE BEEN ISSUED AND ARE OUTSTANDING, with a favorable report.

With unanimous consent, upon motion of Senator Kerr, the bill is placed on the Calendar for Tuesday, April 20.

S.B. 675, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO AN ACT WHICH REVIVED THE CHARTER OF THE TOWN OF UNIONVILLE, with a favorable report.

With unanimous consent, upon motion of Senator Kerr, the bill is placed on the Calendar for Tuesday, April 20.

CALENDAR (Continued)

S.J.R. 416, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SAMUEL ASHE FOR WHOM ASHE COUNTY IS NAMED UPON THE COUNTY'S BICENTENNIAL CELEBRATION.

With unanimous consent, upon motion of Senator Ballantine, the remarks of the Senators honoring the late Governor Ashe and Ashe County, are spread upon the Journal, as follows:

Senator Foxx:

“Ladies and Gentlemen, I could say that there is no free cheese. You have to listen to the comments about this joint resolution in exchange for the cheese that you have from Ashe County today. I have introduced this resolution to honor former Governor Ashe but also to bring attention to Ashe County, which is celebrating its two hundredth anniversary this year, and I hope that if you have never been to Ashe County this will prompt you to want to come and visit the county because it is truly a wonderful place. As I mentioned, Ashe County is named for Samuel Ashe. I’m not going to spend a lot of time talking about him but in preparing for this today, I learned he was quite a patriot and a wonderful person to help form this State. So I hope if you have a few minutes sometime, you will read more about former Governor Ashe. He was one of the first three judges of this State, he was Speaker of the Senate, and he was Governor from 1795-1799, and he was also on the committee to write the North Carolina Constitution. Asheville and Asheboro are also named for him. So you can tell that people in our State have held him in high esteem for a long, long time. I’m going to give you a little bit of information about the current Ashe County and I promise you we’re not going to dwell on all the facts that I could give you. The cheese comes from the only cheese factory in North Carolina, and the reason the cheese factory is there is because of the wonderful water that is in Ashe County. There are many different kinds of springs there but everyone who ever goes to Ashe County knows that the water there all over the county is really wonderful. We also are blessed to have twenty-seven miles of the New River within the boundary of Ashe County and, as I think most of you know, the New River last year was designated part of the American Heritage

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River Initiative. And the New is the oldest river in North America. It provides much recreation for the county both in fishing and canoeing. Ashe County also has approximately twenty-eight miles of the Blue Ridge Parkway within its boundaries. It is one of the most rural and most agricultural of all the counties in North Carolina, and I want to read you something so that you won't think that I am alone prejudiced about Ashe County. This comes from Bill Sharpe's, *New Geography of North Carolina*, and he says on page 543 that Preston Arthur who wrote about all the mountain counties concluded that 'Ashe is less known than any mountain county, but it is the finest of all. A traveler immerging upon the neat plateau can easily pardon Ashe people for looking upon their county with pride. It is a pride without pretension, yet conscious of their pioneer heritage and their stewardship of a goodly land.' The two hundredth anniversary celebration will take place on May 7. Everyone is invited to come and I hope you will use the order form to order lots of cheese. The economy can use it. Thank you very much.'

Senator Phillips:

"I just want to join Senator Foxx in asking you to support this resolution, and I want to tell you why. It was my pleasure for sixteen years to work for the people of Ashe County. They’re a joy. They’re honest. They’re decent. They’re hard working. They’re faithful to all of their programs, education, their churches, their children and most of all each other. It’s a wonderful place to live. It’s a wonderful place to visit. And I must tell you that when you leave Ashe County going in any direction or when you come in to Ashe County from any direction, you know that you are either in or have been in Ashe County. The way the homes are maintained, the way the community is maintained, the spirit of the people in the community, it is a pleasure to visit and be a part of that community. I want to say to you that I don’t know Governor Ashe, he was a little bit before my time. But he was fortunate. He was fortunate if he had an experience with the people in Ashe County whatever time that might have been. I have fond memories of the community and its people and I also ask that you support the resolution. Thank you."

Senator East:

"I just want to say ditto to what’s been said here by Senator Foxx and Senator Phillips and invite you folks up to one of the most beautiful places in this country and in this State. I would suggest you come up and go through the cheese factory and the pipe plant there. You might even check out Jefferson Landing, a beautiful place there for golfing and tennis and what have you. I would suggest that a whole lot of you flatlanders bring your money up to the mountains and spend some time up there. Thank you."

The joint resolution passes its second reading (43-0) and third reading with Members standing, and is ordered sent to the House of Representatives.

WITHDRAWAL FROM THE CLERK'S OFFICE

S.B. 665, A BILL TO BE ENTITLED AN ACT AUTHORIZING DENTAL HYGIENIST LICENSURE BY CREDENTIAL AND AMENDING THE LICENSURE REQUIREMENTS FOR DENTAL HYGIENISTS, ordered held in the Office of the Principal Clerk on March 31, pending referral to committee.

Upon motion of Senator Rand, the bill is withdrawn from the Office of the Principal Clerk and referred to the Health Care Committee.

COMMITTEE REFERRAL RECALL

S.B. 694, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN

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OF RIMERTOWN SUBJECT TO A REFERENDUM, referred to the Rules and Operations of the Senate Committee on April 1.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Finance Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Finance Committee.

S.B. 528, A BILL TO BE ENTITLED AN ACT RELATING TO THE 26TH SENATORIAL DISTRICT, referred to the Rules and Operations of the Senate Committee on March 25.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Finance Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Finance Committee.

Upon motion of Senator Basnight, seconded by Senator Lucas, the Senate adjourns subject to introduction of bills, to meet tomorrow, Thursday, April 15, at 11:00 A.M.

INTRODUCTION OF BILLS AND A RESOLUTION

Bills and a resolution filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Soles:
S.B. 895, A BILL TO BE ENTITLED AN ACT TO SUBJECT GIFT CERTIFICATES AND ELECTRONIC GIFT CARDS BEARING AN EXPIRATION DATE TO THE UNCLAIMED PROPERTY LAWS OF NORTH CAROLINA AND TO EXEMPT GIFT CERTIFICATES AND ELECTRONIC GIFT CARDS WHICH ARE PERPETUALLY REDEEMABLE FROM THE UNCLAIMED PROPERTY LAWS OF NORTH CAROLINA.

Referred to Finance Committee.

By Senator Perdue:
S.B. 896, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE SMART GROWTH NORTH CAROLINA COMMISSION AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.

Referred to Appropriations/Base Budget Committee.

By Senators Dalton and Perdue:
S.B. 897, A BILL TO BE ENTITLED AN ACT TO PROVIDE TITLE PROTECTION FOR THE SAFETY PROFESSION.

Referred to Judiciary I Committee.

By Senators Dalton and Lee:
S.B. 898, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAWS PERTAINING TO PUBLIC SCHOOL PERSONNEL.

Referred to Education/Higher Education Committee.

By Senator Shaw of Guilford:
S.B. 899, A BILL TO BE ENTITLED AN ACT TO RESTRICT LOCAL
GOVERNMENT AUTHORITY TO IMPOSE FEES THAT APPLY TO ALL PROPERTY WITHIN ITS TAXING JURISDICTION WITH THE INTENT THAT LOCAL GOVERNMENTS USE PROPERTY TAX REVENUES BECAUSE PROPERTY TAXES ARE DEDUCTIBLE FOR FEDERAL INCOME TAX PURPOSES AND FEES ARE NOT.

Referred to Finance Committee.

By Senator Wellons:
S.B. 900, A BILL TO BE ENTITLED AN ACT TO ADOPT THE GREEN GARDEN SPIDER AS THE STATE SPIDER.

Referred to Agriculture/Environment/Natural Resources Committee.

By Senator Wellons:
S.B. 901, A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW GOVERNING THE TIME OF APPOINTMENT OF COUNSEL FOR JUVENILES CHARGED WITH CERTAIN OFFENSES.

Referred to Judiciary I Committee.

By Senator Wellons:
S.B. 902, A BILL TO BE ENTITLED AN ACT TO REPEAL THE AUTHORIZATION OF THE COURT TO PROCEED WITH A JUVENILE TRANSFER HEARING UPON ITS OWN MOTION.

Referred to Judiciary I Committee.

By Senator Lee:
S.B. 903, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR THE NORTH CAROLINA PROGRESS BOARD.

Referred to Appropriations/Base Budget Committee.

By Senator Lee:
S.B. 904, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A PILOT PROGRAM ON SCHOOL LEADERSHIP ISSUES.

Referred to Appropriations/Base Budget Committee.

By Senator Lee:
S.B. 905, A BILL TO BE ENTITLED AN ACT PERTAINING TO CAPITAL FINANCING FOR THE UNIVERSITY OF NORTH CAROLINA.

Referred to Rules and Operations of the Senate Committee.

By Senator Lee:
S.B. 906, A BILL TO BE ENTITLED AN ACT TO AMEND THE UNDERGROUND DAMAGE PREVENTION ACT.

Referred to Judiciary II Committee.

By Senators Cooper, Hoyle, Kerr, Perdue, Rand and Reeves:
S.B. 907, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISSEMINATION OF OBSCENITIES BY COMPUTER TRANSMISSION, TO PROHIBIT THE USE OF STATE COMPUTERS TO ACCESS OBSCENITIES, TO REGULATE CERTAIN USES OF STATE COMPUTERS, AND TO REQUIRE THE INSTALLATION OF APPROPRIATE SOFTWARE ON CERTAIN COMPUTERS ACCESSIBLE TO THE PUBLIC OR THE USE OF OTHER APPROPRIATE

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MANAGEMENT SCHEMES TO SHIELD MINORS FROM OBSCENITIES TRANSMITTED BY COMPUTER.
Referred to Judiciary I Committee.

By Senators Albertson, Carpenter, Clodfelter, Harris, Hoyle, Kerr, Metcalf, Warren and Weinstein:
S.B. 908, A BILL TO BE ENTITLED AN ACT TO REVISE THE UNIFORM COMMERCIAL CODE TO PROVIDE THAT WAREHOUSEMEN DO NOT HAVE TO ISSUE WRITTEN RECEIPTS AS A PRECONDITION TO CREATING A LIEN.
Referred to Judiciary I Committee.

By Senators Albertson, Carpenter, Harris, Hoyle, Kerr, Martin of Pitt, Metcalf, Warren and Weinstein:
S.B. 909, A BILL TO BE ENTITLED AN ACT TO REGULATE COTTON GINS, COTTON WAREHOUSES, AND COTTON MERCHANTS.
Referred to Judiciary I Committee and upon a favorable report, re-referred to the Finance Committee.

By Senators Albertson, Carpenter, Carter, Dalton, Harris, Hoyle, Kerr, Metcalf, Martin of Pitt, Warren, and Weinstein:
S.B. 910, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE COMMISSION ON SMALL FAMILY FARM PRESERVATION.
Referred to Appropriations/Base Budget Committee.

By Senators Rand, Allran, Ballance, Ballantine, Clodfelter, Cooper, Dalton, Garrou, Gulley, Hagan, Hartsell, Horton, Martin of Guilford, Miller, Reeves, Soles, Warren and Wellons:
S.B. 911, A BILL TO BE ENTITLED AN ACT TO INCREASE THE COMPENSATION FOR EMERGENCY JUDGES.
Referred to Appropriations/Base Budget Committee.

By Senator Rand:
S.B. 912, A BILL TO BE ENTITLED AN ACT PERTAINING TO CAPITAL FINANCING FOR THE UNIVERSITY OF NORTH CAROLINA.
Referred to Rules and Operations of the Senate Committee.

By Senators Rand and Cooper:
S.B. 914, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE IMPACT OF ADULT CRIME AND POVERTY ON JUVENILES WHO ARE DELINQUENT, UNDISCIPLINED, OR AT RISK OF BECOMING DELINQUENT OR UNDISCIPLINED.
Referred to Rules and Operations of the Senate Committee.

By Senator Rand:
S.B. 915, A BILL TO BE ENTITLED AN ACT TO CREATE A TOBACCO RESERVE FUND FOR TOBACCO PRODUCT MANUFACTURERS NOT PARTICIPATING IN THE MASTER SETTLEMENT AGREEMENT WITH THE STATE OF NORTH CAROLINA.
Referred to Judiciary I Committee.

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By Senators Gulley, Ballance, Kinnaird, Lee, Lucas, Miller and Reeves:
S.B. 916, A BILL TO BE ENTITLED AN ACT TO ADJUST THE GAS TAX RATE FORMULA.
Referred to Finance Committee.

By Senator Carpenter:
S.B. 917, A BILL TO BE ENTITLED AN ACT TO MAKE THE RESULTS OF ALCOHOL SCREENING TESTS ADMISSIBLE.
Referred to Judiciary I Committee.

By Senator Cooper:
S.B. 918, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE JUVENILE JUSTICE REFORM ACT OF 1998.
Referred to Judiciary I Committee.

By Senators Garrou, Carter, Cooper, Gulley, Hagan, Harris, Kinnaird, Phillips, Robinson and Wellons:
S.B. 919, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES REGARDING ABUSED AND NEGLECTED CHILDREN.
Referred to Judiciary I Committee.

By Senator Forrester:
S.B. 920, A BILL TO BE ENTITLED AN ACT TO UPDATE THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT TO ACCURATELY REFLECT THE CURRENT SCHEDULING OF CONTROLLED SUBSTANCES, AS SCHEDULED BY THE DRUG ENFORCEMENT ADMINISTRATION.
Referred to Judiciary II Committee.

By Senator Miller:
S.B. 921, A BILL TO BE ENTITLED AN ACT TO ALLOW JUDGMENT BY DEFAULT TO BE ENTERED BY THE JUDGE WITHOUT A HEARING SUBJECT TO CERTAIN CONDITIONS.
Referred to Judiciary II Committee.

By Senator Miller:
S.B. 922, A BILL TO BE ENTITLED AN ACT TO PROTECT SWINE GROWERS BY PROVIDING THAT SWINE OPERATION INTEGRATORS SHALL BE JOINTLY AND SEVERALLY LIABLE FOR FAILURE TO COMPLY WITH THE CONDITIONS OF A PERMIT FOR AN ANIMAL WASTE MANAGEMENT SYSTEM.
Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senator Miller:
S.B. 923, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE REDUCTION OF UNDERINSURED MOTORISTS COVERAGE BY THE AMOUNT RECEIVED IN BENEFITS UNDER THE WORKERS' COMPENSATION ACT.
Referred to Judiciary II Committee.

By Senators Miller and Reeves:
S.B. 924, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES.
Referred to Rules and Operations of the Senate Committee.

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By Senator Miller:
S.B. 925, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PUBLIC DUTY DOCTRINE FOR TORT CLAIMS AGAINST STATE DEPARTMENTS AND AGENCIES.
Referred to Judiciary II Committee.

By Senators Kinnaird, Gulley and Lucas:
S.B. 926, A BILL TO BE ENTITLED AN ACT TO MODIFY DEPARTMENT OF TRANSPORTATION CONDEMNATION PROCEDURES.
Referred to Judiciary I Committee.

By Senators Kinnaird and Phillips:
S.B. 927, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES NECESSITATED BY CHANGES IN FEDERAL LAW TO THE GENERAL STATUTES CONCERNING SERVICES FOR THE BLIND AND TO MAKE TECHNICAL CHANGES.
Referred to Children & Human Resources Committee.

By Senators Reeves, Lucas and Miller:
S.B. 928, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONSTRUCT A REPLICA OF THE HULL OF THE AMISTAD SLAVESHIP AT THE AFRICAN AMERICAN HERITAGE PRESERVATION CULTURAL COMPLEX.
Referred to Appropriations/Base Budget Committee.

By Senator Reeves:
S.B. 929, A BILL TO BE ENTITLED AN ACT TO REVISE THE ABATEMENT OF NUISANCES STATUTES.
Referred to Judiciary II Committee.

By Senators Kinnaird, Clodfelter, Gulley, Lee, Lucas and Phillips:
S.B. 930, A BILL TO BE ENTITLED AN ACT TO PROMOTE THE PRESERVATION OF FARMLAND, TO PROMOTE SMALL, FAMILY-OWNED FARMS, AND TO CHANGE THE DEFINITION OF SUBDIVISIONS SUBJECT TO REGULATION UNDER CHAPTER 153A OF THE GENERAL STATUTES.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Kinnaird, Ballance, Lucas and Martin of Guilford:
S.B. 931, A BILL TO BE ENTITLED AN ACT TO REQUIRE LIFE IMPRISONMENT WITHOUT PAROLE FOR FELONY MURDER.
Referred to Judiciary II Committee.

By Senators Kinnaird, Clodfelter and Hagan:
S.B. 932, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES RECEIVE PRIOR NOTIFICATION OF TIMBER HARVESTING.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Kinnaird, Carter, Garrou, Lucas and Phillips:
S.B. 933, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE RIGHTS OF ADULT CARE HOME RESIDENTS WITH RESPECT TO TRANSFER OR DISCHARGE FROM THE FACILITY.
Referred to Commerce Committee.

April 14, 1999
By Senators Carter, Albertson, Clodfelter, Cooper, Dannelly, Gulley, Harris, Horton, Hoyle, Martin of Pitt, Metcalf, Perdue, Rand and Soles:

**S.B. 934**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE HANDICAPPED PERSONS PROTECTION ACT, CHAPTER 168A OF THE GENERAL STATUTES.
Referred to Children & Human Resources Committee.

By Senators Carter, Albertson, Clodfelter, Dannelly and Rand:

**S.B. 935**, A BILL TO BE ENTITLED AN ACT TO ALLOW CONSUMERS TO BE PLACED ON A LIST OF RESIDENTIAL TELEPHONE SUBSCRIBERS WHO OBJECT TO TELEPHONE SOLICITATIONS AND PROHIBITING TELEPHONE SOLICITORS FROM MAKING CALLS TO PERSONS ON THAT LIST.
Referred to Commerce Committee.

By Senators Forrester, Ballance and Wellons:

**S.B. 936**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO PROVISIONALLY RESTORE THE DRIVERS LICENSE OF A PERSON CONVICTED OF HABITUAL IMPAIRED DRIVING AFTER FIVE YEARS.
Referred to Judiciary I Committee.

By Senators Rand, Ballance, Carpenter, Carrington, Carter, Forrester, Foxx, Hartsell, Jordan, Kerr, Martin of Pitt, Plyler, Rucho, Shaw of Cumberland and Soles:

**S.B. 937**, A BILL TO BE ENTITLED AN ACT TO PROMOTE COMPETITION, CHOICE, AND AVAILABILITY IN THE PURCHASE OF PRESCRIPTION DRUGS AND PHARMACY SERVICES.
Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senator Kerr:

**S.B. 938**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE TREASURER TO INVEST UP TO THIRTY MILLION DOLLARS OF THE ESCHHEAT FUND IN NONPROFIT ECONOMIC OPPORTUNITY CORPORATIONS APPROVED BY THE DEPARTMENT OF COMMERCE FOR REINVESTMENT IN PRIVATE SECTOR INVESTMENT FUNDS THAT WOULD FINANCE ENTREPRENEURIAL FIRMS IN RURAL COUNTIES AND DEVELOPMENT ZONES.
Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Warren, Cooper, Gulley, Hoyle, Martin of Guilford, Perdue, Rand and Soles:

**S.B. 939**, A BILL TO BE ENTITLED AN ACT TO REVISE THE REQUIREMENTS OF BANK DIRECTORS, TO CONFORM CERTAIN NORTH CAROLINA BANKING LAWS TO FEDERAL BANKING REGULATIONS, AND TO REMOVE THE SUNSET PROVISION WITH REGARD TO DE NOVO INTERSTATE BRANCH BANKING.
Referred to Commerce Committee.

By Senators Warren, Albertson, Cooper, Dannelly, Gulley, Hoyle, Martin of Guilford, Perdue, Rand and Soles:

**S.B. 940**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE REGULATION OF NONDEPOSITORY TRUST COMPANIES AND THE AUTHORIZATION OF

April 14, 1999
FAMILY TRUST COMPANIES.

Referred to Rules and Operations of the Senate Committee.

By Senators Warren, Albertson, Clodfelter, Cooper, Dannelly, Hoyle, Martin of Guilford, Martin of Pitt and Rand:

S.B. 941, A BILL TO BE ENTITLED AN ACT TO UPDATE THE MANUFACTURED HOUSING BOARD STATUTES, TO PROVIDE FOR CONTINUING EDUCATION FOR LICENSEES, TO IMPROVE THE BUYER CANCELLATION LAW, AND TO UPDATE THE LAW ON MANUFACTURED HOME STANDARDS TO COMPLY WITH FEDERAL LAWS AND REGULATIONS.

Referred to Commerce Committee and upon a favorable report, re-referred to the Finance Committee.

By Senators Martin of Guilford, Albertson, Ballance, Dannelly, Gulley, Hoyle, Kerr, Lee, Lucas, Martin of Pitt, Perdue, Purcell, Rand, Warren and Wellons:

S.B. 942, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP PLANS FOR IMPLEMENTING THE STATEWIDE STUDENT ACCOUNTABILITY STANDARDS POLICY AND TO IDENTIFY RESOURCES TO ENSURE APPROPRIATE EARLY AND ONGOING ASSISTANCE FOR STUDENTS WHO NEED ASSISTANCE.

Referred to Education/Higher Education Committee.

By Senators Martin of Guilford, Albertson, Ballance, Clodfelter, Cooper, Dannelly, Gulley, Hoyle, Kerr, Lee, Martin of Pitt, Perdue, Rand, Warren and Wellons:

S.B. 943, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE COMMISSION ON IMPROVING THE ACADEMIC ACHIEVEMENT OF MINORITY AND AT-RISK STUDENTS.

Referred to Rules and Operations of the Senate Committee.

By Senators Martin of Guilford, Albertson, Ballance, Clodfelter, Cooper, Dannelly, Gulley, Hoyle, Kerr, Perdue, Rand, Warren and Wellons:

S.J.R. 944, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY HUNGER AND NUTRITION IN NORTH CAROLINA.

Referred to Rules and Operations of the Senate Committee.

By Senators Martin of Guilford, Albertson, Ballance, Clodfelter, Dannelly, Gulley, Harris, Hoyle, Kerr, Martin of Pitt, Perdue, Phillips, Purcell, Rand, Shaw of Cumberland, Warren and Wellons:

S.B. 945, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AREA MENTAL HEALTH PROGRAMS.

Referred to Appropriations/Base Budget Committee.

By Senator Martin of Guilford:

S.B. 946, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF CERTIFIED SUBSTANCE ABUSE PROFESSIONALS UNDER HEALTH INSURANCE POLICIES AND PLANS.

Referred to Insurance Committee.

By Senators Lucas, Dannelly, Martin of Guilford and Phillips:

S.B. 947, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RULEMAKING

April 14, 1999
AUTHORITY OF LOCAL BOARDS OF HEALTH.
Referred to Children & Human Resources Committee.

By Senators Harris, Albertson, Allran, Carpenter, Carter, Clodfelter, Cochrane, Dalton, Dannelly, Foxx, Garrou, Hagan, Horton, Lucas, Martin of Guilford, Martin of Pitt, Metcalf, Moore, Perdue, Phillips, Plyler, Purcell, Rand, Reeves, Robinson and Weinstein:

S.B. 948, A BILL TO BE ENTITLED AN ACT TO CONFORM TO FEDERAL LAW REGARDING THE TIME PERIOD FOR REFUNDING TAXES.
Referred to Finance Committee.

By Senator Harris:
S.B. 949, A BILL TO BE ENTITLED AN ACT TO DIRECT A LOCAL STUDY OF THE FEASIBILITY OF ESTABLISHING A LOCAL FARMERS' MARKET IN THE TOWN OF FOUR OAKS IN JOHNSTON COUNTY AND TO APPROPRIATE FUNDS FOR THIS STUDY.
Referred to Appropriations/Base Budget Committee.

By Senators Perdue, Albertson, Carter, Cooper, Hagan, Harris, Hartsell, Hoyle, Kerr, Martin of Guilford, Martin of Pitt, Metcalf, Miller, Plyler, Robinson, Soles, Warren and Wellons:
S.B. 950, A BILL TO BE ENTITLED AN ACT TO PROVIDE HEALTH BENEFITS FOR FIREFMEN AND RESCUE SQUAD WORKERS AND THEIR ELIGIBLE DEPENDENTS WHO DO NOT HAVE ACCESS TO COMPREHENSIVE GROUP HEALTH BENEFITS BY ALLOWING VOLUNTARY PARTICIPATION IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN.
Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senator Perdue:
S.B. 951, A BILL TO BE ENTITLED AN ACT TO PROTECT PATIENTS' RIGHTS BY REQUIRING NAME BADGES OR OTHER IDENTIFICATION FOR HEALTH CARE PRACTITIONERS.
Referred to Health Care Committee.

By Senator Perdue:
S.B. 952, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NC/ISRAEL PARTNERSHIP PROGRAM.
Referred to Appropriations/Base Budget Committee.

By Senators Clodfelter, Albertson and Kinnaird:
S.B. 953, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DISTRIBUTE FUNDS FROM THE WETLANDS RESTORATION FUND AND TO CONVEY INTERESTS IN REAL PROPERTY ACQUIRED UNDER THE WETLANDS RESTORATION PROGRAM TO FEDERAL AND STATE AGENCIES, LOCAL GOVERNMENTS, AND PRIVATE NONPROFIT CONSERVATION ORGANIZATIONS.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senator Metcalf:
S.B. 954, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS

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RELATING TO COMMERCIAL VEHICLE HIGHWAY SAFETY.
Referral to Transportation Committee.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 4:57 P.M.

FORTY-SIXTH DAY

Senate Chamber
Thursday, April 15, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend William H. Gattis, University United Methodist Church, Chapel Hill, North Carolina, as follows:

"Almighty God, our Father and Eternal Parent, we come to You in earnest prayer that You will keep our land under Your divine protection, You will incline our citizens to live by the laws of this land, and You will help our people to so cultivate a spirit of goodwill that they may learn to live together in peace and without fear.

"And on this particular day, when the citizens across our land, are required to have filed the resources by which we have benefited from living in a free land and under Your providence, may we all remember that we have been blessed in order to be a blessing.

"In a distant place today from this Assembly, in Yugoslavia, Kosovo, where it may appear there is no blessing at all, only darkness, strife, and war, grant, Oh God, wisdom to the counsel of leaders, bring changed hearts and minds, bring peace and protection to all innocent victims, especially the children for whom playfulness is being robbed and security and trust are assaulted.

"We cannot all be of the same mind nor can we think alike, but we pray that You will make us one in our loyalty to this great State, one in our love for liberty, and one in our search for justice and peace.

"Deliver us from pride and prejudice, from intolerance, and from every evil way. By the might of Your Spirit within us, may we show forth in our lives the fruit of faith and the power of our principles, all to the glory of Thy Holy Name. Amen."

With unanimous consent, the President Pro Tempore grants leaves of absence for today to Senator Ballance, Senator Garrou, Senator Hagan, Senator Hoyle, Senator Jordan, and Senator Reeves.

Senator Rand announces the Journal of yesterday, Wednesday, April 14, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore of the Senate extends courtesies of the floor to Dr. John Kenneth Williford, Jr. from Charlotte, North Carolina, who is serving the Senate as Doctor of the Day, and to Janice Brewington from Greensboro, North Carolina, who is serving the Senate as Nurse of the Day.
Senator Rand offers a motion that the rules be suspended and that Senator Moore be allowed to file a bill which met the bill drafting deadline.

ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.B. 269, AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers and presented to the Office of the Secretary of State:

S.B. 289, AN ACT TO NAME THE NORTH CAROLINA CHILDREN'S VISION SCREENING IMPROVEMENT PROGRAM IN HONOR OF KENNETH C. ROYALL, JR. (Became law upon approval of the Governor, April 15, 1999-S.L. 1999-22.)

S.B. 197, AN ACT TO MODIFY THE GENERAL STATUTES TO IMPLEMENT CERTAIN RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON DOMESTIC VIOLENCE. (Became law upon approval of the Governor, April 15, 1999-S.L. 1999-23.)

S.B. 269, AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET. (Became law upon ratification, April 15, 1999-S.L. 1999-24.)

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Miller for the Judiciary II Committee:

S.B. 693, A BILL TO BE ENTITLED AN ACT TO PROVIDE, UPON THE MOTION OF A DEFENDANT MADE AFTER ISSUANCE OF SUMMONS, THAT A PLAINTIFF IS NOT ALWAYS REQUIRED TO POST A PROSECUTION BOND, PROVIDE SECURITY, OR SHOW THE PLAINTIFF IS SUING AS AN INDIGENT BUT TO PROVIDE THAT THE PLAINTIFF MAY BE SO REQUIRED BY THE CLERK OR JUDGE UPON A SHOWING OF GOOD CAUSE BY THE DEFENDANT, with a favorable report.

S.B. 756, A BILL TO BE ENTITLED AN ACT TO INCREASE MANDATORY LIABILITY INSURANCE REQUIREMENTS FOR CERTAIN MOTOR VEHICLES AND TO MAKE CONFORMING CHANGES IN CHAPTER 58 OF THE GENERAL STATUTES, with a favorable report.

April 15, 1999
S.B. 526, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MODIFICATION AND TERMINATION OF IRREVOCABLE TRUSTS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1688 is adopted and engrossed.

S.B. 742, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR A SCHOOL TEACHER OR ADMINISTRATOR TO ENGAGE IN SEXUAL ACTS WITH A STUDENT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1677 is adopted and engrossed.

By Senator Kinnaird for the State and Local Government Committee:

S.B. 350, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE WITH RESPECT TO EXECUTION OF DEEDS AND THE DISPOSITION OF REAL PROPERTY BY PRIVATE SALE AND/OR SUBJECT TO RESTRICTIONS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1702, which changes the title to read S.B. 350 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE WITH RESPECT TO EXECUTION OF DEEDS AND THE DISPOSITION OF REAL PROPERTY BY PRIVATE SALE OR SUBJECT TO RESTRICTIONS OR BOTH, is adopted and engrossed.

S.B. 720, A BILL TO BE ENTITLED AN ACT TO PROVIDE DURHAM COUNTY AND THE CITY OF DURHAM WITH ADDITIONAL OPTIONS FOR SERVICE OF PROCESS IN ZONING CODE CASES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2743 is adopted and engrossed.

H.B. 652 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE ROANOKE ISLAND HISTORICAL ASSOCIATION, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 6159 is adopted and engrossed.

By Senator Lucas for the Children & Human Resources Committee:

S.B. 241, A BILL TO BE ENTITLED AN ACT TO MAKE CORRECTIONS TO THE GENERAL STATUTES REGARDING CHILD CARE AND TO REPEAL CERTAIN OTHER LAWS PERTAINING TO CHILD CARE PROGRAM STANDARDS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1699, which changes the title to read S.B. 241 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES REGARDING CHILD CARE, TO REPEAL SECTION 4(B) OF S.L. 1997-506, AND TO

April 15, 1999
MAKE CHANGES REGARDING THE TRAINING MATERIALS THAT MAY BE USED BY CHILD CARE FACILITIES, is adopted and engrossed.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 301 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE EDUCATIONAL REQUIREMENTS FOR AUCTIONEERS, APPRENTICE AUCTIONEERS, AND PRINCIPALS IN AN AUCTION FIRM, TO ALLOW THE AUCTIONEERS COMMISSION TO ASSESS A CIVIL PENALTY IN CERTAIN CIRCUMSTANCES, TO INCREASE FEES, AND TO AUTHORIZE CRIMINAL HISTORY CHECKS FOR APPLICANTS FOR AN AUCTIONEER'S LICENSE.

Referred to Finance Committee.

H.B. 648 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF BENSON.

Referred to Finance Committee.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 625, A BILL TO BE ENTITLED AN ACT TO REPEAL AN OBSOLETE SECTION OF THE CHARTER OF THE CITY OF DURHAM REGARDING THE PRIVILEGE LICENSE TAX YEAR.

With unanimous consent, upon motion of Senator Kerr, the bill is withdrawn from today's Calendar and is re-referred to the Finance Committee.

S.B. 606 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH TOURISM RESORTS AND TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO THESE ENTITIES AND TO PROHIBIT DISCRIMINATION BY ABC PERMITTEES.

With unanimous consent, upon motion of Senator Soles, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, April 20.

S.B. 607, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO SPORTS CLUBS.

With unanimous consent, upon motion of Senator Soles, the bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, April 20.

S.B. 296, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROVISIONS REGARDING SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE CHARTER OF THE TOWN OF FOREST CITY, as amended by committee.

The bill, as amended, passes its second (40-0) and third readings and is ordered sent to the House of Representatives.

S.B. 573, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ENGAGE IN PUBLIC-PRIVATE PROJECTS OUTSIDE THE
DOWNTOWN AREA.

The bill passes its second (40-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 626**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO CITY DEPARTMENTS THE AUTHORITY TO APPROVE FIREWORKS DISPLAYS.

The bill passes its second (40-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 627**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE DURHAM CITY COUNCIL TO AUTHORIZE DEPUTY AND ASSISTANT CITY MANAGERS TO MAKE AND EXECUTE CONTRACTS.

The bill passes its second (40-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 652**, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE IN DURHAM COUNTY TO FRAUDULENTLY OBTAIN AMBULANCE SERVICES.

The bill passes its second (40-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 687** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SUPPLEMENTAL RETIREMENT FUND FOR FULL-TIME PAID FIREFIGHTERS IN THE CITY OF HICKORY.

The Committee Substitute bill passes its second (40-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 719**, A BILL TO BE ENTITLED AN ACT ALLOWING THE CITY OF DURHAM TO CONSIDER LIMITATIONS ON USES AS REQUESTED IN THE DEVELOPMENT PLANS SUBMITTED FOR REZONINGS AND TO MAKE OTHER CHANGES REGARDING THE CONSIDERATION OF DEVELOPMENT PLANS.

The bill passes its second (40-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 347** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS TO COVER NONFORMULARY DRUGS AND DEVICES WHEN MEDICALLY NECESSARY.

Senator Forrester offers Amendment No. 1 which is adopted (40-0).

The Committee Substitute bill, as amended, passes its second (41-0) and third readings and is ordered engrossed and sent to the House of Representatives.

**S.B. 658** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE LAW PROVIDING THAT CERTAIN SECONDARY SUPPLIERS OF ELECTRIC SERVICE MAY FURNISH SERVICE WITHIN THE CORPORATE LIMITS OF A CITY WITH WRITTEN CONSENT FROM THE CITY, ALLOWING THE BOARD OF AN ELECTRIC OR TELEPHONE MEMBERSHIP CORPORATION TO VOTE BY PROXY ON DECISIONS TO ENCUMBER CORPORATE PROPERTY OR TO DISSOLVE AN ELECTRIC MEMBERSHIP CORPORATION, AND MAKING TECHNICAL CHANGES TO THE LAW REGARDING MUNICIPAL ELECTRIC SERVICE.
Senator Dalton offers Amendment No. 1 which is adopted (42-0), and changes the title to read S.B. 658 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE LAW PROVIDING THAT CERTAIN SECONDARY SUPPLIERS OF ELECTRIC SERVICE MAY FURNISH SERVICE WITHIN THE CORPORATE LIMITS OF A CITY WITH WRITTEN CONSENT FROM THE CITY, ALLOWING THE BOARD OF AN ELECTRIC OR TELEPHONE MEMBERSHIP CORPORATION TO VOTE BY PROXY ON DECISIONS TO ENCUMBER CORPORATE PROPERTY OR TO DISSOLVE AN ELECTRIC MEMBERSHIP CORPORATION, AND MAKING TECHNICAL CHANGES TO THE LAW REGARDING MUNICIPAL ELECTRIC SERVICE.

The Committee Substitute bill, as amended, passes its second (42-0) and third readings and is ordered engrossed and sent to the House of Representatives.

S.B. 793, A BILL TO BE ENTITLED AN ACT AMENDING THE PSYCHOLOGY PRACTICE ACT TO INCLUDE WITHIN THE SCOPE OF PRACTICE THE DIAGNOSIS AND TREATMENT OF NEUROPSYCHOLOGICAL ASPECTS OF PHYSICAL ILLNESS, ACCIDENT, INJURY, OR DISABILITY AND TO DEFINE THE TERM NEUROPSYCHOLOGICAL.

The bill passes its second (42-0) and third readings and is ordered sent to the House of Representatives.

S.B. 225 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING CERTIFICATION AND EMPLOYMENT OF ASSISTANT PRINCIPALS, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (42-0) and the measure is ordered enrolled and sent to the Governor.

PERSONAL PRIVILEGE

With unanimous consent, upon motion of Senator Dannelly, the remarks of Senator Robinson who rises to a point of personal privilege and Senator Basnight, are spread upon the Journal, as follows:

Senator Robinson:

"Thank you Mr. President. This past Tuesday, a very dear friend of many of us in this Body, Mr. Jamie Clarke, passed away. Jamie was a member of the House in 1977-78 and '79 and '80 and then served in this Body as a Senator in 1981. Following that, he served six years in the U. S. Congress. I had known Jamie for many years but then I had the opportunity to serve on his staff when he gave me the opportunity to be a district aide and to represent him in seven western counties, holding town meetings for him once a month in all towns in those seven counties. During this time I came to know Jamie very, very well. Some things that I remember about Jamie that I'd like to share with you, I became convinced that Jamie's definition of doing a good job as a public servant meant that you had to consider yourself to be a servant of the people. He lived by that doctrine and he did a real good job with this. The only instructions Jamie gave to me in four years working for him as a district aide, one time he told me, he said, 'Dan, I'd like to ask you to do two things' and I said, 'What are they, Jamie?' He said, 'Number one, don't tell anybody you'll do something if you can't do it' and I said, 'I have no problem with that.' He said, 'The second thing is, don't tell anybody that you'll do something if you can't do it.' Jamie lived by that. He expected us to live by that. In Western North Carolina Jamie will long be remembered and his legacy will be. He was one of the kindest people I ever
knew. He loved people in general. He devoted his life to service and I thank you for this opportunity to bring this up."

Senator Basnight:

"He was extremely well liked by everyone who knew him. He was a man who had great love for the mountains, its heritage, its people and what it means to all of us in this State. He will surely be missed by all of us who knew him."

REPORTS OF COMMITTEES (Continued)

By Senator Cooper for the Judiciary I Committee:

S.B. 426, A BILL TO BE ENTITLED AN ACT TO LIMIT THE RIGHT OF SHAREHOLDERS OF SECURITIES DESIGNATED AS NATIONAL MARKET SYSTEM SECURITIES TO DISSENT FROM, OR OBTAIN PAYMENT AS A RESULT OF, CERTAIN CORPORATE ACTIONS AND TO MAKE OTHER CLARIFYING CHANGES TO THE LAW GOVERNING DISSENTERS' RIGHTS, with a favorable report.

S.B. 483, A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW GOVERNING THE LIMITATIONS OF SUCCESSORS AND ASSIGNEES OF FOREIGN CORPORATIONS AND FOREIGN NONPROFIT CORPORATIONS TO FILE CAUSES OF ACTION OR PROCEEDINGS, with a favorable report.

S.B. 170, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A LIMIT ON THE TIME A PERSON CAN BE IMPRISONED FOR CIVIL CONTEMPT AND TO RAISE THE STANDARD OF PROOF IN PROCEEDINGS FOR CIVIL CONTEMPT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4658 is adopted and engrossed.

COMMITTEE REFERRAL RECALL

S.B. 907, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISSEMINATION OF OBSCENITIES BY COMPUTER TRANSMISSION, TO PROHIBIT THE USE OF STATE COMPUTERS TO ACCESS OBSCENITIES, TO REGULATE CERTAIN USES OF STATE COMPUTERS, AND TO REQUIRE THE INSTALLATION OF APPROPRIATE SOFTWARE ON CERTAIN COMPUTERS ACCESSIBLE TO THE PUBLIC OR THE USE OF OTHER APPROPRIATE MANAGEMENT SCHEMES TO SHIELD MINORS FROM OBSCENITIES TRANSMITTED BY COMPUTER, referred to the Judiciary I Committee on April 14.

Pursuant to Rule 47(a), Senator Cooper offers a motion that the bill be withdrawn from the Judiciary I Committee and re-referred to the Information Technology Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Judiciary I Committee and re-refers the measure to the Information Technology Committee.

REMOVAL OF BILL SPONSORS

Senator Hoyle and Senator Rand request by letter to the Principal Clerk that their names be removed as sponsors on S.B. 1149, A BILL TO BE ENTITLED AN ACT TO MODIFY PERMISSIBLE FEES WHICH MAY BE CHARGED IN CONNECTION
WITH HOME LOANS SECURED BY FIRST MORTGAGE OR FIRST DEED OF TRUST, TO IMPOSE RESTRICTIONS AND LIMITATIONS ON HIGH COST HOME LOANS, TO REVISE THE PERMISSIBLE FEES AND CHARGES ON CERTAIN LOANS, AND TO PROHIBIT UNFAIR OR DECEPTIVE PRACTICES BY MORTGAGE BROKERS AND LENDERS.

Upon motion of Senator Rand, seconded by Senator Miller, the Senate adjourns subject to introduction of bills, to meet Monday, April 19, at 6:45 P.M.

INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Dalton, Clodfelter, Horton and Martin of Guilford:
S.B. 955, A BILL TO BE ENTITLED AN ACT TO RAISE THE AMOUNT IN CONTROVERSY THAT DETERMINES THE PROPER DIVISION FOR TRIAL OF CIVIL ACTIONS AND TO ALLOW COUNSEL FEES AS PART OF COSTS IN CERTAIN CIVIL ACTIONS.
Referred to Judiciary II Committee.

By Senator Dalton:
S.B. 956, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CLASS 2 MISDEMEANOR TO USE IN TELEPHONIC COMMUNICATIONS WITH ANOTHER PERSON ANY WORDS OR LANGUAGE THREATENING THAT PERSON'S MINOR CHILD, AND TO MAKE IT A CLASS 1 MISDEMEANOR TO WILLFULLY THREATEN PHYSICAL INJURY TO THE MINOR CHILD OF ANOTHER.
Referred to Judiciary II Committee.

By Senators Webster, Carpenter and Shaw of Guilford:
S.B. 957, A BILL TO BE ENTITLED AN ACT TO ENACT AN OPTIONAL SIMPLIFIED INCOME TAX FOR INDIVIDUALS WHO PREFER TO AVOID THE BURDEN AND EXPENSE OF CALCULATING STATE INCOME TAXES.
Referred to Finance Committee.

By Senators Webster, Carpenter, Cochrane and Shaw of Guilford:
S.J.R. 958, A JOINT RESOLUTION AUTHORIZING THE REVENUE LAWS STUDY COMMITTEE TO STUDY INTERSTATE TAX COOPERATION TO ELIMINATE MULTIPLE FILING BY INDIVIDUALS WHO OWE INCOME TAX TO MORE THAN ONE STATE.
Referred to Rules and Operations of the Senate Committee.

By Senators Webster, Ballantine, Carpenter, Cochrane, Foxx and Shaw of Guilford:
S.B. 959, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME PERIOD FOR DEMANDING A REFUND OF AN ILLEGAL TAX.
Referred to Finance Committee.

By Senator Soles:
S.B. 960, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE BOARD OF PHARMACY TO ADOPT RULES REGULATING PHARMACIES.
Referred to Health Care Committee.

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By Senator Soles:
S.B. 961, A BILL TO BE ENTITLED AN ACT TO ENSURE PATIENT ACCESS TO QUALITY MANAGED HEALTH CARE.
Referred to Health Care Committee.

By Senator Gulley:
S.B. 962, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE BOARD OF TRANSPORTATION TO STUDY AND REPORT ON THE REALIGNMENT OF THE HIGHWAY DIVISIONS.
Referred to Transportation Committee.

By Senator Gulley:
S.B. 963, A BILL TO BE ENTITLED AN ACT TO ENHANCE LOCAL GOVERNMENT POWERS RELATIVE TO THE ALCOHOL BEVERAGE CONTROL LAWS.
Referred to Judiciary I Committee.

By Senator Gulley:
S.B. 964, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTE GOVERNING MUNICIPAL PARTICIPATION IN IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM.
Referred to Transportation Committee.

By Senator Clodfelter:
S.B. 965, A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE METROPOLITAN PLANNING ORGANIZATIONS.
Referred to Rules and Operations of the Senate Committee.

By Senator Clodfelter:
S.B. 966, A BILL TO BE ENTITLED AN ACT RELATING TO THE AUTHORITY TO ENTER INTO CONTRACTS FOR CONDUCTING MUNICIPAL AND COUNTY BUILDING INSPECTIONS.
Referred to State and Local Government Committee.

By Senator Clodfelter:
S.B. 967, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROPERTY TAX RELIEF TO LOW-INCOME ELDERLY AND DISABLED HOMEOWNERS.
Referred to Finance Committee.

By Senator Shaw of Cumberland:
S.B. 968, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE WAIVER OF COMPETITIVE BIDDING.
Referred to Commerce Committee.

By Senator Gulley:
S.B. 969, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA HEALTH AND WELLNESS TRUST FUND FOR THE PURPOSE OF RECEIPT AND DISTRIBUTION OF TWENTY-FIVE PERCENT OF THE TOBACCO SETTLEMENT FUNDS IN THE SETTLEMENT RESERVE FUND ESTABLISHED UNDER G.S. 143-16.4 TO DEVELOP A COMPREHENSIVE COMMUNITY-BASED PLAN AND FUND PROGRAMS AND INITIATIVES FOR IMPROVING THE HEALTH AND WELLNESS OF THE PEOPLE OF NORTH CAROLINA WITH A
PRIORITY ON PREVENTING, REDUCING, AND REMEDYING THE HEALTH EFFECTS OF TOBACCO USE WITH AN EMPHASIS ON REDUCING YOUTH TOBACCO USE.

Referred to Judiciary I Committee.

By Senator Wellons:
S.B. 970, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TRIANGLE COUNTIES TO CREATE A REGIONAL TAX DISTRICT AND LEVY A SALES TAX AND A CONVEYANCE TAX WITHIN THE DISTRICT, TO GENERATE FUNDS FOR PUBLIC SCHOOL CAPITAL NEEDS AND TRANSPORTATION CAPITAL NEEDS.
Referred to Finance Committee.

By Senator Wellons:
S.B. 971, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SYSTEM OF PUBLIC FINANCING OF CAMPAIGNS FOR APPELLATE JUDGES.
Referred to Rules and Operations of the Senate Committee.

By Senator Wellons:
S.B. 972, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO MEET THE NEEDS OF STUDENTS WITH DISABILITIES WHO ATTEND COMMUNITY COLLEGES IN THE STATE.
Referred to Appropriations/Base Budget Committee.

By Senators Weinstein, Cooper, Forrester, Hoyle, Odom, Rucho and Wellons:
S.B. 973, A BILL TO BE ENTITLED AN ACT TO REGULATE THE USE OF AFTERMARKET PARTS IN THE REPAIR OF MOTOR VEHICLES.
Referred to Judiciary I Committee.

By Senator Soles:
S.B. 974, A BILL TO BE ENTITLED AN ACT REGULATING THE RENTAL OF RESIDENTIAL PROPERTY FOR VACATION, LEISURE, OR RECREATION PURPOSES.
Referred to Commerce Committee.

By Senator Soles:
S.J.R. 975, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF SAMUEL JAMES ERVIN, IV MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION.
Referred to Commerce Committee.

By Senator Carter:
S.B. 976, A BILL TO BE ENTITLED AN ACT REGARDING THE COMPUTATION OF DROPOUT RATES FOR THE ABCs PROGRAM.
Referred to Education/Higher Education Committee.

By Senators Carter, Garrou, Metcalf and Robinson:
S.B. 977, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE AUTHORITY OF THE SCHOOL IMPROVEMENT TEAM WITH REGARD TO THE SCHOOL CALENDAR.
Referred to Education/Higher Education Committee.

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By Senators Carter, Garrou and Metcalf:
S.B. 978, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING RETIRING TEACHERS' COMPENSATION FOR ACCUMULATED ANNUAL LEAVE.
Referred to Education/Higher Education Committee.

By Senator Carter:
S.B. 979, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT FUNDS PAID TO THE STATE IN CONNECTION WITH ENVIRONMENTAL CLEANUPS ARE CREDITED AS PROVIDED BY THE APPLICABLE ENVIRONMENTAL LAW.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Carter and Garrou:
S.B. 980, A BILL TO BE ENTITLED AN ACT TO PERMIT TEACHERS TO TAKE PERSONAL LEAVE TIME WITHOUT A SALARY DEDUCTION FOR THE SUBSTITUTE TEACHER.
Referred to Education/Higher Education Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senator Carter:
S.B. 981, A BILL TO BE ENTITLED AN ACT TO PROVIDE A STATEWIDE TEACHER SUPPLEMENT TO TEACHERS EMPLOYED BY STATE AGENCIES.
Referred to Appropriations/Base Budget Committee.

By Senator Odom:
S.B. 982, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH INSURANCE PLANS AND THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN TO PROVIDE COVERAGE FOR PATIENT COSTS INCURRED AS A RESULT OF TREATMENT PROVIDED IN A CLINICAL TRIAL FOR ALL CANCERS AND FOR LIFE-THREATENING, DEGENERATIVE, OR PERMANENTLY DISABLING CONDITIONS.
Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senator Miller:
S.B. 983, A BILL TO BE ENTITLED AN ACT TO REPEAL THE EXEMPTION FROM THE REQUIREMENT THAT A SANITARY LANDFILL OBTAIN AN ENVIRONMENTAL IMPACT STATEMENT FOR THOSE SANITARY LANDFILLS OPERATED BY LOCAL GOVERNMENTS.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senator Miller:
S.B. 984, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS OF NORTH CAROLINA.
Referred to Rules and Operations of the Senate Committee.

By Senator Miller:
S.B. 985, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS.
Referred to Rules and Operations of the Senate Committee.

By Senator Miller:
S.B. 986, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS OF

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Referred to Rules and Operations of the Senate Committee.

By Senator Miller:
S.B. 987, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIA ON THE CONSTRUCTION AND EXPANSION OF SWINE FARMS, TO REQUIRE AN ANIMAL WASTE MANAGEMENT PLAN TO CONTAIN A PROVISION REGARDING A LAGOON CLOSURE PLAN, TO PROVIDE FOR DEVELOPING AN INVENTORY OF INACTIVE SWINE LAGOONS, AND TO ESTABLISH A TIMETABLE FOR PROPERLY CLOSING THESE INACTIVE LAGOONS.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senator Miller:
S.B. 988, A BILL TO BE ENTITLED AN ACT TO REWRITE THE NORTH CAROLINA LAW.
Referred to Rules and Operations of the Senate Committee.

By Senators Odom and Forrester:
S.B. 989, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S DWI TASK FORCE.
Referred to Judiciary II Committee.

By Senator Ballance:
S.B. 990, A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL FLEXIBILITY IN THE DEDUCTION OF DUES AND VOLUNTARY CONTRIBUTIONS BY STATE EMPLOYEES AND RETIREES.
Referred to Appropriations/Base Budget Committee.

By Senator Ballance:
S.B. 991, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FAIR AND RELIABLE IMPOSITION OF CAPITAL SENTENCES.
Referred to Judiciary II Committee.

By Senator Ballance:
S.B. 992, A BILL TO BE ENTITLED AN ACT TO ALLOW PRISONERS WHO SUFFER PERMANENT INJURY OR DEATH TO RECEIVE COMPENSATION UNDER THE WORKERS' COMPENSATION ACT BASED ON THE MINIMUM WAGE.
Referred to Judiciary II Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senator Odom:
S.B. 993, A BILL TO BE ENTITLED AN ACT TO PERMIT MANAGED CARE INSURED, ENROLLEES AND HEALTH CARE PROVIDERS TO RECOVER FROM COLLATERAL SOURCES.
Referred to Commerce Committee.

By Senators Odom and Ballantine:
S.B. 994, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TEMPORARY LICENSE AS A PROFESSIONAL BONDSMAN OR SURETY BONDSMAN, TO CREATE THREE NEW CRIMINAL OFFENSES OF BAIL-JUMPING, TO INCREASE THE AMOUNT OF THE SECURITY DEPOSIT THAT A BONDSMAN MUST POST.

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WITH THE COMMISSIONER OF INSURANCE, AND TO AMEND CERTAIN LAWS REGARDING PRETRIAL RELEASE.
    Referred to Judiciary II Committee.

By Senator Odom:
    S.B. 995, A BILL TO BE ENTITLED AN ACT ESTABLISHING A TESTIMONIAL PRIVILEGE FOR POLICE PEER SUPPORT GROUP COUNSELORS.
    Referred to Judiciary II Committee.

By Senator Odom:
    S.B. 996, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO ISSUE BONDS TO PURCHASE LAND FOR MULTIPLE USE FOR COUNTY, COMMUNITY COLLEGE, AND PUBLIC SCHOOL PURPOSES.
    Referred to Finance Committee.

By Senator Odom:
    S.B. 997, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE THEFT OF LAW ENFORCEMENT EQUIPMENT IS FELONY LARCENY.
    Referred to Judiciary II Committee.

By Senator Odom:
    S.B. 998, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MEMBERS APPOINTED TO THE CANCER CONTROL ADVISORY COMMITTEE FOR INITIAL TWO-YEAR TERMS MAY EACH BE REAPPOINTED FOR ONE ADDITIONAL FOUR-YEAR TERM.
    Referred to Children & Human Resources Committee.

By Senators Odom, Allran, Ballantine, Carpenter, Carrington, Cochrane, Dalton, East, Forrester, Foxx, Garwood, Harris, Hartsell, Horton, Hoyle, Jordan, Kerr, Lucas, Martin of Pitt, Metcalf, Moore, Phillips, Rand, Reeves, Rucho, Shaw of Cumberland, Shaw of Guilford, Warren, Weinstein and Wellons:
    S.B. 999, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ONLY THE STATE MAY BRING CERTAIN CIVIL ACTIONS AGAINST FIREARMS OR AMMUNITION MARKETERS, MANUFACTURERS, DISTRIBUTORS, DEALERS, SELLERS, OR TRADE ASSOCIATIONS.
    Referred to Judiciary II Committee.

By Senator Odom:
    S.B. 1000, A BILL TO BE ENTITLED AN ACT TO IMPOSE AN ADVANCE DISPOSAL FEE UPON MOTOR OIL AT THE POINT OF FIRST SALE AND TO ESTABLISH THE USED OIL COLLECTION PROGRAM TO ENCOURAGE THE PROPER MANAGEMENT OF USED OIL GENERATED BY PRIVATE CITIZENS WHO CHANGE THEIR OWN OIL.
    Referred to Finance Committee.

By Senator Odom:
    S.B. 1001, A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS TRAFFICKING IN METHYLENEDIOXYAMPHETAMINE (MDA) OR METHYLENEDIOXYMETHAMPHETAMINE (MDMA).
    Referred to Judiciary II Committee.
By Senators Moore, Allran, Ballantine, Carpenter, Cochrane, East, Forrester, Foxx, Garwood, Harris, Hartsell, Horton, Robinson, Rucho, Shaw of Guilford and Webster:

**S.B. 1002**, A BILL TO BE ENTITLED AN ACT TO PROVIDE RECIPROCAL CONCEALED HANDGUN RIGHTS TO CONCEALED HANDGUN PERMIT HOLDERS OF OTHER STATES.

Referred to Judiciary II Committee.

By Senators Kinnaird, Horton, Miller and Soles:

**S.B. 1003**, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES REGULATING THE ABILITY OF GUARDIANS TO MAKE GIFTS FROM INCOMPETENT WARDS' ESTATES UNDER CERTAIN CIRCUMSTANCES.

Referred to Judiciary II Committee.

By Senator Kinnaird:

**S.B. 1004**, A BILL TO BE ENTITLED AN ACT REVISING THE PROCEDURE USED BY THE NORTH CAROLINA BOARD FOR LICENSING OF GEOLOGISTS TO ADDRESS COMPLAINTS AND INVESTIGATIONS AND AUTHORIZING THE BOARD TO ASSESS CIVIL PENALTIES.

Referred to Finance Committee.

By Senators Hoyle, Albertson, Allran, Ballantine, Carter, Clodfelter, Forrester, Kerr, Lee, Martin of Pitt, Metcalf, Perdue and Plyler:

**S.B. 1005**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH CERTAIN LIMITATIONS REGARDING POTENTIAL LIABILITY OF NORTH CAROLINA'S BUSINESSES ARISING FROM YEAR 2000 PROBLEMS.

Referred to Judiciary I Committee.

By Senator Hoyle:

**S.B. 1006**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES TO BE CHARGED TO PERSONS UNDERGOING SUBSTANCE ABUSE ASSESSMENTS.

Referred to Finance Committee.

By Senator Hoyle:

**S.B. 1008**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME FOR THE NORTH CAROLINA UTILITIES COMMISSION TO ADOPT FINAL RULES REGARDING UNIVERSAL SERVICE.

Referred to Commerce Committee.

By Senators Hoyle, Ballantine, Dalton, East, Kerr, Lee, Soles and Webster:

**S.B. 1009**, A BILL TO BE ENTITLED AN ACT TO PROMOTE THE FREE FLOW OF INFORMATION TO THE PEOPLE OF NORTH CAROLINA BY CODIFYING THE JOURNALISTS' TESTIMONIAL PRIVILEGE.

Referred to Judiciary I Committee.

By Senator Hoyle:

**S.B. 1010**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A STUDY OF THE PRACTICE OF INVESTMENT ADVISERS.

Referred to Rules and Operations of the Senate Committee.

By Senator Cooper:

**S.B. 1011**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN ENHANCED CRIMINAL PENALTY SHALL BE IMPOSED ON A PERSON WHO

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POSSESSES A BULLET-PROOF VEST WHILE COMMITTING A FELONY.
Referred to Judiciary I Committee.

By Senator Cooper:
S.B. 1012, A BILL TO BE ENTITLED AN ACT TO ALLOW A PRESIDING JUDGE IN A COUNTY WITH PROPER VENUE TO EXTEND THE STATUTE OF LIMITATIONS IN A MEDICAL MALPRACTICE ACTION THAT WAS IMPROPERLY PLEADED UNDER RULE 9 OF THE RULES OF CIVIL PROCEDURE AND TO PROVIDE THAT AN INVOLUNTARY DISMISSAL FOR FAILURE TO COMPLY WITH RULE 9 IS NOT AN ADJUDICATION ON THE MERITS IN MEDICAL MALPRACTICE ACTIONS.
Referred to Judiciary I Committee.

By Senators Foxx, Allran, Ballantine, Carpenter, Cochrane, Forrester, Garwood, Hartsell, Horton, Martin of Pitt, Moore, Rucho and Webster:
S.B. 1013, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE DISBURSEMENT OF FUNDS TO NON-STATE ENTITIES.
Referred to State and Local Government Committee.

By Senators Metcalf, Carter and Foxx:
S.B. 1014, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF ENVIRONMENTAL HEALTH OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO CONDUCT A STUDY INVOLVING INTERESTED PARTIES TO REVIEW AND REVISE THE CURRENT PROCEDURES CONCERNING COFFEE POTS AND ICE BUCKETS PROVIDED BY LODGING ESTABLISHMENTS IN GUEST ROOMS AND TO SUSPEND CURRENT APPLICABLE RULES UNTIL REVISED RULES HAVE BEEN ADOPTED AS TEMPORARY RULES.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Metcalf and Carter:
S.B. 1015, A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS TOBY'S LAW; TO IMPROVE THE ABILITY OF THE DIVISION OF SOCIAL SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO PROTECT CHILDREN AND YOUTH FROM VIOLENCE PRONE CAREGIVERS.
Referred to Children & Human Resources Committee.

By Senators Dalton and Martin of Pitt:
S.B. 1016, A BILL TO BE ENTITLED AN ACT TO FULLY FUND THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN.
Referred to Appropriations/Base Budget Committee.

By Senator Dalton:
S.B. 1017, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT THE TEACHER CADET PROGRAM IN HIGH SCHOOLS THROUGHOUT THE STATE.
Referred to Appropriations/Base Budget Committee.

By Senators Dalton and Phillips:
S.B. 1018, A BILL TO BE ENTITLED AN ACT CONCERNING

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MARRIAGE LAWS.
   Referred to Judiciary II Committee.

By Senator Dalton:
S.B. 1019, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF LAND SURVEYORS TO ENTER ON LAND.
   Referred to Judiciary II Committee.

By Senator Dalton:
S.B. 1020, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN PROVIDES BENEFITS ON A CALENDAR YEAR BASIS, AND TO PROVIDE FOR A PRESCRIPTION DRUG CARD BENEFIT.
Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senator Clodfelter:
S.B. 1021, A BILL TO BE ENTITLED AN ACT CONCERNING THE ADMISSIBILITY INTO EVIDENCE OF PUBLIC OR PRIVATE RECORDS MAINTAINED ON PERMANENT, NONERASABLE, MACHINE-READABLE MEDIA AND RELATING TO THE MAINTENANCE AND PRESERVATION OF PUBLIC RECORDS USING THOSE MEDIA.
   Referred to Judiciary I Committee.

By Senator Clodfelter:
S.B. 1022, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO CREATE A STUDY COMMITTEE TO STUDY STATE AND LOCAL SALES AND USE TAXES.
   Referred to Rules and Operations of the Senate Committee.

By Senators Clodfelter, Cooper, Gulley, Kinnaird, Odom, Rand and Warren:
S.B. 1023, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL AUTHORITY FOR MAGISTRATES WHO ARE LICENSED TO PRACTICE LAW.
   Referred to Judiciary I Committee.

By Senators Clodfelter and Odom:
S.B. 1024, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE STATE COURT SYSTEM BY CREATING A STATE JUDICIAL COUNCIL AND TO APPROPRIATE FUNDS FOR THE EXPENSES OF THE JUDICIAL COUNCIL.
   Referred to Judiciary I Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Clodfelter, Cooper, Gulley, Odom and Warren:
S.B. 1025, A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE SUPERIOR COURT DIVISION BY EXPANDING THE NUMBER OF JUDICIAL DIVISIONS FROM FOUR TO EIGHT, TO ESTABLISH PILOT PROGRAMS FOR CONSIDERATION OF THE RECOMMENDATIONS OF THE COMMISSION FOR THE FUTURE OF JUSTICE AND THE COURTS IN NORTH CAROLINA CONCERNING ORGANIZATION AND MANAGEMENT OF THE TRIAL COURT, AND TO APPROPRIATE FUNDS TO A RESERVE FOR IMPLEMENTATION OF THOSE PILOT PROGRAMS.
   Referred to Judiciary I Committee and upon a favorable report, re-referred to the

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 Appropriations/Base Budget Committee.

By Senators Clodfelter and Odom:
S.B. 1026, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE SUPREME COURT WITH AUTHORITY TO REVISE THE RULES OF CIVIL AND CRIMINAL PROCEDURE AND THE RULES OF EVIDENCE, SUBJECT TO AMENDMENT OR VETO BY THE GENERAL ASSEMBLY AND TO APPROPRIATE FUNDS FOR ADVISORY COMMITTEES ON THE ADOPTION AND AMENDMENT OF THOSE RULES.
Referred to Judiciary I Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Clodfelter, Ballance, Cooper, Kinnaird, Odom, Rand and Warren:
S.B. 1027, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADDITIONAL FAMILY COURT PILOT PROGRAMS.
Referred to Appropriations/Base Budget Committee.

By Senator Clodfelter:
S.B. 1028, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PROTECTION AND RESTORATION OF VEGETATED RIPARIAN BUFFERS IN ORDER TO PREVENT THE POLLUTION OF SURFACE WATERS.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senator East:
S.B. 1029, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EDUCATE THE GENERAL PUBLIC AND TO INCREASE AWARENESS OF HEPATITIS C AS A PUBLIC HEALTH THREAT IN NORTH CAROLINA.
Referred to Appropriations/Base Budget Committee.

By Senator Reeves:
S.B. 1030, A BILL TO BE ENTITLED AN ACT TO ALLOW A CREDIT AGAINST THE FRANCHISE TAX FOR PROPERTY TAXES PAID ON CONSTRUCTION IN PROGRESS.
Referred to Finance Committee.

By Senators Reeves and Carter:
S.J.R. 1031, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE STATE EMPLOYEE COMPREHENSIVE COMPENSATION SYSTEM.
Referred to Rules and Operations of the Senate Committee.

By Senator Reeves:
S.B. 1032, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE OFFICE OF THE STATE CONTROLLER.
Referred to Appropriations/Base Budget Committee.

By Senator Carpenter:
S.B. 1033, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATE TORT CLAIM LIMIT.
Referred to Judiciary I Committee.

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By Senators Perdue and Cooper:
S.J.R. 1034, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LISA JAN PARKER.
Referred to Rules and Operations of the Senate Committee.

By Senator Perdue:
S.B. 1035, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MARINE SCIENCES RESEARCH ORGANIZATION PLANNING COMMITTEE.
Referred to Appropriations/Base Budget Committee.

By Senator Perdue:
S.B. 1036, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE LEADERSHIP NORTH CAROLINA PROGRAM.
Referred to Appropriations/Base Budget Committee.

By Senator Perdue:
S.B. 1037, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION AND MAINTENANCE OF THE HISTORIC 1796 CARTERET COUNTY COURTHOUSE.
Referred to Appropriations/Base Budget Committee.

By Senator Ballantine:
S.R. 1038, A SENATE RESOLUTION HONORING THE FIFTIETH ANNIVERSARY OF THE TOWN OF SURF CITY.
Referred to Rules and Operations of the Senate Committee.

By Senators Plyler and Purcell:
S.B. 1039, A BILL TO BE ENTITLED AN ACT CONCERNING RECOMMENDATIONS OF A SPECIAL COMMITTEE APPOINTED BY THE BOARD OF COMMUNITY COLLEGES RELATING TO ANSON-UNION COMMUNITY COLLEGE.
Referred to Rules and Operations of the Senate Committee.

By Senator Rand:
S.B. 1040, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MEMBERS OF A HOSPITAL AUTHORITY BOARD ARE A PUBLIC BODY AND HAVE THE RIGHT TO SUE AND BE SUED.
Referred to Judiciary I Committee.

By Senator Rand:
S.B. 1041, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW PROVIDING PENALTIES FOR VIOLATION OF A DOMESTIC VIOLENCE PROTECTIVE ORDER.
Referred to Judiciary I Committee.

By Senator Rand:
S.B. 1042, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO ENGAGE IN INSTALLMENT PURCHASE FINANCING AND TO ISSUE REVENUE ANTICIPATION NOTES.
Referred to Finance Committee.

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By Senator Rand:
S.B. 1043, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS OF THE STATE.
Referred to Rules and Operations of the Senate Committee.

By Senator Rand:
S.B. 1044, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CUMBERLAND COUNTY TO PLAN AND DESIGN A SENIOR COMMUNITY CENTER.
Referred to Appropriations/Base Budget Committee.

By Senator Rand:
S.B. 1045, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE TO INTERFERE WITH EMERGENCY TELEPHONIC COMMUNICATIONS.
Referred to Judiciary I Committee.

By Senator Phillips:
S.B. 1046, A BILL TO BE ENTITLED AN ACT TO MAKE EMPLOYEES OF STATE LICENSING AND EXAMINING BOARDS MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.
Referred to Pensions & Retirement and Aging Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senator Albertson:
S.B. 1047, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING TO THE ENVIRONMENT OR NATURAL RESOURCES.
Referred to Rules and Operations of the Senate Committee.

By Senator Albertson:
S.B. 1048, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING TO THE ENVIRONMENT OR NATURAL RESOURCES.
Referred to Rules and Operations of the Senate Committee.

By Senator Albertson:
S.B. 1049, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING TO THE ENVIRONMENT OR NATURAL RESOURCES.
Referred to Rules and Operations of the Senate Committee.

By Senator Albertson:
S.B. 1050, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING TO THE ENVIRONMENT OR NATURAL RESOURCES.
Referred to Appropriations/Base Budget Committee.

By Senator Albertson:
S.B. 1051, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING TO THE ENVIRONMENT OR NATURAL RESOURCES.
Referred to Rules and Operations of the Senate Committee.

By Senator Albertson:
S.B. 1052, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING
TO THE ENVIRONMENT OR NATURAL RESOURCES.
Referred to Rules and Operations of the Senate Committee.

By Senator Albertson:
S.B. 1053, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING TO THE ENVIRONMENT OR NATURAL RESOURCES.
Referred to Rules and Operations of the Senate Committee.

By Senator Hartsell:
S.B. 1054, A BILL TO BE ENTITLED AN ACT TO EXPAND PRESENT-USE VALUE CLASSIFICATION TO CERTAIN BUSINESS ENTITIES AND TO CLARIFY THE OWNERSHIP REQUIREMENTS FOR PRESENT-USE VALUE CLASSIFICATION.
Referred to Finance Committee.

By Senator Wellons:
S.B. 1055, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF A COURT REPORTING SERVICE THAT HAS AN INTEREST WHEN A DEPOSITION IS TAKEN.
Referred to Judiciary I Committee.

By Senator Wellons:
S.B. 1056, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPACE ON THE INCOME TAX RETURN FOR INDIVIDUALS TO MAKE DONATIONS TO HABITAT FOR HUMANITY.
Referred to Finance Committee.

By Senator Wellons:
S.B. 1057, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF CLAYTON FOR RESTORATION AND MAINTENANCE OF THE AUDITORIUM BUILDING.
Referred to Appropriations/Base Budget Committee.

By Senator Clodfelter:
S.B. 1058, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE LICENSING BOARD FOR GENERAL CONTRACTORS TO INCLUDE COMPONENTS OF THE STATE BUILDING CODE IN THE EXAMINATION OFFERED BY THE BOARD AND GRANTING THE BOARD GREATER AUTHORITY WHEN DISCIPLINING LICENSEES WHO VIOLATE THE LAWS RELATED TO GENERAL CONTRACTOR LICENSURE.
Referred to Judiciary I Committee.

By Senator Clodfelter:
S.B. 1059, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A LEGISLATIVE STUDY COMMISSION TO CONSIDER AUTHORIZING LOCAL GOVERNMENT TO ESTABLISH PROGRAMS ALLOWING PROPERTY OWNERS TO TRANSFER DEVELOPMENT RIGHTS UNDER PLANNING ORDINANCES FOR THE PURPOSES OF HISTORIC PRESERVATION, OPEN SPACE AND WATERSHED PROTECTION, AND SUPPORT OF TRANSIT AND TRANSPORTATION PLANNING GOALS, AND ALLOWING CREATION OF DEVELOPMENT RIGHTS "BANKS" FOR THESE PURPOSES.
Referred to Rules and Operations of the Senate Committee.

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By Senators Hagan and Kinnaird:

S.B. 1060, A BILL TO BE ENTITLED AN ACT TO PROVIDE TRUSTEES WITH ADDITIONAL AUTHORITY TO SEVER TRUSTS INTO SEPARATE TRUSTS CONSISTENT WITH THE BEST INTERESTS OF THE TRUST BENEFICIARIES.

Referred to Judiciary II Committee.

By Senator Perdue:

S.B. 1061, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE GLOBAL TRANSPARK AUTHORITY.

Referred to Appropriations/Base Budget Committee.

By Senator Metcalf:

S.B. 1062, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD TO DEFINE THE TERM CLINICAL SUPERVISOR INTERN AND AMENDING CERTIFICATION REQUIREMENTS FOR SUBSTANCE ABUSE PROFESSIONALS.

Referred to Children & Human Resources Committee.

By Senator Metcalf:

S.B. 1063, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CODE OF CAMPAIGN STANDARDS TO BE ENFORCED BY THE STATE BOARD OF ELECTIONS.

Referred to Judiciary I Committee.

By Senator Hoyle:

S.B. 1064, A BILL TO BE ENTITLED AN ACT TO ALLOW A STATE TAX CREDIT FOR PROVIDING AFFORDABLE HOUSING.

Referred to Finance Committee.

By Senator Rand:

S.B. 1065, A BILL TO BE ENTITLED AN ACT AMENDING THE EVIDENCE CODE, CHAPTER 8C OF THE GENERAL STATUTES, TO MAKE ADMISSIBLE FOR THE PURPOSES OF IMPEACHMENT EVIDENCE OF A WITNESS' CONVICTION OF A CRIME PUNISHABLE BY SIXTY DAYS OF CONFINEMENT OR MORE.

Referred to Judiciary I Committee.

By Senator Rand:

S.B. 1066, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS OF THE STATE FOR HEALTH CARE IMPROVEMENT.

Referred to Rules and Operations of the Senate Committee.

By Senator Rand:

S.B. 1067, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR EMERGENCY MAGISTRATES AND TO APPROPRIATE FUNDS FOR TWO ADDITIONAL MAGISTRATES IN CUMBERLAND COUNTY.

Referred to Appropriations/Base Budget Committee.

By Senator Rand:

S.B. 1068, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL LAW ENFORCEMENT AGENCIES TO ACCESS THE CRIMINAL INFORMATION

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NETWORK TO RUN CRIMINAL BACKGROUND CHECKS ON VOLUNTEERS FOR THE MCGUFF HOUSES PROGRAM.
Referred to Judiciary I Committee.

By Senator Rand:
S.B. 1069, A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF CRIMINAL IMPERSONATION, TO ENHANCE THE PENALTY FOR IMPERSONATING A LAW ENFORCEMENT OFFICER OR OTHER PUBLIC OFFICERS IN CERTAIN CIRCUMSTANCES, AND TO RAISE THE CRIMINAL PENALTY FOR IMPERSONATING EMERGENCY MEDICAL PERSONNEL, LAW ENFORCEMENT OFFICERS, AND OTHER PUBLIC OFFICERS.
Referred to Judiciary I Committee.

By Senator Rand:
S.B. 1070, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A NEW COMMUNITY ARTS CENTER IN BLOWING ROCK.
Referred to Appropriations/Base Budget Committee.

By Senator Rand:
S.B. 1071, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ECKERD WILDERNESS CAMP PROGRAM.
Referred to Appropriations/Base Budget Committee.

By Senators Rand and Dannelly:
S.B. 1072, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CRIME OF IDENTITY THEFT.
Referred to Judiciary I Committee.

By Senator Rand:
S.B. 1073, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATE'S DISCRETION IN CAPITAL SENTENCING.
Referred to Judiciary I Committee.

By Senators Reeves, Ballantine, Clodfelter, Dalton, Foxx, Hartsell, Hoyle and Wellons:
S.B. 1074, A BILL TO BE ENTITLED AN ACT LIMITING LIABILITY FROM YEAR 2000 FAILURES BY PROVIDING CERTAIN PARTIES THE RIGHT TO ASSERT AN AFFIRMATIVE DEFENSE BASED ON A YEAR 2000 PROBLEM.
Referred to Judiciary II Committee.

By Senator Rand:
S.B. 1075, A BILL TO BE ENTITLED AN ACT REGARDING FUNDING AND TRANSPORTATION FOR CHILDREN WITH SPECIAL NEEDS.
Referred to Education/Higher Education Committee.

By Senator Cooper:
S.B. 1076, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROPERTY TAX ON CERTAIN VEHICLES LEASED OR RENTED UNDER A SHORT-TERM LEASE OR RENTAL AND TO REPLACE THE TAX REVENUE WITH A LOCAL OPTION PRIVILEGE LICENSE TAX ON GROSS RECEIPTS DERIVED FROM April 15, 1999
CERTAIN SHORT-TERM CAR RENTALS.
Referred to Finance Committee.

By Senators Albertson, Ballance, Carpenter, Dannelly, East, Forrester, Hartsell, Jordan, Kinnaird, Martin of Guilford, Metcalf, Shaw of Cumberland, and Webster:
S.B. 1077, A BILL TO BE ENTITLED AN ACT TO ENHANCE AIR AND WATER QUALITY AND PROTECT THE ENVIRONMENT BY ALLOWING ELECTRIC CUSTOMERS TO PROVIDE FINANCIAL SUPPORT TO PRODUCERS OF RENEWABLE RESOURCE ENERGY.
Referred to Commerce Committee.

By Senators Albertson and Metcalf:
S.B. 1078, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FUNDING FOR THE "AG IN THE CLASSROOM" PROGRAM.
Referred to Appropriations/Base Budget Committee.

By Senator Albertson:
S.B. 1079, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING TO THE ENVIRONMENT OR NATURAL RESOURCES.
Referred to Rules and Operations of the Senate Committee.

By Senator Albertson:
S.B. 1080, A BILL TO BE ENTITLED AN ACT TO AMEND THE STRUCTURAL PEST CONTROL LAW.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Albertson and Metcalf:
S.B. 1081, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO EXPAND THE USE OF RECYCLED MATERIALS IN ROAD MAINTENANCE.
Referred to Transportation Committee.

By Senators Albertson and Metcalf:
S.B. 1082, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR AGRICULTURAL RESEARCH BY INCREASING THE ASSESSMENT ON FERTILIZER, COMMERCIAL FEED, OR THEIR INGREDIENTS.
Referred to Finance Committee.

By Senators Albertson and Metcalf:
S.B. 1083, A BILL TO BE ENTITLED AN ACT TO AMEND THE REGISTRATION REQUIREMENTS FOR DEALERS IN LIQUIFIED PETROLEUM GAS AND TO PROVIDE FOR THE TRAINING AND EXAMINATION OF PERSONS TRANSPORTING OR DISPENSING LIQUIFIED PETROLEUM GAS.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Albertson and Metcalf:
S.B. 1084, A BILL TO BE ENTITLED AN ACT TO EXTEND THE PILOT PROGRAM UNDER WHICH THE DIVISION OF SOIL AND WATER CONSERVATION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES CONDUCTS ALL INSPECTIONS OF ANIMAL WASTE MANAGEMENT SYSTEMS IN CERTAIN COUNTIES.
Referred to Agriculture/Environment/Natural Resources Committee.

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By Senators Albertson and Metcalf:

S.B. 1085, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE AND LOCAL GOVERNMENT AGENCIES THAT ACQUIRE LAND FOR WETLANDS MITIGATION TO REIMBURSE THE COUNTY IN WHICH THE LAND IS LOCATED FOR ITS LOST TAXES DUE TO THE ACQUISITION.

Referred to Finance Committee.

By Senators Carpenter and Phillips:

S.B. 1086, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE USE OF RESTRAINTS AND REPORTING OF DEATHS IN CERTAIN FACILITIES FOR PERSONS WITH DISABILITIES, AND IN CHILD CARE FACILITIES, AND TO AUTHORIZE THE GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES TO HAVE ACCESS TO INFORMATION ABOUT THESE DEATHS.

Referred to Health Care Committee.

By Senator Ballance:

S.B. 1087, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO UPGRADE AND IMPROVE TRIBAL DAY CARE CENTERS.

Referred to Appropriations/Base Budget Committee.

By Senators Cochrane and Horton:

S.B. 1088, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THOSE ENGAGED IN AGRICULTURAL ACTIVITIES TO VOLUNTARILY COMPLY WITH THE REGISTRATION REQUIREMENTS FOR INTERBASIN TRANSFERS.

Referred to Agriculture/Environment/Natural Resources Committee.

By Senator Harris:

S.B. 1089, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COMMISSIONER OF INSURANCE TO REPORT TO THE GENERAL ASSEMBLY AND THE GENERAL PUBLIC ON THE STATUS OF HEALTH INSURANCE.

Referred to Insurance Committee.

By Senator Harris:

S.B. 1090, A BILL TO BE ENTITLED AN ACT TO REQUIRE GROUP HEALTH BENEFIT PLANS TO PERMIT ENROLLEES TO RECEIVE HEALTH CARE SERVICES FROM ANY PROVIDER WILLING TO ACCEPT THE TERMS AND CONDITIONS OF THE HEALTH BENEFIT PLAN.

Referred to Insurance Committee.

By Senator Purcell:

S.B. 1091, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT CERTAIN CHILDREN BE IMMUNIZED AGAINST HEPATITIS B PRIOR TO ENTERING SIXTH GRADE.

Referred to Health Care Committee.

By Senator Purcell:

S.B. 1092, A BILL TO BE ENTITLED AN ACT TO PROHIBIT LOCAL GOVERNMENTS FROM RESTRICTING FORESTRY CONDUCTED PURSUANT TO AN APPROVED FOREST MANAGEMENT PLAN AND IN COMPLIANCE WITH THE FOREST PRACTICE GUIDELINES RELATED TO WATER QUALITY.

Referred to Agriculture/Environment/Natural Resources Committee.

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By Senator Garrou:

S.B. 1093, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW TO ENSURE THAT ALL TEACHERS RECEIVE A DUTY FREE PERIOD EACH DAY.
Referred to Education/Higher Education Committee.

By Senators Garrou and Carter:

S.B. 1094, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE NEWLY CERTIFIED TEACHERS WITH ADDITIONAL WORKDAYS TO MEET THE REQUIREMENTS OF CONTINUING CERTIFICATION.
Referred to Appropriations/Base Budget Committee.

By Senator Garrou:

S.B. 1095, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RENOVATION AND RESTORATION OF THE RICHARD J. REYNOLDS AUDITORIUM.
Referred to Appropriations/Base Budget Committee.

By Senator Garrou:

S.B. 1096, A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY FOR A SCHOOL EMPLOYEE TO POSSESS A FIREARM ON EDUCATIONAL PROPERTY AND TO MAKE IT A FELONY FOR A STUDENT OR SCHOOL EMPLOYEE TO HAVE A FIREARM AT A CURRICULAR OR EXTRACURRICULAR ACTIVITY SPONSORED BY THE SCHOOL.
Referred to Judiciary II Committee.

By Senators Webster and Ballantine:

S.B. 1097, A BILL TO BE ENTITLED AN ACT TO PROVIDE GOVERNMENTAL ACCOUNTABILITY AND PROTECTION TO THE TAXPAYERS BY LIMITING INCREASES IN THE GENERAL FUND BUDGET, REFORMING THE BUDGET PROCESS, ESTABLISHING AN EMERGENCY RESERVE TRUST FUND, AND PROHIBITING UNFUNDED STATE MANDATES.
Referred to Appropriations/Base Budget Committee.

By Senator Webster:

S.B. 1098, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ONLY THE STATE MAY BRING CERTAIN CIVIL ACTIONS AGAINST FIREARMS OR AMMUNITION MARKETERS, MANUFACTURERS, DISTRIBUTORS, DEALERS, SELLERS, OR TRADE ASSOCIATIONS.
Referred to Judiciary II Committee.

By Senator Carter:

S.B. 1099, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SCHOOL IMPROVEMENT TEAMS TO DEVELOP STRATEGIES FOR THE CREATION OF ALTERNATIVE LEARNING PROGRAMS WITHIN SCHOOLS.
Referred to Education/Higher Education Committee.

By Senator Odom:

S.B. 1100, A BILL TO BE ENTITLED AN ACT TO EXTEND THE NUMBER OF YEARS FOR WHICH A TAXPAYER CAN REQUEST A PROPERTY TAX REFUND FOR TAXES IMPOSED AS THE RESULT OF A CLERICAL OR MATHEMATICAL ERROR AND TO ALLOW LOCAL UNITS OF GOVERNMENT TO INCREASE THE

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ASSESSED VALUE OF PROPERTY FOR THE SAME NUMBER OF YEARS WHEN THE VALUE WAS DETERMINED BY ERROR.
Referred to Finance Committee.

By Senator Odom:
S.B. 1101, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM AMOUNT OF THE CIVIL PENALTIES THAT MAY BE ASSESSED FOR VIOLATIONS OF LAWS THAT PROTECT WATER QUALITY TO CONFORM TO FEDERAL LAW.
Referred to Finance Committee.

By Senators Kinnaird, Ballance, Dannelly, Lee, Lucas and Martin of Guilford:
S.B. 1102, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MORATORIUM ON CARRYING OUT THE DEATH PENALTY.
Referred to Judiciary II Committee.

By Senators Kinnaird, Albertson, Clodfelter, Dalton, Gulley, Lee, Lucas, Martin of Guilford and Phillips:
S.B. 1103, A BILL TO BE ENTITLED AN ACT TO ELIMINATE ROLLBACK OF DEFERRED TAXES WHEN USE VALUE PROPERTY IS TRANSFERRED BETWEEN FARMERS, WITHOUT EXTINGUISHING THE LIEN FOR THE DEFERRED TAXES.
Referred to Finance Committee.

By Senators Kinnaird, Ballance, Clodfelter, Cochrane, Dannelly, Forrester, Hagan, Lucas and Martin of Guilford:
S.B. 1104, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT ALLOWED FOR SPECIAL ASSISTANCE LONG-TERM CARE RESIDENTS FOR PERSONAL NEEDS.
Referred to Appropriations/Base Budget Committee.

By Senators Plyler, Albertson, Ballantine, Dalton, Lee, Martin of Pitt, Odom, Perdue, Reeves, Rucho and Weinstein:
S.B. 1105, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A VOLUNTARY ASSESSMENT ON TURF GRADE FERTILIZER AND TO PROVIDE FOR THE COLLECTION AND USES OF THIS ASSESSMENT.
Referred to Finance Committee.

By Senators Plyler and Purcell:
S.B. 1106, A BILL TO BE ENTITLED AN ACT TO ASSUME THE ADMINISTRATION OF THE ANDREW JACKSON MEMORIAL BY THE DEPARTMENT OF CULTURAL RESOURCES.
Referred to Appropriations/Base Budget Committee.

By Senators Plyler and Purcell:
S.R. 1107, A SENATE RESOLUTION HONORING THE ONE HUNDREDTH ANNIVERSARY OF THE TOWN OF MOUNT GILEAD.
Referred to Rules and Operations of the Senate Committee.

By Senator Harris:
S.B. 1108, A BILL TO BE ENTITLED AN ACT TO ESTABLISH IN THE DEPARTMENT OF ADMINISTRATION THE OFFICE OF CONSUMERS'
INSURANCE ADVOCATE.

Referred to Insurance Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senator Harris:

S.B. 1109, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE PRESCRIPTION DRUGS TO CERTAIN PERSONS NOT ELIGIBLE FOR MEDICAID AND WHO HAVE LIFE-THREATENING MEDICAL CONDITIONS.

Referred to Insurance Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Rand, Shaw of Cumberland, Soles and Weinstein:

S.B. 1110, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCENTIVE FOR BUSINESSES TO FIND COMMERCIAL USES FOR TECHNOLOGY DEVELOPED BY CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.

Referred to Finance Committee.

By Senators Reeves and Ballantine:

S.B. 1111, A BILL TO BE ENTITLED AN ACT TO CREATE "ONLINE NORTH CAROLINA", A STATEWIDE INFORMATION NETWORK TO FACILITATE ELECTRONIC GOVERNMENT.

Referred to Information Technology Committee.

By Senator Kerr:

S.B. 1112, A BILL TO BE ENTITLED AN ACT TO PROMOTE ELECTRONIC COMMERCE BY REPEALING THE SALES TAX REGISTRATION FEE AND TO MAKE OTHER CHANGES TO THE TAX LAWS AND RELATED STATUTES.

Referred to Finance Committee.

By Senator Kerr:

S.B. 1113, A BILL TO BE ENTITLED AN ACT RELATING TO EMPLOYER CONTACT WITH MEDICAL CARE PROVIDERS FOR CLAIMS UNDER THE WORKERS' COMPENSATION ACT.

Referred to Rules and Operations of the Senate Committee.

By Senators Kerr and Hoyle:

S.B. 1114, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS CONCERNING UTILITY UNDERGROUNDING.

Referred to Rules and Operations of the Senate Committee.

By Senator Kerr:

S.B. 1115, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WIDELY SHARED PROSPERITY BY AMENDING THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, BY PROVIDING ADDITIONAL TAX INCENTIVES FOR VARIOUS BUSINESSES, AND BY MAKING RELATED CHANGES.

Referred to Finance Committee.

By Senator Dalton:

S.B. 1116, A BILL TO BE ENTITLED AN ACT TO RESERVE THE USE OF GREEN LIGHT ON CERTAIN VEHICLES TO THE DEPARTMENT OF CRIME
CONTROL AND PUBLIC SAFETY AND THOSE AUTHORIZED BY THE DEPARTMENT.
   Referred to Transportation Committee.

By Senators Carter and Garrou:
S.B. 1117, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PAYMENT OF THE PARTICIPATION FEE FOR TEACHERS WHO PARTICIPATE A SECOND TIME IN THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS (NBPTS) CERTIFICATION PROGRAM.
   Referred to Appropriations/Base Budget Committee.

By Senators Carter and Garrou:
S.B. 1118, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A SALARY SCHEDULE FOR ASSISTANT TEACHERS.
   Referred to Rules and Operations of the Senate Committee.

By Senators Lucas and Kinnaird:
S.B. 1119, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LICENSURE OF PERFUSIONISTS.
   Referred to Judiciary I Committee and upon a favorable report, re-referred to the Finance Committee.

By Senators Lucas and Kinnaird:
S.B. 1120, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DURHAM ARTS COUNCIL FOR AN ARTS AND SCIENCE CULTURAL PLAN.
   Referred to Appropriations/Base Budget Committee.

By Senators Lucas and Kinnaird:
S.B. 1121, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE PROGRAMS OF THE UTERINE FIBROID FOUNDATION.
   Referred to Appropriations/Base Budget Committee.

By Senator Moore:
S.B. 1122, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW TO ALLOW COUNTIES TO REDUCE COUNTY APPROPRIATIONS AND EXPENDITURES FOR AREA MENTAL HEALTH AUTHORITIES FOR FUTURE FISCAL YEARS.
   Referred to Health Care Committee.

By Senator Lee:
S.B. 1123, A BILL TO BE ENTITLED AN ACT TO CREATE A NORTH CAROLINA BLUE RIBBON COMMISSION TO ADDRESS GROWTH, INFRASTRUCTURE, AND DEVELOPMENT ISSUES.
   Referred to Rules and Operations of the Senate Committee.

By Senators Lee and Ballantine:
S.B. 1124, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMUNITY COLLEGES FOR A FAMILY LITERACY PROGRAM.
   Referred to Appropriations/Base Budget Committee.
By Senator East:
S.B. 1125, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENT FOR THE USE OF HELMETS BY OPERATORS AND PASSENGERS ON MOTORCYCLES AND TO INCREASE THE TAX ON PRIVATE MOTORCYCLE REGISTRATIONS THAT IS USED TO PROVIDE FUNDS FOR MOTORCYCLE SAFETY PROGRAMS.
Referred to Judiciary I Committee.

By Senators Horton, Cochrane and Garrou:
S.B. 1126, A BILL TO BE ENTITLED AN ACT TO REPEAL THE EXCEPTION FOR PENAL BONDS IN THE LAW THAT GOVERNS THE INTEREST ON AWARDS IN BREACH OF CONTRACT ACTIONS.
Referred to Judiciary II Committee.

By Senator Horton:
S.B. 1127, A BILL TO BE ENTITLED AN ACT TO CODIFY THE JOINT RESOLUTION Dedicating PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE, INCLUDING THE CODIFICATION OF NAME CHANGES OF CERTAIN LANDS PREVIOUSLY ACCEPTED INTO THE STATE NATURE AND HISTORIC PRESERVE; TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE; TO CODIFY THESE REMOVALS; AND TO DELETE CERTAIN LANDS FROM THE STATE PARKS SYSTEM.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Robinson and Metcalf:
S.B. 1128, A BILL TO BE ENTITLED AN ACT TO AMEND THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senator Jordan:
S.B. 1129, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN INCARCERATED DEFENDANT MAY PLEAD GUILTY TO A MISDEMEANOR OR INFRACTION BY USE OF TWO-WAY AUDIO AND VIDEO TRANSMISSION.
Referred to Judiciary II Committee.

By Senator Jordan:
S.B. 1130, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPEEDIER DISPOSITION OF FELONIES AND MISDEMEANORS IN SUPERIOR COURT BY ELIMINATING SUPERIOR COURT REVIEW OF INFRACTIONS TRIED IN DISTRICT COURT AND TO PROVIDE FOR DIRECT REVIEW BY THE COURT OF APPEALS OF PROBATION HEARINGS CONDUCTED IN DISTRICT COURT.
Referred to Judiciary II Committee.

By Senators Purcell and Plyler:
S.B. 1131, A BILL TO BE ENTITLED AN ACT TO POSTPONE FOR ONE YEAR THE EFFECTIVE DATE OF CONVERSION OF THE SALES TAX AND GROSS RECEIPTS TAX ON PIPED NATURAL GAS INTO AN EXCISE TAX ON PIPED NATURAL GAS.
Referred to Finance Committee.

By Senator Odom:
S.B. 1132, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING,
CONFORMING, AND TECHNICAL CHANGES TO VARIOUS ENVIRONMENTAL LAWS.
    Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Albertson and Perdue:
S.B. 1133, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A VOLUNTARY PROGRAM REGARDING ENVIRONMENTAL EXCELLENCE PROGRAM AGREEMENTS.
    Referred to Rules and Operations of the Senate Committee.

By Senators Martin of Guilford, Ballance, Jordan, Lucas and Phillips:
S.B. 1134, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES LAW PERTAINING TO THE MEDICAID STANDARD OF NEED, PAY-AFTER-PERFORMANCE FOR TWO-PARENT FAMILIES, TIME LIMITATIONS ON ASSISTANCE, AND OTHER AREAS OF WELFARE REFORM.
    Referred to Children & Human Resources Committee.

By Senators Martin of Guilford, Ballance, Dannelly, Forrester, Jordan, Kinnaird, Lucas, Phillips and Purcell:
S.B. 1135, A BILL TO BE ENTITLED AN ACT TO EXPAND TRANSITIONAL MEDICAID BENEFITS FROM TWELVE MONTHS TO TWENTY-FOUR MONTHS.
    Referred to Appropriations/Base Budget Committee.

By Senators Martin of Guilford, Ballance, Dannelly, Jordan, Kinnaird, Lucas, Phillips and Purcell:
S.B. 1136, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM TO ASSIST FAMILIES AT CERTAIN INCOME LEVELS WITH CHILDREN PERFORMING BELOW GRADE LEVEL IN IMPROVING FAMILY COHESIVENESS, FUNCTIONING, AND ECONOMIC PROGRESS AND STUDENT ACADEMIC SUCCESS.
    Referred to Appropriations/Base Budget Committee.

By Senators Martin of Guilford, Ballance, Dannelly, Forrester, Kinnaird, Odom, Phillips, Purcell, Rand, Shaw of Guilford, Soles, Warren and Wellons:
S.B. 1137, A BILL TO BE ENTITLED AN ACT TO REQUIRE LICENSEES TO DEPOSIT CHECKS AFTER THE CHECKS HAVE BEEN CASHED AND TO CLARIFY THE AGGREGATE AMOUNT ALLOWED FOR POSTDATED OR DELAYED DEPOSIT CHECKS.
    Referred to Commerce Committee.

By Senator Kerr:
S.B. 1138, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT HEALTH MAINTENANCE ORGANIZATIONS PAY THE SAME PREMIUM TAX AND REGULATORY CHARGE AS MOST OTHER INSURERS AND SELF-INSURERS.
    Referred to Finance Committee.

By Senators Horton and Albertson:
S.J.R. 1139, A JOINT RESOLUTION DEDICATING PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE.
    Referred to Rules and Operations of the Senate Committee.

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By Senators East, Carpenter, Carrington, Cochrane, Forrester and Garwood:

S.B. 1140, A BILL TO BE ENTITLED AN ACT TO REPEAL THE BAN ON BILLBOARDS ON A PORTION OF U.S. HIGHWAY 52 AND NORTH CAROLINA HIGHWAY 752 IN SURRY COUNTY.

Referred to State and Local Government Committee.

By Senators Foxx, Allran, Ballantine, Carpenter, Carrington, Cochrane, East, Forrester, Garwood, Horton and Moore:

S.B. 1141, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A PERFORMANCE AUDIT OF THE EXECUTIVE AND LEGISLATIVE BRANCHES OF STATE GOVERNMENT.

Referred to Appropriations/Base Budget Committee.

By Senator Martin of Guilford:

S.B. 1142, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA COMMISSION OF INDIAN AFFAIRS AS THE DESIGNATED AGENCY TO IMPLEMENT OR OVERSEE CERTAIN PROGRAMS BENEFITING THE STATE'S INDIAN POPULATION.

Referred to Judiciary II Committee.

By Senators Warren, Carpenter, Carrington, Cochrane, Dalton, Forrester, Garrou, Garwood, Harris, Horton, Hoyle, Kerr, Kinnaird, Metcalf, Moore, Rand, Robinson, Soles, Weinstein and Wellons:

S.B. 1143, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTINUITY OF CONTRACTS UNDER THE MONETARY UNION IN MEMBER STATES OF THE EUROPEAN UNION.

Referred to Commerce Committee.

By Senators Warren, Albertson, Dannelly, Martin of Guilford and Martin of Pitt:

S.B. 1144, A BILL TO BE ENTITLED AN ACT TO EXEMPT VEHICLES DONATED TO A NONPROFIT ORGANIZATION WHEN THE VEHICLE WILL BE TRANSFERRED TO ANOTHER PERSON WITHIN NINETY DAYS.

Referred to Finance Committee.

By Senator Rand:

S.B. 1145, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING CERTAIN TYPES OF THREATENING, ANNOYING, OR HARASSING COMMUNICATIONS.

Referred to Judiciary I Committee.

By Senator Rand:

S.B. 1146, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE TO USE MIRRORS, VIDEO EQUIPMENT, AND OTHER MEANS TO SECRETLY VIEW ANOTHER PERSON'S BODY.

Referred to Judiciary I Committee.

By Senators Rand and Garrou:

S.B. 1147, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING STALKING.

Referred to Judiciary I Committee.

By Senators Allran, Carpenter, Forrester, Foxx, Garwood, Jordan, Lucas, Moore,
Rand, Reeves, Robinson, Rucho, Shaw of Guilford, Soles, Webster and Weinstein:

S.B. 1148, A BILL TO BE ENTITLED AN ACT TO DESIGN AND AUTHORIZE A NEW STANDARD REGISTRATION PLATE FOR NORTH CAROLINA MOTOR VEHICLES.
Referred to Finance Committee.

By Senators Cooper:

S.B. 1149, A BILL TO BE ENTITLED AN ACT TO MODIFY PERMISSIBLE FEES WHICH MAY BE CHARGED IN CONNECTION WITH HOME LOANS SECURED BY FIRST MORTGAGE OR FIRST DEED OF TRUST, TO IMPOSE RESTRICTIONS AND LIMITATIONS ON HIGH COST HOME LOANS, TO REVISE THE PERMISSIBLE FEES AND CHARGES ON CERTAIN LOANS, AND TO PROHIBIT UNFAIR OR DECEPTIVE PRACTICES BY MORTGAGE BROKERS AND LENDERS.
Referred to Judiciary I Committee.

By Senator Ballance:

S.B. 1150, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE DRUG TREATMENT COURT PROGRAM.
Referred to Rules and Operations of the Senate Committee.

By Senators Carter and Garrou:

S.B. 1151, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING TESTING REQUIREMENTS FOR CHARTER SCHOOLS.
Referred to Education/Higher Education Committee.

By Senator Clodfelter:

S.B. 1152, A BILL TO BE ENTITLED AN ACT AUTHORIZING CITIES TO DEMOLISH AND REMOVE CERTAIN NONRESIDENTIAL BUILDINGS TO ENHANCE ECONOMIC DEVELOPMENT EFFORTS.
Referred to Finance Committee.

By Senator Clodfelter:

S.B. 1153, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT FEDERAL CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM FUNDS BE USED FOR PUBLIC TRANSPORTATION PURPOSES.
Referred to Appropriations/Base Budget Committee.

By Senator Rand:

S.B. 1154, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ASSAULT INFlicting SERIOUS BODILY HARM.
Referred to Judiciary I Committee.

By Senators Lee and Dalton:

S.B. 1155, A BILL TO BE ENTITLED AN ACT DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY ISSUES PERTAINING TO PUBLIC SCHOOL CENTRAL OFFICE ADMINISTRATORS.
Referred to Rules and Operations of the Senate Committee.

By Senator Hagan:

S.B. 1156, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EDUCATION OF SPECIAL NEEDS CHILDREN, AND TO ESTABLISH A

April 15, 1999
STUDY COMMISSION ON SPECIAL NEEDS CHILDREN.
Referred to Appropriations/Base Budget Committee.

By Senator Kerr:
S.B. 1157, A BILL TO BE ENTITLED AN ACT RECLASSIFYING CERTIFIED CLINICAL SOCIAL WORKERS AS LICENSED CLINICAL SOCIAL WORKERS AND REVISING THE FEES AND QUALIFICATIONS FOR CERTIFICATION AND LICENSURE OF SOCIAL WORKERS.
Referred to Finance Committee.

By Senator Hartsell:
S.B. 1158, A BILL TO BE ENTITLED AN ACT PERTAINING TO FOOD INSPECTION REQUIREMENTS FOR MASS GATHERINGS.
Referred to Rules and Operations of the Senate Committee.

By Senators Plyler, Hartsell, Odom and Purcell:
S.B. 1159, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MAY ALLOW THE USE OF LAND-USE RESTRICTIONS TO PROTECT PUBLIC HEALTH AT CONTAMINATED SITES.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senator Reeves:
S.B. 1160, A BILL TO BE ENTITLED AN ACT RELATING TO THE REGULATION OF AMUSEMENT DEVICES AND AERIAL TRAMWAYS BY THE DEPARTMENT OF LABOR.
Referred to Finance Committee.

By Senators Hagan and Warren:
S.B. 1161, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO WORK WITH THE FOOD SERVICE INDUSTRY TO IMPROVE THE EQUITY AND EFFECTIVENESS OF RULES AND GUIDELINES GOVERNING LOCAL OIL AND GREASE PRETREATMENT PROGRAMS.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senator Lucas:
S.B. 1162, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PERTAINING TO THE SCHOOL HEALTH CURRICULUM.
Referred to Education/Higher Education Committee.

By Senator Clodfelter:
S.B. 1163, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT OWNERS AND OPERATORS OF DRY-CLEANING FACILITIES ESTABLISH AND MAINTAIN FINANCIAL RESPONSIBILITY FOR LEGAL LIABILITY FOR CONTAMINATION, TO PHASE IN A PRIVILEGE TAX ON DRY-CLEANING AND LAUNDRY BUSINESSES BASED ON GROSS RECEIPTS, TO PHASE OUT STATE AND LOCAL SALES TAXES ON DRY-CLEANING SERVICES, AND TO MAKE OTHER AMENDMENTS TO THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997.
Referred to Finance Committee.

April 15, 1999
By Senator Clodfelter:
S.B. 1164, A BILL TO BE ENTITLED AN ACT TO ESTABLISH METROPOLITAN PLANNING BOARDS TO ASSIST THE DEPARTMENT OF TRANSPORTATION IN THE DEVELOPMENT OF TRANSPORTATION PLANS AND PROGRAMS FOR URBAN AREAS OF THE STATE.
Referred to Transportation Committee.

By Senator Purcell:
S.B. 1165, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LICENSURE OF CLINICAL PHARMACIST PRACTITIONERS.
Referred to Health Care Committee and upon a favorable report, re-referred to the Finance Committee.

By Senator Odom:
S.B. 1166, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF AVERAGE WEEKLY WAGES UNDER THE WORKERS' COMPENSATION ACT.
Referred to Commerce Committee.

By Senators Carter and Garrou:
S.B. 1167, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL BOARDS OF EDUCATION AND THE STATE BOARD OF EDUCATION TO EXCUSE CERTAIN SCHOOL DAYS LOST TO INCLEMENT WEATHER.
Referred to Education/Higher Education Committee.

Pursuant to Senator Rand's motion to adjourn having prevailed, the Senate adjourns at 12:17 P.M.

FORTY-SEVENTH DAY

Senate Chamber
Monday, April 19, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Lord, we praise You as the source of all knowledge and wisdom. You know well the workings of this Chamber. You know how lonely it can be at the top. Persons in public service are surrounded constantly by aides and constituents, and yet they can lead very solitary lives. Strong, powerful persons usually suffer in silence. They endure uncertainty alone. They acknowledge the darkness only to themselves.

"Our culture does not readily permit politicians to concede to their vulnerabilities. And so we turn our troubled hearts to You, Lord God, for You created us and know us so well.

"We pray for all those Senators who carry beneath the civic veneer of invulnerability, great burdens of the spirit. Grant to them, in Your deep, comforting embrace, a respite and a release from loneliness, apprehension and sorrow. 'Come unto me all ye that labor and are heavy laden, and I will give you rest.' Amen."

April 19, 1999
With unanimous consent, the President grants leaves of absence for tonight to Senator Ballantine, Senator Hartsell, Senator Hoyle, Senator Jordan and Senator Odom.

Senator Basnight, President Pro Tempore, announces the Journal of Thursday, April 15, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. David Allen Crews from Greensboro, North Carolina, who is serving the Senate as Doctor of the Day.

**ENROLLED BILLS**

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

**S.B. 225**, AN ACT TO AMEND THE LAW REGARDING CERTIFICATION AND EMPLOYMENT OF ASSISTANT PRINCIPALS.

The Enrolling Clerk reports the following resolution duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

**S.J.R. 913**, A JOINT RESOLUTION INVITING THE HONORABLE BURLEY B. MITCHELL, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE. (Res. 6)

**CHAPTERED BILL**

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

**S.B. 51**, AN ACT TO AMEND THE LAW GOVERNING HIGHWAY SMALL PROJECT BIDDING. (Became law upon approval of the Governor, April 16, 1999 - S.L. 1999-25.)

**COMMITTEE REFERRAL RECALL**

**S.R. 763**, A SENATE RESOLUTION COMMENDING ALAMANCE COUNTY ON ITS SESQUICENTENNIAL, referred to the Rules and Operations of the Senate Committee on April 6.

Pursuant to Rule 47(a), Senator Rand offers a motion that the Senate resolution be withdrawn from the Rules and Operations of the Senate Committee and placed on the Calendar for Tuesday, April 20, which motion prevails with unanimous consent.

The Chair orders the Senate resolution withdrawn from the Rules and Operations of the Senate Committee and placed on the Calendar for tomorrow, Tuesday, April 20.

**RESOLUTION FROM ANOTHER STATE**

The following resolution received from another Legislative Body is presented to the Senate and is ordered placed on file in the Principal Clerk’s Office:

State of Maine House of Representatives Joint Resolution No. 1388, Memorializing the April 19, 1999
United States Senate to ratify the United Nations Convention of the Elimination of all forms of discrimination against women. (See Appendix.)

The hour having arrived pursuant to S.J.R. 913, A JOINT RESOLUTION INVITING THE HONORABLE BURLEY B. MITCHELL, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, the President orders a special message sent to the House of Representatives informing that Honorable Body that the Senate stands ready to repair to the Hall of the House of Representatives to receive the message of the Chief Justice of the Supreme Court of North Carolina.

APPOINTMENT OF ESCORT COMMITTEE

The President recognizes Senator Basnight, President Pro Tempore, who announces that Senator Martin of Guilford, Chairman; Senator Allran; Senator Clodfelter; Senator Cooper; Senator Forrester; Senator Lucas; and Senator Rand are appointed as the Committee on the part of the Senate to serve with a like Committee from the House of Representatives to greet and escort the Chief Justice of the Supreme Court of North Carolina to the Joint Session in the Hall of the House of Representatives.

The Chair orders a special message sent to the House of Representatives informing that Honorable Body of such action.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S.J.R. 913

House of Representatives
April 19, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the message that pursuant to S.J.R. 913, A JOINT RESOLUTION INVITING THE HONORABLE BURLEY B. MITCHELL, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, the Speaker has appointed the following members of the House of Representatives to serve with a like committee of the Senate to escort the Chief Justice of the Supreme Court, Burley B. Mitchell, Jr., to the Joint Session:

Representative Baddour,
Representative Hackney,
Representative Daughtry,
Representative Sutton,
Representative Braswell,
Representative Boyd-McIntyre, and
Representative Easterling

Respectfully,
S/Denise Weeks
Principal Clerk

April 19, 1999
The following special message is received from the House of Representatives:

S.J.R. 913

House of Representatives
April 19, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the message that pursuant to S.J.R. 913, A JOINT RESOLUTION INVITING THE HONORABLE BURLEY B. MITCHELL, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, the House stands ready to receive your Honorable Body in Joint Session.

Respectfully,
S/Denise Weeks
Principal Clerk

The President recognizes Senator Basnight, President Pro Tempore, who offers a motion in accordance with S.J.R. 913, that the Senate stand in recess to repair to the Hall of the House of Representatives, there to sit in Joint Session, and further, upon dissolution of the Joint Session, to reconvene to receive committee reports.

Pursuant to the motions by Senator Basnight having prevailed, the President declares the Senate in recess and the Senate, preceded by its Officers, repairs to the Hall of the House of Representatives, there to sit in Joint Session with that Honorable Body to receive the address of the Chief Justice of the Supreme Court of North Carolina.

JOINT SESSION

The Speaker recognizes the Sergeant-at-Arms of the House of Representatives who announces the presence of the members of the Judiciary, who await his pleasure. The Speaker directs the Sergeant-at-Arms to escort the members of the Judiciary to the Well of the House to be seated. The Senate and House of Representatives stand and receive the members of the Judiciary.

The Speaker extends the courtesies of the gallery to Mrs. Burley B. Mitchell, Jr., wife of the Chief Justice of the Supreme Court of North Carolina, and all guests.

The Speaker relinquishes the gavel to The Honorable Dennis A. Wicker, Lieutenant Governor and President of the Senate, who presides.

The President recognizes the Sergeant-at-Arms of the House of Representatives who announces the presence of The Honorable Burley B. Mitchell, Jr., Chief Justice of the Supreme Court of North Carolina. The President directs the Sergeants-at-Arms of the House of Representatives and the Senate to escort the Committees and the Chief Justice to the Well of the House. Senator Martin of Guilford presents The Honorable Burley B. Mitchell, Jr., Chief Justice of the Supreme Court of North Carolina, to the President of Senate. The President presents The Honorable Burley B. Mitchell, Jr. to the General Assembly whereupon he delivers his address.

STATE OF THE JUDICIARY ADDRESS

"President Wicker, Speaker Black, President Pro Tempore Basnight, Senators and
Representatives of the 1999 General Assembly, distinguished guests, and ladies and gentlemen: Thank you for once again inviting me to speak to you about the state of the judicial branch of our government. It is always an honor for me to be given the privilege of entering this chamber to address a joint session of this great General Assembly.

“When I became Chief Justice four years ago, I told you that I wanted to improve communications between the Legislative and Judicial branches of government. I promised that we would try to be more forthright in anticipating our needs and communicating them to you. At that time, we had fallen behind in our constitutional duties, but with your help we have made great progress since then. Thanks to you, we are now working together to realistically prepare North Carolina’s courts for the next millennium.

“For example, your Justice and Public Safety Subcommittee on Appropriations is helping us to develop for the first time a system that we will all have faith in to accurately predict our future needs for new court personnel. You have also had the vision to fund an independent study, by outside experts, of the long-term computer needs of the courts and that study is under way now.

“Communication between the Legislative and Judicial branches of government, I believe, is the best it has been in a long time. To your credit, this is so despite the fact that some of you have told me you liked some of my court’s decisions last year better than others. As always, I thank you for sharing.

“I am pleased to report to you tonight that the state of the Judiciary is good. I must first tell you about the work of my own court, since that is where the greatest progress has been made. When I became Chief Justice four years ago, we had been through a long period in which more appeals were filed with the Supreme Court than we disposed of each year. The Justices of your Supreme Court resolved together to change that embarrassing fact, and they have. In every one of the past four years, we have decided more appeals by full written opinions than have been filed with the court. We now have no backlog in the Supreme Court and are able to set cases for oral arguments immediately after the filing of the briefs by the parties. I hope you will forgive me the sin of pride, but I am proud to report to you that since your Supreme Court was first formed 180 years ago, it has never been more current in its work than it is at this moment.

“The performance of the North Carolina Court of Appeals has also been extraordinary. Last year, 1,640 appeals were filed with that court. During the same period, the twelve judges of that court disposed of 1,662 cases for a net reduction in pending appeals. Although I once served on the Court of Appeals, I still find it nearly impossible to believe that each judge of that court produces more than one hundred and twenty full written opinions each year, but somehow they get it done.

“My duties with the National Conference of Chief Justices keep me pretty well informed on such matters, and I have not been able to identify any other state or federal appellate court in America where the individual judges write as many opinions as our Court of Appeals Judges. I think it is accurate to say that the twelve judges of the North Carolina Court of Appeals seated here this evening are the most productive appellate judges in America. I commend each of them for their efforts.

“The picture with regard to our trial courts, the courts of most interest to the ordinary citizen, is less encouraging but still good. Twice, you will recall, I have reported since becoming Chief Justice, I have halted the rotation of Superior Court judges and sent all of them to their home districts to deal with case backlogs. The result each time was that almost all of them were able to bring their caseloads into current status, but we are beginning to slowly fall behind again in both the Superior and District courts.

“In the last five years, case filings have increased by approximately 16% in the Superior and District courts. Last year, more than 284,000 cases were filed in our Superior Courts. Despite this tremendous influx, our Superior Courts were able to dispose of about 97% of that number of cases. More than 2.5 million cases were filed in our
District Courts. Our District Courts, as incredible as it seems to me, were able to dispose of 99.7% of that number of cases. Our trial courts are struggling but they are holding their own. They will not, however, be able to do so much longer without help.

"In recent years, you have authorized or required the courts to take on many new duties in addition to our basic constitutional duty of disposing of litigation brought before us in a just and timely manner. As a result, we are now conducting many experimental courts and other projects that you have directed. Time permits me only to mention a couple of them.

"The experimental drug treatment courts you authorized in 1995 have been in place for over two years. There are five of those courts in operation, and four scheduled to begin by the end of the year. The Drug Treatment Court Act of 1995 established these courts as experimental projects. The goal was to reduce alcoholism and other drug dependencies among offenders, which would also reduce the alcohol and drug-related court workload. The program is aimed at achieving this by improving the personal, familial, and societal accountability of these people.

"Substance abuse is one of the major factors, ladies and gentlemen, if not the major factor, in most of the social problems facing you here and facing the courts. Substance abuse is one of the major forces driving crime today. Study after study has estimated that from 50% to 80% of violent crimes, including spouse abuse, are attributable in one way or another to alcohol or drug abuse.

"Early results from your experimental drug treatment courts are very encouraging. They have shown that even involuntary treatment programs ordered by our courts can be effective in many cases. I am encouraged by the results I have seen. In a short period of time, we have achieved some very dramatic results through this program. However, drug treatment courts require much more time and energy on the part of our judges and other court personnel than ordinary courts. They are what we call "labor intensive." Nevertheless, I hope you will see fit to continue to expand these courts. They are a success.

"Like the drug treatment courts, the family courts you recently authorized will be very labor intensive. They probably will be more time-consuming and expensive to run than ordinary courts. But we are committed to the three family courts you authorized, and we are working hard to demonstrate that they will also make the courts more family friendly which I believe was your goal. I believe that you are right in concluding that the family court concept is an idea whose time has come. We will do our absolute best to make them successful.

"Ladies and gentlemen, your judiciary is doing very well overall. But much must be done if this is to continue.

"Last session, you very generously provided the courts with funding for thirteen new District Court judges, one hundred and forty-nine new Deputy Clerks of Court, as well as other essential staff. I cannot tell you how much encouragement this has given to our local court personnel throughout the State and they are the ones who day in and day out make our courts work. I sincerely thank you on their behalf and my own for this much needed infusion of personnel.

"This year we ask for fewer increases in personnel. We will justify those needs in the ordinary budget process, beginning in the morning, so I will not spend your time this evening going into them in detail. But I feel I must emphasize one pressing need now.

"Within the past year, I have had to cancel sessions of Superior Court due to the unavailability of court reporters. When this happens, judges and other court personnel who are ready to work and, we are already being paid, and are left unable to perform their duties. Additionally, citizens of the State who have prepared for court are greatly inconvenienced. The cost of a court reporter is relatively small compared to the financial and human costs involved when we must cancel a session of court. We need more court
reporters immediately, and I urge you to address this one need as a priority matter in the General Assembly.

"The need for better computer technology for the courts continues to be a difficult and alarming problem and I have gone over this with you before. I am convinced that the single most important resource for improving the operation and management of the court system is effective computer technology.

"The good news is that last session you funded a comprehensive study of our computer needs by independent outside experts. That study is underway and it should produce a long-term plan that will provide guidance and direction for us. For you and for the Courts, the bad news is that it is more than theoretically possible, as I stand here this evening, that without additional resources to carry out that plan, our current systems will fail. Many elements of the existing equipment, software and communications vehicles are so old and outdated that we can not begin to meet the needs of the various user groups across the State.

"For several years, much of the time and energy of the Information Services Division of the Administrative Office of the Courts has been consumed with addressing the "Y2K" problem. Not being a computer expert, I simply say that the old data and systems we have in place were originally designed so that they cannot tell the difference between 1900 and 2000. Millions of lines of programming had to be checked and changed. I am happy to report that our Information Services Division assures us that most of our programs are prepared for the new century and that all will be ready by the deadline. There still may be some problems on January 1, 2000, but they feel we will be ready.

"Our Information Services Division has been able, however, to make significant progress in other areas of technology while still addressing the Y2K problem. Using funds you have given us and a one-time federal appropriation of $4.4 million, it has begun the implementation of our new automated magistrate system in several counties. This system is the first building block of a cornerstone in a comprehensive criminal information management system which will allow us to electronically store criminal case information at the earliest point possible. We can then share it electronically throughout the court system and with other user organizations. Court personnel will no longer have to re-enter the same information time and again and again in the offices of the Clerks of Court, District Attorneys and others in the system.

"If completed, this system will save countless hours each year for our personnel across the State. We think this will greatly reduce our future needs for more people, and people today are much more expensive to provide than computer programs and equipment. We have to have dependable recurring funds to support and manage the system if it is to work.

"In addition to all of this, our Information Services Division has been forced to create and change computer programs to comply with numerous electronic reporting requirements placed on them by the Congress and by you. Many of these requirements were not accompanied by funding with which to do the work. As head of the Judicial Branch of Government, I would be absolutely negligent in my duty to you and to the public if I did not tell you that we will not be able to comply with these unfunded mandates for long. Time does not permit me to go into all of them, so let me use just one as an example tonight.

"Last year, you passed legislation to implement the recently adopted Victims' Rights Amendment to our State Constitution. That legislation required that the State give numerous notices to victims and other parties. In many cases our existing systems did not provide for storing the information needed to comply with these requirements. The Governor's Crime Commission received a one-time federal grant of $1.7 million to build a system called "SAVAN" or the "Statewide Automated Victim Assistance and Notification" system to carry out these tasks. Let me tell you now clearly SAVAN will not work as designed unless it can draw on information from our courts.

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"Our Information Services Division is working to try to make SAVAN possible. They tell me that modifications to our computer programs for SAVAN-related changes alone require 35 person-months of computer programmer time. They have received no funding for this task.

"Other unfunded mandates we have received include, and these are important, they bring dollars into North Carolina, requirements for computer software programs to create a child support case registry, to create a child support collections and disbursements system, to add worthless checks enhancements to our case management system, and to create a system for reporting driving while impaired vehicle seizures and stops. All of these mandates, every one of them, require extensive work by our already over-extended computer staff. Neither our people nor our very old and increasingly inadequate software programs and computer hardware can meet these demands for long.

"Recently, I was alarmed to learn of the inability of the Information Services Division to deal with any kind of disaster in our computer operations. Believe me, even though our systems are antiquated, if we lost the use of our main computer system due to fire, storm, flood, or some human action, the court system would be in extremely serious trouble. So would the agencies of State Government who have to draw on that information. We have not been able to develop a disaster recovery plan or an alternate "hot site" where we could recover. The State Computer Center has such arrangements and the Information Resource Management Commission strongly recommends that such provisions be in place, but we have not received any funding for this purpose.

"The implications of this risk and exposure are frightening. I am advised that it could take us weeks, or even months, to get our systems working again if we had such a disaster. None of our current systems would be available and it would be nearly impossible for the courts to carry out their fundamental function of dealing with cases and litigants before them.

"Our court computer systems right now are functioning, but they desperately need attention and funding to make them more effective and reliable. I would ask that you address this pressing problem with the same sense of urgency that I have felt for the past four years. Once the study by outside experts that you have funded, and I hope you will have faith, is completed, we will need dependable recurring funding to carry out the long-term plan it should produce.

"Let me turn now to a more general problem of government and offer what I hope is a solution to that problem. In fairness, I think it would be unreasonable for us to expect you to solve all of the challenges faced by the Judicial Branch. You simply have too much work to do in attending to your own duties. So I now want to suggest that you seriously consider a change in the basic nature of the relationship between the legislature and the judiciary.

"The report to you two years ago by the Commission on the Future of Justice and the Courts included several recommendations worthy of consideration. I remain grateful, as I am sure you do, for the hard work of Chairman John Medlin and the Commission. One of their recommendations which I urge you to seriously consider and adopt involves the issue of what's called 'governance of the courts'.

"The Commission noted that most of the authority for the administration of the courts is presently with you in the legislature. Meanwhile, accountability for the functioning of the courts is placed upon us in the judiciary. The Commission was of the opinion that no businesses or governmental institution could function well with one group being held to answer for the management imposed by another group. Quite simply, the Commission recommended that the legislature no longer burden itself with matters relating to the day-to-day administration of the courts and that both the responsibility and accountability for the functioning of the courts be returned to the Judicial Branch of government.

"The Commission recommended the creation of a State Judicial Council to function in

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a manner similar to that of the Board of Governors of the University of North Carolina system. This council would serve as the policy-making body for the courts. It would make the plans and establish the procedures most likely to ensure the efficient and fair functioning of the courts. The Judicial Council would be responsible for establishing the boundaries of the State's judicial divisions and districts and the assignments of judges and other personnel within those districts. It also would submit a request for an appropriation to you each year based on a proposal for spending the funds appropriated, but the legislature would not mandate that funds be spent by specific line items.

"I understand that this is similar to the way in which you fund the Board of Governors. It would seem that this approach would also be justified for the Judicial Branch of Government, which our Constitution says must forever be a separate but equal branch. As a practical matter, I think it would also relieve you of the headaches of constantly having competing local court officials and others attempt to pressure you into becoming involved in court squabbles. I urge you to adopt this bold, but certainly not radical, approach. It is the approach which has worked well with the federal courts for over 200 years and I think it would serve our Legislative Branch, our Judicial Branch, and the general public of this State very well.

"Finally, I hope that you will favorably consider allowing our citizens the opportunity to vote on a constitutional amendment changing the method by which we select and retain appellate judges. The people have not had an opportunity to vote on this question since our Constitution was adopted in 1868, 131 years ago. Any change will not apply to me personally. Having been elected six times, I do not intend to test the good nature of the voters of the State again when my current term of office ends in six years. But I do sincerely believe that the public good would now be best served by a change to some form of appointment of our appellate judges with retention elections or nonpartisan elections thereafter.

"Study after study has shown that the public simply is not informed about statewide judicial candidates for our appellate courts. The great majority of our citizens never even bother to mark their ballots for either candidate in elections for appellate judges or justices. This makes it very easy for single issue groups of the right and left, which can only be described as extreme, to have an impact on appellate judicial elections far disproportionate to their numbers or to the public's acceptance of their views.

"We currently have excellent judges of both major parties, Republican and Democrat, serving in the appellate courts of North Carolina. I sincerely believe though, that all of them now face the very real possibility of being removed from office in mid-career solely for reasons entirely unrelated to their performance as judges. Further, I regret, and I genuinely do regret, that I must point out to you that in 131 years under our current system, not a single member of a racial minority and not a single female has ever initially risen to serve in the appellate division of our courts by election. It is time for our citizens to be given the right to vote on whether to amend our Constitution to adopt a better system of selecting and retaining appellate judges based on their ability and performance. Please do not deny them that right.

"Finally, I ask your indulgence for just a minute longer while I close tonight on a very personal note. When I dropped out of high school and joined the Marine Corps just before I turned sixteen, many people would have doubted that I would ever enter this building. For that reason, I felt a particular sense of awe and humility when I first came to this Body as a public official in 1969. I tell you I felt an even greater sense of humility tonight when I walked onto this historic floor as only the 24th person since North Carolina became a State to bear the responsibilities, sometimes heavy responsibilities, of the office of Chief Justice of North Carolina.

"In the thirty years since I first came before you on public business, North Carolina has made great progress. Any personal achievements I have made in those years I can

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genuinely say to you have been in large part due to the goodwill and friendship of many of
you here tonight, both Republicans and Democrats, and I thank you very personally for
that. Much more importantly, the rise of North Carolina’s court system from obscurity to
national recognition as one of the most progressive and productive court systems in the
nation has been almost entirely attributable to you and this Body.

“In the 1960's, this General Assembly took great political risks when it abolished a
hodgepodge of very provincial local courts and created our unified court system, as it’s
called, and truly became a model for the nation. At every really critical point since that
time, you have made the promise of that court reform act come true. The Judicial Branch
of government and the citizens of North Carolina are indebted to you for this.

“So, no matter how contentious representative democracy may become in this General
Assembly, I implore you not to give up on each other. I can assure you that I am one
North Carolinian who will always have faith in you. For the rest of my life, you will have
my heartfelt thanks for your many personal friendships toward me and for your constant
devotion to the welfare of our courts and to the people of North Carolina. So in closing, I
wish each of you the best of legislative sessions and a very good evening. Thank you.”

The General Assembly responds to the address of the Chief Justice with a standing
ovation.

The President recognizes the Sergeants-at-Arms and the Committees to escort the
Chief Justice from the Hall of the House of Representatives.

Upon motion of Senator Basnight, President Pro Tempore, the Joint Session is
dissolved.

The Senate meets pursuant to recess and is called to order by The Honorable Marc
Basnight, President Pro Tempore.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the
reports accompanying them, and take their place on the Calendar, as follows:

By Senator Cooper for the Judiciary I Committee:

S.B. 172, A BILL TO BE ENTITLED AN ACT TO MAKE THE POSSESSION OF
BLUE LIGHTS ILLEGAL, with an unfavorable report as to bill, but favorable as to
Committee Substitute bill.

Pursuant to Rule 45.1 the proposed Committee Substitute bill 4679, which changes the
title to read S.B. 172 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO
CLARIFY WHEN THE POSSESSION OF BLUE LIGHTS IS ILLEGAL, is adopted and
engrossed.

S.B. 176, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING
TO THE FORFEITURE OF PROPERTY RIGHTS BY SLAYERS, AS
RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an
unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 8599 is adopted and
engrossed.

S.B. 245, A BILL TO BE ENTITLED AN ACT TO ENACT REVISED ARTICLE 5
OF THE UNIFORM COMMERCIAL CODE AND CONFORMING AND
MISCELLANEOUS AMENDMENTS TO THE UNIFORM COMMERCIAL CODE, AS

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RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1708 is adopted and engrossed.

S.B. 246, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND REVISE THE PROCEDURES GOVERNING APPEALS OR TRANSFERS FROM CLERKS OF SUPERIOR COURT TO THE TRIAL COURTS AND TO MAKE CONFORMING AND CLARIFYING AMENDMENTS TO OTHER RELATED SECTIONS OF THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4678 is adopted and engrossed.

S.B. 601, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE SECRETARY OF CORRECTION HAS SOLE AUTHORITY TO DESIGNATE THE UNIFORMS WORN BY INMATES CONFINED IN THE DIVISION OF PRISONS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1707 is adopted and engrossed.

S.B. 654, A BILL TO BE ENTITLED AN ACT TO RESTORE THE PRE-1995 LAW ON DISPOSAL OF PROPERTY AND LIENS RELATING TO MANUFACTURED HOUSING, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1705 is adopted and engrossed.

S.B. 774, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPOINTMENT OF MULTIPLE PROXIES OF MEMBERS OF NONPROFIT CORPORATIONS BY ELECTRONIC OR TELEPHONIC COMMUNICATION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4680 is adopted and engrossed.

S.B. 775, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE EXPRESSLY THE APPOINTMENT OF MULTIPLE PROXIES BY ELECTRONIC OR TELEPHONIC COMMUNICATION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3781 is adopted and engrossed.

By Senator Miller for the Judiciary II Committee:

S.B. 767, A BILL TO BE ENTITLED AN ACT TO PROVIDE A ONE-YEAR WAITING PERIOD BEFORE FORMER LEGISLATORS MAY BECOME LOBBYISTS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4677 is adopted and engrossed.

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By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

S.B. 365, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE AGRICULTURAL STATUTES, with a favorable report.

S.B. 777, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGULATION OF CERTAIN EXCAVATION AND GRADING ACTIVITIES UNDER THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973 INSTEAD OF THE MINING ACT OF 1971, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3782 is adopted and engrossed.

By Senator Purcell for the Health Care Committee:

S.B. 348, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE MISUSE OF LASER DEVICES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4675 is adopted and engrossed.

By Senator Kinnaird for the State and Local Government Committee:

S.B. 385, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MOORE COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL ACTIVITY BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE U. S. OPEN GOLF TOURNAMENT, with a favorable report, as amended.

Pursuant to Rule 45.1, Committee Amendment No. 1 is adopted. The bill, as amended, is engrossed.

Upon motion of Senator Kinnaird, the bill, as amended, is re-referred to the Finance Committee.

Upon motion of Senator Rand, seconded by Senator Miller, the Senate adjourns subject to the introduction of bills and reading of messages from the House of Representatives, to meet tomorrow, Tuesday, April 20, at 4:00 P.M.

INTRODUCTION OF A BILL

Under suspension of the Senate Rules, the following bill which met the bill drafting deadline is presented to the Senate, read the first time, and disposed of as follows:

By Senators Moore, Garwood and Lee:

S.B. 1168, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ACCELERATED SCHOOLS PROGRAM.

Referred to Appropriations/Base Budget Committee.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and
disposed of, as follows:

S.B. 29 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION FEES COLLECTED UNDER THE COSMETIC ART ACT, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, April 20.

H.B. 105 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE BUTNER ADVISORY COUNCIL, AND TO ALLOW CERTAIN FEES TO BE PLACED IN A SPECIAL FUND FOR THE BUTNER PUBLIC SAFETY DIVISION.
Referred to Finance Committee.

H.B. 275 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR MORE EMPLOYERS WITH POSITIVE EXPERIENCE RATINGS.
Referred to Finance Committee.

H.B. 306 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO CONDUCT HEARINGS AND ADOPT CERTAIN RULES RELATED TO THE BEACH AND FAIR PLANS, TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO APPROVE ADDITIONAL BEDS FOR CONTINUING CARE RETIREMENT FACILITIES UNDER CERTAIN CIRCUMSTANCES, TO REVISE THE LAW PROHIBITING DISCRIMINATION IN THE TREATMENT OF HANDICAPPED AND DISABLED PERSONS, TO GOVERN MANAGED CARE WITH REGARD TO WORKERS' COMPENSATION, TO EXEMPT COMMERCIAL AIRCRAFT INSURANCE FROM STATE REGULATION, TO REQUIRE ADDITIONAL INFORMATION FROM SURPLUS LINES LICENSEES, TO CLARIFY WHICH SECTIONS OF THE GENERAL STATUTES APPLY TO SURPLUS LINES INSURANCE, TO AUTHORIZE THE SECRETARY OF REVENUE TO PROVIDE THE NORTH CAROLINA SELF-INSURANCE GUARANTY ASSOCIATION WITH INFORMATION ON SELF-INSURERS' PREMIUMS, TO REPEAL THE REQUIREMENT FOR A BIENNIAL REPORT FROM THE DEPARTMENT OF INSURANCE, TO REPEAL THE AGENCY BUSINESS CESSIONATION LAW, AND TO AUTHORIZE THE COMMISSIONER TO ADOPT RULES RECOGNIZING NEW ANNUITY MORTALITY TABLES.
Referred to Insurance Committee.

H.B. 474 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE MEMBERSHIP OF THE BERTIE COUNTY ABC BOARD FROM FIVE TO THREE MEMBERS AND TO ALLOW THE APPOINTMENT OF A NEW BERTIE COUNTY ABC BOARD.
Referred to State and Local Government Committee.

H.B. 811, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF HAVELock TO INCREASE THE TERM OF THE MAYOR FROM TWO YEARS TO FOUR YEARS BEGINNING WITH THE REGULAR MUNICIPAL ELECTION IN 2001.
Referred to State and Local Government Committee.

H.B. 906, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF PHARMACY TO ENTER INTO AGREEMENTS WITH

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PHARMACIST PEER REVIEW ORGANIZATIONS FOR IMPAIRED PHARMACISTS.

Referred to Health Care Committee.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

House of Representatives
April 15, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that pursuant to a Proclamation issued by Governor James B. Hunt, Jr., on April 13, 1999, James Arthur Pope has been administered the oath of office as a Member of the House of Representatives for the remainder of the 1999 General Assembly. Representative Pope has been seated to fill the vacancy created by the resignation of the Honorable Charles B. Neely, Jr., from the Sixty-First District.

Respectfully,
S/Denise Weeks
Principal Clerk

Pursuant to Senator Rand’s motion to adjourn having prevailed, the Senate adjourns at 8:10 P.M.

FORTY-EIGHTH DAY

Senate Chamber
Tuesday, April 20, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Honorable Jeanne Lucas, Senator from Durham County, as follows:

“Father, You told us that we are the children of the light and children of the day. Let us be alert and self-controlled by putting on faith and love as our breastplates and the hope of salvation as helmets.

“These little seeds of collective legislature lights of ours, let them shine illuminating brightly this State to Your Will, Your glory, and Your honor. Amen.”

Senator Rand announces the Journal of yesterday, Monday, April 19, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Mary Lisa Abernethy from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to
REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Soles for the Commerce Committee:

S.B. 790, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHICH LENDERS MAY CHARGE CERTAIN FEES UNDER THE GENERAL CONTRACT LOAN PROVISION OF CHAPTER 24 OF THE GENERAL STATUTES, with a favorable report.

S.B. 796, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE LICENSING BOARD FOR GENERAL CONTRACTORS TO OWN REAL PROPERTY AND TO PURCHASE EQUIPMENT AND LIABILITY INSURANCE, with a favorable report.

S.B. 871, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE OBLIGATION OF DECEDENTS' ESTATES FOR FUNERAL EXPENSES AND RELATED EXPENSES, with a favorable report.

S.B. 939, A BILL TO BE ENTITLED AN ACT TO REVISE THE REQUIREMENTS OF BANK DIRECTORS, TO CONFORM CERTAIN NORTH CAROLINA BANKING LAWS TO FEDERAL BANKING REGULATIONS, AND TO REMOVE THE SUNSET PROVISION WITH REGARD TO DE NOVO INTERSTATE BRANCH BANKING, with a favorable report.

S.B. 660, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING LIMITED LIABILITY COMPANIES TO CLARIFY CERTAIN DEFINITIONS OF TERMS, TO PROVIDE MORE FLEXIBILITY WITH REGARD TO ORGANIZERS, TO CLARIFY THAT THE FILING OF THE ARTICLES OF ORGANIZATION IS CONCLUSIVE EVIDENCE OF THE FORMATION OF A COMPANY, TO REVISE THE CIRCUMSTANCES AND RESTRICTIONS REGARDING FORMATION OF A COMPANY, TO PROVIDE FOR THE INDEXING OF REAL ESTATE RECORDS TO REFLECT MergERS AND CONVERSIONS OF BUSINESS ENTITIES, TO ALLOW ALTERNATIVE MANAGEMENT STRUCTURES, TO PROVIDE FOR WITHDRAWAL FROM A COMPANY ONLY AS PERMITTED BY THE ARTICLES OF ORGANIZATION OR WRITTEN OPERATING AGREEMENT, TO REVISE THE PERMITTED GROUNDS FOR DISSOLUTION, AND TO CLARIFY THAT A COMPANY MAY ENGAGE IN A BUSINESS UNDER AN ASSUMED NAME, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1706 is adopted and engrossed.

By Senator Miller for the Judiciary II Committee:

S.B. 921, A BILL TO BE ENTITLED AN ACT TO ALLOW JUDGMENT BY DEFAULT TO BE ENTERED BY THE JUDGE WITHOUT A HEARING SUBJECT
TO CERTAIN CONDITIONS, with a favorable report.

S.B. 1018, A BILL TO BE ENTITLED AN ACT CONCERNING MARRIAGE LAWS, with a favorable report.

S.B. 1019, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF LAND SURVEYORS TO ENTER ON LAND, with a favorable report.

S.B. 109, A BILL TO BE ENTITLED AN ACT TO REQUIRE MORE SPECIFIC DISCLOSURE OF LOBBYING, with a favorable report.

CALETAR

Bills on the Calendar carried forward as unfinished business from Monday, April 19, are taken up and disposed of, as follows:

S.B. 350 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE WITH RESPECT TO EXECUTION OF DEEDS AND THE DISPOSITION OF REAL PROPERTY BY PRIVATE SALE OR SUBJECT TO RESTRICTIONS OR BOTH.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 720 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE DURHAM COUNTY AND THE CITY OF DURHAM WITH ADDITIONAL OPTIONS FOR SERVICE OF PROCESS IN ZONING CODE CASES.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 365, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE AGRICULTURAL STATUTES.

With unanimous consent, upon motion of Senator Albertson, the bill is taken up out of its regular order of business, and upon his further motion, the bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, April 21.


With unanimous consent, upon motion of Senator Albertson, the Committee Substitute bill is taken up out of its regular order of business, and upon his further motion, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, April 21.

S.B. 170 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A LIMIT ON THE TIME A PERSON CAN BE IMPRISONED FOR CIVIL CONTEMPT AND TO RAISE THE STANDARD OF PROOF IN PROCEEDINGS FOR CIVIL CONTEMPT.

The Committee Substitute bill passes its second (48-1) and third readings and is ordered sent to the House of Representatives.

S.B. 693, A BILL TO BE ENTITLED AN ACT TO PROVIDE, UPON THE
MOTION OF A DEFENDANT MADE AFTER ISSUANCE OF SUMMONS, THAT A PLAINTIFF IS NOT ALWAYS REQUIRED TO POST A PROSECUTION BOND, PROVIDE SECURITY, OR SHOW THE PLAINTIFF IS SUING AS AN INDIGENT BUT TO PROVIDE THAT THE PLAINTIFF MAY BE SO REQUIRED BY THE CLERK OR JUDGE UPON A SHOWING OF GOOD CAUSE BY THE DEFENDANT.

The bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

The Chair grants a leave of absence for the remainder of today’s Session to Senator Kinnaird.

S.B. 241 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES REGARDING CHILD CARE, TO REPEAL SECTION 4(B) OF S.L. 1997-506, AND TO MAKE CHANGES REGARDING THE TRAINING MATERIALS THAT MAY BE USED BY CHILD CARE FACILITIES.

The Committee Substitute bill passes its second reading (40-9).

Senator Webster objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Wednesday, April 21.

S.B. 426, A BILL TO BE ENTITLED AN ACT TO LIMIT THE RIGHT OF SHAREHOLDERS OF SECURITIES DESIGNATED AS NATIONAL MARKET SYSTEM SECURITIES TO DISSENT FROM, OR OBTAIN PAYMENT AS A RESULT OF, CERTAIN CORPORATE ACTIONS AND TO MAKE OTHER CLARIFYING CHANGES TO THE LAW GOVERNING DISSENTERS’ RIGHTS.

The bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

S.B. 606 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH TOURISM RESORTS AND TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO THESE ENTITIES AND TO PROHIBIT DISCRIMINATION BY ABC PERMITTEES.

With unanimous consent, upon motion of Senator Hoyle, the Committee Substitute bill is taken up out of its regular order of business and, upon his further motion, the Committee Substitute bill is withdrawn from today’s Calendar and is re-referred to the Finance Committee.

S.B. 483, A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW GOVERNING THE LIMITATIONS OF SUCCESSORS AND ASSIGNEES OF FOREIGN CORPORATIONS AND FOREIGN NONPROFIT CORPORATIONS TO FILE CAUSES OF ACTION OR PROCEEDINGS.

The bill passes its second (45-4) and third readings and is ordered sent to the House of Representatives.

The Chair grants a leave of absence for the remainder of today’s Session to Senator Perdue.

S.B. 526 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MODIFICATION AND TERMINATION OF IRREVOCABLE TRUSTS.

The Committee Substitute bill passes its second reading (33-14).

Senator Kerr objects to third reading of the measure. Pursuant to Rule 50, the
President orders the measure placed on the Calendar for tomorrow, Wednesday, April 21.

S.R. 763, A SENATE RESOLUTION COMMENDING ALAMANCE COUNTY ON ITS SESQUICENTENNIAL. (See Appendix.)

With unanimous consent, upon motion of Senator Webster, the Senate resolution is taken up out of its regular order of business, and upon his further motion, the Senate resolution is adopted (46-0).

The President extends the courtesies of the gallery to Insurance Commissioner Jim Long, former Senator from Alamance County.

S.B. 742 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR A SCHOOL TEACHER OR ADMINISTRATOR TO ENGAGE IN SEXUAL ACTS WITH A STUDENT.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

S.B. 756, A BILL TO BE ENTITLED AN ACT TO INCREASE MANDATORY LIABILITY INSURANCE REQUIREMENTS FOR CERTAIN MOTOR VEHICLES AND TO MAKE CONFORMING CHANGES IN CHAPTER 58 OF THE GENERAL STATUTES.

With unanimous consent, upon motion of Senator Horton, the bill is withdrawn from today’s Calendar and is placed on the Calendar for Tuesday, April 27.

H.B. 652 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE ROANOKE ISLAND HISTORICAL ASSOCIATION.

The Senate Committee Substitute bill passes its second (44-0) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

S.B. 313, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO CONTINUE TO LEVY STORMWATER FEES IF REVENUE BONDS HAVE BEEN ISSUED AND ARE OUTSTANDING.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 675, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO AN ACT WHICH REVIVED THE CHARTER OF THE TOWN OF UNIONVILLE.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

REPORTS OF COMMITTEES (Continued)

By Senator Kerr for the Finance Committee:

S.B. 130, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE SUNSET ON USING SAVED EMPLOYER FICA CONTRIBUTIONS TO PAY THE ADMINISTRATIVE EXPENSES OF THE FLEXIBLE BENEFITS PROGRAM, with a favorable report.
S.B. 56, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET REGARDING THE AUTHORITY OF LOCAL GOVERNMENTAL UNITS TO ENTER INTO GUARANTEED ENERGY SAVINGS CONTRACTS FOR LOCAL PUBLIC FACILITIES AND TO EXTEND THE CURRENT MAXIMUM DURATION OF THESE CONTRACTS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2641 is adopted and engrossed.

S.B. 314, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MINERAL SPRINGS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1711 is adopted and engrossed.

S.B. 484, A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD OF CALCULATING THE RATIO OF PROPERTY TAX COLLECTIONS TO THE TOTAL LEVY FOR LOCAL GOVERNMENT BUDGETING PURPOSES RELATING TO THE REGISTERED MOTOR VEHICLE TAX, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7664 is adopted and engrossed.

S.B. 703, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF HAMPSTEAD SUBJECT TO A REFERENDUM, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6656 is adopted and engrossed.

CALENDAR (Continued)

S.B. 65 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE MOTOR VEHICLE OCCUPANT RESTRAINT SAFETY.

Senator Purcell offers Amendment No. 1

The President orders, without objection, the Committee Substitute bill temporarily displaced with Amendment No. 1 pending.

S.B. 172 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN THE POSSESSION OF BLUE LIGHTS IS ILLEGAL.

The Committee Substitute bill passes its second (42-3) and third readings and is ordered sent to the House of Representatives.

S.B. 176 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE FORFEITURE OF PROPERTY RIGHTS BY SLAYERS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The Committee Substitute bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

S.B. 245 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT REVISED ARTICLE 5 OF THE UNIFORM COMMERCIAL CODE AND CONFORMING AND MISCELLANEOUS AMENDMENTS TO THE UNIFORM COMMERCIAL CODE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

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The Committee Substitute bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

S.B. 246 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND REVISE THE PROCEDURES GOVERNING APPEALS OR TRANSFERS FROM CLERKS OF SUPERIOR COURT TO THE TRIAL COURTS AND TO MAKE CONFORMING AND CLARIFYING AMENDMENTS TO OTHER RELATED SECTIONS OF THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Senator Hartsell offers Amendment No. 1 which is adopted (43-0).

The Committee Substitute bill, as amended, passes its second (45-0) and third readings and is ordered engrossed and sent to the House of Representatives.

The Chair grants a leave of absence for the remainder of today's Session to Senator Warren.

S.B. 348 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE MISUSE OF LASER DEVICES.

The Committee Substitute bill passes its second reading (41-5).

Senator Ballance objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Wednesday, April 21.

S.B. 601 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE SECRETARY OF CORRECTION HAS SOLE AUTHORITY TO DESIGNATE THE UNIFORMS WORN BY INMATES CONFINED IN THE DIVISION OF PRISONS.

The Committee Substitute bill passes its second (41-5) and third readings and is ordered sent to the House of Representatives.

S.B. 607, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO SPORTS CLUBS.

The bill passes its second (28-16) and third readings and is ordered sent to the House of Representatives.

S.B. 654 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTORE THE PRE-1995 LAW ON DISPOSAL OF PROPERTY AND LIENS RELATING TO MANUFACTURED HOUSING.

The Committee Substitute bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

S.B. 767 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A ONE-YEAR WAITING PERIOD BEFORE FORMER LEGISLATORS MAY BECOME LOBBYISTS.

The Committee Substitute bill passes its second reading (36-10).

Senator Moore objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Wednesday, April 21.

S.B. 774 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPOINTMENT OF MULTIPLE PROXIES OF MEMBERS OF NONPROFIT CORPORATIONS BY ELECTRONIC OR TELEPHONIC COMMUNICATION.
The Committee Substitute bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives.

S.B. 775 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE EXPRESSLY THE APPOINTMENT OF MULTIPLE PROXIES BY ELECTRONIC OR TELEPHONIC COMMUNICATION.

The Committee Substitute bill passes its second (45-1) and third readings and is ordered sent to the House of Representatives.

_The Chair grants a leave of absence for the remainder of today's Session to Senator Wellons._

S.B. 65 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE MOTOR VEHICLE OCCUPANT RESTRAINT SAFETY, temporarily displaced earlier, with Amendment No. 1 pending.

Amendment No. 1 offered by Senator Purcell is adopted (44-0).

Senator Webster offers Amendment No. 2.

Senator Ballance offers a motion that Amendment No. 2 lie upon the table, seconded by Senator Odom. The motion prevails (30-14) and Amendment No. 2 lies upon the table. The question before the Body becomes the passage of the Committee Substitute bill, as amended.

Senator Ballantine announces a pair. If Senator Wellons were present he would vote “aye”; Senator Ballantine votes “no”.

The Committee Substitute bill, as amended, passes its second (32-11) and third readings and is ordered engrossed and sent to the House of Representatives.

**COMMITTEE REFERRAL RECALL**

S.B. 865, A BILL TO BE ENTITLED AN ACT TO CORRECT A PROVISION REGARDING TRANSIT AUTHORITY FINANCE, referred to the Rules and Operations of the Senate Committee on April 13.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Finance Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Finance Committee.


Pursuant to Rule 47(a), Senator Rand offers a motion that the Senate joint resolution be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Agriculture/Environment/Natural Resources Committee, which motion prevails with unanimous consent.

The Chair orders the Senate joint resolution withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Agriculture/Environment/Natural Resources Committee.

Upon motion of Senator Basnight, seconded by Senator Reeves, the Senate adjourns at 6:27 P.M. subject to reading of messages and committee reports, to meet tomorrow, Wednesday, April 21, at 4:00 P.M.

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The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Tender and merciful God, draw near to us this day in our shock and grief over the events in Littleton, Colorado. We are numb with disbelief. We feel helpless to respond in any meaningful way to the families who have suffered such profound loss. We shake our fists in the face of this horror and we bellow loud and long that this is not fair.

"These young people did not deserve to die this way. That is true enough, and we are comforted by the knowledge that the suffering and tragedy that unexpectedly intrude into our lives are not Your divine acts of punishment to Your people. But we are chastened as well by the realization that neither are good fortune and good health Your divine rewards for a virtuous life. All through our lives it seems that we receive what we do not deserve, both for good and for ill. Loss is no more a respecter of persons than good fortune is. The suffering we do not deserve is always tempered by the grace we also do not deserve.

"As the people of Columbine High School confront this tragedy and endure its requisite suffering, draw them closer to one another and to You, O Lord. Open their hearts to receive Your promised mercy and comfort. Do not let our limited understanding of life and death confine our faith. For we cling to Your assurance that nothing in all creation will ever be able to separate us from Your love. We make our prayer in Your Holy Name, Amen."

The President extends the privileges of the floor to Donald Kincaid, former Senator from Caldwell County.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Tuesday, April 20, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Hubert Durwood Tyndall from Goldsboro, North Carolina, who is serving the Senate as Doctor of the Day.

**CALENDAR**

S.B. 703 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF HAMPSTEAD SUBJECT TO A REFERENDUM, upon second reading.

With unanimous consent, upon motion of Senator Jordan, the Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the State and Local Government Committee.

**REPORTS OF COMMITTEES**

Bills and a resolution are reported from standing committees, read by their titles,
together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Soles for the Commerce Committee:

S.B. 212, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN STATUTES REGARDING THE NORTH CAROLINA BOARD OF MORTUARY SCIENCE AND MUTUAL BURIAL ASSOCIATIONS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1712 is adopted and engrossed.

S.B. 732, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF CHIROPRACTIC EXAMINERS TO ASSESS LICENSEES CERTAIN COSTS AND LIMITING THE OWNERSHIP OF CHIROPRACTIC PRACTICES TO PERSONS LICENSED AS CHIROPRACTORS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7665 is adopted and engrossed.

By Senator Purcell for the Health Care Committee:

S.B. 620, A BILL TO BE ENTITLED AN ACT TO ALLOW PROFESSIONAL CORPORATIONS TO BE FORMED BETWEEN ANY PHYSICIAN AND CERTAIN NURSING SPECIALISTS, SOCIAL WORKERS, AND COUNSELORS, with a favorable report.

S.B. 685, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT TREATMENT OR SERVICES RENDERED BY PHYSICIAN ASSISTANTS SHALL BE REIMBURSABLE UNDER THE STATE HEALTH PLAN AND OTHER HEALTH INSURANCE POLICIES UNDER CERTAIN CIRCUMSTANCES, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 951, A BILL TO BE ENTITLED AN ACT TO PROTECT PATIENTS' RIGHTS BY REQUIRING NAME BADGES OR OTHER IDENTIFICATION FOR HEALTH CARE PRACTITIONERS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1715 is adopted and engrossed.

By Senator Phillips for the Pensions & Retirement and Aging Committee:

S.B. 456, A BILL TO BE ENTITLED AN ACT TO ADJUST THE ELIGIBILITY REQUIREMENTS FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, with a favorable report, as amended.

Pursuant to Rule 45.1, Committee Amendment No. 1 is adopted and engrossed.

Upon motion of Senator Phillips, the bill, as amended, is re-referred to the Finance Committee.

S.B. 583, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW
ESTABLISHING THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM, with a favorable report.

S.B. 758, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CERTAIN PART-TIME SERVICE RENDERED WHILE FULL-TIME STUDENTS, with a favorable report.

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

S.B. 247, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE PRESCRIBED BURNING FOR FORESTRY AND WILDLIFE PURPOSES UNDER CERTAIN CONDITIONS, with a favorable report.

S.B. 1159, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MAY ALLOW THE USE OF LAND-USE RESTRICTIONS TO PROTECT PUBLIC HEALTH AT CONTAMINATED SITES, with a favorable report.

S.B. 323, A BILL TO BE ENTITLED AN ACT TO EXTEND WATERFOWL HUNTING PRIVILEGES TO HOLDERS OF COMPREHENSIVE HUNTING LICENSES, TO INCREASE THE FEE CHARGED FOR MIGRATORY WATERFOWL LICENSES, AND TO INCREASE THE APPLICATION FEE FOR MANAGED HUNTS FOR MIGRATORY WATERFOWL AND REQUIRE APPLICANTS TO FURNISH SATISFACTORY PROOF OF POSSESSION OF THE NECESSARY HUNTING LICENSE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1710 is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Finance Committee.

S.B. 872, A BILL TO BE ENTITLED AN ACT TO AMEND THE NATURAL AND SCENIC RIVERS ACT OF 1971 TO REMOVE THE LIMIT ON THE AMOUNT OF ACREAGE THE STATE MAY ACQUIRE FOR INCLUSION IN THE NEW RIVER STATE PARK, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6657, which changes the title to read S.B. 872 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NATURAL AND SCENIC RIVERS ACT OF 1971 TO REMOVE THE LIMIT ON THE AMOUNT OF ACREAGE THE STATE MAY ACQUIRE FOR INCLUSION IN THE NEW RIVER SCENIC RIVER AREA OF THE NORTH CAROLINA NATURAL AND SCENIC RIVERS SYSTEM, is adopted and engrossed.

By Senator Kinnaird for the State and Local Government Committee:

S.B. 701, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO PROHIBIT DISCRIMINATION IN EMPLOYMENT, PUBLIC ACCOMMODATIONS, AND HOUSING BASED ON CRITERIA IN ADDITION TO RACE, COLOR, NATIONAL ORIGIN, RELIGION, SEX, DISABILITY, AND AGE,
AND TO PRESCRIBE THE PROCEDURE FOR THE ADOPTION OF ANY SUCH ORDINANCE, with a favorable report.

S.B. 702, A BILL TO BE ENTITLED AN ACT TO ALLOW RESTORATION OF ZONING AUTHORITY OF THE TOWN OF MATTHEWS AS TO CERTAIN PROPERTY IF MECKLENBURG COUNTY DISPOSES OF IT, with a favorable report.

S.B. 705, A BILL TO BE ENTITLED AN ACT TO ASSIST THE JOHNSTON COUNTY BOARD OF EDUCATION WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2747 is adopted and engrossed.

By Senator Shaw of Cumberland for the Transportation Committee:

S.B. 787, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO STUDY THE NEED FOR RECONSTRUCTING OVERPASSES TO REDUCE OR ELIMINATE THE POSSIBILITY OF THROWING OBJECTS FROM THEM, with a favorable report.

S.B. 368, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO CONSTRUCT ACCESS TO RIVERS AND STREAMS WHEN BUILDING BRIDGES, with a favorable report, as amended.

Pursuant to Rule 45.1, Committee Amendment No. 1, which changes the title to read S.B. 368, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO CONSTRUCT ACCESS TO RIVERS AND STREAMS, is adopted and engrossed.

By Senator Hoyle for the Finance Committee:

S.B. 290, A BILL TO BE ENTITLED AN ACT TO AMEND THE LOBBYING LAW, with a favorable report.

S.B. 385, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MOORE COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL ACTIVITY BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE U. S. OPEN GOLF TOURNAMENT, with a favorable report.

S.B. 625, A BILL TO BE ENTITLED AN ACT TO REPEAL AN OBSOLETE SECTION OF THE CHARTER OF THE CITY OF DURHAM REGARDING THE PRIVILEGE LICENSE TAX YEAR, with a favorable report.

S.B. 645, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF PARMELE, with a favorable report.

S.B. 694, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF RIMERTOWN SUBJECT TO A REFERENDUM, with a favorable report.

S.B. 772, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION

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OF MUNICIPAL SERVICE DISTRICTS IN certain CITIES FOR URBAN AREA REVITALIZATION PROJECTS, with a favorable report.

S.B. 776, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE LAW EXEMPTING CERTAIN GOVERNMENTAL ENTITIES FROM STATE PURCHASE AND CONTRACT REQUIREMENTS, with a favorable report.

S.B. 878, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN NONPROFIT WATER CORPORATIONS TO BE ELIGIBLE FOR REVOLVING LOANS AND GRANTS FROM THE DRINKING WATER TREATMENT REVOLVING LOAN FUND, with a favorable report.

By Senator Lucas for the Children & Human Resources Committee:

S.B. 934, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE HANDICAPPED PERSONS PROTECTION ACT, CHAPTER 168A OF THE GENERAL STATUTES, with a favorable report.

S.B. 927, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES NECESSITATED BY CHANGES IN FEDERAL LAW TO THE GENERAL STATUTES CONCERNING SERVICES FOR THE BLIND AND TO MAKE TECHNICAL CHANGES, with a favorable report.

S.B. 998, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MEMBERS APPOINTED TO THE CANCER CONTROL ADVISORY COMMITTEE FOR INITIAL TWO-YEAR TERMS MAY EACH BE REAPPOINTED FOR ONE ADDITIONAL FOUR-YEAR TERM, with a favorable report.

By Senator Lee for the Education/Higher Education Committee:

S.J.R. 795, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, with a favorable report.

S.B. 739, A BILL TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF SCHOOL ADMINISTRATOR PROGRAMS THAT MAY BE ESTABLISHED BY THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND TO PROVIDE THAT ONE OF THOSE PROGRAMS SHALL BE AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 338, A BILL TO BE ENTITLED AN ACT TO GIVE CLASSROOM EXPERIENCE TO SCHOOL PERSONNEL WHO ARE CERTIFIED TEACHERS BUT ARE NOT CLASSROOM TEACHERS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1718, which changes the title to read S.B. 338 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE CLASSROOM EXPERIENCE TO PROFESSIONAL PUBLIC SCHOOL EMPLOYEES WHO ARE NOT CLASSROOM TEACHERS, is adopted and engrossed.

S.B. 898, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE
Laws pertaining to public school personnel, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3784, which changes the title to read S.B. 898 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF DAYS WITHIN WHICH A BOARD OF EDUCATION MUST HOLD A TEACHER DISMISSAL HEARING, TO CLARIFY THAT THE SUPERINTENDENT’S DESIGNEE MAY BE PRESENT AT THE CASE MANAGER HEARING, TO ALLOW TIME FOR THE SUPERINTENDENT TO OBTAIN A COPY OF THE CASE MANAGER TRANSCRIPT, TO DECREASE THE NUMBER OF DAYS WITHIN WHICH THE SUPERINTENDENT MUST PROVIDE A LIST OF WITNESSES FOR A BOARD HEARING ON A REDUCTION IN FORCE, TO CHANGE THE DATE WHEN LOCAL BOARDS MUST NOTIFY TEACHERS WHETHER THEIR PROBATIONARY CONTRACTS HAVE BEEN RENEWED, TO REPEAL THE PROFESSIONAL PRACTICES BOARD, AND TO LIMIT THE NONINSTRUCTIONAL DUTIES ASSIGNED TO TEACHERS, is adopted and engrossed.

By Senator Wellons for the Insurance Committee:

S.B. 345, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT RECONSIDERATION AND APPEAL OF UTILIZATION REVIEW NONCERTIFICATION BE EVALUATED BY MEDICAL DOCTORS LICENSED TO PRACTICE IN THIS STATE, with a favorable report.

S.B. 766, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN PROVISIONS IN THE INSURANCE LAW APPLICABLE TO HOSPITAL, MEDICAL, AND DENTAL SERVICE CORPORATIONS AND TO HEALTH MAINTENANCE ORGANIZATIONS, with a favorable report.

By Senator Cooper for the Judiciary I Committee:

S.B. 769, A BILL TO BE ENTITLED AN ACT TO MODIFY THE ESSENTIAL ELEMENTS OF THE FELONY OFFENSE OF LARCENY OF GINSENG, with a favorable report.

S.B. 297, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND OTHER CHANGES REGARDING LIMITED PARTNERSHIPS AND THE NORTH CAROLINA REVISED UNIFORM LIMITED PARTNERSHIP ACT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7663, which changes the title to read S.B. 297 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND OTHER CHANGES REGARDING LIMITED PARTNERSHIPS AND THE NORTH CAROLINA REVISED UNIFORM LIMITED PARTNERSHIP ACT, TO CLARIFY THE LIMIT OF LIABILITY IN PROFESSIONAL ORGANIZATIONS, TO PROVIDE FOR THE REGISTRATION OF FOREIGN LIMITED LIABILITY PARTNERSHIPS, AND TO REQUIRE ANNUAL REPORTS BY LIMITED LIABILITY PARTNERSHIPS, is adopted and engrossed.

S.B. 746, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA STRUCTURED SETTLEMENT PROTECTION ACT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1707 is adopted and engrossed.

April 21, 1999
With unanimous consent, upon motion of Senator Cooper, the Committee Substitute bill is placed on the Calendar for Monday, April 26.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 95, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONSUMER FINANCE ACT TO INCREASE THE AMOUNT OF LOANABLE ASSETS REQUIRED BEFORE AN ENTITY IS LICENSED TO ENGAGE IN BUSINESS IN THE STATE, TO REVISE THE AMOUNT OF, AND MAXIMUM RATE OF INTEREST FOR, SMALL LOANS, TO ESTABLISH A LOAN PROCESSING FEE FOR CERTAIN LOANS, TO REPEAL OBSOLETE PROVISIONS OF LAW, AND TO MAKE CONFORMING CHANGES.

Referred to Judiciary II Committee and upon a favorable report re-referred to the Finance Committee.

H.B. 236 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE BAITING OF ANIMALS AND TO MAKE CORRECTIONS IN THE LAW REGARDING THE MANDATORY SUSPENSION OF HUNTING LICENSES AND PERMITS.

Referred to Agriculture/Environment/Natural Resources Committee.

H.B. 239 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING PROPERTY TRANSFERS BETWEEN COMMUNITY COLLEGE BOARDS OF TRUSTEES AND COUNTIES FOR COMMUNITY COLLEGE PURPOSES.

Referred to Finance Committee.

H.B. 244 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD A STUDENT MEMBER TO THE STATE BOARD OF COMMUNITY COLLEGES.

Referred to Education/Higher Education Committee.

H.B. 260 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE AND MAKE TECHNICAL CHANGES TO THE COMMUNITY COLLEGE LAWS.

Referred to Education/Higher Education Committee.

H.B. 296 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE OR UNNECESSARY LAWS AND MAKE TECHNICAL AND CLARIFYING AMENDMENTS AND CORRECTIONS IN VARIOUS INSURANCE STATUTES.

Referred to Insurance Committee.

H.B. 303 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO COMMERCIAL VEHICLE HIGHWAY SAFETY AND WORK ZONE SAFETY.

Referred to Transportation Committee.

H.B. 304 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO
PROVIDE CRIMINAL PENALTIES FOR FRAUDULENT MISREPRESENTATION INVOLVING CHILD CARE SUBSIDIES AND TO PROVIDE COUNTIES A FINANCIAL INCENTIVE TO INVESTIGATE AND PURSUE FRAUD IN CHILD CARE PAYMENTS.

Referred to Judiciary II Committee.

H.B. 477 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF CAMPUS LAW ENFORCEMENT AGENCIES AT COMMUNITY COLLEGES

Referred to Judiciary II Committee.

H.B. 478 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF THREATENING JUDGES, DISTRICT ATTORNEYS, AND OTHER COURT OFFICERS.

Referred to Judiciary II Committee.

H.B. 684 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE ESTABLISHMENT OF CAMPUS LAW ENFORCEMENT AGENCIES AT COMMUNITY COLLEGES

Referred to Judiciary II Committee.

H.B. 707, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF BROADWAY TO ALLOW THE TOWN TO OPERATE UNDER A COUNCIL-MANAGER FORM OF GOVERNMENT.

Referred to State and Local Government Committee.

H.B. 749 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DISTRIBUTION OF THE NET PROFITS FROM THE SALE OF ALCOHOLIC BEVERAGES BY THE CITY OF BELMONT LOCAL ABC SYSTEM.

Referred to State and Local Government Committee.

H.B. 797, A BILL TO BE ENTITLED AN ACT EXEMPTING CERTAIN STATE PROPERTY FROM FIRE PROTECTION FEES IMPOSED BY UNION COUNTY.

Referred to Finance Committee.

H.B. 802, A BILL TO BE ENTITLED AN ACT ALLOWING THE CITY OF DURHAM TO CONSIDER LIMITATIONS ON USES AS REQUESTED IN THE DEVELOPMENT PLANS SUBMITTED FOR REZONINGS AND TO MAKE OTHER CHANGES REGARDING THE CONSIDERATION OF DEVELOPMENT PLANS.

Referred to State and Local Government Committee.

H.B. 803, A BILL TO BE ENTITLED AN ACT TO PROVIDE DURHAM COUNTY WITH ADDITIONAL OPTIONS FOR SERVICE OF PROCESS IN ZONING CODE CASES.

Referred to State and Local Government Committee.

H.B. 821, A BILL TO BE ENTITLED AN ACT TO RELOCATE THE NORTH CAROLINA GOVERNMENT COMPETITION COMMISSION FROM THE DEPARTMENT OF COMMERCE TO THE OFFICE OF STATE BUDGET

April 21, 1999
AND MANAGEMENT.
   Referred to State and Local Government Committee.

H.B. 848 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SUSPEND THE CHARTER SCHOOL APPLICATION DEADLINES FOR THE ROCKINGHAM COUNTY CONSOLIDATED SCHOOLS FOR THE 1999-2000 SCHOOL YEAR.
   Referred to Education/Higher Education Committee.

H.B. 863, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ST. JAMES.
   Referred to Rules and Operations of the Senate Committee.

H.B. 908, A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF ROBBERY WITH A CHEMICAL AGENT.
   Referred to Judiciary I Committee.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

CALENDAR (Continued)

A bill on the Calendar, carried forward as unfinished business from Tuesday, April 20, is taken up and disposed of, as follows:

S.B. 29 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION FEES COLLECTED UNDER THE COSMETIC ART ACT, for concurrence in the House Committee Substitute bill, upon second reading.
   The Senate fails to concur in the House Committee Substitute bill (1-49). Senator Ballance offers a motion that the Senate appoint conferees, which motion prevails. The President Pro Tempore takes the appointment of conferees under advisement.

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 314 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MINERAL SPRINGS, upon second reading.
   The Committee Substitute bill passes its second reading by roll-call vote, ayes 50, noes 0, as follows:
   Voting in the negative: None.
   The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Thursday, April 22, upon third reading.

S.B. 56 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET REGARDING THE AUTHORITY OF LOCAL GOVERNMENTAL UNITS TO ENTER INTO GUARANTEED ENERGY SAVINGS CONTRACTS FOR LOCAL PUBLIC FACILITIES AND TO EXTEND THE CURRENT MAXIMUM

April 21, 1999
DURATION OF THESE CONTRACTS.

The Committee Substitute bill passes its second (47-3) and third readings and is ordered sent to the House of Representatives.

S.B. 109, A BILL TO BE ENTITLED AN ACT TO REQUIRE MORE SPECIFIC DISCLOSURE OF LOBBYING.

The bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 130, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE SUNSET ON USING SAVED EMPLOYER FICA CONTRIBUTIONS TO PAY THE ADMINISTRATIVE EXPENSES OF THE FLEXIBLE BENEFITS PROGRAM.

With unanimous consent, upon motion of Senator Wellons, the bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, April 27.

S.B. 365, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE AGRICULTURAL STATUTES.

The bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 484 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD OF CALCULATING THE RATIO OF PROPERTY TAX COLLECTIONS TO THE TOTAL LEVY FOR LOCAL GOVERNMENT BUDGETING PURPOSES RELATING TO THE REGISTERED MOTOR VEHICLE TAX.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 660 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING LIMITED LIABILITY COMPANIES TO CLARIFY CERTAIN DEFINITIONS OF TERMS, TO PROVIDE MORE FLEXIBILITY WITH REGARD TO ORGANIZERS, TO CLARIFY THAT THE FILING OF THE ARTICLES OF ORGANIZATION IS CONCLUSIVE EVIDENCE OF THE FORMATION OF A COMPANY, TO REVISE THE CIRCUMSTANCES AND RESTRICTIONS REGARDING FORMATION OF A COMPANY, TO PROVIDE FOR THE INDEXING OF REAL ESTATE RECORDS TO REFLECT MERGERS AND CONVERSIONS OF BUSINESS ENTITIES, TO ALLOW ALTERNATIVE MANAGEMENT STRUCTURES, TO PROVIDE FOR WITHDRAWAL FROM A COMPANY ONLY AS PERMITTED BY THE ARTICLES OF ORGANIZATION OR WRITTEN OPERATING AGREEMENT, TO REVISE THE PERMITTED GROUNDS FOR DISSOLUTION, AND TO CLARIFY THAT A COMPANY MAY ENGAGE IN A BUSINESS UNDER AN ASSUMED NAME.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.


The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 790, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHICH LENDERS

April 21, 1999
MAY CHARGE CERTAIN FEES UNDER THE GENERAL CONTRACT LOAN PROVISION OF CHAPTER 24 OF THE GENERAL STATUTES

The bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 796, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE LICENSING BOARD FOR GENERAL CONTRACTORS TO OWN REAL PROPERTY AND TO PURCHASE EQUIPMENT AND LIABILITY INSURANCE.

The bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 871, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE OBLIGATION OF DECEDENTS' ESTATES FOR FUNERAL EXPENSES AND RELATED EXPENSES.

The bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 921, A BILL TO BE ENTITLED AN ACT TO ALLOW JUDGMENT BY DEFAULT TO BE ENTERED BY THE JUDGE WITHOUT A HEARING SUBJECT TO CERTAIN CONDITIONS.

The bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 939, A BILL TO BE ENTITLED AN ACT TO REVISE THE REQUIREMENTS OF BANK DIRECTORS, TO CONFORM CERTAIN NORTH CAROLINA BANKING LAWS TO FEDERAL BANKING REGULATIONS, AND TO REMOVE THE SUNSET PROVISION WITH REGARD TO DE NOVO INTERSTATE BRANCH BANKING.

The bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 1018, A BILL TO BE ENTITLED AN ACT CONCERNING MARRIAGE LAWS.

The bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 1019, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF LAND SURVEYORS TO ENTER ON LAND.

The bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 241 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES REGARDING CHILD CARE, TO REPEAL SECTION 4(B) OF S.L. 1997-506, AND TO MAKE CHANGES REGARDING THE TRAINING MATERIALS THAT MAY BE USED BY CHILD CARE FACILITIES.

Senator Webster offers Amendment No. 1 which is adopted (50-0).

The Committee Substitute bill, as amended, passes its third reading (42-7) and is ordered engrossed and sent to the House of Representatives.

S.B. 348 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE MISUSE OF LASER DEVICES.

The Committee Substitute bill passes its third reading (42-7) and is ordered sent to the
S.B. 526 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MODIFICATION AND TERMINATION OF IRREVOCABLE TRUSTS.

Senator Kerr offers Amendment No. 1 which is adopted (50-0).

The Committee Substitute bill, as amended, passes its third reading (42-8) and is ordered engrossed and sent to the House of Representatives.

S.B. 568, A BILL TO BE ENTITLED AN ACT TO PERMIT COUNTY BOARDS OF ELECTIONS TO DESIGNATE ADDITIONAL SITES FOR ONE-STOP ABSENTEE VOTING.

Senator Rucho offers Amendment No. 1 which is adopted (50-0).

Senator Rucho offers Amendment No. 2.

Senator Webster offers a motion that the Senate adjourn. The motion fails to prevail (15-34).

Senator Miller calls the previous question on Amendment No. 2 and on the bill, as amended, seconded by Senator Jordan. The call is sustained (35-15).

Amendment No. 2 offered by Senator Rucho fails of adoption (15-35).

The bill, as amended, passes its third reading (35-15) and is ordered engrossed and sent to the House of Representatives.

S.B. 767 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A ONE-YEAR WAITING PERIOD BEFORE FORMER LEGISLATORS MAY BECOME LOBBYISTS.

The Committee Substitute bill passes its third reading (46-4) and is ordered sent to the House of Representatives.

INTRODUCTION OF A RESOLUTION

A resolution filed for introduction is presented to the Senate, read the first time, and disposed of, as follows:

By Senator Lee:


Referred to Rules and Operations of the Senate Committee.

COMMITTEE REFERRAL RECALL

S.B. 542, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF FORSYTH COUNTY, referred to the Rules and Operations of the Senate Committee on March 29.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Finance Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Finance Committee.

S.B. 543, A BILL TO BE ENTITLED AN ACT RELATING TO THE
GOVERNANCE OF FORSYTH COUNTY, referred to the Rules and Operations of the Senate Committee on March 29.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the State and Local Government Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-references the measure to the State and Local Government Committee.

S.B. 532, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ASHEVILLE, referred to the Rules and Operations of the Senate Committee on March 25.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the State and Local Government Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-references the measure to the State and Local Government Committee.

Upon motion of Senator Ballance, seconded by Senator Rucho, the Senate adjourns at 6:01 P.M. to meet tomorrow, Thursday, April 22, at 1:00 P.M.

FIFTIETH DAY

Senate Chamber
Thursday, April 22, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"O God of the vineyard, You call us all to productive labor to employ our gifts for Your kingdom. We offer praise and thanksgiving for all those who work with us in the Senate—secretaries, aides, clerks, advisors, administrative assistants, drivers, couriers, and pages. They are our partners and yoke fellows in service, on whom we wholly rely for everything from the sublime to the ridiculous. They often bear the burdens of public service but rarely savor the sweet accolades. We pause to remember them this day, especially as cross-over bears down upon us.

"The Apostle Paul wrote of his gratitude to his beloved church at Philippi saying 'I thank my God in every remembrance of you, always in every prayer of mine for you all, making my prayer with joy, thankful for your partnership in the gospel from the first day until now.'

"We give thanks for their good counsel, their constancy in friendship, their loyalty in service, and their unselfish devotion to the people whom we serve.

"Forgive us for those times when we failed to acknowledge the great debt of gratitude we owe these men and women. Forgive us when we have neglected to share well deserved praise and offered instead unwarranted criticism. Forgive our thoughtlessness when we have failed to acknowledge their faithful service.

"Prosper their work, from the greatest to the least. Renew their spirits and confirm their indispensable place in the intricate workings of this great Body. For they are indeed the mortar, the glue, and the wind that fills our sails. Bless them, we pray, Amen."

April 22, 1999
Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Wednesday, April 21, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Randon Pender from Winston-Salem, North Carolina, who is serving the Senate as Nurse of the Day.

SENATE PAGES

The President recognizes the following members of the Civil Air Patrol who are pages serving in the Senate this week:

Michael Bowlware, Shelby; Jason G. Cheek, Lexington; Fred Nelson Cook, Jr., Conover; Douglas L. Edenburn, Concord; Justin Hancock, Waxhaw; Jared Hepler, Winston-Salem; Mark A. Hinshaw, Greensboro; Leighton Bryce Langley, Fayetteville; Christopher K. Livermore, Gastonia; Christopher E. Loggins, Fayetteville; Mark James Melanson, Jr., Bryson City; Brandy R. Mendez, Winston-Salem; Ashley Nicole Newcomb, Graham; Larissa Reeves, Apex; William Justin Roper, Kings Mountain; Joseph Ray Surles, Burlington; Stephen W. Talbert, Carthage; Lucas Robin Tucker, Chapel Hill; Patrick Knox Unrein, Tarboro; Christopher Watson, Burlington; Jonathan Alan Willis, Greensboro; and Adam Harrison Wright, Gastonia.

CHAPTERED BILL

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

**S.B. 76, AN ACT TO REQUIRE THE DIVISION OF CRIMINAL STATISTICS TO COLLECT AND MAINTAIN STATISTICS ON TRAFFIC LAW ENFORCEMENT.**

(Became law upon approval of the Governor, April 22, 1999 - S.L. 1999-26.)

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hoyle for the Finance Committee:

**S.B. 325, A BILL TO BE ENTITLED AN ACT TO MAKE CORRECTIONS AND CONFORMING CHANGES RELATING TO TAXATION OF CONTINUING CARE RETIREMENT HOMES,** with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1719 is adopted and engrossed.

**S.B. 468, A BILL TO BE ENTITLED AN ACT CONCERNING CORNER LOT ASSESSMENT EXEMPTIONS BY THE CITY OF WINSTON-SALEM AND FORSYTH COUNTY,** with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2748 is adopted and engrossed.

April 22, 1999
By Senator Wellons for the Insurance Committee:

S.B. 594, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAWS ON TITLE INSURANCE RATE MAKING, COMMERCIAL GENERAL LIABILITY POLICY EXTENDED REPORTING, AND INSURANCE FRAUD; TO MAKE A TECHNICAL CORRECTION IN THE LITTERING LAW; AND TO PROVIDE FOR UNIFORM APPLICATION OF NEW LAWS TO HEALTH BENEFIT PLANS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4682, which changes the title to read S.B. 594 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAWS ON TITLE INSURANCE RATE MAKING, COMMERCIAL GENERAL LIABILITY POLICY EXTENDED REPORTING, AND INSURANCE FRAUD; TO MAKE A TECHNICAL CORRECTION IN THE LITTERING LAW; TO PROVIDE FOR UNIFORM APPLICATION OF NEW LAWS TO HEALTH BENEFIT PLANS; TO AMEND THE LAW GOVERNING CEASE AND DESIST ORDERS FOR UNAUTHORIZED INSURERS, TO ALLOW LICENSING OF A FOREIGN OR ALIEN INSURER TO BE DELAYED UNDER CERTAIN CIRCUMSTANCES, TO AMEND THE LAW GOVERNING AN INSURER'S ACKNOWLEDGEMENT OF A CLAIM, AND TO PROVIDE THAT POLICIES WRITTEN BY SURETY BONDSMEN ARE SUBJECT TO THE LAW GOVERNING THE USE OF DEPOSITS FOR UNPAID LIABILITIES, is adopted and engrossed.

By Senator Miller for the Judiciary II Committee:

S.B. 455, A BILL TO BE ENTITLED AN ACT TO DIVIDE SUPERIOR COURT DISTRICT 19B INTO A SET OF DISTRICTS, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 877, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN MEMBERS OF THE NORTH CAROLINA NATIONAL GUARD AND NORTH CAROLINA STATE GUARD ARE EMPLOYEES SUBJECT TO THE WORKERS' COMPENSATION ACT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3786 is adopted and engrossed.

S.B. 992, A BILL TO BE ENTITLED AN ACT TO ALLOW PRISONERS WHO SUFFER PERMANENT INJURY OR DEATH TO RECEIVE COMPENSATION UNDER THE WORKERS' COMPENSATION ACT BASED ON THE MINIMUM WAGE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6660, which changes the title to read S.B. 992 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW PRISONERS WHO SUFFER DEATH OR TOTAL AND PERMANENT DISABILITY TO RECEIVE COMPENSATION UNDER THE WORKERS' COMPENSATION ACT BASED ON THE MINIMUM WAGE, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 956, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CLASS 2 MISDEMEANOR TO USE IN TELEPHONIC COMMUNICATIONS WITH ANOTHER
PERSON ANY WORDS OR LANGUAGE THREATENING THAT PERSON'S MINOR CHILD, AND TO MAKE IT A CLASS I MISDEMEANOR TO WILLFULLY THREATEN PHYSICAL INJURY TO THE MINOR CHILD OF ANOTHER, with a favorable report.

By Senator Reeves for the Information Technology Committee:

S.B. 288, A BILL TO BE ENTITLED AN ACT TO EXTEND NORTH CAROLINA'S "LONG ARM JURISDICTION" STATUTE TO INCLUDE SENDERS OF UNSOLICITED ELECTRONIC BULK MAIL AND TO MAKE THE SENDING OF UNSOLICITED ELECTRONIC BULK MAIL UNLAWFUL IN THIS STATE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3787, which changes the title to read S.B. 288 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND NORTH CAROLINA'S "LONG ARM JURISDICTION" STATUTE TO INCLUDE SENDERS OF UNSOLICITED ELECTRONIC BULK COMMERCIAL MAIL AND TO MAKE THE SENDING OF UNSOLICITED ELECTRONIC BULK COMMERCIAL MAIL UNLAWFUL IN THIS STATE, is adopted and engrossed.

By Senator Dalton for the Education/Higher Education Committee:

S.B. 1167, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL BOARDS OF EDUCATION AND THE STATE BOARD OF EDUCATION TO EXCUSE CERTAIN SCHOOL DAYS LOST TO INCLEMENT WEATHER, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 8601 is adopted and engrossed.

Upon motion of Senator Dalton, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 740, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR ALTERNATIVE TESTING STANDARDS FOR CERTAIN CHILDREN WITH SPECIAL NEEDS, with a favorable report.

Upon motion of Senator Dalton, the bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 748, A BILL TO BE ENTITLED AN ACT TO GIVE TEACHERS CREDIT FOR THE EXCESS PERSONAL LEAVE TIME THAT THEY EARN, with a favorable report.

Upon motion of Senator Dalton, the bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 977, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE AUTHORITY OF THE SCHOOL IMPROVEMENT TEAM WITH REGARD TO THE SCHOOL CALENDAR, with a favorable report.

S.B. 1075, A BILL TO BE ENTITLED AN ACT REGARDING FUNDING AND TRANSPORTATION FOR CHILDREN WITH SPECIAL NEEDS, with a favorable report.

S.B. 1099, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SCHOOL IMPROVEMENT TEAMS TO DEVELOP STRATEGIES FOR THE CREATION OF

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ALTERNATIVE LEARNING PROGRAMS WITHIN SCHOOLS, with a favorable report.

By Senator Purcell for the Health Care Committee:

S.B. 614, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE IMMUNIZATION LAWS PERTAINING TO ADMINISTRATION AND REPORTING OF IMMUNIZATIONS, CERTIFICATES OF IMMUNIZATIONS RECEIVED IN OTHER STATES, SUBMISSION OF IMMUNIZATION CERTIFICATES TO CHILD CARE FACILITIES AND PRESCHOOL AUTHORITIES, AND TO MAKE OTHER TECHNICAL CHANGES TO THE IMMUNIZATION STATUTES with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3785, which changes the title to read S.B. 614 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE IMMUNIZATION LAWS PERTAINING TO ADMINISTRATION AND REPORTING OF IMMUNIZATIONS, CERTIFICATES OF IMMUNIZATIONS RECEIVED IN OTHER STATES, SUBMISSION OF IMMUNIZATION CERTIFICATES TO CHILD CARE FACILITIES AND SCHOOL AUTHORITIES, AND TO MAKE OTHER TECHNICAL CHANGES TO THE IMMUNIZATION STATUTES, is adopted and engrossed.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 247 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REGULATE FUNERAL PROCESSIONS AND TO CODIFY THE RULES OF THE ROAD WITH REGARD TO FUNERAL PROCESSIONS.
Referred to Judiciary I Committee.

H.B. 276 (Committee Substitute), A BILL TO BE ENTITLED AN ACT MAKING VARIOUS CHANGES TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA.
Referred to Insurance Committee.

H.B. 283 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE TREASURER'S INVESTMENT AUTHORITY.
Referred to Finance Committee.

H.B. 291 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GOVERNOR AS THE CHIEF OF THE STATE'S MILITIA SHALL HAVE THE POWER TO PLACE INDIVIDUALS AND UNITS OR PARTS OF UNITS OF THE NORTH CAROLINA NATIONAL GUARD TO ASSIST WITH STATE INAUGURAL ACTIVITIES.
Referred to Appropriations/Base Budget Committee.

H.B. 461 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES SHALL RELEASE PERSONAL INFORMATION FOR BULK DISTRIBUTIONS OF SURVEYS, MARKETING, OR SOLICITATIONS ONLY WITH PRIOR WRITTEN APPROVAL
H.B. 494 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT THE UNIFORM CHILD-CUSTODY JURISDICTION AND ENFORCEMENT ACT AND TO MAKE CONFORMING CHANGES.
Referred to Judiciary II Committee.

H.B. 670, A BILL TO BE ENTITLED AN ACT TO REQUEST THE NORTH CAROLINA SUPREME COURT TO CONSIDER AND ADOPT RULES TO EXPEDITE APPEALS FROM CAPITAL CASES THAT INCLUDE A SENTENCE OF DEATH.
Referred to Judiciary II Committee.

H.B. 674 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A FEDERALLY RECOGNIZED INDIAN TRIBE TO PERFORM BUILDING INSPECTIONS AND TO ALLOW CERTIFICATION AND LICENSE REGULATION OF BUILDING INSPECTORS ON TRIBAL LANDS OF FEDERALLY RECOGNIZED INDIAN TRIBES.
Referred to Commerce Committee.

H.B. 763 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR SCHOOL PERSONNEL TO ENGAGE IN SEXUAL ACTS WITH STUDENTS.
Referred to Judiciary II Committee.

H.B. 778, A BILL TO BE ENTITLED AN ACT TO ADD FOUR MEMBERS TO THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA.
Referred to Rules and Operations of the Senate Committee.

H.B. 818, A BILL TO BE ENTITLED AN ACT AMENDING THE EVIDENCE CODE, CHAPTER 8C OF THE GENERAL STATUTES, TO MAKE ADMISSIBLE FOR THE PURPOSES OF IMPEACHMENT EVIDENCE OF A WITNESS' CONVICTION OF A FELONY OR CLASS A1, CLASS 1, OR CLASS 2 MISDEMEANOR.
Referred to Judiciary I Committee.

H.B. 842 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF CARRBORO TO CHANGE THE NAME OF THE BOARD OF ALDERMEN.
Referred to State and Local Government Committee.

H.B. 921 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE THE DEFINITIONS OF "POLITICAL COMMITTEE," "CONTRIBUTION," "EXPENDITURE," AND "CANDIDATE"; TO ADD A DEFINITION OF "INDEPENDENT EXPENDITURE"; TO REMOVE THE TERM "POLITICAL PURPOSE"; TO NARROW THE PROHIBITION ON CORPORATE AND OTHER POLITICAL EXPENDITURES TO CONSTITUTIONAL BOUNDS; TO MERGE THE FIRST QUARTERLY REPORT WITH THE PRE-PRIMARY REPORT; TO AMEND THE STATUTES WITH REGARD TO REPORTING CONTRIBUTIONS AND EXPENDITURES; AND TO MAKE OTHER CHANGES RELATED TO REPARING
THE CAMPAIGN STATUTES AFTER THE DECISION OF THE FOURTH U.S. CIRCUIT COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE, INC., V. BARTLETT.

Referred to Judiciary I Committee.

H.B. 923 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE STATE PERSONNEL ACT TO PROVIDE THAT COST-OF-LIVING ADJUSTMENTS REFLECT INCREASES IN THE CONSUMER PRICE INDEX.
Referred to Appropriations/Base Budget Committee.

H.B. 924 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COMMUNITY MEDIATION CENTERS.
Referred to Judiciary I Committee.

EXECUTIVE ORDER

An Executive Order received in the Office of the Senate Principal Clerk is presented to the Senate and read as follows:

Executive Order No. 149, Clean NC 2000 Board.

REPORTS OF COMMITTEES (Continued)

By Senator Cooper for the Judiciary I Committee:

S.B. 331, A BILL TO BE ENTITLED AN ACT TO REQUIRE REGISTRATION AS A SEX OFFENDER FOR CERTAIN ADDITIONAL OFFENSES, with a favorable report.

S.B. 527, A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL AUTHORITIES TO PREEMPT TRAFFIC SIGNALS OR SEMAPHORES ON STATE HIGHWAYS IN EMERGENCY SITUATIONS, with a favorable report.

S.B. 637, A BILL TO BE ENTITLED AN ACT TO EXPAND THE LAW OF ASSAULT TO PROTECT SCHOOL PERSONNEL AND SCHOOL VOLUNTEERS, with a favorable report.

S.B. 773, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE TIME FOR ACTION ON REMAND FOLLOWING COURT REVIEW OF ANNEXATIONS ORDINANCES, with a favorable report.

S.B. 800, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE NORTH CAROLINA COURT OF APPEALS TO CONDUCT EN BANC PROCEEDINGS, with a favorable report.

S.B. 885, A BILL TO BE ENTITLED AN ACT CLARIFYING THE AUTHORITY OF THE STATE AUDITOR TO EXAMINE STATE EMPLOYEE PERSONNEL RECORDS, with a favorable report.

S.B. 888, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING CONTROLLED SUBSTANCES, with a favorable report.

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S.B. 915, A BILL TO BE ENTITLED AN ACT TO CREATE A TOBACCO RESERVE FUND FOR TOBACCO PRODUCT MANUFACTURERS NOT PARTICIPATING IN THE MASTER SETTLEMENT AGREEMENT WITH THE STATE OF NORTH CAROLINA, with a favorable report.

S.B. 34, A BILL TO BE ENTITLED AN ACT TO PROVIDE IMMUNITY FROM LIABILITY FOR CERTAIN LICENSED HEALTH CARE FACILITIES THAT PROVIDE TEMPORARY SHELTER OR SERVICES DURING DISASTERS AND EMERGENCIES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1716, which changes the title to read S.B. 34 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE TEMPORARY WAIVER OF CERTAIN RULES AND TO PROVIDE IMMUNITY FROM LIABILITY FOR CERTAIN LICENSED HEALTH CARE FACILITIES THAT PROVIDE TEMPORARY SHELTER OR SERVICES DURING DISASTERS AND EMERGENCIES, is adopted and engrossed.

S.B. 370, A BILL TO BE ENTITLED AN ACT CLARIFYING WHEN WITNESS STATEMENTS OBTAINED PURSUANT TO THE ENFORCEMENT OF THE OCCUPATIONAL SAFETY AND HEALTH ACT MAY BE RELEASED, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7667 is adopted and engrossed.

S.B. 761, A BILL TO BE ENTITLED AN ACT TO REFORM AND MODERNIZE THE ACKNOWLEDGMENT OF CORPORATE REAL PROPERTY INSTRUMENTS AND THE EXECUTION OF REAL PROPERTY INSTRUMENTS GENERALLY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2746 is adopted and engrossed.

S.B. 789, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES TO THE NOTICE TO BE GIVEN UPON THE SALE, LEASE, OR EXCHANGE OF THE ASSETS OF A CHARITABLE OR RELIGIOUS NONPROFIT CORPORATION UNDER THE NONPROFIT CORPORATION ACT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4681 is adopted and engrossed.

**CALENDAR**

Bills and a resolution on today's Calendar are taken up and disposed of, as follows:

S.B. 951 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT PATIENTS' RIGHTS BY REQUIRING NAME BADGES OR OTHER IDENTIFICATION FOR HEALTH CARE PRACTITIONERS.

With unanimous consent, upon motion of Senator Perdue, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, April 27.

S.B. 787, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO STUDY THE NEED FOR RECONSTRUCTING

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OVERPASSES TO REDUCE OR ELIMINATE THE POSSIBILITY OF THROWING OBJECTS FROM THEM.

With unanimous consent, upon motion of Senator Shaw of Cumberland, the bill is withdrawn from today's Calendar and is placed on the Calendar for Monday, April 26.

S.B. 212 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN STATUTES REGARDING THE NORTH CAROLINA BOARD OF MORTUARY SCIENCE AND MUTUAL BURIAL ASSOCIATIONS.

With unanimous consent, upon motion of Senator Rand, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, April 27.

S.B. 314 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MINERAL SPRINGS, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives.

S.B. 645, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF PARMELE, upon second reading.

The bill passes its second reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The bill is ordered placed on the Calendar for Monday, April 26, upon third reading.

S.B. 694, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF RIMERTOWN SUBJECT TO A REFERENDUM, upon second reading.

The bill passes its second reading roll-call vote by a three-fifth’s majority, ayes 49, noes 0, as follows:


Voting in the negative: None.

The bill is ordered placed on the Calendar for Monday, April 26, upon third reading.

S.B. 385, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MOORE COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL
ACTIVITY BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE U. S. OPEN GOLF TOURNAMENT.

The bill passes its second and third readings and ordered sent to the House of Representatives.

S.B. 583, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ESTABLISHING THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM.

Senator Rucho offers Amendment No. 1 which is adopted 49-0.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S.B. 625, A BILL TO BE ENTITLED AN ACT TO REPEAL AN OBSOLETE SECTION OF THE CHARTER OF THE CITY OF DURHAM REGARDING THE PRIVILEGE LICENSE TAX YEAR.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 701, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO PROHIBIT DISCRIMINATION IN EMPLOYMENT, PUBLIC ACCOMMODATIONS, AND HOUSING BASED ON CRITERIA IN ADDITION TO RACE, COLOR, NATIONAL ORIGIN, RELIGION, SEX, DISABILITY, AND AGE, AND TO PRESCRIBE THE PROCEDURE FOR THE ADOPTION OF ANY SUCH ORDINANCE.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 702, A BILL TO BE ENTITLED AN ACT TO ALLOW RESTORATION OF ZONING AUTHORITY OF THE TOWN OF MATTHEWS AS TO CERTAIN PROPERTY IF MECKLENBURG COUNTY DISPOSES OF IT.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 705 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ASSIST THE JOHNSTON COUNTY BOARD OF EDUCATION WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

REPORTS OF COMMITTEES (Continued)

By Senator Soles for the Commerce Committee:

S.B. 419, A BILL TO BE ENTITLED AN ACT TO CLARIFY MOTOR VEHICLE DEALER TRANSFER RIGHTS, with a favorable report.

S.B. 941, A BILL TO BE ENTITLED AN ACT TO UPDATE THE MANUFACTURED HOUSING BOARD STATUTES, TO PROVIDE FOR CONTINUING EDUCATION FOR LICENSEES, TO IMPROVE THE BUYER CANCELLATION LAW, AND TO UPDATE THE LAW ON MANUFACTURED HOME STANDARDS TO COMPLY WITH FEDERAL LAWS AND REGULATIONS, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Finance Committee.

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S.J.R. 975, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF SAMUEL JAMES ERVIN, IV MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, with a favorable report.

S.B. 1008, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME FOR THE NORTH CAROLINA UTILITIES COMMISSION TO ADOPT FINAL RULES REGARDING UNIVERSAL SERVICE, with a favorable report.

CALENDAR (Continued)

S.B. 772, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF MUNICIPAL SERVICE DISTRICTS IN CERTAIN CITIES FOR URBAN AREA REVITALIZATION PROJECTS, upon second reading.

The bill passes its second reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The bill is ordered placed on the Calendar for Monday, April 26, upon third reading.

S.B. 247 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENCOURAGE PRESCRIBED BURNING FOR FORESTRY AND WILDLIFE PURPOSES UNDER CERTAIN CONDITIONS.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 290, A BILL TO BE ENTITLED AN ACT TO AMEND THE LOBBYING LAW.

The bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 297 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND OTHER CHANGES REGARDING LIMITED PARTNERSHIPS AND THE NORTH CAROLINA REVISED UNIFORM LIMITED PARTNERSHIP ACT, TO CLARIFY THE LIMIT OF LIABILITY IN PROFESSIONAL ORGANIZATIONS, TO PROVIDE FOR THE REGISTRATION OF FOREIGN LIMITED LIABILITY PARTNERSHIPS, AND TO REQUIRE ANNUAL REPORTS BY LIMITED LIABILITY PARTNERSHIPS.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 338 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE CLASSROOM EXPERIENCE TO PROFESSIONAL PUBLIC SCHOOL EMPLOYEES WHO ARE NOT CLASSROOM TEACHERS.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 345, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT
RECONSIDERATION AND APPEAL OF UTILIZATION REVIEW NONCERTIFICATION BE EVALUATED BY MEDICAL DOCTORS LICENSED TO PRACTICE IN THIS STATE.

The bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 368, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO CONSTRUCT ACCESS TO RIVERS AND STREAMS.

The bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

With unanimous consent, the President grants leaves of absence for the remainder of today's Session to Senator Carrington and Senator Horton.

REPORTS OF COMMITTEES (Continued)

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

S.B. 953, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DISTRIBUTE FUNDS FROM THE WETLANDS RESTORATION FUND AND TO CONVEY INTERESTS IN REAL PROPERTY ACQUIRED UNDER THE WETLANDS RESTORATION PROGRAM TO FEDERAL AND STATE AGENCIES, LOCAL GOVERNMENTS, AND PRIVATE NONPROFIT CONSERVATION ORGANIZATIONS, with a favorable report.

S.B. 1083, A BILL TO BE ENTITLED AN ACT TO AMEND THE REGISTRATION REQUIREMENTS FOR DEALERS IN LIQUIFIED PETROLEUM GAS AND TO PROVIDE FOR THE TRAINING AND EXAMINATION OF PERSONS TRANSPORTING OR DISPENSING LIQUIFIED PETROLEUM GAS, with a favorable report.

Upon motion of Senator Albertson, the bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 1132, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS ENVIRONMENTAL LAWS, with a favorable report.

S.B. 979, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT FUNDS PAID TO THE STATE IN CONNECTION WITH ENVIRONMENTAL CLEANUPS ARE CREDITED AS PROVIDED BY THE APPLICABLE ENVIRONMENTAL LAW, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6661 is adopted and engrossed.

CALENDAR (Continued)

S.B. 620, A BILL TO BE ENTITLED AN ACT TO ALLOW PROFESSIONAL CORPORATIONS TO BE FORMED BETWEEN ANY PHYSICIAN AND CERTAIN NURSING SPECIALISTS, SOCIAL WORKERS, AND COUNSELORS.

The bill passes its second (48-0) and third readings and is ordered sent

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to the House of Representatives.

S.B. 732 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF CHIROPRACTIC EXAMINERS TO ASSESS LICENSEES CERTAIN COSTS AND LIMITING THE OWNERSHIP OF CHIROPRACTIC PRACTICES TO PERSONS LICENSED AS CHIROPRACTORS.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

With unanimous consent, the President a leave of absence for the remainder of today's Session to Senator Garwood.

S.B. 758, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CERTAIN PART-TIME SERVICE RENDERED WHILE FULL-TIME STUDENTS.

The bill passes its second reading (47-0).

Senator Kerr objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Monday, April 26.

S.B. 766, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN PROVISIONS IN THE INSURANCE LAW APPLICABLE TO HOSPITAL, MEDICAL, AND DENTAL SERVICE CORPORATIONS AND TO HEALTH MAINTENANCE ORGANIZATIONS.

The bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

S.B. 769, A BILL TO BE ENTITLED AN ACT TO MODIFY THE ESSENTIAL ELEMENTS OF THE FELONY OFFENSE OF LARCENY OF GINSENG.

The bill passes its second (45-2) and third readings and is ordered sent to the House of Representatives.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

S.B. 776, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE LAW EXEMPTING CERTAIN GOVERNMENTAL ENTITIES FROM STATE PURCHASE AND CONTRACT REQUIREMENTS.

The bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

S.J.R. 795, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES.

The joint resolution passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

S.B. 872 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NATURAL AND SCENIC RIVERS ACT OF 1971 TO REMOVE THE LIMIT ON THE AMOUNT OF ACREAGE THE STATE MAY ACQUIRE FOR INCLUSION IN THE NEW RIVER SCENIC RIVER AREA OF THE NORTH CAROLINA NATURAL
AND SCENIC RIVERS SYSTEM.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

S.B. 878, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN NONPROFIT WATER CORPORATIONS TO BE ELIGIBLE FOR REVOLVING LOANS AND GRANTS FROM THE DRINKING WATER TREATMENT REVOLVING LOAN FUND.

The bill passes its second reading (47-0).

Senator Kerr objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Monday, April 26.

S.B. 898 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF DAYS WITHIN WHICH A BOARD OF EDUCATION MUST HOLD A TEACHER DISMISSAL HEARING, TO CLARIFY THAT THE SUPERINTENDENT’S DESIGNEE MAY BE PRESENT AT THE CASE MANAGER HEARING, TO ALLOW TIME FOR THE SUPERINTENDENT TO OBTAIN A COPY OF THE CASE MANAGER TRANSCRIPT, TO DECREASE THE NUMBER OF DAYS WITHIN WHICH THE SUPERINTENDENT MUST PROVIDE A LIST OF WITNESSES FOR A BOARD HEARING ON A REDUCTION IN FORCE, TO CHANGE THE DATE WHEN LOCAL BOARDS MUST NOTIFY TEACHERS WHETHER THEIR PROBATIONARY CONTRACTS HAVE BEEN RENEWED, TO REPEAL THE PROFESSIONAL PRACTICES BOARD, AND TO LIMIT THE NONINSTRUCTIONAL DUTIES ASSIGNED TO TEACHERS.

The Committee Substitute bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

S.B. 927, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES NECESSITATED BY CHANGES IN FEDERAL LAW TO THE GENERAL STATUTES CONCERNING SERVICES FOR THE BLIND AND TO MAKE TECHNICAL CHANGES.

Senator Kinnaird offers Amendment No. 1 which is adopted (47-0)

The bill, as amended, passes its second (47-0) and third readings and is ordered engrossed and sent to the House of Representatives.

S.B. 934, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE HANDICAPPED PERSONS PROTECTION ACT, CHAPTER 168A OF THE GENERAL STATUTES.

With unanimous consent, upon motion of Senator Carter, the bill is withdrawn from today’s Calendar and is placed on the Calendar for Tuesday, April 27.

S.B. 998, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MEMBERS APPOINTED TO THE CANCER CONTROL ADVISORY COMMITTEE FOR INITIAL TWO-YEAR TERMS MAY EACH BE REAPPOINTED FOR ONE ADDITIONAL FOUR-YEAR TERM.

The bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

S.B. 1159, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MAY ALLOW THE USE OF LAND-USE

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RESTRICTIONS TO PROTECT PUBLIC HEALTH AT CONTAMINATED SITES.

The bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

COMMITTEE REFERRAL RECALL

S.B. 1047, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING TO THE ENVIRONMENT OR NATURAL RESOURCES, referred to the Rules and Operations of the Senate Committee on April 15.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Agriculture/Environment/Natural Resources Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Agriculture/Environment/Natural Resources Committee.

S.B. 1048, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING TO THE ENVIRONMENT OR NATURAL RESOURCES, referred to the Rules and Operations of the Senate Committee on April 15.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Agriculture/Environment/Natural Resources Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Agriculture/Environment/Natural Resources Committee.

S.B. 1049, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING TO THE ENVIRONMENT OR NATURAL RESOURCES, referred to the Rules and Operations of the Senate Committee on April 15.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Agriculture/Environment/Natural Resources Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Agriculture/Environment/Natural Resources Committee.

S.B. 1050, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING TO THE ENVIRONMENT OR NATURAL RESOURCES, referred to the Appropriations/Base Budget Committee on April 15.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Appropriations/Base Budget Committee and re-referred to the Agriculture/Environment/Natural Resources Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Appropriations/Base Budget Committee and re-refers the measure to the Agriculture/Environment/Natural Resources Committee.

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REPORTS OF COMMITTEES (Continued)

By Senator Miller for the Judiciary II Committee:

S.B. 812, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A FOOD OR RETAIL BUSINESS THAT HOLDS AN ABC PERMIT AND IS LOCATED IN AN URBAN REDEVELOPMENT AREA SHALL NOT HAVE ALCOHOLIC BEVERAGE SALES IN EXCESS OF FIFTY PERCENT OF THE BUSINESS'S TOTAL ANNUAL SALES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1721 is adopted and engrossed.

S.B. 1142, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA COMMISSION OF INDIAN AFFAIRS AS THE DESIGNATED AGENCY TO IMPLEMENT OR OVERSEE CERTAIN PROGRAMS BENEFITING THE STATE'S INDIAN POPULATION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2749, which changes the title to read S.B. 1142 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE CONSULTATION WITH THE NORTH CAROLINA COMMISSION OF INDIAN AFFAIRS ON MATTERS AFFECTING THE STATE'S INDIAN POPULATION, is adopted and engrossed.

COMMITTEE REFERRAL RECALL

S.B. 933, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE RIGHTS OF ADULT CARE HOME RESIDENTS WITH RESPECT TO TRANSFER OR DISCHARGE FROM THE FACILITY, referred to the Commerce Committee on April 14.

Pursuant to Rule 47(a), Senator Soles offers a motion that the bill be withdrawn from the Commerce Committee and re-referred to the Health Care Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Commerce Committee and re-refers the measure to the Health Care Committee.

Upon motion of Senator Ballance, seconded by Senator Odom, the Senate adjourns in honor of the Civil Air Patrol at 2:55 P.M. to meet Monday, April 26, at 7:00 P.M.

FIFTY-FIRST DAY

Senate Chambers
Monday, April 26, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“God of peace and providence, we all know what this week is about. Crossover is
Thursday, and you can feel the urgency of that approaching deadline everywhere. While the work of Your creation was orderly and harmonious, our attempt to create a docket of legislation is becoming intensely frenetic, even adversarial. We find ourselves working at cross purposes of one another as we negotiate which bills will prevail and which bills will fail.

“In His parable of the last judgment, Jesus taught that the wheat and the wild tares were to be left in the field to grow together. Which plants were worthy and which plants were not was a judgment to be left to God who would weed them out in the end. That is a hard teaching for us.

“How shall we not intervene this week to salvage or defeat these bills? Holy and Just God, You alone are the ultimate arbiter of righteousness. We submit these difficult decisions to Your judgment, for Yours is the ratification we seek.

“With all that lies ahead of us, it would be enough for us if, on Thursday, we could hear You pronounce our week’s work as ‘good.’ We make our prayer in Your Holy Name, Amen.”

Senator Basnight, President Pro Tempore, announces the Journal of Thursday, April 22, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Bulent Ender from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Brenda Lange from Jacksonville, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

H.B. 652, AN ACT TO MODIFY THE MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE ROANOKE ISLAND HISTORICAL ASSOCIATION.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

H.B. 216, AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO DIRECT THE STATE BOARD OF EDUCATION TO EXTEND ITS REVIEW AND EVALUATION OF CHARTER SCHOOLS. (Became law upon approval of the Governor, April 22, 1999 – S.L. 1999-27.)

H.B. 56, AN ACT TO ELIMINATE THE USE OF STAMPS TO INDICATE WHETHER THE EXCISE TAX ON CONVEYANCES HAS BEEN PAID AND TO MAKE THE PENALTIES THAT APPLY TO THIS TAX THE SAME AS FOR OTHER TAXES. (Became law upon approval of the Governor, April 22, 1999 – S.L. 1999-28.)

S.B. 27, AN ACT TO REPEAL THE PROHIBITION AGAINST THE DEPARTMENT OF TRANSPORTATION USING BERMUDA GRASS ALONG CERTAIN ROADS. (Became law upon approval of the Governor, April 22, 1999 – S.L. 1999-29.)

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REPORTS OF COMMITTEES

Bills and a resolution are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Reeves for Information Technology Committee:

S.B. 283, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT TECHNOLOGICAL IMPROVEMENTS IN THE WAY PURCHASING OPPORTUNITIES ARE ADVERTISED, with a favorable report, as amended.
Pursuant to Rule 45.1, Committee Amendment No. 1 is adopted and engrossed.

By Senator Miller for the Judiciary II Committee:

S.B. 1060, A BILL TO BE ENTITLED AN ACT TO PROVIDE TRUSTEES WITH ADDITIONAL AUTHORITY TO SEVER TRUSTS INTO SEPARATE TRUSTS CONSISTENT WITH THE BEST INTERESTS OF THE TRUST BENEFICIARIES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.
Pursuant to Rule 45.1, the Committee Substitute bill A635 is adopted and engrossed.

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

S.B. 1014, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF ENVIRONMENTAL HEALTH OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO CONDUCT A STUDY INVOLVING INTERESTED PARTIES TO REVIEW AND REVISE THE CURRENT PROCEDURES CONCERNING COFFEE POTS AND ICE BUCKETS PROVIDED BY LODGING ESTABLISHMENTS IN GUEST ROOMS AND TO SUSPEND CURRENT APPLICABLE RULES UNTIL REVISED RULES HAVE BEEN ADOPTED AS TEMPORARY RULES, with a favorable report.

S.B. 1047, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING TO THE ENVIRONMENT OR NATURAL RESOURCES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.
Pursuant to Rule 45.1, the Committee Substitute bill 3795, which changes the title to read S.B. 1047 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE TAKING OF SHELLFISH WITHIN ONE HUNDRED FIFTY FEET OF A PUBLICLY OWNED PIER BENEATH WHICH THE DIVISION OF MARINE FISHERIES HAS DEPOSITED CULTCH MATERIAL, is adopted and engrossed.

S.B. 1048, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING TO THE ENVIRONMENT OR NATURAL RESOURCES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.
Pursuant to Rule 45.1, the Committee Substitute bill 3796, which changes the title to read S.B. 1048 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A GRANTS COMMITTEE TO SET PRIORITIES FOR, REVIEW APPLICATIONS TO, AND AWARD GRANTS UNDER THE FISHERY RESOURCE GRANT PROGRAM AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO THE FISHERY RESOURCE GRANT PROGRAM STATUTE, is adopted and engrossed.

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S.B. 1127, A BILL TO BE ENTITLED AN ACT TO CODIFY THE JOINT RESOLUTION Dedicating properties as part of the state nature and historic preserve, including the codification of name changes of certain lands previously accepted into the state nature and historic preserve; to remove certain lands from the state nature and historic preserve; to codify these removals; and to delete certain lands from the state parks system, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the Committee Substitute bill 2751 is adopted and engrossed.

S.J.R. 1139, A JOINT RESOLUTION Dedicating properties as part of the state nature and historic preserve, with an unfavorable report as to joint resolution, but favorable as to Committee Substitute joint resolution.

Pursuant to Rule 45.1, the Committee Substitute joint resolution 2750 is adopted and engrossed.

COMMITTEE REFERRAL RECALL

S.B. 941, A BILL TO BE ENTITLED AN ACT TO UPDATE THE MANUFACTURED HOUSING BOARD STATUTES, TO PROVIDE FOR CONTINUING EDUCATION FOR LICENSEES, TO IMPROVE THE BUYER CANCELLATION LAW, AND TO UPDATE THE LAW ON MANUFACTURED HOME STANDARDS TO COMPLY WITH FEDERAL LAWS AND REGULATIONS, referred to the Finance Committee on April 22.

Pursuant to Rule 47(a), Senator Kerr offers a motion that the bill be withdrawn from the Finance Committee and re-referred to the Commerce Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Finance Committee and re-refers the measure to the Commerce Committee.

S.B. 978, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING RETIRING TEACHERS' COMPENSATION FOR ACCUMULATED ANNUAL LEAVE, referred to the Education/Higher Education Committee on April 15.

Pursuant to Rule 47(a), Senator Dalton offers a motion that the bill be withdrawn from the Education/Higher Education Committee and re-referred to the Pensions & Retirement and Aging Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Education/Higher Education Committee and re-refers the measure to the Pensions & Retirement and Aging Committee.

REPORTS OF COMMITTEES (Continued)

By Senator Cooper for the Judiciary I Committee:

S.B. 901, A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW GOVERNING THE TIME OF APPOINTMENT OF COUNSEL FOR JUVENILES CHARGED WITH CERTAIN OFFENSES, with a favorable report.

S.B. 1068, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL LAW ENFORCEMENT AGENCIES TO ACCESS THE CRIMINAL INFORMATION
NETWORK TO RUN CRIMINAL BACKGROUND CHECKS ON VOLUNTEERS FOR THE MCGRUFF HOUSES PROGRAM, with a favorable report.

S.B. 12, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR GUBERNATORIAL NOMINATION OF JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT OF APPEALS, LEGISLATIVE CONFIRMATION, AND RETENTION BY VOTE OF THE PEOPLE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the Committee Substitute bill 3792, which changes the title to read S.B. 12 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR NOMINATION OF JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT OF APPEALS, GUBERNATORIAL APPOINTMENT, AND RETENTION BY VOTE OF THE PEOPLE, is adopted and engrossed.

S.B. 835, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING MERGERS, CONSOLIDATIONS, AND CONVERSIONS AMONG BUSINESS CORPORATIONS, NONPROFIT CORPORATIONS, AND UNINCORPORATED ENTITIES, INCLUDING LIMITED LIABILITY COMPANIES AND PARTNERSHIPS, FOR THE PURPOSE OF CONFORMING THE LAWS WITH THOSE OF OTHER STATES AND MODERN BUSINESS PRACTICES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the Committee Substitute bill 1717, which changes the title to read S.B. 835 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING MERGERS, CONSOLIDATIONS, AND CONVERSIONS AMONG BUSINESS CORPORATIONS, NONPROFIT CORPORATIONS, AND UNINCORPORATED ENTITIES, INCLUDING LIMITED LIABILITY COMPANIES AND PARTNERSHIPS, FOR THE PURPOSE OF CONFORMING THE LAWS WITH THOSE OF OTHER STATES AND MODERN BUSINESS PRACTICES; TO ALLOW CONVERSION OF A MUTUAL INSURANCE COMPANY TO A STOCK INSURANCE COMPANY; AND TO PERMIT HOMEOWNER ASSOCIATIONS TO DISTRIBUTE SURPLUS FUNDS, is adopted and engrossed.

CALENDAR

Bills and a resolution on tonight's Calendar are taken up and disposed of, as follows:

S.B. 645, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF PARMELE, upon third reading.

With unanimous consent, upon motion of Senator Martin of Pitt, the bill is withdrawn from tonight's Calendar and is placed on the Calendar for Tuesday, April 27, upon third reading.

S.B. 746 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA STRUCTURED SETTLEMENT PROTECTION ACT.

With unanimous consent, upon motion of Senator Cooper, the Committee Substitute bill is withdrawn from tonight's Calendar and is placed on the Calendar for Tuesday, April 27, upon third reading.

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S.B. 288 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND NORTH CAROLINA'S "LONG ARM JURISDICTION" STATUTE TO INCLUDE SENDERS OF UNSOLICITED ELECTRONIC BULK MAIL AND TO MAKE THE SENDING OF UNSOLICITED ELECTRONIC BULK MAIL UNLAWFUL IN THIS STATE.

With unanimous consent, upon motion of Senator Reeves, the bill is placed at the end of tonight's Calendar.

COMMITTEE REFERRAL RECALL

S.B. 395, A BILL TO BE ENTITLED AN ACT RELATING TO CABARRUS COUNTY AND THE MUNICIPALITIES LOCATED WHOLLY OR PARTIALLY WITHIN THE COUNTY, referred to Rules and Operations of the Senate Committee on March 17.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the State and Local Government Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the State and Local Government Committee.

S.B. 984, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS OF NORTH CAROLINA, referred to Rules and Operations of the Senate Committee on April 15.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Judiciary II Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Judiciary II Committee.

S.B. 533, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A HEALTH CARE PILOT PROGRAM IN BUNCOMBE COUNTY, referred to Rules and Operations of the Senate Committee on March 25.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Insurance Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Insurance Committee.

S.B. 1113, A BILL TO BE ENTITLED AN ACT RELATING TO EMPLOYER CONTACT WITH MEDICAL CARE PROVIDERS FOR CLAIMS UNDER THE WORKERS' COMPENSATION ACT, referred to Rules and Operations of the Senate Committee on April 15.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Judiciary II Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Judiciary II Committee.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

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S.B. 273 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL FACILITIES AND PROVIDERS THAT DETECT, DIAGNOSE, OR TREAT CANCER PATIENTS TO REPORT CANCER CASES TO THE CANCER CONTROL REGISTRY, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, April 27.

H.B. 96, A BILL TO BE ENTITLED AN ACT TO RESTORE AND APPLY RETROACTIVELY THE EXEMPTION FROM LICENSURE FOR CERTAIN ADULT CARE HOMES MAINTAINED OR OPERATED BY A UNIT OF GOVERNMENT.
Referred to Health Care Committee.

H.B. 222 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LITTERING LAW BY INCREASING THE MINIMUM AND MAXIMUM FINES AND BY REQUIRING COMMUNITY SERVICE IN THOSE INSTANCES WHERE IT IS CURRENTLY PERMISSIVE.
Referred to Judiciary II Committee.

H.B. 251, A BILL TO BE ENTITLED AN ACT TO REQUIRE PAYMENT OF DELINQUENT TAXES FOR THE TOWN OF BAKERSVILLE BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO THE DELINQUENT TAXES.
Referred to Finance Committee.

H.B. 277 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO PROVIDE THAT AN INDIVIDUAL MAY NOT BE DISQUALIFIED FOR UNEMPLOYMENT INSURANCE BENEFITS WHEN THE INDIVIDUAL'S INABILITY TO ACCEPT BONA FIDE PERMANENT EMPLOYMENT DURING A PARTICULAR SHIFT WOULD RESULT IN AN UNDUE FAMILY HARDSHIP AND TO PROVIDE THAT AN INDIVIDUAL MAY NOT BE DISQUALIFIED FOR UNEMPLOYMENT INSURANCE BENEFITS WHEN THE INDIVIDUAL'S DISCHARGE IS SOLELY DUE TO AN INABILITY TO ACCEPT WORK DURING A PARTICULAR SHIFT AS THE RESULT OF AN UNDUE FAMILY HARDSHIP.
Referred to Insurance Committee.

H.B. 504 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE ADOPTION OF PLANNING, ZONING, AND SUBDIVISION ORDINANCES IN CARTERET COUNTY.
Referred to Finance Committee.

H.B. 525 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT TELEPHONE SOLICITORS MAKING TELEPHONE SOLICITATIONS TO RESIDENTIAL TELEPHONE SUBSCRIBERS FROM BLOCKING A SUBSCRIBER'S USE OF A CALLER IDENTIFICATION SERVICE.
Referred to Information Technology Committee.

H.B. 651 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW BRUNSWICK COUNTY TO ASSESS A FIRE PROTECTION FEE.
Referred to Finance Committee.

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H.B. 722, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CERTAIN PART-TIME SERVICE RENDERED WHILE FULL-TIME STUDENTS.
Referred to Pensions & Retirement and Aging Committee.

H.B. 746 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NATURAL AND SCENIC RIVERS ACT OF 1971 TO REMOVE THE LIMIT ON THE AMOUNT OF ACREAGE THE STATE MAY ACQUIRE FOR INCLUSION IN THE NEW RIVER SCENIC RIVER AREA OF THE NORTH CAROLINA NATURAL AND SCENIC RIVERS SYSTEM.
Referred to Agriculture/Environment/Natural Resources Committee.

H.B. 776, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF ROANOKE RAPIDS TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE.
Referred to Finance Committee.

H.B. 813 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CYBERSTALKING A CRIMINAL OFFENSE.
Referred to Judiciary I Committee.

H.B. 820 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT STATE EMPLOYEES AND PUBLIC SCHOOL EMPLOYEES MAY SHARE LEAVE VOLUNTARILY.
Referred to State and Local Government Committee.

H.B. 828, A BILL TO BE ENTITLED AN ACT TO REQUIRE MCDOWELL COUNTY TO PUBLICIZE THE REVENUE-NEUTRAL TAX RATE IN THE YEARS WHEN THERE IS A GENERAL REVALUATION OF REAL PROPERTY.
Referred to Finance Committee.

H.B. 829, A BILL TO BE ENTITLED AN ACT TO ASSIST THE TRANSYLVANIA SCHOOLS WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES.
Referred to State and Local Government Committee.

H.B. 837 (Committee Substitute), A BILL TO BE ENTITLED AN ACT EXTENDING THE TOWN OF CHOCCOWINITY'S EXTRATERRITORIAL JURISDICTION.
Referred to Finance Committee.

H.B. 840, A BILL TO BE ENTITLED AN ACT TO EXEMPT ONSLOW COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION OF THE ONSLOW SUPERIOR COURTHOUSE.
Referred to State and Local Government Committee.

H.B. 885 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT CONSUMERS BY REQUIRING CONTRACTS FOR THE RENTAL OF SELF-SERVICE STORAGE TO CLEARLY STATE CERTAIN TERMS REGARDING THE IMPOSITION OF LATE FEES
Referred to Judiciary II Committee.

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H.B. 939 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT THAT MAY BE IN CONTROVERSY IN SMALL CLAIMS COURT.
Referred to Judiciary II Committee.

H.B. 957, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN ELECTRONIC OR FACSIMILE SIGNATURE OF A PHYSICIAN PROVIDING MEDICAL CERTIFICATION OF DEATH IS ACCEPTABLE IF APPROVED BY THE STATE REGISTRAR OF VITAL STATISTICS.
Referred to Information Technology Committee.

H.B. 958, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT CONFIDENTIAL INFORMATION OBTAINED BY HEALTH MAINTENANCE ORGANIZATIONS OR PROVIDER SPONSORED ORGANIZATIONS MAY BE DISCLOSED PURSUANT TO COURT ORDER FOR CERTAIN PURPOSES.
Referred to Judiciary II Committee.

H.B. 967, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING TESTING REQUIREMENTS FOR CHARTER SCHOOLS.
Referred to Education/Higher Education Committee.

H.B. 972, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COST AND EXPENSES OF TRANSPORTING A RESPONDENT IN AN INVOLUNTARY COMMITMENT PROCEEDING MAY BE RECOVERED FROM THE RESPONDENT'S COUNTY OF RESIDENCE.
Referred to State and Local Government Committee.

H.B. 980 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW JUDICIAL DISCRETION IN DETERMINING THE AMOUNT OF SUBROGATION OF EMPLOYERS' LIENS IN ACTIONS AGAINST THIRD PARTIES UNDER THE WORKERS' COMPENSATION ACT.
Referred to Judiciary I Committee.

Referred to Agriculture/Environment/Natural Resources Committee.

H.B. 1030 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE LIGHTING REQUIREMENTS FOR LIGHT TRAILERS AND EXEMPT CERTAIN ADDITIONAL FARM TRAILERS FROM THE REGISTRATION REQUIREMENTS.
Referred to Transportation Committee.

H.B. 1072 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE FOLLOWING TECHNICAL CORRECTIONS IN THE ELECTION LAWS: TO CLARIFY THE ROLE OF THE STATE BOARD OF ELECTIONS IN THE PROCESS OF ORDERING NEW ELECTIONS; TO CLARIFY THE APPEAL PROCESS IN CONTESTED ELECTIONS; TO REENACT AND RECODIFY PROVISIONS OF THE PRE-1995 VOTER REGISTRATION LAWS THAT WERE INADVERTENTLY DROPPED IN THE ENACTMENT OF ARTICLE 7A IN CHAPTER 163; TO CLARIFY

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THE STATUTES CONCERNING CANDIDATE VACANCIES IN THE NONPARTISAN ELECTION OF JUDGES; TO CONFORM THE PETITION STATUTES TO COURT RULINGS AND MAKE OTHER TECHNICAL CHANGES; AND TO CORRECT MISCELLANEOUS MISCITATIONS AND ERRORS IN THE ELECTION STATUTES.

Referred to Judiciary I Committee.

H.B. 1100 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS FOR THE RESIGNATION, REMOVAL, AND RENUNCIATION OF TRUSTEES AND FOR THE APPOINTMENT OF SUCCESSOR TRUSTEES.

Referred to Judiciary II Committee.

H.B. 1104, A BILL TO BE ENTITLED AN ACT CLARIFYING THE DESIGNATION OF EXEMPT POSITIONS IN STATE GOVERNMENT EMPLOYMENT.

Referred to State and Local Government Committee.

H.B. 1216, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE JUVENILE JUSTICE REFORM ACT OF 1998.

Referred to Judiciary I Committee.

H.B. 1218, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS ENVIRONMENTAL LAWS.

Referred to Agriculture/Environment/Natural Resources Committee.

H.B. 1263, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON BETWEEN SIXTEEN AND EIGHTEEN YEARS OF AGE WITH A DRIVERS LICENSE ISSUED BY THE FEDERAL GOVERNMENT MAY BE ISSUED THE PROPER DRIVERS PERMIT UNDER THE GRADUATED DRIVERS LICENSE PROGRAM.

Referred to Transportation Committee.

EXECUTIVE ORDER

An Executive Order received in the Office of the Senate Principal Clerk is presented to the Senate and read as follows:

Executive Order No. 150, Support of Historically Underutilized Businesses.

CALENDAR (Continued)

S.B. 694, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF RIMERTOWN SUBJECT TO A REFERENDUM, upon third reading

The bill passes its third reading roll-call vote by a three-fifths majority, ayes 50, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, East, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Horton, Hoyle, Jordan, Kerr, Kinnaird, Lee, Lucas, Martin of Pitt, Martin of Guilford, Metcalf, Miller,

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

S.B. 468 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING CORNER LOT ASSESSMENT EXEMPTIONS BY THE CITY OF WINSTON-SALEM AND FORSYTH COUNTY.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 772, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF MUNICIPAL SERVICE DISTRICTS IN CERTAIN CITIES FOR URBAN AREA REVITALIZATION PROJECTS, upon third reading.

The bill passes its third reading by roll-call vote, ayes 50, noes 0, as follows:


Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

S.B. 34 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE IMMUNITY FROM LIABILITY FOR CERTAIN LICENSED HEALTH CARE FACILITIES THAT PROVIDE TEMPORARY SHELTER OR SERVICES DURING DISASTERS AND EMERGENCIES.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 325 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CORRECTIONS AND CONFORMING CHANGES RELATING TO TAXATION OF CONTINUING CARE RETIREMENT HOMES.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

REPORTS OF COMMITTEES (Continued)

By Senator Lucas for the Children & Human Resources Committee:

S.B. 432, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE FACILITIES THAT ARE INCLUDED IN THE HEALTH CARE PERSONNEL REGISTRY; TO PROVIDE THAT GRIEVANCES PERTAINING TO THE HEALTH CARE PERSONNEL REGISTRY FILED BY STATE EMPLOYEES SHALL BE IN ACCORDANCE WITH STATE PERSONNEL PROCEDURES; AND TO REQUIRE THAT EMPLOYERS AT HEALTH CARE FACILITIES ACCESS THE HEALTH CARE PERSONNEL REGISTRY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2653, which changes the title to read S.B. 432 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE FACILITIES THAT ARE INCLUDED IN THE HEALTH CARE
PERSONNEL REGISTRY; AND TO REQUIRE THAT EMPLOYERS AT HEALTH CARE FACILITIES ACCESS THE HEALTH CARE PERSONNEL REGISTRY, is adopted and engrossed.

S.B. 1134, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES LAW PERTAINING TO THE MEDICAID STANDARD OF NEED, PAY-AFTER-PERFORMANCE FOR TWO-PARENT FAMILIES, TIME LIMITATIONS ON ASSISTANCE, AND OTHER AREAS OF WELFARE REFORM, with a favorable report.

S.B. 1062, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD TO DEFINE THE TERM CLINICAL SUPERVISOR INTERN AND AMENDING CERTIFICATION REQUIREMENTS FOR SUBSTANCE ABUSE PROFESSIONALS, with a favorable report.

COMMITTEE REFERRAL RECALL

S.B. 685, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT TREATMENT OR SERVICES RENDERED BY PHYSICIAN ASSISTANTS SHALL BE REIMBURSABLE UNDER THE STATE HEALTH PLAN AND OTHER HEALTH INSURANCE POLICIES UNDER CERTAIN CIRCUMSTANCES, referred to the Appropriations/Base Budget Committee on April 21.

Pursuant to Rule 47 (a), Senator Plyler offers a motion that the bill be withdrawn from the Appropriations/Base Budget Committee and placed on the Calendar for Wednesday, April 28, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Appropriations/Base Budget Committee and places it on the Calendar for Wednesday, April 28.

CALENDAR (Continued)

S.B. 331, A BILL TO BE ENTITLED AN ACT TO REQUIRE REGISTRATION AS A SEX OFFENDER FOR CERTAIN ADDITIONAL OFFENSES.

The bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

S.B. 370 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING WHEN WITNESS STATEMENTS OBTAINED PURSUANT TO THE ENFORCEMENT OF THE OCCUPATIONAL SAFETY AND HEALTH ACT MAY BE RELEASED.

The Committee Substitute bill passes its second (47-3) and third readings and is ordered sent to the House of Representatives.

S.B. 419, A BILL TO BE ENTITLED AN ACT TO CLARIFY MOTOR VEHICLE DEALER TRANSFER RIGHTS.

Without objection, Senator Clodfelter requests to be excused from voting on the bill due to client/law firm conflict of interest.

The bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

S.B. 527, A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL AUTHORITIES TO PREEMPT TRAFFIC SIGNALS OR SEMAPHORES ON STATE
HIGHWAYS IN EMERGENCY SITUATIONS.

The bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

With unanimous consent, the President grants a leave of absence for the remainder of tonight’s Session to Senator Horton.

S.B. 594 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAWS ON TITLE INSURANCE RATE MAKING, COMMERCIAL GENERAL LIABILITY POLICY EXTENDED REPORTING, AND INSURANCE FRAUD; TO MAKE A TECHNICAL CORRECTION IN THE LITTERING LAW; TO PROVIDE FOR UNIFORM APPLICATION OF NEW LAWS TO HEALTH BENEFIT PLANS; TO AMEND THE LAW GOVERNING CEASE AND DESIST ORDERS FOR UNAUTHORIZED INSURERS, TO ALLOW LICENSING OF A FOREIGN OR ALIEN INSURER TO BE DELAYED UNDER CERTAIN CIRCUMSTANCES, TO AMEND THE LAW GOVERNING AN INSURER’S ACKNOWLEDGEMENT OF A CLAIM, AND TO PROVIDE THAT POLICIES WRITTEN BY SURETY BONDSMEN ARE SUBJECT TO THE LAW GOVERNING THE USE OF DEPOSITS FOR UNPAID LIABILITIES.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

S.B. 614 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE IMMUNIZATION LAWS PERTAINING TO ADMINISTRATION AND REPORTING OF IMMUNIZATIONS, CERTIFICATES OF IMMUNIZATIONS RECEIVED IN OTHER STATES, SUBMISSION OF IMMUNIZATION CERTIFICATES TO CHILD CARE FACILITIES AND SCHOOL AUTHORITIES, AND TO MAKE OTHER TECHNICAL CHANGES TO THE IMMUNIZATION STATUTES.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

REPORTS OF COMMITTEES (Continued)

By Senator Cooper for the Judiciary I Committee:

S.B. 1009, A BILL TO BE ENTITLED AN ACT TO PROMOTE THE FREE FLOW OF INFORMATION TO THE PEOPLE OF NORTH CAROLINA BY CODIFYING THE JOURNALISTS’ TESTIMONIAL PRIVILEGE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6665 is adopted and engrossed.

CALENDAR (Continued)

S.B. 637, A BILL TO BE ENTITLED AN ACT TO EXPAND THE LAW OF ASSAULT TO PROTECT SCHOOL PERSONNEL AND SCHOOL VOLUNTEERS.

The bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

S.B. 761 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM AND MODERNIZE THE ACKNOWLEDGMENT OF CORPORATE REAL
PROPERTY INSTRUMENTS AND THE EXECUTION OF REAL PROPERTY INSTRUMENTS GENERALLY.

The Committee Substitute bill passes its second reading (35-14).

Senator Webster objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Tuesday, April 27.

S.B. 773, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE TIME FOR ACTION ON REMAND FOLLOWING COURT REVIEW OF ANNEXATIONS ORDINANCES.

The bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

S.B. 787, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO STUDY THE NEED FOR RECONSTRUCTING OVERPASSES TO REDUCE OR ELIMINATE THE POSSIBILITY OF THROWING OBJECTS FROM THEM.

The bill passes its second (47-1) and third readings and is ordered sent to the House of Representatives.

S.B. 789 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES TO THE NOTICE TO BE GIVEN UPON THE SALE, LEASE, OR EXCHANGE OF THE ASSETS OF A CHARITABLE OR RELIGIOUS NONPROFIT CORPORATION UNDER THE NONPROFIT CORPORATION ACT.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

S.B. 800, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE NORTH CAROLINA COURT OF APPEALS TO CONDUCT EN BANC PROCEEDINGS.

The bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

S.B. 812 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A FOOD OR RETAIL BUSINESS THAT HOLDS AN ABC PERMIT AND IS LOCATED IN AN URBAN REDEVELOPMENT AREA SHALL NOT HAVE ALCOHOLIC BEVERAGE SALES IN EXCESS OF FIFTY PERCENT OF THE BUSINESS'S TOTAL ANNUAL SALES.

The Committee Substitute bill passes its second (48-1) and third readings and is ordered sent to the House of Representatives.

S.B. 877 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN MEMBERS OF THE NORTH CAROLINA NATIONAL GUARD AND NORTH CAROLINA STATE GUARD ARE EMPLOYEES SUBJECT TO THE WORKERS' COMPENSATION ACT.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

S.B. 885, A BILL TO BE ENTITLED AN ACT CLARIFYING THE AUTHORITY OF THE STATE AUDITOR TO EXAMINE STATE EMPLOYEE PERSONNEL RECORDS.

The bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

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S.B. 888, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING CONTROLLED SUBSTANCES.

The bill passes its second (48-1) and third readings and is ordered sent to the House of Representatives.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

S.B. 915, A BILL TO BE ENTITLED AN ACT TO CREATE A TOBACCO RESERVE FUND FOR TOBACCO PRODUCT MANUFACTURERS NOT PARTICIPATING IN THE MASTER SETTLEMENT AGREEMENT WITH THE STATE OF NORTH CAROLINA.

The bill passes its second (48-1) and third readings and is ordered sent to the House of Representatives.

S.B. 953, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DISTRIBUTE FUNDS FROM THE WETLANDS RESTORATION FUND AND TO CONVEY INTERESTS IN REAL PROPERTY ACQUIRED UNDER THE WETLANDS RESTORATION PROGRAM TO FEDERAL AND STATE AGENCIES, LOCAL GOVERNMENTS, AND PRIVATE NONPROFIT CONSERVATION ORGANIZATIONS.

The bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

S.B. 956, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CLASS 2 MISDEMEANOR TO USE IN TELEPHONIC COMMUNICATIONS WITH ANOTHER PERSON ANY WORDS OR LANGUAGE THREATENING THAT PERSON'S MINOR CHILD, AND TO MAKE IT A CLASS 1 MISDEMEANOR TO WILLFULLY THREATEN PHYSICAL INJURY TO THE MINOR CHILD OF ANOTHER.

Senator Allran offers Amendment No. 1 which is adopted 49-0, and changes the title to read S.B. 956, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CLASS 2 MISDEMEANOR TO USE IN TELEPHONIC COMMUNICATIONS WITH ANOTHER PERSON ANY WORDS OR LANGUAGE THREATENING THAT PERSON'S CHILD OR SPOUSE, AND TO MAKE IT A CLASS 1 MISDEMEANOR TO WILLFULLY THREATEN PHYSICAL INJURY TO THE CHILD OR SPOUSE OF ANOTHER.

The bill, as amended, passes its second (49-0) and third readings and is ordered engrossed and sent to the House of Representatives.

S.J.R. 975, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF SAMUEL JAMES ERVIN, IV MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION.

The joint resolution passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

S.B. 977, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE AUTHORITY OF THE SCHOOL IMPROVEMENT TEAM WITH REGARD TO THE SCHOOL CALENDAR.

Senator Carter offers Amendment No. 1 which is adopted (49-0).

The bill, as amended, passes its second (49-0) and third readings and is ordered engrossed and sent to the House of Representatives.
S.B. 979 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT FUNDS PAID TO THE STATE IN CONNECTION WITH ENVIRONMENTAL CLEANUPS ARE CREDITED AS PROVIDED BY THE APPLICABLE ENVIRONMENTAL LAW.

Senator Carter offers Amendment No. 1 which is adopted (49-0), and changes the title to read S.B. 979, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PUBLIC SETTLEMENT RESERVE FUND AND TO MAKE CONFORMING CHANGES TO THE LAW REQUIRING THE ATTORNEY GENERAL TO REPORT TO THE GENERAL ASSEMBLY ON PUBLIC MONIES.

The Committee Substitute bill, as amended, passes its second (49-0) and third readings and is ordered engrossed and sent to the House of Representatives.

S.B. 1008, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME FOR THE NORTH CAROLINA UTILITIES COMMISSION TO ADOPT FINAL RULES REGARDING UNIVERSAL SERVICE.

The bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

S.B. 1075, A BILL TO BE ENTITLED AN ACT REGARDING FUNDING AND TRANSPORTATION FOR CHILDREN WITH SPECIAL NEEDS.

The bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

S.B. 1099, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SCHOOL IMPROVEMENT TEAMS TO DEVELOP STRATEGIES FOR THE CREATION OF ALTERNATIVE LEARNING PROGRAMS WITHIN SCHOOLS.

The bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

S.B. 1132, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS ENVIRONMENTAL LAWS.

The bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

S.B. 1142 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA COMMISSION OF INDIAN AFFAIRS AS THE DESIGNATED AGENCY TO IMPLEMENT OR OVERSEE CERTAIN PROGRAMS BENEFITING THE STATE'S INDIAN POPULATION.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

S.B. 758, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CERTAIN PART-TIME SERVICE RENDERED WHILE FULL-TIME STUDENTS.

The bill passes its third reading (49-0) and is ordered sent to the House of Representatives.

S.B. 878, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN NONPROFIT WATER CORPORATIONS TO BE ELIGIBLE FOR REVOLVING LOANS AND GRANTS FROM THE DRINKING WATER TREATMENT REVOLVING LOAN FUND.

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Senator Kerr offers Amendment No. 1, which is adopted (49-0), and held to be material constituting the first reading of the measure.

The bill, as amended, is ordered placed on the Calendar for tomorrow, Tuesday, April 27, upon second reading.

S.B. 288 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND NORTH CAROLINA'S "LONG ARM JURISDICTION" STATUTE TO INCLUDE SENDERS OF UNSOLICITED ELECTRONIC BULK COMMERCIAL MAIL AND TO MAKE THE SENDING OF UNSOLICITED ELECTRONIC BULK COMMERCIAL MAIL UNLAWFUL IN THIS STATE, placed earlier at the end of tonight’s Calendar.

Senator Reeves offers Amendment No. 1 which is adopted (49-0).

The Committee Substitute bill, as amended, passes its second (49-0) and third readings and is ordered engrossed and sent to the House of Representatives.

COMMITTEE REFERRAL RECALL

S.B. 1066, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS OF THE STATE FOR HEALTH CARE IMPROVEMENT, referred to the Rules and Operations of the Senate Committee on April 15.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Commerce Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee re-refers the measure to the Commerce Committee.

Upon motion of Senator Ballance, seconded by Senator Hoyle, the Senate adjourns at 9:08 P.M. to meet tomorrow, Tuesday, April 27, at 4:00 P.M.

FIFTY-SECOND DAY

Senate Chamber
Tuesday, April 27, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“All powerful and persuasive God, we thank You for Your unfailing love which has wooed and captured our hearts. We praise You as our Creator and our Redeemer, and we rejoice in Your blessings to us. And yet, in spite of Your manifold goodness towards us, there is a part of us that we withhold from You, a part we are unwilling to surrender to Your authority. Where do You intend to take us?

“We are afraid of signing our names to a binding agreement whose last page we have not yet read. We are afraid of giving You a “yes” that may entail other “yeses.” We are afraid of meeting Your gaze, for we know that You can win us. And still You pursue us. Oh great and terrible God, what more do You want from us?

“Help us, Oh God, to relinquish our priorities to Your control, so that Your Kingdom may come on earth and not ours. Help us to concede this futile battle, so that Your Will
may be done and not our own. Help us this day to say “yes.” We boldly make our prayer in Your Holy Name. Amen.”

With unanimous consent, the President grants a leave of absence for today to Senator Metcalf.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Monday, April 26, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Elizabeth Kanof from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Debbie Kennedy from High Point, North Carolina, who is serving the Senate as Nurse of the Day.

**CALENDAR**

Bills and a resolution on today's Calendar are taken up and disposed of, as follows:

**S.B. 1014**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF ENVIRONMENTAL HEALTH OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO CONDUCT A STUDY INVOLVING INTERESTED PARTIES TO REVIEW AND REVISE THE CURRENT PROCEDURES CONCERNING COFFEE POTS AND ICE BUCKETS PROVIDED BY LODGING ESTABLISHMENTS IN GUEST ROOMS AND TO SUSPEND CURRENT APPLICABLE RULES UNTIL REVISED RULES HAVE BEEN ADOPTED AS TEMPORARY RULES.

With unanimous consent, upon motion of Senator Rand, the bill is withdrawn from today’s Calendar and is placed on the Calendar for Wednesday, April 28.

**S.B. 1062**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD TO DEFINE THE TERM CLINICAL SUPERVISOR INTERN AND AMENDING CERTIFICATION REQUIREMENTS FOR SUBSTANCE ABUSE PROFESSIONALS.

With unanimous consent, upon motion of Senator Rand, the bill is withdrawn from today’s Calendar and is placed on the Calendar for Wednesday, April 28.

**BILLS ORDERED SENT BY SPECIAL MESSAGE**

Senator Rand offers a motion that all bills and resolutions ordered sent to the House of Representatives effective today through Thursday, April 29, be sent by special message, which motion prevails with unanimous consent.

**COMMITTEE REFERRAL RECALL**

**S.B. 582**, A BILL TO BE ENTITLED AN ACT TO IMPROVE LAW ENFORCEMENT EFFORTS TO RECOVER STOLEN PROPERTY BY AUTHORIZING THE CHIEF OF POLICE OF WINSTON-SALEM TO REQUIRE PAWNBROKERS TO MAKE PAWN TICKET RECORDS AVAILABLE IN ELECTRONIC FORMAT, referred to the Judiciary II Committee on March 29.

Pursuant to Rule 47(a), Senator Miller offers a motion that the bill be withdrawn from the Judiciary II Committee and re-referred to the State and Local Government Committee, which motion prevails with unanimous consent.
The Chair orders the bill withdrawn from the Judiciary II Committee and re-refers the measure to the State and Local Government Committee.

S.B. 929, A BILL TO BE ENTITLED AN ACT TO REVISE THE ABATEMENT OF NUISANCES STATUTES, referred to the Judiciary II Committee on April 14.

Pursuant to Rule 47(a), Senator Miller offers a motion that the bill be withdrawn from the Judiciary II Committee and re-referred to the State and Local Government Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Judiciary II Committee and re-refers the measure to the State and Local Government Committee.

S.B. 984, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS OF NORTH CAROLINA, referred to the Judiciary II Committee on April 15.

Pursuant to Rule 47(a), Senator Miller offers a motion that the bill be withdrawn from the Judiciary II Committee and re-referred to the State and Local Government Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Judiciary II Committee and re-refers the measure to the State and Local Government Committee.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Miller for the Judiciary II Committee:

S.B. 851, A BILL TO BE ENTITLED AN ACT TO DIVIDE SUPERIOR COURT DISTRICT 5 INTO A SET OF DISTRICTS, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 955, A BILL TO BE ENTITLED AN ACT TO RAISE THE AMOUNT IN CONTROVERSY THAT DETERMINES THE PROPER DIVISION FOR TRIAL OF CIVIL ACTIONS AND TO ALLOW COUNSEL FEES AS PART OF COSTS IN CERTAIN CIVIL ACTIONS, with a favorable report.

S.B. 1096, A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY FOR A SCHOOL EMPLOYEE TO POSSESS A FIREARM ON EDUCATIONAL PROPERTY AND TO MAKE IT A FELONY FOR A STUDENT OR SCHOOL EMPLOYEE TO HAVE A FIREARM AT A CURRICULAR OR EXTRACURRICULAR ACTIVITY SPONSORED BY THE SCHOOL, with a favorable report.

S.B. 995, A BILL TO BE ENTITLED AN ACT ESTABLISHING A TESTIMONIAL PRIVILEGE FOR POLICE PEER SUPPORT GROUP COUNSELORS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4689 is adopted and engrossed.

S.B. 999, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ONLY THE STATE MAY BRING CERTAIN CIVIL ACTIONS AGAINST FIREARMS OR AMMUNITION MARKETERS, MANUFACTURERS, DISTRIBUTORS, DEALERS,

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SELLERS, OR TRADE ASSOCIATIONS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3794 is adopted and engrossed.

S.B. 1074, A BILL TO BE ENTITLED AN ACT LIMITING LIABILITY FROM YEAR 2000 FAILURES BY PROVIDING CERTAIN PARTIES THE RIGHT TO ASSERT AN AFFIRMATIVE DEFENSE BASED ON A YEAR 2000 PROBLEM, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill A136 is adopted and engrossed.

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

S.B. 1049, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING TO THE ENVIRONMENT OR NATURAL RESOURCES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2756, which changes the title to read S.B. 1049 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND AND CODIFY THE LAW THAT PROVIDES FOR COMPENSATORY MITIGATION AS AN ALTERNATIVE TO THE MAINTENANCE OF RIPARIAN BUFFERS AND THAT AUTHORIZES THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DELEGATE RESPONSIBILITY FOR THE IMPLEMENTATION AND ENFORCEMENT OF THE STATE'S RIPARIAN BUFFER PROTECTION REQUIREMENTS TO LOCAL GOVERNMENTS, AS RECOMMENDED BY THE NEUSE RIVER BUFFER RULES STAKEHOLDER ADVISORY COMMITTEE AND REQUESTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION, is adopted and engrossed.

Upon motion of Senator Albertson, the Committee Substitute bill is re-referred to the Finance Committee.

S.B. 1050, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING TO THE ENVIRONMENT OR NATURAL RESOURCES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7672, which changes the title to read S.B. 1050 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DEVELOP STATEWIDE STREAM DELINEATION MAPS AND TO APPROPRIATE FUNDS TO THE WETLANDS RESTORATION FUND IN THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES FOR THE RESTORATION OF RIPARIAN BUFFERS, AS RECOMMENDED BY THE NEUSE RIVER BUFFER RULES STAKEHOLDER ADVISORY COMMITTEE AND REQUESTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION, is adopted and engrossed.

Upon motion of Senator Albertson, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 1161, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO WORK WITH THE FOOD SERVICE INDUSTRY TO IMPROVE THE EQUITY AND EFFECTIVENESS OF RULES AND GUIDELINES GOVERNING LOCAL OIL AND GREASE
PRETREATMENT PROGRAMS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2755, which changes the title to read S.B. 1161 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND REPRESENTATIVES OF THE FOOD SERVICE INDUSTRY TO REVIEW THE RULES AND GUIDELINES GOVERNING LOCAL OIL AND GREASE WATER PRETREATMENT PROGRAMS TO DETERMINE WHETHER THOSE PROGRAMS ARE EQUITABLE, EFFECTIVE, AND ECONOMICALLY MANAGEABLE, is adopted and engrossed.

The President extends the courtesies of the gallery to the following members of the Bundestag, the German Parliament: Volkmar Schultz, Eberhard Brecht, and Erika Schuchart. Accompanying them are Wolfgang Dexheimer of the Bundestag staff and Bernd Kuebart of the German Embassy.

By Senator Soles for the Commerce Committee:

S.B. 580, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR THE PURPOSE OF ASSISTING THE NORTH CAROLINA RESTAURANT ASSOCIATION TO ESTABLISH A STATEWIDE DINING GUIDE ON THE INTERNET TO PROMOTE TRAVEL AND TOURISM IN NORTH CAROLINA AND TO AUTHORIZE THE NORTH CAROLINA RESTAURANT ASSOCIATION TO CHARGE A FEE FOR PROPRIETARY LISTINGS IN THE DINING GUIDE, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 420, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEALERS AND MANUFACTURERS LICENSING LAW, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1720 is adopted and engrossed.

With unanimous consent, upon motion of Senator Hoyle, the rules are suspended and the Committee Substitute bill is placed on today’s Calendar.

S.B. 785, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE INSPECTION AND REGULATION OF LIQUEFIED PETROLEUM GASES, with a favorable report.

S.B. 941, A BILL TO BE ENTITLED AN ACT TO UPDATE THE MANUFACTURED HOUSING BOARD STATUTES, TO PROVIDE FOR CONTINUING EDUCATION FOR LICENSEES, TO IMPROVE THE BUYER CANCELLATION LAW, AND TO UPDATE THE LAW ON MANUFACTURED HOME STANDARDS TO COMPLY WITH FEDERAL LAWS AND REGULATIONS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill A633 is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Finance Committee.

S.B. 974, A BILL TO BE ENTITLED AN ACT REGULATING THE RENTAL OF...
RESIDENTIAL PROPERTY FOR VACATION, LEISURE, OR RECREATION PURPOSES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6667 is adopted and engrossed.

S.B. 1143, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTINUITY OF CONTRACTS UNDER THE MONETARY UNION IN MEMBER STATES OF THE EUROPEAN UNION, with a favorable report.

CALENDAR (Continued)

S.B. 1134, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES LAW PERTAINING TO THE MEDICAID STANDARD OF NEED, PAY-AFTER-PERFORMANCE FOR TWO-PARENT FAMILIES, TIME LIMITATIONS ON ASSISTANCE, AND OTHER AREAS OF WELFARE REFORM.

With unanimous consent, upon motion of Senator Martin of Guilford, the bill is withdrawn from today's Calendar and is placed on the Calendar for Thursday, April 29.

REPORTS OF COMMITTEES (Continued)

By Senator Kinnaird for the State and Local Government Committee:

S.B. 710, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF HUNTERSVILLE TO ESTABLISH A VOLUNTARY TRANSFER OF DEVELOPMENT RIGHTS PILOT PROGRAM FOR THE PROTECTION OF FARMLAND, ENVIRONMENTALLY SENSITIVE LAND, AND OTHER OPEN LAND WITHIN THE TOWN'S EXTRATERRITORIAL JURISDICTION, with a favorable report.

S.B. 966, A BILL TO BE ENTITLED AN ACT RELATING TO THE AUTHORITY TO ENTER INTO CONTRACTS FOR CONDUCTING MUNICIPAL AND COUNTY BUILDING INSPECTIONS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7673 is adopted and engrossed.

By Senator Purcell for the Health Care Committee:

S.B. 1165, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LICENSURE OF CLINICAL PHARMACIST PRACTITIONERS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6664, which changes the title to read S.B. 1165 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA MEDICAL BOARD AND THE BOARD OF PHARMACY TO ADOPT REGULATIONS TO APPROVE CLINICAL PHARMACIST PRACTITIONERS TO PRACTICE DRUG THERAPY MANAGEMENT PURSUANT TO A DRUG THERAPY MANAGEMENT AGREEMENT, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Finance Committee.

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By Senator Kerr for the Finance Committee:

S.B. 235, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE "KIDS FIRST" SPECIAL REGISTRATION PLATES, with a favorable report.

S.B. 433, A BILL TO BE ENTITLED AN ACT RELATING TO THE EXERCISE OF EXTRATERRITORIAL JURISDICTION BY THE TOWN OF PINEBLUFF, with a favorable report.

S.B. 534, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE TOWN OF KENANSVILLE IS NOT OBLIGATED TO PROVIDE SERVICES TO CERTAIN ANNEXED PROPERTY, with a favorable report.

S.B. 618, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF MACON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, with a favorable report.

S.B. 353, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF DAVIDSON TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4686 is adopted and engrossed.

S.B. 712, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF CORNELIUS TO PROVIDE FOR VOLUNTARY ANNEXATION OF PROPERTY SUBJECT TO PRESENT-USE VALUE APPRAISAL, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 8605 is adopted and engrossed.

S.B. 843, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF NURSING TO INCREASE THE ANNUAL FEE CHARGED NURSES AIDES II, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2753 is adopted and engrossed.

CALENDAR (Continued)

S.B. 756, A BILL TO BE ENTITLED AN ACT TO INCREASE MANDATORY LIABILITY INSURANCE REQUIREMENTS FOR CERTAIN MOTOR VEHICLES AND TO MAKE CONFORMING CHANGES IN CHAPTER 58 OF THE GENERAL STATUTES.

Senator Hoyle offers a motion that the bill be withdrawn from today's Calendar and re-referred to the Finance Committee. Senator Horton objects to the motion to withdraw the bill.

Upon motion of Senator Cooper, the President orders, without objection, the bill temporarily displaced, with the motion and objection pending.

S.B. 645, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED

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PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF PARMELE, upon third reading.

Senator Soles offers Amendment No. 1 which is adopted (49-0), and changes the title to read S.B. 645, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF PARMELE, AND TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE TOWN OF FAIR BLUFF. The amendment is held to be material which constitutes first reading of the measure.

The bill, as amended, is ordered placed on the Calendar for tomorrow, Wednesday, April 28, upon second reading.

S.B. 835 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING Mergers, Consolidations, AND CONVERSIONS AMONG BUSINESS CORPORATIONS, NONPROFIT CORPORATIONS, AND UNINCORPORATED ENTITIES, INCLUDING LIMITED LIABILITY COMPANIES AND PARTNERSHIPS, FOR THE PURPOSE OF CONFORMING THE LAWS WITH THOSE OF OTHER STATES AND MODERN BUSINESS PRACTICES; TO ALLOW CONVERSION OF A MUTUAL INSURANCE COMPANY TO A STOCK INSURANCE COMPANY; AND TO PERMIT HOMEOWNER ASSOCIATIONS TO DISTRIBUTE SURPLUS FUNDS, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Wednesday, April 28, upon third reading.

S.B. 12 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR NOMINATION OF JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT OF APPEALS, GUBERNATORIAL APPOINTMENT, AND RETENTION BY VOTE OF THE PEOPLE.

Senator Foxx offers Amendment No. 1 which is adopted (49-0).

Senator Foxx offers Amendment No. 2 which is adopted (48-1).

The Committee Substitute bill, as amended, passes its second reading by a three-fifths majority vote, ayes 38, noes 11, as follows:


Voting in the negative: Senators Allran, Ballantine, Cochrane, Forrester, Foxx, Moore Perdue, Reeves, Rucho, Shaw of Guilford, and Webster—11.

The Committee Substitute bill, as amended, passes its third reading by a three-fifths majority vote, ayes 38, noes 11, as follows:

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Voting in the negative: Senators Allran, Ballantine, Cochrane, Forrester, Foxx, Moore Perdue, Reeves, Rucho, Shaw of Guilford, and Webster—11.

The Committee Substitute bill, as amended, is ordered engrossed and sent by special message to the House of Representatives.

S.B. 130, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE SUNSET ON USING SAVED EMPLOYER FICA CONTRIBUTIONS TO PAY THE ADMINISTRATIVE EXPENSES OF THE FLEXIBLE BENEFITS PROGRAM.

Senator Wellons offers Amendment No. 1 which is adopted (48-0).

The bill, as amended, passes its second (49-0) and third readings and is ordered engrossed and sent by special message to the House of Representatives.

REPORTS OF COMMITTEES (Continued)

By Senator Lucas for the Children & Human Resources Committee:

S.B. 1015, A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS TOBY'S LAW; TO IMPROVE THE ABILITY OF THE DIVISION OF SOCIAL SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO PROTECT CHILDREN AND YOUTH FROM VIOLENCE PRONE CAREGivers, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1726, which changes the title to read S.B. 1015 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ABILITY OF THE DIVISION OF SOCIAL SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO PROTECT CHILDREN AND YOUTH FROM VIOLENCE PRONE CAREGivers, is adopted and engrossed.

Upon motion of Senator Lucas, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee and upon a favorable report, re-referred to Children & Human Resources Committee.

By Senator Cooper for the Judiciary I Committee:

H.B. 921 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE THE DEFINITIONS OF "POLITICAL COMMITTEE," "CONTRIBUTION," "EXPENDITURE," AND "CANDIDATE"; TO ADD A DEFINITION OF "INDEPENDENT EXPENDITURE"; TO REMOVE THE TERM "POLITICAL PURPOSE"; TO NARROW THE PROHIBITION ON CORPORATE AND OTHER POLITICAL EXPENDITURES TO CONSTITUTIONAL BOUNDS; TO MERGE THE FIRST QUARTERLY REPORT WITH THE PRE-PRIMARY REPORT; TO AMEND THE STATUTES WITH REGARD TO REPORTING CONTRIBUTIONS AND EXPENDITURES; AND TO MAKE OTHER CHANGES RELATED TO REPAIRING THE CAMPAIGN STATUTES AFTER THE DECISION OF THE FOURTH U.S. CIRCUIT COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE, INC., V. BARTLETT, with a favorable report.

S.B. 852, A BILL TO BE ENTITLED AN ACT TO MAKE DEFENDANTS WHO ARE ELIGIBLE FOR A DRUG TREATMENT COURT PROGRAM ELIGIBLE FOR
DEFERRED PROSECUTION, AND TO AUTHORIZE PARTICIPATION IN A DRUG TREATMENT COURT PROGRAM AS A SPECIAL CONDITION OF PROBATION FOR CONVICTED DEFENDANTS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4692 is adopted and engrossed.

S.B. 1011, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN ENHANCED CRIMINAL PENALTY SHALL BE IMPOSED ON A PERSON WHO POSSESSES A BULLET-PROOF VEST WHILE COMMITTING A FELONY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4691, which changes the title to read S.B. 1011 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN ENHANCED CRIMINAL PENALTY SHALL BE IMPOSED ON A PERSON WHO HAS IN HIS OR HER IMMEDIATE POSSESSION OR IS WEARING A BULLET-PROOF VEST WHILE COMMITTING A FELONY, is adopted and engrossed.

S.B. 1058, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE LICENSING BOARD FOR GENERAL CONTRACTORS TO INCLUDE COMPONENTS OF THE STATE BUILDING CODE IN THE EXAMINATION OFFERED BY THE BOARD AND GRANTING THE BOARD GREATER AUTHORITY WHEN DISCIPLINING LICENSEES WHO VIOLATE THE LAWS RELATED TO GENERAL CONTRACTOR LICENSURE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3793 is adopted and engrossed.

CALENDAR (Continued)

S.B. 212 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN STATUTES REGARDING THE NORTH CAROLINA BOARD OF MORTUARY SCIENCE AND MUTUAL BURIAL ASSOCIATIONS.

Senator Rand offers Amendment No. 1 which is adopted (49-0).

The Committee Substitute bill, as amended, passes its second (47-1) and third readings and is ordered engrossed and sent by special message to the House of Representatives.

S.B. 283, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT TECHNOLOGICAL IMPROVEMENTS IN THE WAY PURCHASING OPPORTUNITIES ARE ADVERTISED.

The bill passes its second (47-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 432 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE FACILITIES THAT ARE INCLUDED IN THE HEALTH CARE PERSONNEL REGISTRY; AND TO REQUIRE THAT EMPLOYERS AT HEALTH CARE FACILITIES ACCESS THE HEALTH CARE PERSONNEL REGISTRY.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 901, A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW GOVERNING THE TIME OF APPOINTMENT OF COUNSEL FOR JUVENILES.

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CHARGED WITH CERTAIN OFFENSES.
With unanimous consent, upon motion of Senator Perdue, the bill is withdrawn from today’s Calendar and is re-referred to the Appropriations/Base Budget Committee.

S.B. 746 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA STRUCTURED SETTLEMENT PROTECTION ACT.
The Committee Substitute bill passes its second (45-3) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 756, A BILL TO BE ENTITLED AN ACT TO INCREASE MANDATORY LIABILITY INSURANCE REQUIREMENTS FOR CERTAIN MOTOR VEHICLES AND TO MAKE CONFORMING CHANGES IN CHAPTER 58 OF THE GENERAL STATUTES, temporarily displaced earlier with Senator Hoyle’s motion to withdraw the bill from today’s Calendar and Senator Horton’s objection to the motion pending.
Senator Horton withdraws his objection to the motion to withdraw the bill from today’s Calendar. Senator Hoyle subsequently withdraws his previous motion that the bill be withdrawn from today’s Calendar and re-referred to the Finance Committee.
With unanimous consent, upon motion of Senator Horton, the bill is withdrawn from today’s Calendar and is placed on the Calendar for Wednesday, April 28.

S.B. 878, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN NONPROFIT WATER CORPORATIONS TO BE ELIGIBLE FOR REVOLVING LOANS AND GRANTS FROM THE DRINKING WATER TREATMENT REVOLVING LOAN FUND.
The bill passes its second (47-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 934, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE HANDICAPPED PERSONS PROTECTION ACT, CHAPTER 168A OF THE GENERAL STATUTES.
The bill passes its second (48-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 951 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT PATIENTS’ RIGHTS BY REQUIRING NAME BADGES OR OTHER IDENTIFICATION FOR HEALTH CARE PRACTITIONERS.
The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 1009 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE FREE FLOW OF INFORMATION TO THE PEOPLE OF NORTH CAROLINA BY CODIFYING THE JOURNALISTS’ TESTIMONIAL PRIVILEGE.
The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 1047 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE TAKING OF SHELLFISH WITHIN ONE HUNDRED FIFTY FEET OF A PUBLICLY OWNED PIER BENEATH WHICH THE DIVISION OF MARINE FISHERIES HAS DEPOSITED CULTCH MATERIAL.
The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent by special message to the House of Representatives.

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S.B. 1048 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A GRANTS COMMITTEE TO SET PRIORITIES FOR, REVIEW APPLICATIONS TO, AND AWARD GRANTS UNDER THE FISHERY RESOURCE GRANT PROGRAM AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO THE FISHERY RESOURCE GRANT PROGRAM STATUTE.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 1060 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE TRUSTEES WITH ADDITIONAL AUTHORITY TO SEVER TRUSTS INTO SEPARATE TRUSTS CONSISTENT WITH THE BEST INTERESTS OF THE TRUST BENEFICIARIES.

The Committee Substitute bill passes its second reading (43-6).

Senator Webster objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Wednesday, April 28.

S.B. 1068, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL LAW ENFORCEMENT AGENCIES TO ACCESS THE CRIMINAL INFORMATION NETWORK TO RUN CRIMINAL BACKGROUND CHECKS ON VOLUNTEERS FOR THE MCGRUFF HOUSES PROGRAM.

The bill passes its second (48-0) and third readings and is ordered sent by special message to the House of Representatives.

S.J.R. 1139, A JOINT RESOLUTION DEDICATING PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE.

The joint resolution passes its second reading by a three-fifths majority vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The joint resolution passes its third reading by a three-fifths majority vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The joint resolution is ordered sent by special message to the House of Representatives.

S.B. 1127 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CODIFY THE JOINT RESOLUTION DEDICATING PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE, INCLUDING THE CODIFICATION OF NAME CHANGES OF CERTAIN LANDS PREVIOUSLY ACCEPTED INTO THE STATE NATURE AND HISTORIC PRESERVE; TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE; TO CODIFY THESE
REMOVALS; AND TO DELETE CERTAIN LANDS FROM THE STATE PARKS SYSTEM.

The Committee Substitute bill passes its second reading by a three-fifths majority vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill passes its third reading by a three-fifths majority vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered sent by special message to the House of Representatives.

**COMMITTEE REFERRAL RECALL**

**S.B. 1039**, A BILL TO BE ENTITLED AN ACT CONCERNING RECOMMENDATIONS OF A SPECIAL COMMITTEE APPOINTED BY THE BOARD OF COMMUNITY COLLEGES RELATING TO ANSON-UNION COMMUNITY COLLEGE, referred to the Rules and Operations of the Senate Committee on April 15.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the State and Local Government Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the State and Local Government Committee.

**CALENDAR (Continued)**

**S.B. 420** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEALERS AND MANUFACTURERS LICENSING LAW, placed earlier on today's Calendar.

*Without objection, Senator Clodfelter requests to be excused from voting on the bill due to client/law firm conflict of interest.*

The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent by special message to the House of Representatives.

**S.B. 761** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM AND MODERNIZE THE ACKNOWLEDGMENT OF CORPORATE REAL PROPERTY INSTRUMENTS AND THE EXECUTION OF REAL PROPERTY INSTRUMENTS GENERALLY.

The Committee Substitute bill passes its third reading (49-0) and is ordered sent by special message to the House of Representatives.
S.B. 273 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL FACILITIES AND PROVIDERS THAT DETECT, DIAGNOSE, OR TREAT CANCER PATIENTS TO REPORT CANCER CASES TO THE CANCER CONTROL REGISTRY, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (47-1) and the measure is ordered enrolled and sent to the Governor.

Upon motion of Senator Basnight, seconded by Senator Garwood, the Senate adjourns subject to reading of messages which we presently have, to meet tomorrow, Wednesday, April 28, at 3:30 P.M.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 162 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND OTHERS.
Referred to Judiciary II Committee.

H.B. 280 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER CHANGES TO THE MOTOR VEHICLE LAWS.
Referred to Judiciary I Committee and upon a favorable report, re-referred to the Finance Committee.

H.B. 438 (Committee Substitute), A BILL TO BE ENTITLED AN ACT EXEMPTING HOUSING AUTHORITIES FROM REAL ESTATE LICENSURE REQUIREMENTS.
Referred to Judiciary II Committee.

H.B. 440 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE LAW PROVIDING FOR THE HUNTING AND TRAPPING OF FOXES AND RACCOONS IN HYDE AND BEAUFORT COUNTIES AND ALLOWING THE USE OF SNARES WHEN TRAPPING FUR-BEARING ANIMALS IN THOSE COUNTIES.
Referred to State and Local Government Committee.

H.B. 644 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PUBLIC CONDEMNOR USING "QUICK TAKE" IN AN EMINENT DOMAIN ACTION SHALL INCLUDE A NOTICE OF OWNER'S RIGHTS IN THE NOTICE OF ACTION.
Referred to Judiciary I Committee.

H.B. 650 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW BRUNSWICK COUNTY TO REGULATE THE OPERATION OF PERSONAL WATERCRAFT.
Referred to State and Local Government Committee.
H.B. 755 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO CREATE SERVICE DISTRICTS TO FINANCE LIGHTING AT INTERSTATE HIGHWAY INTERCHANGES.
Referred to Finance Committee.

H.B. 765, A BILL TO BE ENTITLED AN ACT AMENDING THE BOUNDARIES OF THE VILLAGE OF WESLEY CHAPEL.
Referred to Finance Committee.

H.B. 812 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON A REQUIREMENT THAT PART OF CERTAIN CRAVEN COUNTY PROCEEDS BE USED FOR A CONVENTION CENTER AND A TOURIST CENTER.
Referred to Finance Committee.

H.B. 852 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE CITY OF HICKORY, AND ANNEXATION OF CERTAIN DESCRIBED PROPERTY BY THE TOWN OF MOCKSVILLE.
Referred to Finance Committee.

H.B. 944, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON APPROVAL OF ADDITIONAL ADULT CARE HOME BEDS TO SEPTEMBER 30, 2000.
Referred to Health Care Committee.

H.B. 977, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ADULT CARE HOMES, NURSING HOMES, AND ADULT DAY CARE PROGRAMS PROVIDING SPECIAL CARE FOR PERSONS WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIAS DISCLOSE CERTAIN INFORMATION.
Referred to Children & Human Resources Committee.

H.B. 979 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE RIGHTS OF A DECEDENT'S SPOUSE.
Referred to Judiciary II Committee.

H.B. 1021, A BILL TO BE ENTITLED AN ACT TO AMEND THE UNIFORM COMMERCIAL CODE WITH REGARD TO THE PROCEDURE FOR FILING OF FINANCING STATEMENTS.
Referred to Judiciary II Committee.

H.B. 1025, A BILL TO BE ENTITLED AN ACT TO ALLOW SMALL EMPLOYERS TO CHARGE THE SAME ADMINISTRATIVE FEE UNDER THE STATE GROUP HEALTH CONTINUATION LAW AS LARGER EMPLOYERS CHARGE UNDER THE FEDERAL COBRA GROUP HEALTH CONTINUATION LAW.
Referred to Insurance Committee.

H.B. 1026, A BILL TO BE ENTITLED AN ACT TO INCREASE THE LIABILITY OF PRINCIPALS WHO FAIL TO PAY SALES REPRESENTATIVES COMMISSIONS UPON TERMINATION CONTRACTS WITH SALES REPRESENTATIVES.
Referred to Judiciary I Committee.

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H.B. 1039 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DEVELOP A STRATEGY AND A PLAN FOR BEACH MANAGEMENT AND RESTORATION AND TO IDENTIFY FINANCING ALTERNATIVES FOR THIS PURPOSE.

Referred to Agriculture/Environment/Natural Resources Committee.

H.B. 1076, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT FIRE SERVICE MAINS COMPLY WITH THE NORTH CAROLINA STATE BUILDING CODE.

Referred to Commerce Committee.

H.B. 1150, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF MEMBERS OF SCHOOL IMPROVEMENT TEAMS.

Referred to Education/Higher Education Committee.

H.B. 1187, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM TO PUT COMMUNICATION DEVICES ON SCHOOL BUSES.

Referred to Education/Higher Education Committee.

H.B. 1192 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TRACING OF FIREARMS USED IN THE COMMISSION OF A CRIME.

Referred to Judiciary II Committee.

ADDITIONAL SPONSORS

Senator Jordan, Senator Lee, and Senator Perdue request to be added as sponsors of previously introduced legislation:

S.B. 882, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SYSTEM OF COMPREHENSIVE PUBLIC FINANCING OF ELECTIONS FOR GOVERNOR, COUNCIL OF STATE, AND GENERAL ASSEMBLY; AND TO MAKE RELATED CHANGES.

Pursuant to Senator Basnight’s motion to adjourn having prevailed, the Senate adjours at 6:55 P.M.

FIFTY-THIRD DAY

Senate Chamber
Wednesday, April 28, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“God of grace and mercy, we have such an affinity for practicing our faith on a grand
scale. It is an easy thing to say we love this beautiful creation You have given us. But it is a great deal harder to love the irritating colleague who sits next to us in those long committee meetings. It is easy to advocate for world peace, but much more of a challenge to bring accord to our sometimes divisive negotiations with one another. It is easy to denounce the violence of young teenagers wielding guns, but harder by far to condemn the subtle violence of mature adults who brandish gossip as a character weapon.

"Help us, dear Lord, to get the little things right this day, for they are by far the most persuasive evidence of Your transforming presence with us. Help us today with the minutia of impatience and sarcasm, and perhaps world peace will take care of itself. Amen."

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Tuesday, April 27, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore of the Senate extends courtesies of the floor to Dr. Sadanand Hegde from Lumberton, North Carolina, who is serving the Senate as Doctor of the Day.

ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

S.B. 273, AN ACT TO REQUIRE ALL FACILITIES AND PROVIDERS THAT DETECT, DIAGNOSE, OR TREAT CANCER PATIENTS TO REPORT CANCER CASES TO THE CANCER CONTROL REGISTRY.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Miller for the Judiciary II Committee:

S.B. 867, A BILL TO BE ENTITLED AN ACT AMENDING CERTAIN PROVISIONS OF THE REAL ESTATE LICENSE LAW, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1724 is adopted and engrossed.

S.B. 920, A BILL TO BE ENTITLED AN ACT TO UPDATE THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT TO ACCURATELY REFLECT THE CURRENT SCHEDULING OF CONTROLLED SUBSTANCES, AS SCHEDULED BY THE DRUG ENFORCEMENT ADMINISTRATION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2754, which changes the title to read S.B. 920 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT TO ACCURATELY REFLECT THE CURRENT SCHEDULING OF CONTROLLED SUBSTANCES, AS SCHEDULED BY THE DRUG ENFORCEMENT ADMINISTRATION AND TO PROHIBIT

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TRAFFICKING IN METHYLENEDIOXYAMPHETAMINE (MDA) OR METHYLENEDIOXYMETHAMPHETAMINE (MDMA), is adopted and engrossed.

S.B. 1113, A BILL TO BE ENTITLED AN ACT RELATING TO EMPLOYER CONTACT WITH MEDICAL CARE PROVIDERS FOR CLAIMS UNDER THE WORKERS' COMPENSATION ACT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3804 is adopted and engrossed.

CROSSOVER DEADLINE

Senator Rand announces that it is agreed by the Senate and House of Representatives that all bills and resolutions passed by the House of Representatives or the Senate on April 29, 1999, and ordered sent to the other Chamber but not read as a message on the floor of either Body on that date, shall be considered to have met the provisions of House Rule 31.1(d) and Senate Rule 41.

REPORTS OF COMMITTEES (Continued)

By Senator Phillips for the Pensions & Retirement and Aging Committee:

S.B. 561, A BILL TO BE ENTITLED AN ACT TO ALLOW LAW OFFICERS WHO ARE MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OR THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO RETIRE WITH UNREDUCED BENEFITS AFTER COMPLETING TWENTY-FIVE YEARS OF SERVICE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7679 is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 874, A BILL TO BE ENTITLED AN ACT TO DEFINE A PROFESSIONAL FIREFIGHTERS' BENEFIT ACCRUAL RATE FOR MEMBERS AND BENEFICIARIES OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6666 is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 636, A BILL TO BE ENTITLED AN ACT TO INCREASE THE DEATH BENEFIT FOR LAW ENFORCEMENT OFFICERS, FIREFIGHTS, RESCUE SQUAD WORKERS, AND SENIOR CIVIL AIR PATROL MEMBERS KILLED IN THE LINE OF DUTY, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 638, A BILL TO BE ENTITLED AN ACT TO REDEFINE "EMPLOYEE" AND "EMPLOYER" IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT
SYSTEM, with an unfavorable report as to bill, but favorable as to Committee Substitute bill. Pursuant to Rule 45.1, the proposed Committee Substitute bill 7680 is adopted and engrossed.

By Senator Kerr for the Finance Committee:

S.B. 1004, A BILL TO BE ENTITLED AN ACT REVISING THE PROCEDURE USED BY THE NORTH CAROLINA BOARD FOR LICENSING OF GEOLOGISTS TO ADDRESS COMPLAINTS AND INVESTIGATIONS AND AUTHORIZING THE BOARD TO ASSESS CIVIL PENALTIES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill. Pursuant to Rule 45.1, the proposed Committee Substitute bill 1728 is adopted and engrossed.

By Senator Wellons for the Insurance Committee:

S.B. 513, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS THAT COVER PRESCRIPTION DRUGS TO ISSUE UNIFORM PRESCRIPTION DRUG IDENTIFICATION CARDS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill. Pursuant to Rule 45.1, the proposed Committee Substitute bill 7678 is adopted and engrossed.

S.B. 643, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING INSURANCE PREMIUM FINANCING, with an unfavorable report as to bill, but favorable as to Committee Substitute bill. Pursuant to Rule 45.1, the proposed Committee Substitute bill 4687 is adopted and engrossed.

S.B. 839, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO REQUIRE INTERIM CLAIMS PAYMENTS TO PROVIDERS IN THE EVENT CLAIMS CANNOT BE TIMELY PROCESSED DUE TO YEAR 2000 COMPUTER PROBLEMS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill. Pursuant to Rule 45.1, the proposed Committee Substitute bill 4690 is adopted and engrossed.

S.B. 1089, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COMMISSIONER OF INSURANCE TO REPORT TO THE GENERAL ASSEMBLY AND THE GENERAL PUBLIC ON THE STATUS OF HEALTH INSURANCE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill. Pursuant to Rule 45.1, the proposed Committee Substitute bill 3806, which changes the title to read S.B. 1089 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A STUDY OF MANAGED CARE, is adopted and engrossed.

COMMITTEE REFERRAL RECALL


April 28, 1999
Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and placed on the Calendar for Monday, May 3, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and places it on the Calendar for Monday, May 3.

REPORTS OF COMMITTEES (Continued)

By Senator Kinnaird for the State and Local Government Committee:

S.B. 708, A BILL TO BE ENTITLED AN ACT ALLOWING COUNTIES HAVING A POPULATION IN EXCESS OF 500,000 TO PROVIDE AFFORDABLE HOUSING FOR PERSONS OF LOW AND MODERATE INCOME, with a favorable report, as amended.

Pursuant to Rule 45.1, Committee Amendment No. 1, which changes the title to read, S.B. 708, A BILL TO BE ENTITLED AN ACT ALLOWING COUNTIES TO PROVIDE AFFORDABLE HOUSING FOR PERSONS OF LOW AND MODERATE INCOME, is adopted and engrossed.

S.B. 1039, A BILL TO BE ENTITLED AN ACT CONCERNING RECOMMENDATIONS OF A SPECIAL COMMITTEE APPOINTED BY THE BOARD OF COMMUNITY COLLEGES RELATING TO ANSON-UNION COMMUNITY COLLEGE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3801, which changes the title to read S.B. 1039 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NEW MULTICAMPUS COMMUNITY COLLEGE TO SERVE ANSON AND UNION COUNTIES, is adopted and engrossed.

With unanimous consent, upon motion of Senator Plyler, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S.B. 1140, A BILL TO BE ENTITLED AN ACT TO REPEAL THE BAN ON BILLBOARDS ON A PORTION OF U.S. HIGHWAY 52 AND NORTH CAROLINA HIGHWAY 752 IN SURRY COUNTY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 8607, which changes the title to read S.B. 1140 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BAN NEW OR REPLACEMENT BILLBOARDS ON A PORTION OF U.S. HIGHWAY 52 AND NORTH CAROLINA HIGHWAY 752 IN SURRY COUNTY, is adopted and engrossed.

By Senator Cooper for the Judiciary I Committee:

S.B. 129, A BILL TO BE ENTITLED AN ACT TO REPEAL ARTICLE 6 OF THE UNIFORM COMMERCIAL CODE RELATING TO BULK TRANSFERS AND TO ENACT CONFORMING AMENDMENTS TO THE UNIFORM COMMERCIAL CODE AND OTHER SECTIONS OF THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

S.B. 908, A BILL TO BE ENTITLED AN ACT TO REVISE THE UNIFORM COMMERCIAL CODE TO PROVIDE THAT WAREHOUSEMEN DO NOT HAVE TO
ISSUE WRITTEN RECEIPTS AS A PRECONDITION TO CREATING A LIEN, with a favorable report.

S.B. 1021, A BILL TO BE ENTITLED AN ACT CONCERNING THE ADMISSIBILITY INTO EVIDENCE OF PUBLIC OR PRIVATE RECORDS MAINTAINED ON PERMANENT, NONERASABLE, MACHINE-READABLE MEDIA AND RELATING TO THE MAINTENANCE AND PRESERVATION OF PUBLIC RECORDS USING THOSE MEDIA, with a favorable report.

S.B. 120, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES RELATED TO UNDERAGE DRINKING, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 8606 is adopted and engrossed.

S.B. 292, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CRIMINAL CASES IN SUPERIOR COURT SHALL BE CALENDARED PURSUANT TO CRIMINAL CASE DOCKETING PLANS DEVELOPED FOR EACH DISTRICT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1725, which changes the title to read S.B. 292 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CRIMINAL CASES IN SUPERIOR COURT SHALL BE CALENDARED PURSUANT TO ADMINISTRATIVE SETTINGS, is adopted and engrossed.

With unanimous consent, upon motion of Senator Plyler, the rules are suspended and the Committee Substitute bill is placed on today’s Calendar.

S.B. 1005, A BILL TO BE ENTITLED AN ACT TO ESTABLISH CERTAIN LIMITATIONS REGARDING POTENTIAL LIABILITY OF NORTH CAROLINA’S BUSINESSES ARISING FROM YEAR 2000 PROBLEMS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7675 is adopted and engrossed.

S.B. 1012, A BILL TO BE ENTITLED AN ACT TO ALLOW A PRESIDING JUDGE IN A COUNTY WITH PROPER VENUE TO EXTEND THE STATUTE OF LIMITATIONS IN A MEDICAL MALPRACTICE ACTION THAT WAS IMPROPERLY PLEADED UNDER RULE 9 OF THE RULES OF CIVIL PROCEDURE AND TO PROVIDE THAT AN IN VOLUNTARY DISMISSAL FOR FAILURE TO COMPLY WITH RULE 9 IS NOT AN ADJUDICATION ON THE MERITS IN MEDICAL MALPRACTICE ACTIONS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the Committee Substitute bill 6670, which changes the title to read S.B. 1012 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A PRESIDING JUDGE IN A COUNTY WITH PROPER VENUE TO EXTEND THE STATUTE OF LIMITATIONS IN A MEDICAL MALPRACTICE ACTION THAT WAS IMPROPERLY PLEADED UNDER RULE 9 OF THE RULES OF CIVIL PROCEDURE, is adopted and engrossed.

S.B. 1055, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF A COURT REPORTING SERVICE THAT HAS AN INTEREST WHEN A DEPOSITION

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IS TAKEN, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the Committee Substitute bill 7677 is adopted and engrossed.

By Senator Lee for the Education/Higher Education Committee:

S.B. 942, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP PLANS FOR IMPLEMENTING THE STATEWIDE STUDENT ACCOUNTABILITY STANDARDS POLICY AND TO IDENTIFY RESOURCES TO ENSURE APPROPRIATE EARLY AND ONGOING ASSISTANCE FOR STUDENTS WHO NEED ASSISTANCE, with a favorable report, as amended.

Pursuant to Rule 45.1, the Committee Amendment No. 1 is adopted and engrossed.

S.B. 586, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE DISTRIBUTION OF TEXTBOOKS TO THE PUBLIC SCHOOLS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4693, which changes the title to read S.B. 586 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE LAW REGARDING THE DISTRIBUTION OF TEXTBOOKS TO THE PUBLIC SCHOOLS AND TO MAKE RECOMMENDATIONS REGARDING ANY CHANGES, is adopted and engrossed.

S.B. 1093, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW TO ENSURE THAT ALL TEACHERS RECEIVE A DUTY FREE PERIOD EACH DAY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2758 is adopted and engrossed.

INTRODUCTION OF A RESOLUTION

A resolution filed for introduction is presented to the Senate, read the first time, and disposed of, as follows:

By Senator Soles:
S.R. 1170, A SENATE RESOLUTION HONORING THE EARLY OFFICERS OF THE TOWN OF SHALLOTTE ON THE ONE HUNDREDTH ANNIVERSARY OF THE TOWN.

Referred to Rules and Operations of the Senate Committee.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 120 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE PROCEDURES FOR NOTIFYING OWNERS AND ADVERTISING TAX LIENS ON REAL PROPERTY.

Referred to Finance Committee.

H.B. 278 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING
THE EMPLOYMENT SECURITY LAWS TO PROVIDE THAT THE ONE HUNDRED-DAY NONCHARGE PERIOD EXTENDS TO CERTAIN RECIPIENTS OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES SEPARATED FOR A BONA FIDE INABILITY TO WORK.

Referred to Finance Committee.

H.B. 293 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF COMMUNITY COLLEGES TO ASSESS MONETARY PENALTIES AGAINST PROPRIETARY SCHOOLS THAT OPERATE WITHOUT A LICENSE OR OPERATE OUTSIDE THE SCOPE OF THEIR LICENSE.

Referred to Education/Higher Education Committee and upon a favorable report, re-referred to the Finance Committee.

H.B. 316 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENCOURAGE PRESCRIBED BURNING FOR FORESTRY AND WILDLIFE PURPOSES UNDER CERTAIN CONDITIONS.

Referred to Agriculture/Environment/Natural Resources Committee.

H.B. 471 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTERS OF THE TOWNS OF STOKESDALE, SUMMERFIELD, PLEASANT GARDEN, AND OAK RIDGE TO EXEMPT AGRICULTURAL LAND USES WITHIN THOSE JURISDICTIONS FROM ZONING.

Referred to State and Local Government Committee.

H.B. 714, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF CERTIFIED SUBSTANCE ABUSE PROFESSIONALS UNDER HEALTH INSURANCE POLICIES AND PLANS.

Referred to Insurance Committee.

H.B. 715 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT UTILIZATION REVIEW CRITERIA FOR SUBSTANCE ABUSE TREATMENT BE CRITERIA ADOPTED BY THE AMERICAN SOCIETY OF ADDICTION MEDICINE (ASAM) OR SIMILAR CRITERIA.

Referred to Health Care Committee.

H.B. 717 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ESTABLISHING THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM.

Referred to Pensions & Retirement and Aging Committee.

H.B. 800, A BILL TO BE ENTITLED AN ACT RELATING TO INVESTMENT OF HEALTH TRUST FUND MONIES BY THE COUNTY OF DURHAM.

Referred to State and Local Government Committee.

H.B. 843 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CHAPEL HILL TO ENHANCE AND INCREASE SEDIMENTATION PROTECTION.

Referred to State and Local Government Committee.

H.B. 846 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF FARMVILLE TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS.

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Referred to Finance Committee.

H.B. 847 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE INVESTMENT OF CERTAIN FUNDS BY PITC COUNTY.
Referred to Finance Committee.

H.B. 855, A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF KINGS MOUNTAIN WITH THE APPROVAL OF THE CLEVELAND AND GASTON COUNTY BOARDS OF COMMISSIONERS TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM THE TOWN'S CORPORATE LIMITS.
Referred to Finance Committee.

H.B. 870, A BILL TO BE ENTITLED AN ACT TO ALLOW MAGISTRATES TO ACCEPT WAIVERS AND ENTER JUDGMENT IN CERTAIN CASES INVOLVING REGULATION OF THE USE OF MOTOR VEHICLES ON BEACHES.
Referred to Judiciary I Committee.

H.B. 872, A BILL TO BE ENTITLED AN ACT TO EXEMPT DARE COUNTY FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS.
Referred to State and Local Government Committee.

H.B. 880 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE COMPETITIVE BID PROCESS IN ALAMANCE COUNTY FOR CITY, COUNTY, AND PUBLIC SCHOOL PROJECTS OF FIVE HUNDRED THOUSAND DOLLARS OR LESS.
Referred to State and Local Government Committee.

H.B. 899, A BILL TO BE ENTITLED AN ACT AMENDING CERTAIN REQUIREMENTS FOR LICENSURE OF REAL ESTATE BROKERS AND SALESMEN.
Referred to Commerce Committee and upon a favorable report, re-referred to the Finance Committee.

H.B. 930, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO MAKE CONSISTENT THE QUALIFICATIONS FOR ELECTIVE OFFICE SO THAT QUALIFIED VOTERS UNDER TWENTY-ONE MAY SERVE UNLESS THE CONSTITUTION OTHERWISE PROHIBITS.
Referred to Rules and Operations of the Senate Committee.

H.B. 938 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY DECLARE THAT THE LAWFUL DESIGN, MARKETING, MANUFACTURE, DISTRIBUTION, SALE, OR TRANSFER OF FIREARMS OR AMMUNITION TO THE PUBLIC IS NOT AN UNREASONABLY DANGEROUS ACTIVITY AND DOES NOT CONSTITUTE A NUISANCE PER SE; AND TO PROVIDE THAT THE AUTHORITY TO BRING SUIT AGAINST ANY FIREARM OR AMMUNITION MARKETER, MANUFACTURER, DISTRIBUTOR, DEALER, SELLER, OR TRADE ASSOCIATION BY OR ON BEHALF OF ANY GOVERNMENTAL UNIT FOR REMEDIES RESULTING FROM OR RELATED TO THE LAWFUL DESIGN, MARKETING, MANUFACTURE, DISTRIBUTION, SALE, OR TRANSFER OF FIREARMS OR AMMUNITION TO THE PUBLIC IS RESERVED.

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EXCLUSIVELY TO THE STATE; AND TO PROVIDE THAT ANY SUCH ACTION SHALL BE BROUGHT BY THE ATTORNEY GENERAL ON BEHALF OF THE STATE.
Referred to Judiciary II Committee.

H.B. 951, A BILL TO BE ENTITLED AN ACT REQUIRING THAT AT LEAST ONE PERSON WHO IS DIRECTLY ASSISTED BY A PUBLIC HOUSING AUTHORITY BE APPOINTED TO EACH HOUSING AUTHORITY COMMISSION AND REGIONAL HOUSING AUTHORITY COMMISSION IN THE STATE.
Referred to State and Local Government Committee.

H.B. 968 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROCEDURES CONCERNING FINAL ADMINISTRATIVE DECISIONS IN CONTESTED CASES HEARD BY THE OFFICE OF ADMINISTRATIVE HEARINGS.
Referred to Judiciary I Committee.

H.B. 975 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT SERVICES PROVIDED THROUGH THE STATEWIDE AUTOMATED VICTIM ASSISTANCE AND NOTIFICATION SYSTEM ARE SUBJECT TO THE EXEMPTIONS FROM DAMAGE CLAIMS AND OTHER GROUNDS FOR RELIEF PROVIDED FOR BY THE VICTIMS' RIGHTS ACT.
Referred to Judiciary II Committee.

H.B. 978, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO PERMIT ANY OWNER OF PRIVATE PROPERTY ON A LAKE LOCATED IN A STATE PARK TO RESTORE THE PROPERTY OWNER'S PIER TO THE CONDITION THAT THE PIER WAS IN IMMEDIATELY PRECEDING THE TIME OF THE DAMAGE WHEN THE DAMAGE IS CAUSED BY A NATURAL DISASTER.
Referred to Agriculture/Environment/Natural Resources Committee.

H.B. 991 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT LIABILITY, UNINSURED, AND UNDERINSURED COVERAGE IS NOT REDUCED BY RECEIPT OF SUBROGATED WORKERS' COMPENSATION BENEFITS.
Referred to Judiciary I Committee.

H.B. 1022 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE UNLAWFUL USE OF A DRIVERS LICENSE, A LEARNER'S PERMIT, OR A SPECIAL IDENTIFICATION CARD ISSUED BY THE DIVISION OF MOTOR VEHICLES.
Referred to Judiciary II Committee.

H.B. 1046 (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING LOCAL BOARDS OF EDUCATION TO CONSIDER ADOPTING POLICIES PROHIBITING STUDENTS FROM USING CELLULAR PHONES OR PAGERS ON SCHOOL PROPERTY DURING INSTRUCTIONAL HOURS.
Referred to Education/Higher Education Committee.

H.B. 1074 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A SIGNED VOTER REGISTRATION FORM BE DELIVERED TO THE BOARD OF ELECTIONS BY ANYONE DELEGATED THAT RESPONSIBILITY
AND MAKE VIOLATION A CLASS 2 MISDEMEANOR; TO ESTABLISH THE CLASS 2 MISDEMEANOR OF AN ELECTION OFFICIAL OR EMPLOYEE ALTERING VOTER REGISTRATION RECORDS WITHOUT WRITTEN AUTHORIZATION; AND TO ALLOW COUNTIES TO USE A VOTING PLACE OUTSIDE THE PRECINCT, WITH APPROVAL BY THE STATE BOARD OF ELECTIONS.

Referred to Judiciary II Committee.

H.B. 1088, A BILL TO BE ENTITLED AN ACT TO IMPROVE AND MODERNIZE THE TORRENS LAND TITLE REGISTRATION PROCEDURES OF THE STATE.

Referred to Judiciary I Committee.

H.B. 1125, A BILL TO BE ENTITLED AN ACT TO CONFORM THE DEFINITION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE UNDER THE INACTIVE HAZARDOUS SITES RESPONSE ACT OF 1987 TO FEDERAL LAW.

Referred to Agriculture/Environment/Natural Resources Committee.

H.B. 1127, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF ENVIRONMENTAL HEALTH OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO CONDUCT A STUDY INVOLVING INTERESTED PARTIES TO REVIEW AND REVISE THE CURRENT PROCEDURES CONCERNING COFFEE POTS AND ICE BUCKETS PROVIDED BY LODGING ESTABLISHMENTS IN GUEST ROOMS AND TO SUSPEND CURRENT APPLICABLE RULES UNTIL REVISED RULES HAVE BEEN ADOPTED AS TEMPORARY RULES.

Referred to Agriculture/Environment/Natural Resources Committee.

H.B. 1154 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A ONE-YEAR SUSPENSION FOR ANY STUDENT WHO BRINGS OR POSSESSES A FIREARM OR EXPLOSIVE ON SCHOOL PROPERTY OR AT A SCHOOL-RELATED ACTIVITY ON OR OFF SCHOOL PROPERTY.

Referred to Education/Higher Education Committee.

H.B. 1160, A BILL TO BE ENTITLED AN ACT TO EXTEND THE PILOT PROGRAM UNDER WHICH THE DIVISION OF SOIL AND WATER CONSERVATION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES CONDUCTS ALL INSPECTIONS OF ANIMAL WASTE MANAGEMENT SYSTEMS IN CERTAIN COUNTIES.

Referred to Agriculture/Environment/Natural Resources Committee.

H.B. 1167 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE LATERAL ENTRY PROGRAM FOR TEACHERS.

Referred to Education/Higher Education Committee.

H.B. 1186 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW GOVERNING THE UNEARNED PREMIUM RESERVE OF DOMESTIC TITLE COMPANIES.

Referred to Insurance Committee.

H.B. 1202, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CHILD IS
DEEMED UNINSURED FOR PURPOSES OF HEALTH INSURANCE UNDER HEALTH CHOICE IF THE CHILD'S PARENT FAILS TO COMPLY WITH COURT-ORDERED HEALTH INSURANCE.

Referred to Judiciary I Committee.

CALENDAR

S.B. 353 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF DAVIDSON TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Thursday, April 29, upon third reading.

S.B. 645, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF PARMELE, as amended by a material amendment, which changes the title to read, S.B. 645, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF PARMELE AND TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE TOWN OF FAIR BLUFF, upon second reading.

The bill, as amended passes its second reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The bill, as amended is ordered placed on the Calendar for tomorrow, Thursday, April 29, upon third reading.

S.B. 712 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CORNELIUS TO PROVIDE FOR VOLUNTARY ANNEXATION OF PROPERTY SUBJECT TO PRESENT-USE VALUE APPRAISAL, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, East, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Horton, Hoyle, Jordan, Kinnaird, Lee, Lucas, Martin of Pitt, Martin of Guilford, Metcalf, Miller, Moore,

Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Thursday, April 29, upon third reading.

S.B. 618, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF MACON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY.

The President Pro Tempore rules that the bill requires a call of the roll.

The bill passes its second reading by roll-call vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Thursday, April 29, upon third reading.

S.B. 433, A BILL TO BE ENTITLED AN ACT RELATING TO THE EXERCISE OF EXTRATERRITORIAL JURISDICTION BY THE TOWN OF PINEBLUFF.

The bill passes its second (49-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 534, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE TOWN OF KENANSVILLE IS NOT OBLIGATED TO PROVIDE SERVICES TO CERTAIN ANNEXED PROPERTY.

The bill passes its second (49-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 710, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF HUNTERSVILLE TO ESTABLISH A VOLUNTARY TRANSFER OF DEVELOPMENT RIGHTS PILOT PROGRAM FOR THE PROTECTION OF FARMLAND, ENVIRONMENTALLY SENSITIVE LAND, AND OTHER OPEN LAND WITHIN THE TOWN'S EXTRATERRITORIAL JURISDICTION.

The bill passes its second (40-9) and third readings and is ordered sent by special message to the House of Representatives.

REPORTS OF COMMITTEES (Continued)

By Senator Purcell for the Health Care Committee:

S.B. 10, A BILL TO BE ENTITLED AN ACT TO ENACT REFORMS IN THE LONG-TERM CARE INDUSTRY IN ORDER TO IMPROVE QUALITY OF CARE, INCREASE PROTECTION OF RESIDENTS, AND STRENGTHEN STATE OVERSIGHT OF INDUSTRY PRACTICES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7674, which changes the title to read S.B. 10 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT REFORMS IN THE LONG-TERM CARE INDUSTRY IN ORDER TO
IMPROVE QUALITY OF CARE, INCREASE PROTECTION OF RESIDENTS, AND STRENGTHEN REGULATORY OVERSIGHT OF INDUSTRY PRACTICES, is adopted and engrossed.

S.B. 783, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ADULT CARE HOMES, NURSING HOMES, AND ADULT DAY CARE PROGRAMS PROVIDING SPECIAL CARE FOR PERSONS WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIAS DISCLOSE CERTAIN INFORMATION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3808, which changes the title to read S.B. 783 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT NURSING HOMES PROVIDING SPECIAL CARE FOR PERSONS WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIAS DISCLOSE CERTAIN INFORMATION, is adopted and engrossed.

S.B. 960, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE BOARD OF PHARMACY TO ADOPT RULES REGULATING PHARMACIES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2757 is adopted and engrossed.

By Senator Miller for the Judiciary II Committee:

S.B. 1003, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES REGULATING THE ABILITY OF GUARDIANS TO MAKE GIFTS FROM INCOMPETENT WARDS' ESTATES UNDER CERTAIN CIRCUMSTANCES.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3805 is adopted and engrossed.

By Senator Hoyle for the Finance Committee:

S.B. 653, A BILL TO BE ENTITLED AN ACT RELATING TO INVESTMENT OF HEALTH TRUST FUND MONIES BY THE COUNTY OF DURHAM, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4696 is adopted and engrossed.

With unanimous consent, upon motion of Senator Gulley, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S.B. 1152, A BILL TO BE ENTITLED AN ACT AUTHORIZING CITIES TO DEMOLISH AND REMOVE CERTAIN NONRESIDENTIAL BUILDINGS TO ENHANCE ECONOMIC DEVELOPMENT EFFORTS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4694, which changes the title to read S.B. 1152 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING CITIES WITH A POPULATION OF MORE THAN FOUR HUNDRED THOUSAND TO DEMOLISH AND REMOVE CERTAIN NONRESIDENTIAL BUILDINGS TO ENHANCE ECONOMIC DEVELOPMENT EFFORTS, is adopted and engrossed.

By Senator Shaw of Cumberland for the Transportation Committee:

S.B. 1164, A BILL TO BE ENTITLED AN ACT TO ESTABLISH
METROPOLITAN PLANNING BOARDS TO ASSIST THE DEPARTMENT OF TRANSPORTATION IN THE DEVELOPMENT OF TRANSPORTATION PLANS AND PROGRAMS FOR URBAN AREAS OF THE STATE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1731, which changes the title to read S.B. 1164 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CONSOLIDATED METROPOLITAN PLANNING ORGANIZATIONS UNDER STATE LAW, is adopted and engrossed.

S.B. 1116, A BILL TO BE ENTITLED AN ACT TO RESERVE THE USE OF GREEN LIGHT ON CERTAIN VEHICLES TO THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY AND THOSE AUTHORIZED BY THE DEPARTMENT, with a favorable report.

S.B. 829, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ERECTION OF OUTDOOR ADVERTISING ON A PORTION OF INTERSTATE HIGHWAY 40, with a favorable report, as amended.

Pursuant to Rule 45.1, Committee Amendment No. 1, is adopted and engrossed, and changes the title to read S.B. 829, A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY ISSUES RELATED TO PROHIBITING THE ERECTION OF OUTDOOR ADVERTISING ON A PORTION OF INTERSTATE HIGHWAY 40 AND TO IMPOSE A MORATORIUM PENDING THE COMMITTEE'S REPORT TO THE GENERAL ASSEMBLY.

S.B. 1081, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO EXPAND THE USE OF RECYCLED MATERIALS IN ROAD MAINTENANCE, with a favorable report, as amended.

Pursuant to Rule 45.1, Committee Amendment No. 1 is adopted and engrossed.

CALENDAR (Continued)

S.B. 835 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING MERGERS, CONSOLIDATIONS, AND CONVERSIONS AMONG BUSINESS CORPORATIONS, NONPROFIT CORPORATIONS, AND UNINCORPORATED ENTITIES, INCLUDING LIMITED LIABILITY COMPANIES AND PARTNERSHIPS, FOR THE PURPOSE OF CONFORMING THE LAWS WITH THOSE OF OTHER STATES AND MODERN BUSINESS PRACTICES; TO ALLOW CONVERSION OF A MUTUAL INSURANCE COMPANY TO A STOCK INSURANCE COMPANY; AND TO PERMIT HOMEOWNER ASSOCIATIONS TO DISTRIBUTE SURPLUS FUNDS, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 48, noes 0, as follows:


Voting in the negative: None.
The Committee Substitute bill is ordered sent by special message to the House of Representatives.

S.B. 235, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE "KIDS FIRST" SPECIAL REGISTRATION PLATES.

The bill passes its second (49-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 685, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT TREATMENT OR SERVICES RENDERED BY PHYSICIAN ASSISTANTS SHALL BE REIMBURSABLE UNDER THE STATE HEALTH PLAN AND OTHER HEALTH INSURANCE POLICIES UNDER CERTAIN CIRCUMSTANCES.

The bill passes its second (49-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 756, A BILL TO BE ENTITLED AN ACT TO INCREASE MANDATORY LIABILITY INSURANCE REQUIREMENTS FOR CERTAIN MOTOR VEHICLES AND TO MAKE CONFORMING CHANGES IN CHAPTER 58 OF THE GENERAL STATUTES.

Senator Hartsell offers Amendment No. 1 which is adopted (47-2).

Senator Hartsell offers Amendment No. 2 which is adopted (49-0).

The bill, as amended, passes its second (46-2) and third readings and is ordered engrossed and sent by special message to the House of Representatives.

S.B. 955, A BILL TO BE ENTITLED AN ACT TO RAISE THE AMOUNT IN CONTROVERSY THAT DETERMINES THE PROPER DIVISION FOR TRIAL OF CIVIL ACTIONS AND TO ALLOW COUNSEL FEES AS PART OF COSTS IN CERTAIN CIVIL ACTIONS.

With unanimous consent, upon motion of Senator Dalton, the bill is withdrawn from today’s Calendar and is re-referred to the Rules and Operations of the Senate Committee.

S.B. 999 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ONLY THE STATE MAY BRING CERTAIN CIVIL ACTIONS AGAINST FIREARMS OR AMMUNITION MARKETERS, MANUFACTURERS, DISTRIBUTORS, DEALERS, SELLERS, OR TRADE ASSOCIATIONS.

With unanimous consent, upon motion of Senator Odom, the Committee Substitute bill is withdrawn from today’s Calendar and is re-referred to the Judiciary II Committee.

S.B. 785, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE INSPECTION AND REGULATION OF LIQUEFIED PETROLEUM GASES.

The bill passes its second (50-0) and third readings and is ordered sent by special message to the House of Representatives.

REPORTS OF COMMITTEES (Continued)

By Senator Purcell for the Health Care Committee:

S.B. 1086, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE USE OF RESTRAINTS AND REPORTING OF DEATHS IN CERTAIN FACILITIES FOR APRIL 28, 1999
PERSONS WITH DISABILITIES, AND IN CHILD CARE FACILITIES, AND TO AUTHORIZE THE GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES TO HAVE ACCESS TO INFORMATION ABOUT THESE DEATHS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3807, which changes the title to read S.B. 1086 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE MENTAL HEALTH STUDY COMMISSION TO STUDY THE USE OF PHYSICAL AND MECHANICAL RESTRANTS IN CERTAIN FACILITIES, AND TO STUDY THE REPORTING OF DEATHS IN CERTAIN FACILITIES, AND TO STUDY ACCESS TO INFORMATION ABOUT THESE DEATHS BY THE GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES, is adopted and engrossed.

Upon motion of Senator Purcell, the Committee Substitute bill is re-referred to the Rules and Operations of the Senate Committee.

S.B. 1122, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW TO ALLOW COUNTIES TO REDUCE COUNTY APPROPRIATIONS AND EXPENDITURES FOR AREA MENTAL HEALTH AUTHORITIES FOR FUTURE FISCAL YEARS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4695, which changes the title to read S.B. 1122 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW TO ALLOW COUNTIES TO REDUCE CERTAIN COUNTY APPROPRIATIONS AND EXPENDITURES FOR AREA MENTAL HEALTH AUTHORITIES FOR FUTURE FISCAL YEARS, is adopted and engrossed.

**CALENDAR (Continued)**

S.B. 1014, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF ENVIRONMENTAL HEALTH OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO CONDUCT A STUDY INVOLVING INTERESTED PARTIES TO REVIEW AND REVISE THE CURRENT PROCEDURES CONCERNING COFFEE POTS AND ICE BUCKETS PROVIDED BY LODGING ESTABLISHMENTS IN GUEST ROOMS AND TO SUSPEND CURRENT APPLICABLE RULES UNTIL REVISED RULES HAVE BEEN ADOPTED AS TEMPORARY RULES.

With unanimous consent, upon motion of Senator Metcalf, the bill is withdrawn from today’s Calendar and is re-referred to the Agriculture/Environment/Natural Resources Committee.

S.B. 843 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF NURSING TO INCREASE THE ANNUAL FEE CHARGED NURSES AIDES II.

The Committee Substitute bill passes its second (49-1) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 852 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE DEFENDANTS WHO ARE ELIGIBLE FOR A DRUG TREATMENT COURT PROGRAM ELIGIBLE FOR DEFERRED PROSECUTION, AND TO AUTHORIZE PARTICIPATION IN A DRUG TREATMENT COURT PROGRAM AS A SPECIAL CONDITION OF PROBATION FOR CONVICTED DEFENDANTS.

The Committee Substitute bill passes its second (50-0) and third readings and is
ordered sent by special message to the House of Representatives.

S.B. 966 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE AUTHORITY TO ENTER INTO CONTRACTS FOR CONDUCTING MUNICIPAL AND COUNTY BUILDING INSPECTIONS.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 974 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REGULATING THE RENTAL OF RESIDENTIAL PROPERTY FOR VACATION, LEISURE, OR RECREATION PURPOSES.

The Committee Substitute bill passes its second (47-3) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 995 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING A TESTIMONIAL PRIVILEGE FOR POLICE PEER SUPPORT GROUP COUNSELORS.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 1011 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN ENHANCED CRIMINAL PENALTY SHALL BE IMPOSED ON A PERSON WHO HAS IN HIS OR HER IMMEDIATE POSSESSION OR IS WEARING A BULLET-PROOF VEST WHILE COMMITTING A FELONY.

The Committee Substitute bill passes its second (47-1) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 1058 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE LICENSING BOARD FOR GENERAL CONTRACTORS TO INCLUDE COMPONENTS OF THE STATE BUILDING CODE IN THE EXAMINATION OFFERED BY THE BOARD AND GRANTING THE BOARD GREATER AUTHORITY WHEN DISCIPLINING LICENSEES WHO VIOLATE THE LAWS RELATED TO GENERAL CONTRACTOR LICENSURE.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 1062, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD TO DEFINE THE TERM CLINICAL SUPERVISOR INTERN AND AMENDING CERTIFICATION REQUIREMENTS FOR SUBSTANCE ABUSE PROFESSIONALS.

The bill passes its second (50-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 1074 (Committee Substitute), A BILL TO BE ENTITLED AN ACT LIMITING LIABILITY FROM YEAR 2000 FAILURES BY PROVIDING CERTAIN PARTIES THE RIGHT TO ASSERT AN AFFIRMATIVE DEFENSE BASED ON A YEAR 2000 PROBLEM.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 1096, A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY FOR A SCHOOL EMPLOYEE TO POSSESS A FIREARM ON EDUCATIONAL PROPERTY

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AND TO MAKE IT A FELONY FOR A STUDENT OR SCHOOL EMPLOYEE TO HAVE A FIREARM AT A CURRICULAR OR EXTRACURRICULAR ACTIVITY SPONSORED BY THE SCHOOL.

The bill passes its second reading (50-0).
Senator Rand offers Amendment No. 1 which is adopted (49-0).
The bill, as amended, passes its third reading (50-0) and is ordered engrossed and sent by special message to the House of Representatives.

SENATE PAGES

The President Pro Tempore recognizes the following pages serving in the Senate this week:

Lexandria Angelon Avent, Rocky Mount; Kristen Grey Best, Durham; Rachel Denise Broadway, Raleigh; Zachary Scott Crocker, Smithfield; Elizabeth Everett, Scotland Neck; David Alexander Henry, Benson; Derrick Hinton, Raleigh; Kevin Jordan, Garner; James Matthew Newell, Franklin; Tanya Lakita Hinton, Raleigh; Kevin Jordan, Garner; Joshua Snyder, Durham; Joy Elizabeth Snyder, Durham; Ian Strouss, Fairfield, IA; Valisha Summerfield, Raleigh; Aaron Richard Tosky, Raleigh; Catherine Gray Urquhart, Speed; Buffy Lynn White, Creswell; and Robert Howard Wilmoth, Raleigh.

CALENDAR (Continued)

S.B. 1143, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTINUITY OF CONTRACTS UNDER THE MONETARY UNION IN MEMBER STATES OF THE EUROPEAN UNION.
The President Pro Tempore orders, without objection, the bill temporarily displaced.

S.B. 1161 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND REPRESENTATIVES OF THE FOOD SERVICE INDUSTRY TO REVIEW THE RULES AND GUIDELINES GOVERNING LOCAL OIL AND GREASE WATER PRETREATMENT PROGRAMS TO DETERMINE WHETHER THOSE PROGRAMS ARE EQUITABLE, EFFECTIVE, AND ECONOMICALLY MANAGEABLE.
The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 1143, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTINUITY OF CONTRACTS UNDER THE MONETARY UNION IN MEMBER STATES OF THE EUROPEAN UNION, temporarily displaced earlier.
Senator Hagan offers Amendment No. 1 which is adopted (47-0).
The bill, as amended, passes its second (48-0) and third readings and is ordered engrossed and sent by special message to the House of Representatives.

H.B. 921 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE THE DEFINITIONS OF "POLITICAL COMMITTEE," "CONTRIBUTION," "EXPENDITURE," AND "CANDIDATE"; TO ADD A DEFINITION OF "INDEPENDENT EXPENDITURE"; TO REMOVE THE TERM "POLITICAL PURPOSE"; TO NARROW THE PROHIBITION ON CORPORATE AND OTHER POLITICAL EXPENDITURES TO CONSTITUTIONAL BOUNDS; TO MERGE THE
FIRST QUARTERLY REPORT WITH THE PRE-PRIMARY REPORT; TO AMEND THE STATUTES WITH REGARD TO REPORTING CONTRIBUTIONS AND EXPENDITURES; AND TO MAKE OTHER CHANGES RELATED TO REPAIRING THE CAMPAIGN STATUTES AFTER THE DECISION OF THE FOURTH U.S. CIRCUIT COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE, INC., V. BARTLETT.

The Committee Substitute bill passes its second reading (45-5).

Senator Webster objects to third reading of the measure. Pursuant to Rule 50, the President Pro Tempore orders the measure placed on the Calendar for tomorrow, Thursday, April 29.

S.B. 1060 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE TRUSTEES WITH ADDITIONAL AUTHORITY TO SEVER TRUSTS INTO SEPARATE TRUSTS CONSISTENT WITH THE BEST INTERESTS OF THE TRUST BENEFICIARIES.

Senator Hagan offers Amendment No. 1 which is adopted (49-0).

The Committee Substitute bill, as amended, passes its third reading (45-4) and is ordered engrossed and sent by special message to the House of Representatives.

S.B. 653 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO INVESTMENT OF HEALTH TRUST FUND MONIES BY THE COUNTY OF DURHAM, placed earlier on today's Calendar.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 292 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CRIMINAL CASES IN SUPERIOR COURT SHALL BE CALENDARED PURSUANT TO ADMINISTRATIVE SETTINGS.

Senator Ballance offers Amendment No. 1 which is adopted (48-2).

The President Pro Tempore orders, without objection, the Committee Substitute bill, as amended, temporarily displaced.

REPORTS OF COMMITTEES (Continued)

By Senator Soles for the Commerce Committee:

S.B. 830, A BILL TO BE ENTITLED AN ACT TO REGULATE AUTO REPAIRS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6671 is adopted and engrossed.

CALENDAR (Continued)

S.B. 1039 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NEW MULTICAMPUS COMMUNITY COLLEGE TO SERVE ANSON AND UNION COUNTIES, placed earlier on today's Calendar.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent by special message to the House of Representatives.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

H.B. 517 (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING
THE STATE BOARD OF EDUCATION TO STUDY THE COMPUTATION OF DROPOUT RATES FOR THE ABCs PROGRAM.
Referred to Education/Higher Education Committee.

H.B. 985 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE BENCHMARK AT WHICH THE DEPARTMENT OF ADMINISTRATION IS REQUIRED TO ADVERTISE FOR PROPOSALS FOR LEASES BY THE STATE, TO CLARIFY WHEN THE DEPARTMENT MAY TRANSFER PROPERTY TO NONPROFIT ORGANIZATIONS AT LESS THAN FAIR-MARKET VALUE, AND TO SIMPLIFY THE LAW REGARDING STATE LEASES OF PROPERTY IN UNIQUE LOCATIONS.
Referred to Commerce Committee.

H.B. 1027, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STOCKING OF ANIMALS BY CERTAIN PERSONS.
Referred to Agriculture/Environment/Natural Resources Committee.

H.B. 1054, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL ACTIVITY BUSES TO STOP AT ALL RAILROAD CROSSINGS.
Referred to Transportation Committee.

H.B. 1119 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT HEALTH BENEFIT PLANS IN NORTH CAROLINA PROVIDE COVERAGE FOR ANESTHESIA AND HOSPITAL CHARGES IN CERTAIN CASES INVOLVING YOUNG CHILDREN, PERSONS WITH SERIOUS MENTAL OR PHYSICAL CONDITIONS, AND PERSONS WITH SIGNIFICANT BEHAVIORAL PROBLEMS, WHERE THE AGE OR CONDITION OR PROBLEM REQUIRES HOSPITALIZATION OR GENERAL ANESTHESIA IN ORDER TO SAFELY AND EFFECTIVELY PERFORM DENTAL PROCEDURES ON THE PATIENT INVOLVED.
Referred to Insurance Committee.

H.B. 1184 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MEMBERS OF A HOSPITAL AUTHORITY BOARD ARE A PUBLIC BODY AND HAVE THE RIGHT TO SUE AND BE SUED.
Referred to Judiciary I Committee.

H.B. 1188, A BILL TO BE ENTITLED AN ACT TO REQUIRE MEDICAL INSTITUTIONS AND UNIVERSITY HOSPITALS THAT RECEIVE STATE FUNDS TO INCLUDE WOMEN AS SUBJECTS IN MEDICAL RESEARCH PROJECTS, AS APPROPRIATE.
Referred to Health Care Committee.

H.B. 1200 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE FREE FLOW OF INFORMATION TO THE PEOPLE OF NORTH CAROLINA BY CODIFYING THE JOURNALISTS' TESTIMONIAL PRIVILEGE.
Referred to Judiciary I Committee.

H.B. 1258 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE FACILITIES THAT ARE INCLUDED IN THE HEALTH CARE PERSONNEL REGISTRY; AND TO REQUIRE THAT EMPLOYERS AT HEALTH

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CARE FACILITIES ACCESS THE HEALTH CARE PERSONNEL REGISTRY.  
Referred to Health Care Committee.

H.B. 1279 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF FINANCIAL IDENTITY FRAUD.  
Referred to Judiciary I Committee.

H.B. 1286 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXEMPTION FROM THE "MASS GATHERINGS" STATUTE.  
Referred to Judiciary I Committee.

CALENDAR (Continued)

S.B. 292 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CRIMINAL CASES IN SUPERIOR COURT SHALL BE CALENDARED PURSUANT TO ADMINISTRATIVE SETTINGS, as amended, temporarily displaced earlier.

Senator Ballance offers Amendment No. 2 which is adopted (50-0).

The Committee Substitute bill, as amended, passes its second (43-7) and third readings and is ordered engrossed and sent by special message to the House of Representatives.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

H.B. 1071 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE HANDICAPPED PERSONS PROTECTION ACT, CHAPTER 168A OF THE GENERAL STATUTES.  
Referred to Children & Human Resources Committee.

H.B. 1149 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A GENERAL CONTRACTOR LICENSE IS REQUIRED FOR THE ERECTION OF A MODULAR BUILDING AND TO PROVIDE LIMITED EXEMPTIONS FROM THIS REQUIREMENT FOR CERTAIN RESIDENTIAL AND COMMERCIAL MODULAR STRUCTURES.  
Referred to Commerce Committee.

WITHDRAWAL FROM CALENDAR

S.B. 1134, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES LAW PERTAINING TO THE MEDICAID STANDARD OF NEED, PAY-AFTER-PERFORMANCE FOR TWO-PARENT FAMILIES, TIME LIMITATIONS ON ASSISTANCE, AND OTHER AREAS OF WELFARE REFORM.

Senator Perdue offers a motion that the bill be withdrawn from the Calendar for Thursday, April 29, and re-referred to the Appropriations/Base Budget Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Calendar for Thursday, April 29, and re-refers the measure to the Appropriations/Base Budget Committee.

ADDITIONAL SPONSOR

Senator Garwood requests to be added as a sponsor of previously introduced legislation:

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S.B. 942, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP PLANS FOR IMPLEMENTING THE STATEWIDE STUDENT ACCOUNTABILITY STANDARDS POLICY AND TO IDENTIFY RESOURCES TO ENSURE APPROPRIATE EARLY AND ONGOING ASSISTANCE FOR STUDENTS WHO NEED ASSISTANCE.

Upon motion of Senator Ballance, seconded by Senator Shaw of Cumberland, the Senate adjourns at 6:18 P.M. to meet tomorrow, Thursday, April 29, at 10:00 A.M.

FIFTY-FOURTH DAY

Senate Chamber
Thursday, April 29, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"God of all eternity, slow us down! The crunch of bills before us on 'crossover' day looms like a tidal wave. Ease the pounding of our hearts and the urgent tugging in our stomachs by the quieting of our minds. Steady our hurried pace with a vision of the eternal reach of Your time. Soothe us with the calmness of the everlasting hills.

"Direct our gaze upwards into the branches of the towering oaks and help us to know that they have grown great and strong because they have grown slowly and well. They have withstood the high winds which might have destroyed them by bending in the tempest. Pour out Your peace on the Senate this day, and inspire us to send our roots deep into the soil of Your strength that we might grow fully towards our destiny as Your beloved children. We pray in Your Holy Name, Amen."

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Wednesday, April 28, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Michael Dickens Peck from Chapel Hill, North Carolina, who is serving the Senate as Doctor of the Day, and to Nancy Sumner from Dallas, North Carolina, who is serving the Senate as Nurse of the Day.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 353 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF DAVIDSON TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, East,

Voting in the negative: None.

The Committee Substitute bill is ordered sent by special message to the House of Representatives.

S.B. 618, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF MACON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, upon third reading.

The bill passes its third reading by roll-call vote, ayes 49, noes 0, as follows:

Voting in the negative: None.

The bill is ordered sent by special message to the House of Representatives.

S.B. 645, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF PARMELE, as amended on second reading by a material amendment, which changes the title to read, S.B. 645, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF PARMELE AND TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE TOWN OF FAIR BLUFF, upon third reading.

The bill, as amended, passes its third reading by roll-call vote, ayes 49, noes 0, as follows:

Voting in the negative: None.

The bill, as amended, is ordered engrossed and sent by special message to the House of Representatives.

S.B. 712 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF CORNELIUS TO PROVIDE FOR VOLUNTARY ANNEXATION OF PROPERTY SUBJECT TO PRESENT-USE VALUE APPRAISAL, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 49, noes 0, as follows:

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Voting in the negative: None.

The Committee Substitute bill is ordered sent by special message to the House of Representatives.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Kinnaird for the State and Local Government Committee:

S.B. 543, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF FORSYTH COUNTY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4697, which changes the title to read S.B. 543 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO ZONING BY FORSYTH COUNTY, THE TOWNS OF KERNERSVILLE AND LEWISVILLE, AND THE VILLAGE OF CLEMMONS, is adopted and engrossed.

With unanimous consent, upon motion of Senator Kinnaird, the Committee Substitute bill is placed on the Supplemental Calendar for today.

S.B. 582, A BILL TO BE ENTITLED AN ACT TO IMPROVE LAW ENFORCEMENT EFFORTS TO RECOVER STOLEN PROPERTY BY AUTHORIZING THE CHIEF OF POLICE OF WINSTON-SALEM TO REQUIRE PAWNBROKERS TO MAKE PAWN TICKET RECORDS AVAILABLE IN ELECTRONIC FORMAT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6672, which changes the title to read S.B. 582 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE LAW ENFORCEMENT EFFORTS TO RECOVER STOLEN PROPERTY BY PROVIDING SHERIFFS WITH ACCESS TO PAWNSHOP TICKET RECORDS OF PAWNSHOPS LOCATED IN MUNICIPALITIES AND BY AUTHORIZING CERTAIN CHIEFS OF POLICE TO REQUIRE PAWNBROKERS TO MAKE PAWN TICKET RECORDS AVAILABLE IN ELECTRONIC FORMAT, is adopted and engrossed.

With unanimous consent, upon motion of Senator Kinnaird, the Committee Substitute bill is placed on the Supplemental Calendar for today.

S.B. 395, A BILL TO BE ENTITLED AN ACT RELATING TO CABARRUS COUNTY AND THE MUNICIPALITIES LOCATED WHOLLY OR PARTIALLY WITHIN THE COUNTY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3809, which changes the title to read S.B. 395 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE CABARRUS COUNTY TOURISM AUTHORITY, is adopted and engrossed.

With unanimous consent, upon motion of Senator Kinnaird, the Committee Substitute bill is placed on the Supplemental Calendar for today.

S.B. 532, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ASHEVILLE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

April 29, 1999
Pursuant to Rule 45.1, the proposed Committee Substitute bill 2761, which changes the title to read S.B. 532 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REWRITING THE LAWS RELATED TO THE CIVIL SERVICE BOARD OF THE CITY OF ASHEVILLE, is adopted and engrossed.

With unanimous consent, upon motion of Senator Kinnaird, the Committee Substitute bill is placed on the Supplemental Calendar for today.

S.B. 929, A BILL TO BE ENTITLED AN ACT TO REVISE THE ABATEMENT OF NUISANCES STATUTES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2762 is adopted and engrossed.

With unanimous consent, upon motion of Senator Kinnaird, the Committee Substitute bill is placed on the Supplemental Calendar for today.

S.B. 984, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS OF NORTH CAROLINA, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 8608, which changes the title to read S.B. 984 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING CERTAIN ACCOUNTANTS AND CERTIFIED PUBLIC ACCOUNTANTS TO ISSUE AUDITS, is adopted and engrossed.

With unanimous consent, upon motion of Senator Kinnaird, the Committee Substitute bill is placed on the Supplemental Calendar for today.

**CALENDAR (Continued)**

S.B. 10 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT REFORMS IN THE LONG-TERM CARE INDUSTRY IN ORDER TO IMPROVE QUALITY OF CARE, INCREASE PROTECTION OF RESIDENTS, AND STRENGTHEN REGULATORY OVERSIGHT OF INDUSTRY PRACTICES.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 120 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES RELATED TO UNDERAGE DRINKING.

Upon motion of Senator Allran, the President orders, without objection, the Committee Substitute bill temporarily displaced.

S.B. 129, A BILL TO BE ENTITLED AN ACT TO REPEAL ARTICLE 6 OF THE UNIFORM COMMERCIAL CODE RELATING TO BULK TRANSFERS AND TO ENACT CONFORMING AMENDMENTS TO THE UNIFORM COMMERCIAL CODE AND OTHER SECTIONS OF THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

The President Pro Tempore orders, without objection, the bill temporarily displaced.

S.B. 120 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES RELATED TO UNDERAGE DRINKING, temporarily displaced earlier.

Senator Allran offers Amendment No. 1 which is adopted (49-0).

April 29, 1999
Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.

Senator Odom offers a motion that the Committee Substitute bill, as amended, be temporarily displaced to the end of today's Calendar.

Senator Allran objects to the motion for temporary displacement of the Committee Substitute bill, as amended. The motion is sustained and the Committee Substitute bill, as amended, is placed at the end of today's Calendar.

S.B. 513 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS THAT COVER PRESCRIPTION DRUGS TO ISSUE UNIFORM PRESCRIPTION DRUG IDENTIFICATION CARDS.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 586 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE LAW REGARDING THE DISTRIBUTION OF TEXTBOOKS TO THE PUBLIC SCHOOLS AND TO MAKE RECOMMENDATIONS REGARDING ANY CHANGES.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 638 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDEFINE "EMPLOYEE" AND "EMPLOYER" IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 643 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING INSURANCE PREMIUM FINANCING.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 708, A BILL TO BE ENTITLED AN ACT ALLOWING COUNTIES TO PROVIDE AFFORDABLE HOUSING FOR PERSONS OF LOW AND MODERATE INCOME, as amended by committee.

The bill passes its second (49-1) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 783 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT NURSING HOMES PROVIDING SPECIAL CARE FOR PERSONS WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIAS DISCLOSE CERTAIN INFORMATION.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 829, A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY ISSUES RELATED TO PROHIBITING THE ERECTION OF OUTDOOR ADVERTISING ON A PORTION OF INTERSTATE HIGHWAY 40 AND TO IMPOSE A MORATORIUM PENDING THE COMMITTEE'S REPORT TO THE GENERAL ASSEMBLY, as amended by committee.

Senator Horton offers Amendment No. 1.
The President orders, without objection, the bill, temporarily displaced, with Amendment No. 1 pending.

S.B. 830 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE AUTO REPAIRS.
    Senator Martin of Guilford offers Amendment No. 1 which is adopted (45-2).
    Senator Plyler offers Amendment No. 2 which is adopted (49-0).
    The President orders, without objection, the Committee Substitute bill, as amended, temporarily displaced.

S.B. 839 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO REQUIRE INTERIM CLAIMS PAYMENTS TO PROVIDERS IN THE EVENT CLAIMS CANNOT BE TIMELY PROCESSED DUE TO YEAR 2000 COMPUTER PROBLEMS.
    The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 830 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE AUTO REPAIRS, as amended and temporarily displaced earlier.
    Senator Miller offers Amendment No. 3 which is adopted (47-1).
    The Committee Substitute bill, as amended, passes its second (41-9) and third readings and is ordered engrossed and sent by special message to the House of Representatives.

S.B. 867 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING CERTAIN PROVISIONS OF THE REAL ESTATE LICENSE LAW.
    The President orders, without objection, the Committee Substitute bill temporarily displaced.

S.B. 908, A BILL TO BE ENTITLED AN ACT TO REVISE THE UNIFORM COMMERCIAL CODE TO PROVIDE THAT WAREHOUSEMEN DO NOT HAVE TO ISSUE WRITTEN RECEIPTS AS A PRECONDITION TO CREATING A LIEN.
    The bill passes its second (50-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 129, A BILL TO BE ENTITLED AN ACT TO REPEAL ARTICLE 6 OF THE UNIFORM COMMERCIAL CODE RELATING TO BULK TRANSFERS AND TO ENACT CONFORMING AMENDMENTS TO THE UNIFORM COMMERCIAL CODE AND OTHER SECTIONS OF THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, temporarily displaced earlier.
    Senator Hartsell offers Amendment No. 1 which is adopted (50-0).
    With unanimous consent, upon motion of Senator Hartsell, the bill, as amended, is withdrawn from today's Calendar and is re-referred to the Finance Committee.

S.B. 920 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT TO ACCURATELY REFLECT THE CURRENT SCHEDULING OF CONTROLLED SUBSTANCES, AS SCHEDULED BY THE DRUG ENFORCEMENT ADMINISTRATION AND TO PROHIBIT TRAFFICKING IN METHYLENEDIOXYAMPHETAMINE (MDA) OR METHYLENEDIOXYMETHAMPHETAMINE (MDMA).
    The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent by special message to the House of Representatives.

April 29, 1999
S.B. 942, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP PLANS FOR IMPLEMENTING THE STATEWIDE STUDENT ACCOUNTABILITY STANDARDS POLICY AND TO IDENTIFY RESOURCES TO ENSURE APPROPRIATE EARLY AND ONGOING ASSISTANCE FOR STUDENTS WHO NEED ASSISTANCE, as amended by committee.

The bill passes its second (50-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 867 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING CERTAIN PROVISIONS OF THE REAL ESTATE LICENSE LAW, temporarily displaced earlier.

The Committee Substitute bill passes its second (49-1) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 960 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE BOARD OF PHARMACY TO ADOPT RULES REGULATING PHARMACIES.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 1003 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES REGULATING THE ABILITY OF GUARDIANS TO MAKE GIFTS FROM INCOMPETENT WARDS' ESTATES UNDER CERTAIN CIRCUMSTANCES.

The President orders, without objection, the Committee Substitute bill temporarily displaced.

S.B. 1004 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REVISION THE PROCEDURE USED BY THE NORTH CAROLINA BOARD FOR LICENSING OF GEOLOGISTS TO ADDRESS COMPLAINTS AND INVESTIGATIONS AND AUTHORIZING THE BOARD TO ASSESS CIVIL PENALTIES.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent by special message to the House of Representatives.

H.B. 921 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE THE DEFINITIONS OF "POLITICAL COMMITTEE," "CONTRIBUTION," "EXPENDITURE," AND "CANDIDATE"; TO ADD A DEFINITION OF "INDEPENDENT EXPENDITURE"; TO REMOVE THE TERM "POLITICAL PURPOSE"; TO NARROW THE PROHIBITION ON CORPORATE AND OTHER POLITICAL EXPENDITURES TO CONSTITUTIONAL BOUNDS; TO MERGE THE FIRST QUARTERLY REPORT WITH THE PRE-PRIMARY REPORT; TO AMEND THE STATUTES WITH REGARD TO REPORTING CONTRIBUTIONS AND EXPENDITURES; AND TO MAKE OTHER CHANGES RELATED TO REPAIRING THE CAMPAIGN STATUTES AFTER THE DECISION OF THE FOURTH U.S. CIRCUIT COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE, INC., V. BARTLETT.

The Committee Substitute bill passes its third reading (45-5) and is ordered enrolled and sent to the Governor by special message.

S.B. 1005 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CERTAIN LIMITATIONS REGARDING POTENTIAL LIABILITY OF NORTH CAROLINA'S BUSINESSES ARISING FROM YEAR 2000 PROBLEMS.
The Committee Substitute bill passes its second (46-3) and third readings and is ordered sent by special message to the House of Representatives.

**S.B. 120** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES RELATED TO UNDERAGE DRINKING, as amended, temporarily displaced earlier.

Senator Ballance offers Amendment No. 2 which fails of adoption (16-34).

The Committee Substitute bill, as amended, passes its second (44-4) and third readings and is ordered engrossed and sent by special message to the House of Representatives.

**S.B. 829**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY ISSUES RELATED TO PROHIBITING THE ERECTION OF OUTDOOR ADVERTISING ON A PORTION OF INTERSTATE HIGHWAY 40 AND TO IMPOSE A MORATORIUM PENDING THE COMMITTEE'S REPORT TO THE GENERAL ASSEMBLY, as amended by committee, temporarily displaced earlier, with Amendment No. 1 pending.

Amendment No. 1 is adopted (44-1).

The bill, as amended, passes its second (38-6) and third readings and is ordered engrossed and sent by special message to the House of Representatives.

**S.B. 1003** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES REGULATING THE ABILITY OF GUARDIANS TO MAKE GIFTS FROM INCOMPETENT WARDS' ESTATES UNDER CERTAIN CIRCUMSTANCES, temporarily displaced earlier.

Senator Wellons offers Amendment No. 1 which is adopted (48-0).

The Committee Substitute bill, as amended, passes its second (48-0) and third readings and is ordered engrossed and sent by special message to the House of Representatives.

**ENROLLED BILL**

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

**H.B. 921**, AN ACT TO REWRITE THE DEFINITIONS OF "POLITICAL COMMITTEE," "CONTRIBUTION," "EXPENDITURE," AND "CANDIDATE"; TO ADD A DEFINITION OF "INDEPENDENT EXPENDITURE"; TO REMOVE THE TERM "POLITICAL PURPOSE"; TO NARROW THE PROHIBITION ON CORPORATE AND OTHER POLITICAL EXPENDITURES TO CONSTITUTIONAL BOUNDS; TO MERGE THE FIRST QUARTERLY REPORT WITH THE PRE-PRIMARY REPORT; TO AMEND THE STATUTES WITH REGARD TO REPORTING CONTRIBUTIONS AND EXPENDITURES; AND TO MAKE OTHER CHANGES RELATED TO REPAIRING THE CAMPAIGN STATUTES AFTER THE DECISION OF THE FOURTH U.S. CIRCUIT COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE, INC., V. BARTLETT.

**CALENDAR (Continued)**

**S.B. 1012** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A PRESIDING JUDGE IN A COUNTY WITH PROPER VENUE TO EXTEND THE STATUTE OF LIMITATIONS IN A MEDICAL MALPRACTICE ACTION THAT

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WAS IMPROPERLY PLEADED UNDER RULE 9 OF THE RULES OF CIVIL PROCEDURE.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

The Committee Substitute bill passes its second (48-1) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 1021, A BILL TO BE ENTITLED AN ACT CONCERNING THE ADMISSIBILITY INTO EVIDENCE OF PUBLIC OR PRIVATE RECORDS MAINTAINED ON PERMANENT, NONERASABLE, MACHINE-READABLE MEDIA AND RELATING TO THE MAINTENANCE AND PRESERVATION OF PUBLIC RECORDS USING THOSE MEDIA.

The bill passes its second (49-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 1055 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF A COURT REPORTING SERVICE THAT HAS AN INTEREST WHEN A DEPOSITION IS TAKEN.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 1081, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO EXPAND THE USE OF RECYCLED MATERIALS IN ROAD MAINTENANCE, as amended by committee.

The bill passes its second (50-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 1089 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A STUDY OF MANAGED CARE.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 1093 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW TO ENSURE THAT ALL TEACHERS RECEIVE A DUTY FREE PERIOD EACH DAY.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 1113 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO EMPLOYER CONTACT WITH MEDICAL CARE PROVIDERS FOR CLAIMS UNDER THE WORKERS' COMPENSATION ACT.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 1116, A BILL TO BE ENTITLED AN ACT TO RESERVE THE USE OF GREEN LIGHT ON CERTAIN VEHICLES TO THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY AND THOSE AUTHORIZED BY THE DEPARTMENT.

The bill passes its second (49-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 1122 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO
AMEND THE LAW TO ALLOW COUNTIES TO REDUCE CERTAIN COUNTY APPROPRIATIONS AND EXPENDITURES FOR AREA MENTAL HEALTH AUTHORITIES FOR FUTURE FISCAL YEARS.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent by special message to the House of Representatives.

**S.B. 1140** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BAN NEW OR REPLACEMENT BILLBOARDS ON A PORTION OF U.S. HIGHWAY 52 AND NORTH CAROLINA HIGHWAY 752 IN SURRY COUNTY.

The Committee Substitute bill passes its second (47-3) and third readings and is ordered sent by special message to the House of Representatives.

**S.B. 1152** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING CITIES WITH A POPULATION OF MORE THAN FOUR HUNDRED THOUSAND TO DEMOLISH AND REMOVE CERTAIN NONRESIDENTIAL BUILDINGS TO ENHANCE ECONOMIC DEVELOPMENT EFFORTS.

The President *Pro Tempore* orders, without objection, the Committee Substitute bill temporarily displaced.

**S.B. 1164** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CONSOLIDATED METROPOLITAN PLANNING ORGANIZATIONS UNDER STATE LAW.

With unanimous consent, upon motion of Senator Clodfelter, the Committee Substitute bill is withdrawn from today’s Calendar and is re-referred to the Transportation Committee.

*Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.*

**SUPPLEMENTAL CALENDAR**

Bills on today’s Supplemental Calendar are taken up and disposed of, as follows:

**S.B. 395** (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE CABARRUS COUNTY TOURISM AUTHORITY.

The Committee Substitute bill passes its second and third readings and is ordered sent by special message to the House of Representatives.

**S.B. 532** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REWRITING THE LAWS RELATED TO THE CIVIL SERVICE BOARD OF THE CITY OF ASHEVILLE.

The Committee Substitute bill passes its second and third readings and is ordered sent by special message to the House of Representatives.

**S.B. 543** (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO ZONING BY FORSYTH COUNTY, THE TOWNS OF KERNERSVILLE AND LEWISVILLE, AND THE VILLAGE OF CLEMMONS.

The Committee Substitute bill passes its second and third readings and is ordered sent by special message to the House of Representatives.

**S.B. 582** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE LAW ENFORCEMENT EFFORTS TO RECOVER STOLEN PROPERTY
BY PROVIDING SHERIFFS WITH ACCESS TO PAWN TICKET RECORDS OF PAWNSHOPS LOCATED IN MUNICIPALITIES AND BY AUTHORIZING CERTAIN CHIEFS OF POLICE TO REQUIRE PAWNBROKERS TO MAKE PAWN TICKET RECORDS AVAILABLE IN ELECTRONIC FORMAT.

Senator Horton offers a motion that the Committee Substitute bill be postponed indefinitely, which motion prevails (46-1).

The Committee Substitute bill is postponed indefinitely.

S.B. 929 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE ABATEMENT OF NUISANCES STATUTES.

The President orders, without objection, the Committee Substitute bill temporarily displaced.

S.B. 984 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING CERTAIN ACCOUNTANTS AND CERTIFIED PUBLIC ACCOUNTANTS TO ISSUE AUDITS.

Senator Miller offers Amendment No. 1 which is adopted (48-0).

The Committee Substitute bill, as amended, passes its second reading (48-2).

Senator Webster objects to third reading of the measure.

Senator Rand offers a motion, seconded by Senator Gulley, that the rules be suspended and that the Committee Substitute bill, as amended, be brought back before the Senate for third reading.

Senator Webster moves that Senator Rand's motion do lie upon the table.

The President rules that Senator Webster's motion dies for lack of a second.

Senator Rand withdraws his previous motion and offers a further motion that the Committee Substitute bill, as amended, be temporarily displaced.

The President orders, without objection, the Committee Substitute bill, as amended, temporarily displaced.

S.B. 1152 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING CITIES WITH A POPULATION OF MORE THAN FOUR HUNDRED THOUSAND TO DEMOLISH AND REMOVE CERTAIN NONRESIDENTIAL BUILDINGS TO ENHANCE ECONOMIC DEVELOPMENT EFFORTS, temporarily displaced on the previous Calendar.

Senator Reeves offers Amendment No. 1 which is adopted (50-0), and changes the title to read S.B. 1152 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING CITIES WITH A POPULATION OF MORE THAN TWO HUNDRED THOUSAND TO DEMOLISH AND REMOVE CERTAIN NONRESIDENTIAL BUILDINGS TO ENHANCE ECONOMIC DEVELOPMENT EFFORTS.

The Committee Substitute bill, as amended, passes its second (50-0) and third readings and is ordered engrossed and sent by special message to the House of Representatives.

S.B. 929 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE ABATEMENT OF NUISANCES STATUTES, temporarily displaced earlier.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent by special message to the House of Representatives.

S.B. 984 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING CERTAIN ACCOUNTANTS AND CERTIFIED PUBLIC ACCOUNTANTS TO ISSUE AUDITS, as amended, and temporarily displaced earlier.

Senator Rand offers a motion that the rules be suspended and that the Committee Substitute bill, as amended, be brought before the Senate for immediate consideration,
upon third reading, which motion prevails by a two-thirds vote.

With unanimous consent, upon motion of Senator Kerr, the Committee Substitute bill, as amended, is withdrawn from today’s Calendar and is re-referred to the Finance Committee.

Upon motion of Senator Basnight, seconded by Senator Robinson, the Senate adjourns subject to reading of messages from the House of Representatives, to meet Monday, May 3, at 7:00 P.M.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages are received from the House of Representatives transmitting bills and a resolution which are read the first time and disposed of, as follows:

H.B. 14 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES TO REGULATIONS REGARDING CEMETERIES TO PROVIDE FOR CONSUMER PROTECTION, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION’S STUDY COMMITTEE ON CEMETERY ISSUES.

Referred to Commerce Committee.

H.B. 179 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFIT TO MEMBERS OF THE WILKESBORO FIREMEN’S SUPPLEMENTAL PENSION FUND.

Referred to Pensions & Retirement and Aging Committee.

H.B. 254 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE ABUSE OR NEGLECT OF A PATIENT AT A HEALTH CARE FACILITY OR A RESIDENTIAL CARE FACILITY THAT DOES NOT RESULT IN SERIOUS BODILY INJURY OR DEATH IS A MISDEMEANOR.

Referred to Judiciary I Committee.

H.B. 302 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT ENFORCEMENT.

Referred to Children & Human Resources Committee.

H.B. 314 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH AND ACCIDENT INSURANCE POLICIES, HOSPITAL OR MEDICAL SERVICES PLANS, AND HMO PLANS TO PROVIDE COVERAGE FOR BONE MASS MEASUREMENT FOR THE DIAGNOSIS AND EVALUATION OF OSTEOPOROSIS.

Referred to Insurance Committee.

H.B. 476 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING THE GRANT OF POWERS TO ELECTRIC MEMBERSHIP CORPORATIONS REGARDING SUBSIDIARY ORGANIZATIONS.

Referred to Commerce Committee.

H.B. 512 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CERTIFY ASSISTED LIVING RESIDENCE ADMINISTRATORS.

Referred to Commerce Committee.

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H.B. 520 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF FLAT ROCK TO BUILD A FACILITY FOR A PUBLIC ENTERPRISE AND THEN CONVEY IT TO THE TOWN OF HENDERSONVILLE WITHOUT OPERATING IT.
Referred to State and Local Government Committee.

H.B. 529 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO THE DISPLAY OF THE UNITED STATES FLAG.
Referred to State and Local Government Committee.

H.B. 677 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHEROKEE, GRAHAM, HAYWOOD, JACKSON, MADISON, POLK, AND SWAIN COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.
Referred to Finance Committee.

H.B. 694 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF AYDEN WITH THE APPROVAL OF THE PITT COUNTY BOARD OF COMMISSIONERS TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM THE TOWN'S CORPORATE LIMITS.
Referred to State and Local Government Committee.

H.B. 772 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE IN THE WATERS OF LEE'S CUT.
Referred to State and Local Government Committee.

H.B. 841 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CARRBORO TOWN CHARTER TO AUTHORIZE THE GOVERNING BODY TO OFFER INCENTIVES TO ENCOURAGE MORE AFFORDABLE HOUSING UNITS.
Referred to State and Local Government Committee.

H.B. 868 (Committee Substitute), A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS AMENDMENTS CONCERNING THE TOWN OF CHAPEL HILL.
Referred to State and Local Government Committee.

H.B. 898 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE USE OF CERTAIN SAFETY EQUIPMENT BY CHILDREN WHILE THEY ARE BICYCLE OPERATORS OR PASSENGERS.
Referred to Judiciary II Committee.

H.B. 937 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE REGIONAL TRANSPORTATION AUTHORITY ACT CONCERNING JURISDICTION OF THE ENTIRE AREA OF THE COUNTY IN CERTAIN CIRCUMSTANCES AND MEMBERSHIP OF THE AUTHORITY.
Referred to Transportation Committee.

H.B. 973 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES CONCERNING THE ISSUANCE OF A MARRIAGE LICENSE.
Referred to Judiciary II Committee.

April 29, 1999
H.B. 996 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH CARE PROVIDERS PERFORMING SPINAL MANIPULATION TO ATTAIN MINIMUM HOURS OF CLASSROOM INSTRUCTION AND SUPERVISED CLINICAL TRAINING.
Referred to Health Care Committee.

H.B. 1048, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA RULES OF CIVIL PROCEDURE TO PROVIDE THAT NOTICE OF THE MANNER OF SERVICE OF PROCESS SHALL BE FILED WHEN SERVICE IS MADE OTHER THAN BY PERSONAL DELIVERY.
Referred to Judiciary I Committee.

H.B. 1085, A BILL TO BE ENTITLED AN ACT TO PERMIT THE USE OF TRANSITWAYS.
Referred to Transportation Committee.

H.B. 1107 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRONGLY ENCOURAGE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND THE GOVERNING BOARDS OF PRIVATE COLLEGES AND UNIVERSITIES TO ADOPT POLICIES THAT RESTRICT THE DIRECT SOLICITATION ON CAMPUS OF STUDENTS FOR CREDIT CARD ACCOUNTS AND TO OFFER CREDIT SEMINARS AS PART OF FRESHMAN ORIENTATION.
Referred to Education/Higher Education Committee.

H.B. 1126 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT NONCOMPETITION CLAUSES IN MEDICAL PROVIDER CONTRACTS.
Referred to Judiciary I Committee.

H.B. 1159 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ABILITY OF THE DIVISION OF SOCIAL SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO PROTECT CHILDREN AND YOUTH FROM VIOLENCE-PRONE CAREGIVERS.
Referred to Children & Human Resources Committee.

H.B. 1193, A BILL TO BE ENTITLED AN ACT AUTHORIZING NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS, AND CERTIFIED NURSE MIDWIVES TO CONDUCT PHYSICAL EXAMINATIONS IN CERTAIN CIRCUMSTANCES.
Referred to Health Care Committee.

H.B. 1204 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF A DRIVERS LICENSE REGARDLESS OF MOTOR VEHICLE OWNER'S NONCOMPLIANCE WITH A FOREIGN JUDGMENT UNDER CERTAIN CIRCUMSTANCES.
Referred to Judiciary I Committee.

H.B. 1237, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF LANDSCAPE ARCHITECTS TO CHARGE APPLICANTS FOR LICENSURE THE ACTUAL COST OF EXAMINATION SERVICES.
Referred to Finance Committee.

April 29, 1999
H.B. 1245 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIME OF THIRD-DEGREE SEXUAL OFFENSE AND TO REQUIRE SEX OFFENDER REGISTRATION FOR CONVICTION OF THAT OFFENSE.
Referred to Judiciary II Committee.

H.J.R. 1349, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF SAMUEL JAMES ERVIN, IV MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION.
Referred to Commerce Committee.

Pursuant to Senator Basnight’s motion to adjourn having prevailed, the Senate adjourns at 2:50 P.M.

FIFTY-FIFTH DAY

Senate Chamber
Monday, May 3, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“God of all peoples, the newspaper continues to report the news of divisiveness across the hall in the House Chamber, as if differences were something that always had to be apologized for.

“I am thankful that You made my colleagues different from me, different shaped faces, different colored skin, different accents, different opinions and different hopes from mine. I am glad You made all my neighbors different from me, because we have all been made in Your image, and I need my neighbor to teach me about You.

“When I hear my neighbor’s lament which is so contrary to mine, perhaps I can attune my ear to listen for Your disappointment and struggle. Every day my neighbor opens my eyes to all the things I still do not know about You. Help me in these contentious days not to lose sight of that great treasure. We pray in Your Holy Name, Amen.”

With unanimous consent, the President Pro Tempore grants leaves of absence for tonight to Senator Reeves, Senator Rucho, Senator Shaw of Guilford, and Senator Webster.

Senator Rand announces the Journal of Thursday, April 29, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore of the Senate extends courtesies of the floor to Dr. Jeffrey Kent Kobs from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Kathy Johnson from Raleigh, North Carolina, who is serving the Senate as Nurse of the Day.

May 3, 1999
CHAPTERED BILL

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

S.B. 225, AN ACT TO AMEND THE LAW REGARDING CERTIFICATION AND EMPLOYMENT OF ASSISTANT PRINCIPALS. ( Became law upon approval of the Governor, April 27, 1999 – S.L. 1999-30.)

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it and takes its place on the Calendar, as follows:

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

H.B. 334, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE AGRICULTURAL STATUTES, with a favorable report.

REPORT TO GENERAL ASSEMBLY

An Agency directed to report to the General Assembly submits a report which is ordered placed on file in the Legislative Library, as follows:

The Office of the State Controller along with the Office of State Budget and Management and the North Carolina Department of Revenue submit the State of North Carolina Summary of Financial Condition, March 31, 1999.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 143 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE RELATED TO UNLAWFUL PARKING IN HANDICAPPED PARKING SPACES, AND TO REQUIRE THAT SIGNS BE PLACED ON HANDICAPPED PARKING SPACES.
Referred to Judiciary I Committee.

H.B. 228 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE STATE EMPLOYEES COMBINED CAMPAIGN.
Referred to State and Local Government Committee.

H.B. 287 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES REGARDING CHILD CARE, TO REPEAL SECTION 4(B) OF S.L. 1997-506, AND TO MAKE CHANGES REGARDING THE TRAINING MATERIALS THAT MAY BE USED BY CHILD CARE FACILITIES.
Referred to Children & Human Resources Committee.

May 3, 1999
H.B. 736 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENSURE PATIENT ACCESS TO QUALITY MANAGED HEALTH CARE.
Referred to Insurance Committee.

H.B. 959 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR THE CRIMINAL OFFENSE OF COCK FIGHTING.
Referred to Judiciary II Committee.

H.B. 1032 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE UNDERGROUND DAMAGE PREVENTION ACT.
Referred to Judiciary II Committee.

H.B. 1065 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE RECIPROCAL CONCEALED HANDGUN RIGHTS TO CONCEALED HANDGUN PERMIT HOLDERS OF OTHER STATES.
Referred to Judiciary II Committee.

H.B. 1169 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AMENDMENTS TO THE GUBERNATORIAL SUCCESSION ACT SO IT IS CLEAR THAT THE SPEAKER OF THE HOUSE OF REPRESENTATIVES BECOMES ACTING GOVERNOR IN THE ABSENCE OR DISABILITY OF THE GOVERNOR AND LIEUTENANT GOVERNOR.
Referred to Judiciary I Committee.

H.B. 1173 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT DISCLOSURE OF PERSONAL INFORMATION CONTAINED IN APPLICATIONS FOR LICENSES ISSUED BY THE PRIVATE PROTECTIVE SERVICES BOARD AND THE ALARM SYSTEMS LICENSING BOARD AND TO AUTHORIZE THE ALARM SYSTEMS LICENSING BOARD TO ISSUE AN APPRENTICESHIP REGISTRATION PERMIT.
Referred to Judiciary I Committee.

H.B. 1209 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE BOATING SAFETY BY AMENDING THE STATE LAW REGULATING PERSONAL WATERCRAFT OPERATION TO CONFORM WITH THE RECOMMENDATIONS OF THE NATIONAL ASSOCIATION OF STATE BOATING LAW ADMINISTRATORS AND TO OTHERWISE IMPROVE PERSONAL WATERCRAFT SAFETY.
Referred to Judiciary II Committee.

H.B. 1267 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROTECTING PUBLIC SCHOOL EMPLOYEES WHO MAKE FORMAL OR INFORMAL COMPLAINTS ALLEGING SEXUAL HARASSMENT.
Referred to Education/Higher Education Committee.

H.B. 1288 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH METROPOLITAN PLANNING BOARDS TO ASSIST THE DEPARTMENT OF TRANSPORTATION IN THE DEVELOPMENT OF TRANSPORTATION PLANS AND PROGRAMS FOR URBAN AREAS OF THE STATE.
Referred to Transportation Committee.
REMOVAL OF SPONSOR

Senator Lucas requests to be removed as a sponsor of previously introduced legislation:

S.B. 999, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ONLY THE STATE MAY BRING CERTAIN CIVIL ACTIONS AGAINST FIREARMS OR AMMUNITION MARKETERS, MANUFACTURERS, DISTRIBUTORS, DEALERS, SELLERS, OR TRADE ASSOCIATIONS.

CALENDAR

A resolution on tonight’s Calendar is taken up and disposed of, as follows:


With unanimous consent, upon motion of Senator Purcell, the remarks of Senator Lee memorializing the life and memory of Dr. Denison Olmsted, the first North Carolina State Geologist, are spread upon the Journal, as follows:

Senator Lee:

“Thank you Mr. President. Members of the Senate, this is the 175th anniversary of the North Carolina Geological Survey. To some people that may not seem so important but North Carolina is blessed with an abundance of minerals, many of which I had no idea existed in this State until I had the good fortune of being appointed Secretary of the Department of Natural Resources. In that capacity, I learned of the many minerals, including gold that are in our State and I also learned that prior to California, North Carolina was one of the gold rush states. Now the reason we know so much about this is that there was a professor, Dr. Denison Olmsted, who was a professor of chemistry and mineralogy at the University of North Carolina at Chapel Hill. The General Assembly in 1823 charged Dr. Olmsted with establishing the first North Carolina Geological Survey in the nation, which was completed in 1824. The first State geological map in the nation was produced under his direction. Dr. Olmsted and his successors, such as geologist Alisha Mitchell, and many of you might be familiar with that name because this is the person after whom Mt. Mitchell was named, established our State survey as an agency dedicated to reliably determining the geological underpinning of the State of North Carolina and all of its economic resources and environmental resources relating thereof. The North Carolina Geological Survey continues to provide this essential information in an excellent fashion for industrial and environmental interests. The resolution is to celebrate the 175th anniversary. Once again this an indication that North Carolina was a leader and that the leaders of North Carolina had great vision and it took that kind of courage and vision to step forward and survey the important assets of our State. So I ask all of you to join with me today in supporting this resolution as we celebrate the life of Dr. Olmsted, of Dr. Mitchell, and the 175th anniversary of the Geological Survey.”

The joint resolution passes its second (39-0) and third readings and is ordered sent to the House of Representatives.

SENATE PAGES

The President Pro Tempore recognizes the following pages serving in the Senate this

May 3, 1999
Lexandria Angelon Avent, Rocky Mount; Brad T. Cowan, Robersonville; Rachel N. Crawford, Chocowinity; Benjamin Isaiah Davenport, Clayton; Carlita V. Ector, Raleigh; Shediah Mari’ Ector, Raleigh; Elizabeth Everett, Scotland Neck; David Alexander Henry, Benson; Derrick Hinton, Raleigh; Chenya Jones, Raleigh; Tanika Kelley, Henderson; Damon Mitchell, Cary; Ramon Mitchell, Cary; Stephanie Morgan, Lenoir; Randy Pulley, Raleigh; Emmaline Vinson Simpson, Raleigh; Crystal Ann Taborn, Kittrell; and Catherine Gray Urquhart, Speed.

Upon motion of Senator Ballance, seconded by Senator Lucas, the Senate adjourns at 7:23 P.M. in memory of the three individuals who lost their lives at Lowe’s Speedway in Cabarrus County this past weekend, to meet tomorrow, Tuesday, May 4, at 2:00 P.M.

FIFTY-SIXTH DAY

Senate Chamber
Tuesday, May 4, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Eternal God, the earth was made through Your power. The cosmos was established through Your wisdom. The heavens were aligned by Your understanding. The world and all that is in it belongs to You. Forgive us for making the distinction between the sacred and the secular, that which belongs to You and that which belongs to us. For all that was, all that is, and all that ever will be is from You and of You. Thus, we claim that the work we do here is not only our civic duty, but also a sacred activity. Help us to understand ourselves as agents of the Divine. May the enormity of that responsibility drive us back to

With unanimous consent, the President grants leaves of absence for today to Senator Odom and Senator Webster.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Monday, May 3, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Damon Philip Anagnos from Chapel Hill, North Carolina, who is serving the Senate as Doctor of the Day, and to Betty Trought from Winterville, North Carolina, who is serving the Senate as Nurse of the Day.

CALENDAR

A bill on today's Calendar is taken up and disposed of, as follows:
H.B. 334, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE AGRICULTURAL STATUTES.

The bill passes its second (44-0) and third readings and is ordered enrolled and sent to the Governor.

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Cooper for the Judiciary I Committee:

H.B. 1088, A BILL TO BE ENTITLED AN ACT TO IMPROVE AND MODERNIZE THE TORRENS LAND TITLE REGISTRATION PROCEDURES OF THE STATE, with a favorable report.

COMMITTEE REFERRAL RECALL


Pursuant to Rule 47(a), Senator Rand offers a motion that the Senate Resolution be withdrawn from the Rules and Operations of the Senate Committee and placed on the Calendar for Wednesday, May 5, which motion prevails with unanimous consent.

The Chair orders the Senate Resolution withdrawn from the Rules and Operations of the Senate Committee and places it on the Calendar for Wednesday, May 5.

H.B. 1032 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE UNDERGROUND DAMAGE PREVENTION ACT, referred to the Judiciary II Committee on May 3.

Pursuant to Rule 47(a), Senator Rand offers a motion that the Committee Substitute bill No. 2 be withdrawn from the Judiciary II Committee and re-referred to the Rules and Operations of the Senate Committee, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill No. 2 withdrawn from the Judiciary II Committee and re-refers the measure to the Rules and Operations of the Senate Committee.

H.B. 736 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENSURE PATIENT ACCESS TO QUALITY MANAGED HEALTH CARE, referred to the Insurance Committee on May 3.

Pursuant to Rule 47(a), Senator Rand offers a motion that the Committee Substitute bill No. 2 be withdrawn from the Insurance Committee and re-referred to the Commerce Committee, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill No. 2 withdrawn from the Insurance Committee and re-refers the measure to the Commerce Committee.


May 4, 1999
Pursuant to Rule 47(a), Senator Rand offers a motion that the joint resolution be withdrawn from the Rules and Operations of the Senate Committee and placed on the Calendar for Wednesday, May 19, which motion prevails with unanimous consent.

The Chair orders the joint resolution withdrawn from the Rules and Operations of the Senate Committee and places it on the Calendar for Wednesday, May 19.

Upon motion of Senator Basnight, seconded by Senator Dannelly, the Senate adjourns at 2:20 P.M. to meet tomorrow, Wednesday, May 5, at 3:30 P.M.

FIFTY-SEVENTH DAY

Senate Chamber
Wednesday, May 5, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Walter McLeod, Wilson Temple United Methodist Church, Raleigh, North Carolina, as follows:

"Almighty God, how excellent is Thy Name in all the earth. We come thanking You for this day that You have blessed us with. So we rejoice and are glad in it. "We also come praying for those who have recently experienced disaster in Oklahoma, those who are facing war in Europe, and those who are suffering various needs. We ask that You hear their cry and grant them all comfort and fulfillment. "Now, Oh God, we ask that You grant this Legislative Body of North Carolina the wisdom and power to carry out the great task that You have put before them. We pray that their work will reflect concern and fairness for all citizens of this great State. Amen."

With unanimous consent, the President grants a leave of absence for today to Senator Carrington.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Tuesday, May 4, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Barry Seymour Ostrow from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day.

CALENDAR

A bill and a resolution on today's Calendar are taken up and disposed of, as follows:

S.R. 1038, A SENATE RESOLUTION HONORING THE FIFTIETH ANNIVERSARY OF THE TOWN OF SURF CITY.

With unanimous consent, upon motion of Senator Rand, the Senate resolution is withdrawn from today's Calendar and is re-referred to the Rules and Operations of the Senate Committee.
ENROLLED BILLS

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

**H.B. 334**, AN ACT TO REPEAL CERTAIN OBSOLETE AGRICULTURAL STATUTES.

The Enrolling Clerk reports the following resolution duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

**S.J.R. 416**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SAMUEL ASHE FOR WHOM ASHE COUNTY IS NAMED UPON THE COUNTY'S BICENTENNIAL CELEBRATION. (Res. 7)

CHAPTERED BILL

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

**H.B. 921**, AN ACT TO REWRITE THE DEFINITIONS OF "POLITICAL COMMITTEE," "CONTRIBUTION," "EXPENDITURE," AND "CANDIDATE"; TO ADD A DEFINITION OF "INDEPENDENT EXPENDITURE"; TO REMOVE THE TERM "POLITICAL PURPOSE"; TO NARROW THE PROHIBITION ON CORPORATE AND OTHER POLITICAL EXPENDITURES TO CONSTITUTIONAL BOUNDS; TO MERGE THE FIRST QUARTERLY REPORT WITH THE PRE-PRIMARY REPORT; TO AMEND THE STATUTES WITH REGARD TO REPORTING CONTRIBUTIONS AND EXPENDITURES; AND TO MAKE OTHER CHANGES RELATED TO REPAIRING THE CAMPAIGN STATUTES AFTER THE DECISION OF THE FOURTH U.S. CIRCUIT COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE, INC., V. BARTLETT. (Became law upon approval of the Governor, May 4, 1999 - S.L. 1999-31.)

COMMITTEE REFERRAL RECALL

**H.B. 644** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PUBLIC CONDEMNOR USING "QUICK TAKE" IN AN EMINENT DOMAIN ACTION SHALL INCLUDE A NOTICE OF OWNER'S RIGHTS IN THE NOTICE OF ACTION, referred to the Judiciary I Committee on April 27.

Pursuant to Rule 47(a), Senator Cooper offers a motion that the Committee Substitute bill be withdrawn from the Judiciary I Committee and re-referred to the Judiciary II Committee, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Judiciary I Committee and re-refers the measure to the Judiciary II Committee.

**H.B. 980** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW JUDICIAL DISCRETION IN DETERMINING THE AMOUNT OF SUBROGATION OF EMPLOYERS' LIENS IN ACTIONS AGAINST THIRD PARTIES UNDER THE WORKERS' COMPENSATION ACT, referred to the Judiciary I Committee on April 26.

Pursuant to Rule 47(a), Senator Cooper offers a motion that the Committee Substitute bill be withdrawn from the Judiciary I Committee and re-referred to the Judiciary II Committee.

May 5, 1999
Committee, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Judiciary I Committee and re-refers the measure to the Judiciary II Committee.

H.B. 991 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT LIABILITY, UNINSURED, AND UNDERINSURED COVERAGE IS NOT REDUCED BY RECEIPT OF SUBROGATED WORKERS' COMPENSATION BENEFITS, referred to the Judiciary I Committee on April 28.

Pursuant to Rule 47(a), Senator Cooper offers a motion that the Committee Substitute bill be withdrawn from the Judiciary I Committee and re-referred to the Judiciary II Committee, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Judiciary I Committee and re-refers the measure to the Judiciary II Committee.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Kerr for the Finance Committee:

H.B. 765, A BILL TO BE ENTITLED AN ACT AMENDING THE BOUNDARIES OF THE VILLAGE OF WESLEY CHAPEL, with a favorable report.

H.B. 797, A BILL TO BE ENTITLED AN ACT EXEMPTING CERTAIN STATE PROPERTY FROM FIRE PROTECTION FEES IMPOSED BY UNION COUNTY, with a favorable report.

H.B. 837 (Committee Substitute), A BILL TO BE ENTITLED AN ACT EXTENDING THE TOWN OF CHOCOWINITY'S EXTRATERRITORIAL JURISDICTION, with a favorable report.

H.B. 846 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF FARMVILLE TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS, with a favorable report.

S.B. 323 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND WATERFOWL HUNTING PRIVILEGES TO HOLDERS OF COMPREHENSIVE HUNTING LICENSES, TO INCREASE THE FEE CHARGED FOR MIGRATORY WATERFOWL LICENSES, AND TO INCREASE THE APPLICATION FEE FOR MANAGED HUNTS FOR MIGRATORY WATERFOWL AND REQUIRE APPLICANTS TO FURNISH SATISFACTORY PROOF OF POSSESSION OF THE NECESSARY HUNTING LICENSE, with a favorable report.

H.B. 847 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE INVESTMENT OF CERTAIN FUNDS BY PITT COUNTY, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 2342 is adopted and engrossed.
By Senator Phillips for the Pensions & Retirement and Aging Committee:

S.B. 591, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEMBERS OF THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM TO TRANSFER CREDITABLE SERVICE FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 682, A BILL TO BE ENTITLED AN ACT TO INCLUDE FULL-TIME COUNTY FIRE MARSHALS IN THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Appropriations/Base Budget Committee.

H.B. 722, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CERTAIN PART-TIME SERVICE RENDERED WHILE FULL-TIME STUDENTS, with a favorable report.

By Senator Dalton for the Education/Higher Education Committee:

H.B. 244 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD A STUDENT MEMBER TO THE STATE BOARD OF COMMUNITY COLLEGES, with a favorable report.

H.B. 517 (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO STUDY THE COMPUTATION OF DROPOUT RATES FOR THE ABCs PROGRAM, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 3413 is adopted and engrossed.

H.B. 260 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE AND MAKE TECHNICAL CHANGES TO THE COMMUNITY COLLEGE LAWS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 1264 is adopted and engrossed.

By Senator Kinnaird for the State and Local Government Committee:

H.B. 253 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE STATE INFORMATION PROCESSING SERVICES TO THE DIVISION OF INFORMATION TECHNOLOGY SERVICES, with a favorable report.

H.B. 319, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF STATE TO APPLY FOR AND ACCEPT GRANT FUNDS, with a favorable report.

May 5, 1999
H.B. 326 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF NORTH CAROLINA AQUARIUMS TO DISPOSE OF EXHIBITS FROM THE COLLECTIONS OF THE NORTH CAROLINA AQUARIUMS IN ACCORDANCE WITH GENERALLY ACCEPTED PRACTICES FOR ACCREDITED ZOOS AND AQUARIUMS, TO REQUIRE THAT THE NET PROCEEDS OF ANY SALE OR LEASE OF EXHIBITS BE CREDITED TO THE NORTH CAROLINA AQUARIUMS FUND, AND TO REQUIRE THE DIVISION OF NORTH CAROLINA AQUARIUMS TO REPORT ON RECEIPTS OF AND EXPENDITURES FROM THE NORTH CAROLINA AQUARIUMS FUND, with a favorable report.

H.B. 327 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF NORTH CAROLINA AQUARIUMS, RATHER THAN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO OPERATE OR CONTRACT FOR FOOD AND VENDING SERVICES AT THE NORTH CAROLINA AQUARIUMS, AND TO REQUIRE THE NET PROCEEDS OF THESE FOOD AND VENDING SERVICES TO BE CREDITED TO THE NORTH CAROLINA AQUARIUMS FUND, with a favorable report.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

H.B. 429, A BILL TO BE ENTITLED AN ACT TO VALIDATE A REFERENDUM CHANGING THE MANNER OF ELECTION OF THE BOARD OF COMMISSIONERS OF MADISON COUNTY, EFFECTIVE IN 2002, AS APPROVED BY THE VOTERS OF THAT COUNTY, with a favorable report.

H.B. 637, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE IN COINJOCK CANAL IN CURRITUCK COUNTY, with a favorable report.

H.B. 872, A BILL TO BE ENTITLED AN ACT TO EXEMPT DARE COUNTY FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS, with a favorable report.

CALENDAR (Continued)

H.B. 1088, A BILL TO BE ENTITLED AN ACT TO IMPROVE AND MODERNIZE THE TORRENS LAND TITLE REGISTRATION PROCEDURES OF THE STATE.

The bill passes its second reading (47-0).

Senator Kerr objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Thursday, May 6.

ADDITIONAL SPONSOR

Senator Purcell requests to be added as a sponsor of previously introduced legislation:

S.B. 882, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SYSTEM OF COMPREHENSIVE PUBLIC FINANCING OF ELECTIONS FOR GOVERNOR, COUNCIL OF STATE, AND GENERAL ASSEMBLY; AND TO MAKE RELATED CHANGES.

Upon motion of Senator Basnight, seconded by Senator Forrester, the Senate adjourns May 5, 1999
at 4:07 P.M. to meet tomorrow, Thursday, May 6, at 11:00 A.M.

FIFTY-EIGHTH DAY

Senate Chamber
Thursday, May 6, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Gracious Lord God, we hear our culture say, 'Blessed are those who have made it big, the top dogs who have it all together, those who are unrestrained by pious moral taboos, who live it up and go for the gusto. Blessed are the know-it-alls, the doers and makers, the movers and shakers.'

"But Jesus said, 'Blessed are the poor in spirit, blessed are those who mourn, those who are meek, who hunger and thirst for righteousness, those who are merciful and pure in heart. Blessed are the peacemakers.'

"Merciful Father, forgive us for the subtle idolatry by which we exchange Your Divine Truth for the seductive gods of this world. The ways of Your Kingdom are so antithetical to our culture, it is like seeing the world up side down. We might as well be standing on our heads. Teach us, Oh God, that if we are willing, even occasionally, to see the world on our heads, up side down as You do, then we might just end up with our feet planted a little closer to heaven. Amen."

With unanimous consent, the President Pro Tempore grants leaves of absence for today to Senator Garwood and Senator Weinstein.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Wednesday, May 5, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore of the Senate extends courtesies of the floor to Dr. Daniel James Albright from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Sharon Pearce from Lexington, North Carolina, who is serving the Senate as Nurse of the Day.

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Miller for the Judiciary II Committee:

H.B. 477 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF CAMPUS LAW ENFORCEMENT AGENCIES AT COMMUNITY COLLEGES, with a favorable report.

May 6, 1999
CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

**H.B. 765**, A BILL TO BE ENTITLED AN ACT AMENDING THE BOUNDARIES OF THE VILLAGE OF WESLEY CHAPEL, upon second reading.

The bill passes its second reading by roll-call vote, ayes 47, noes 1, as follows:


Voting in the negative: Senator East—1.

The bill is ordered placed on the Calendar for Monday, May 10, upon third reading.

**H.B. 837** (Committee Substitute), A BILL TO BE ENTITLED AN ACT EXTENDING THE TOWN OF CHOCOWINITY'S EXTRATERRITORIAL JURISDICTION, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 47, noes 1, as follows:


Voting in the negative: Senator East—1.

The Committee Substitute bill is ordered placed on the Calendar for Monday, May 10, upon third reading.

**H.B. 846** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF FARMVILLE TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 47, noes 1, as follows:


Voting in the negative: Senator East—1.

The Committee Substitute bill is ordered placed on the Calendar for Monday, May 10, upon third reading.

**H.B. 429**, A BILL TO BE ENTITLED AN ACT TO VALIDATE A REFERENDUM CHANGING THE MANNER OF ELECTION OF THE BOARD OF COMMISSIONERS OF MADISON COUNTY, EFFECTIVE IN 2002, AS APPROVED BY THE VOTERS OF THAT COUNTY.

The bill passes its second (47-0) and third readings and is ordered enrolled.
H.B. 637, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE IN COINJOCK CANAL IN CURRITUCK COUNTY.
   The bill passes its second (47-0) and third readings and is ordered enrolled.

H.B. 797, A BILL TO BE ENTITLED AN ACT EXEMPTING CERTAIN STATE PROPERTY FROM FIRE PROTECTION FEES IMPOSED BY UNION COUNTY.
   The bill passes its second (47-0) and third readings and is ordered enrolled.

H.B. 872, A BILL TO BE ENTITLED AN ACT TO EXEMPT DARE COUNTY FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS.
   The bill passes its second (47-0) and third readings and is ordered enrolled.

H.B. 847 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE INVESTMENT OF CERTAIN FUNDS BY PITT COUNTY.
   The Senate Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

S.B. 323 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND WATERFOWL HUNTING PRIVILEGES TO HOLDERS OF COMPREHENSIVE HUNTING LICENSES, TO INCREASE THE FEE CHARGED FOR MIGRATORY WATERFOWL LICENSES, AND TO INCREASE THE APPLICATION FEE FOR MANAGED HUNTS FOR MIGRATORY WATERFOWL AND REQUIRE APPLICANTS TO FURNISH SATISFACTORY PROOF OF POSSESSION OF THE NECESSARY HUNTING LICENSE.
   The Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

H.B. 244 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD A STUDENT MEMBER TO THE STATE BOARD OF COMMUNITY COLLEGES.
   The Committee Substitute bill passes its second (47-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 253 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE STATE INFORMATION PROCESSING SERVICES TO THE DIVISION OF INFORMATION TECHNOLOGY SERVICES.
   Senator Horton offers Amendment No. 1.
   With unanimous consent, upon motion of Senator Rand, the Committee Substitute bill is re-referred to the Rules and Operations of the Senate Committee, with Amendment No. 1 pending.

H.B. 260 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE AND MAKE TECHNICAL CHANGES TO THE COMMUNITY COLLEGE LAWS.
   Senator Dalton offers Amendment No. 1 which is adopted (46-0).
   The Senate Committee Substitute bill, as amended, passes its second (46-0) and third readings and is ordered engrossed and sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

H.B. 319, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF STATE TO APPLY FOR AND ACCEPT GRANT FUNDS.
   Senator Basnight, President Pro Tempore, relinquishes the gavel to the Deputy President Pro Tempore, Senator Ballance, who presides.

May 6, 1999
With unanimous consent, upon motion of Senator Rand, the bill is withdrawn from today’s Calendar and is re-referred to the Rules and Operations of the Senate Committee.

H.B. 326 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF NORTH CAROLINA AQUARIUMS TO DISPOSE OF EXHIBITS FROM THE COLLECTIONS OF THE NORTH CAROLINA AQUARIUMS IN ACCORDANCE WITH GENERALLY ACCEPTED PRACTICES FOR ACCREDITED ZOOS AND AQUARIUMS, TO REQUIRE THAT THE NET PROCEEDS OF ANY SALE OR LEASE OF EXHIBITS BE CREDITED TO THE NORTH CAROLINA AQUARIUMS FUND, AND TO REQUIRE THE DIVISION OF NORTH CAROLINA AQUARIUMS TO REPORT ON RECEIPTS OF AND EXPENDITURES FROM THE NORTH CAROLINA AQUARIUMS FUND.

The Committee Substitute bill passes its second (46-0) and third readings and is ordered enrolled.

H.B. 517 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO STUDY THE COMPUTATION OF DROPOUT RATES FOR THE ABCs PROGRAM.

With unanimous consent, upon motion of Senator Dalton, the Senate Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Wednesday, May 12.

H.B. 722, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE TEACHERS’ AND STATE EMPLOYEES’ RETIREMENT SYSTEM TO PURCHASE CERTAIN PART-TIME SERVICE RENDERED WHILE FULL-TIME STUDENTS.

The bill passes its second reading (47-0).

Senator Perdue objects to third reading of the measure. Pursuant to Rule 50, the Deputy President Pro Tempore orders the measure placed on the Calendar for Monday, May 10.

H.B. 1088, A BILL TO BE ENTITLED AN ACT TO IMPROVE AND MODERNIZE THE TORRENS LAND TITLE REGISTRATION PROCEDURES OF THE STATE.

The bill passes its third reading (46-1) and is ordered enrolled and sent to the Governor.

ADDITIONAL SPONSOR

Senator Metcalf requests to be added as a sponsor of previously introduced legislation:

S.B. 882, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SYSTEM OF COMPREHENSIVE PUBLIC FINANCING OF ELECTIONS FOR GOVERNOR, COUNCIL OF STATE, AND GENERAL ASSEMBLY; AND TO MAKE RELATED CHANGES.

Upon motion of Senator Basnight, seconded by Senator Jordan, the Senate adjourns at 11:51 A.M. to meet Monday, May 10, at 7:00 P.M.
The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Honorable Betsy Cochrane, Senator from Davie County, as follows:

"Ladies and Gentlemen of the Senate and our friends in the gallery, the month of May is Mental Health month. And what I want to share with you is a prayer that was written by The Reverend Jerry Moore who is President of the Davidson County Mental Health Association. And as you hear the prayer, remember that he is writing it for people who are mentally ill. Will you pray with me, please?

"Compassionate God, in various ways many of us dwell in a prison. Sometimes it is a prison of our own choosing. Sometimes it is a prison imposed upon us by others. There is the prison of prejudice, cutting ourselves off from others. There is the prison of hatred, burning an unquenchable fire within us. There is the prison of jealously, wanting what belongs to others. There is the prison of pride, lifting ourselves above others and their need.

"But sometimes, God, the prison is in our mind. We feel lost, directionless, disquieted, unsettled. Life seems to have lost meaning. Our energy gone, our purpose lacking. We wander aimlessly seeking a comforting word. We feel flawed, defective and unwanted. We hear Your voice, 'I have come to unbind your chains, I have come to set you free.' Would You do that for us? Would You come to us? Would You call us by name? Would You heal us? And, would You help us to be willing to free others from their prisons? We need Your help because sometimes our own prisons keep us from seeing the need for fulfillment in others.

"Sometimes we feel so helpless in the face of others' pain, others' struggles, that we do not know how to unlock the gate to freedom. Hear the cry of all Your imprisoned people. Free us from our external and internal prisons. Prisons imposed. Prisons chosen. May we ever come to know that as we free others we, too, shall be made free. With arms wide open to receive Your good gifts we pray. Amen."

With unanimous consent, the President grants leaves of absence for tonight to Senator Garrou, Senator Kerr, Senator Martin of Guilford, and Senator Martin of Pitt.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of Thursday, May 6, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Robert Xavier Morrell, Jr. from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

May 10, 1999
H.B. 244, AN ACT TO ADD A STUDENT MEMBER TO THE STATE BOARD OF COMMUNITY COLLEGES.

H.B. 326, AN ACT TO ALLOW THE DIVISION OF NORTH CAROLINA AQUARIUMS TO DISPOSE OF EXHIBITS FROM THE COLLECTIONS OF THE NORTH CAROLINA AQUARIUMS IN ACCORDANCE WITH GENERALLY ACCEPTED PRACTICES FOR ACCREDITED ZOOS AND AQUARIUMS, TO REQUIRE THAT THE NET PROCEEDS OF ANY SALE OR LEASE OF EXHIBITS BE CREDITED TO THE NORTH CAROLINA AQUARIUMS FUND, AND TO REQUIRE THE DIVISION OF NORTH CAROLINA AQUARIUMS TO REPORT ON RECEIPTS OF AND EXPENDITURES FROM THE NORTH CAROLINA AQUARIUMS FUND.

H.B. 1088, AN ACT TO IMPROVE AND MODERNIZE THE TORRENS LAND TITLE REGISTRATION PROCEDURES OF THE STATE.

The Enrolling Clerk reports the following bills and a resolution duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.B. 299, AN ACT TO INCREASE THE FORCE ACCOUNT LIMIT FOR CABARRUS COUNTY AND THE CITY OF CONCORD.

S.B. 433, AN ACT RELATING TO THE EXERCISE OF EXTRATERRITORIAL JURISDICTION BY THE TOWN OF PINEBLUFF.

S.B. 627, AN ACT TO PERMIT THE DURHAM CITY COUNCIL TO AUTHORIZE DEPUTY AND ASSISTANT CITY MANAGERS TO MAKE AND EXECUTE CONTRACTS.

H.B. 429, AN ACT TO VALIDATE A REFERENDUM CHANGING THE MANNER OF ELECTION OF THE BOARD OF COMMISSIONERS OF MADISON COUNTY, EFFECTIVE IN 2002, AS APPROVED BY THE VOTERS OF THAT COUNTY.

H.B. 637, AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE IN COINJOCK CANAL IN CURRITUCK COUNTY.

H.B. 797, AN ACT EXEMPTING CERTAIN STATE PROPERTY FROM FIRE PROTECTION FEES IMPOSED BY UNION COUNTY.

H.B. 872, AN ACT TO EXEMPT DARE COUNTY FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS.

S.J.R. 975, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF SAMUEL JAMES ERVIN, IV MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION. (Res. 8)

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the
following Chapter Numbers, and presented to the Office of the Secretary of State:


**S.B. 273**, AN ACT TO REQUIRE ALL FACILITIES AND PROVIDERS THAT DETECT, DIAGNOSE, OR TREAT CANCER PATIENTS TO REPORT CANCER CASES TO THE CANCER CONTROL REGISTRY. (Became law upon approval of the Governor, May 7, 1999 - S.L. 1999-33.)

**INTRODUCTION OF A RESOLUTION**

A resolution filed for introduction is presented to the Senate, read the first time, and disposed of, as follows:

By Senator Martin of Pitt:
**S.J.R. 1171**, A JOINT RESOLUTION RECOGNIZING WASHINGTON COUNTY UPON ITS BICENTENNIAL AND HONORING GEORGE WASHINGTON, FOR WHOM THE COUNTY IS NAMED.

Referred to Rules and Operations of the Senate Committee.

**RESOLUTION FROM ANOTHER STATE**

The following resolution received from another Legislative Body is presented to the Senate and is ordered filed in the Office of the Principal Clerk:

Legislature of the State of Idaho, Senate Concurrent Resolution No. 129, By State Affairs Committee a Concurrent Resolution stating findings of the legislature, rescinding, canceling, voiding and superseding any and all extant applications by The legislature of the State of Idaho heretofore made during any session thereof to the Congress of the United States of America to call a convention pursuant to the terms of Article V of the United States Constitution for proposing one or more Amendments to the Constitution and urging the legislatures of the other States to do the same, reaffirming the request for an amendment requiring that federal outlays not exceed receipts, and directing copies of this resolution be sent to specified persons. (See Appendix.)

**CALENDAR**

Bills on tonight's Calendar are taken up and disposed of, as follows:

**H.B. 765**, A BILL TO BE ENTITLED AN ACT AMENDING THE BOUNDARIES OF THE VILLAGE OF WESLEY CHAPEL, upon third reading.

The bill passes its third reading by roll-call vote, ayes 41, noes 1, as follows:


Voting in the negative: Senator East—1.

The bill is ordered enrolled.

May 10, 1999
H.B. 837 (Committee Substitute), A BILL TO BE ENTITLED AN ACT EXTENDING THE TOWN OF CHOCOWINITY'S EXTRATERRITORIAL JURISDICTION, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 41, noes 1, as follows:


Voting in the negative: Senator East—1.

The Committee Substitute bill is ordered enrolled.

H.B. 846 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF FARMVILLE TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 41, noes 1, as follows:


Voting in the negative: Senator East—1.

The Committee Substitute bill is ordered enrolled.

H.B. 477 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF CAMPUS LAW ENFORCEMENT AGENCIES AT COMMUNITY COLLEGES.

The Committee Substitute bill passes its second (42-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 722, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CERTAIN PART-TIME SERVICE RENDERED WHILE FULL-TIME STUDENTS.

The bill passes its third reading (42-0).

Having voted in the majority, Senator Perdue offers a motion that the vote by which the bill passed its third reading be reconsidered, which motion prevails.

With unanimous consent, upon motion of Senator Perdue, the bill is withdrawn from tonight's Calendar and is placed on the Calendar for tomorrow, Tuesday, May 11, upon third reading.

SENATE PAGES

The President recognizes the following pages serving in the Senate this week:

Ana Brechtelsbauer, Pinehurst; Barbara Lee Cobb, Raleigh; Michelle Lynn Cobb, Raleigh; Benjamin Isaiah Davenport, Clayton; Shirley Marie Davis, Asheboro; Jennifer Gilstrap, Asheboro; Tucker Ross Martin, Raleigh; Afton McCullough, Raleigh; Katharine Leigh McKenzie, Raleigh; Rachel Grey McKenzie, Raleigh; A. Taylor Newberry,

May 10, 1999
Raleigh; Joseph F. Powell IV, Indian Trail; Michael Ramirez, Jacksonville; and Jaymie Lyn Rowe, Conover.

ADDITIONAL SPONSOR

Senator Carter requests to be added as a sponsor of previously introduced legislation:

S.B. 882, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SYSTEM OF COMPREHENSIVE PUBLIC FINANCING OF ELECTIONS FOR GOVERNOR, COUNCIL OF STATE, AND GENERAL ASSEMBLY; AND TO MAKE RELATED CHANGES.

Upon motion of Senator Basnight, seconded by Senator Lucas, the Senate adjourns at 7:20 P.M. to meet tomorrow, Tuesday, May 11, at 2:00 P.M.

SIXTIETH DAY

Senate Chamber
Tuesday, May 11, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“God of the glorious impossible, a small boy on a Judean hillside once offered up five barley loaves and two fish that miraculously fed 5,000 hungry people. We wistfully recall that miracle of multiplication, where limited resources were stretched to meet a seemingly impossible demand. Scripture teaches us that the people ate that day and were satisfied.

“We could use so great a miracle for this upcoming budgeting process. Our State revenues are disappointingly finite and the requests for funding seem endless. There is not enough bread to go around, and yet all the mouths we would feed are uniform in their needs justifications to us, all these programs are worthy, all are beneficial, all are fiscally accountable. It isn’t so much a question of black and white any more as it is discernment between very subtle shades of gray, shades of worthiness, nuances of merit. Which department is more commendable than its competitor, which bill is more cost effective, which program has broader popular support back home. Everyone, it seems, is legitimately hungry, but where is the need most acute?

“As we wrestle within the constraints of limited time and resources, grant us a vision to persistently see the things that endure, refusing those things that perish. Direct our sights toward the ways of Your Truth, and towards Your priorities of justice and compassion. We make our prayer in Your Holy Name, Amen.”

With unanimous consent, the President Pro Tempore grants a leave of absence for today to Senator Rand.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Monday, May 10, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

May 11, 1999
The President Pro Tempore of the Senate extends courtesies of the floor to Dr. Kirk Robert Hasenmueller from Rockingham, North Carolina, who is serving the Senate as Doctor of the Day.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Purcell for the Health Care Committee:

H.B. 906, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF PHARMACY TO ENTER INTO AGREEMENTS WITH PHARMACIST PEER REVIEW ORGANIZATIONS FOR IMPAIRED PHARMACISTS, with a favorable report.

H.B. 715 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT UTILIZATION REVIEW CRITERIA FOR SUBSTANCE ABUSE TREATMENT BE CRITERIA ADOPTED BY THE AMERICAN SOCIETY OF ADDICTION MEDICINE (ASAM) OR SIMILAR CRITERIA, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 2344 is adopted and engrossed.

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

H.B. 236 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE BAITING OF ANIMALS AND TO MAKE CORRECTIONS IN THE LAW REGARDING THE MANDATORY SUSPENSION OF HUNTING LICENSES AND PERMITS, with a favorable report.

H.B. 1008 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGULATION OF CERTAIN EXCAVATION AND GRADING ACTIVITIES UNDER THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973 INSTEAD OF THE MINING ACT OF 1971, with a favorable report.

H.B. 1125, A BILL TO BE ENTITLED AN ACT TO CONFORM THE DEFINITION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE UNDER THE INACTIVE HAZARDOUS SITES RESPONSE ACT OF 1987 TO FEDERAL LAW, with a favorable report.

H.B. 1127, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF ENVIRONMENTAL HEALTH OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO CONDUCT A STUDY INVOLVING INTERESTED PARTIES TO REVIEW AND REVISE THE CURRENT PROCEDURES CONCERNING COFFEE POTS AND ICE BUCKETS PROVIDED BY LODGING ESTABLISHMENTS IN GUEST ROOMS AND TO SUSPEND CURRENT APPLICABLE RULES UNTIL REVISED RULES HAVE BEEN ADOPTED AS TEMPORARY RULES, with a favorable report.

May 11, 1999
ENROLLED BILLS

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

H.B. 477, AN ACT TO AUTHORIZE THE ESTABLISHMENT OF CAMPUS LAW ENFORCEMENT AGENCIES AT COMMUNITY COLLEGES.

The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

H.B. 765, AN ACT AMENDING THE BOUNDARIES OF THE VILLAGE OF WESLEY CHAPEL.

H.B. 837, AN ACT EXTENDING THE TOWN OF CHOCOWINITY'S EXTRATERRITORIAL JURISDICTION.

H.B. 846, AN ACT ALLOWING THE TOWN OF FARMVILLE TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

S.B. 299, AN ACT TO INCREASE THE FORCE ACCOUNT LIMIT FOR CABARRUS COUNTY AND THE CITY OF CONCORD. (Became law upon ratification, May 10, 1999 - S.L. 1999-34.)

S.B. 433, AN ACT RELATING TO THE EXERCISE OF EXTRATERRITORIAL JURISDICTION BY THE TOWN OF PINEBLUFF. (Became law upon ratification, May 10, 1999 - S.L. 1999-35.)

S.B. 627, AN ACT TO PERMIT THE DURHAM CITY COUNCIL TO AUTHORIZE DEPUTY AND ASSISTANT CITY MANAGERS TO MAKE AND EXECUTE CONTRACTS. (Became law upon ratification, May 10, 1999 - S.L. 1999-36.)


H.B. 637, AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE IN COINJOCK CANAL IN CURRITUCK COUNTY. (Became law upon ratification, May 10, 1999 - S.L. 1999-38.)

H.B. 797, AN ACT EXEMPTING CERTAIN STATE PROPERTY FROM FIRE PROTECTION FEES IMPOSED BY UNION COUNTY. (Became law upon ratification, May 10, 1999 - S.L. 1999-39.)

H.B. 872, AN ACT TO EXEMPT DARE COUNTY FROM CERTAIN

May 11, 1999
REQUIREMENTS FOR PUBLIC CONTRACTS. (Became law upon ratification, May 10, 1999 - S.L. 1999-40.)

COMMITTEE REFERRAL RECALL

S.B. 20, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LOW-WEALTH SCHOOL SYSTEMS' SUPPLEMENTAL FUNDING, referred to Education/Higher Education Committee on February 2.

Pursuant to Rule 47(a), Senator Lee offers a motion that the bill be withdrawn from the Education/Higher Education Committee and re-referred to the Appropriations/Base Budget Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Education/Higher Education Committee and refers the measure to the Appropriations/Base Budget Committee.

WITHDRAWAL FROM CALENDAR

H.B. 517 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO STUDY THE COMPUTATION OF DROPOUT RATES FOR THE ABCs PROGRAM, placed on the Calendar for Wednesday May 12.

Senator Lee offers a motion that the Senate Committee Substitute bill be withdrawn from the Calendar for Wednesday, May 12, and re-referred to the Education/Higher Education Committee, which motion prevails with unanimous consent.

The Chair orders the Senate Committee Substitute bill withdrawn from the Calendar for Wednesday, May 12, and re-refers the measure to the Education/Higher Education Committee.

COMMITTEE REFERRAL RECALL

S.B. 1119, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LICENSURE OF PERFUSIONISTS, referred to the Judiciary I Committee on April 15.

Pursuant to Rule 47(a), Senator Cooper offers a motion that the bill be withdrawn from the Judiciary I Committee and re-referred to the Health Care Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Judiciary I Committee and re-refers the measure to the Health Care Committee.

REPORTS OF COMMITTEES (Continued)

By Senator Cooper for the Judiciary I Committee:

H.B. 818, A BILL TO BE ENTITLED AN ACT AMENDING THE EVIDENCE CODE, CHAPTER 8C OF THE GENERAL STATUTES, TO MAKE ADMISSIBLE FOR THE PURPOSES OF IMPEACHMENT EVIDENCE OF A WITNESS' CONVICTION OF A FELONY OR CLASS A1, CLASS 1, OR CLASS 2 MISDEMEANOR, with a favorable report.

H.B. 870, A BILL TO BE ENTITLED AN ACT TO ALLOW MAGISTRATES TO ACCEPT WAIVERS AND ENTER JUDGMENT IN CERTAIN CASES INVOLVING REGULATION OF THE USE OF MOTOR VEHICLES ON BEACHES, with a favorable report.

May 11, 1999
H.B. 1286 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXEMPTION FROM THE "MASS GATHERINGS" STATUTE, with a favorable report.

By Senator Soles for the Commerce Committee:

H.B. 674 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A FEDERALLY RECOGNIZED INDIAN TRIBE TO PERFORM BUILDING INSPECTIONS AND TO ALLOW CERTIFICATION AND LICENSE REGULATION OF BUILDING INSPECTORS ON TRIBAL LANDS OF FEDERALLY RECOGNIZED INDIAN TRIBES, with a favorable report.

H.B. 899, A BILL TO BE ENTITLED AN ACT AMENDING CERTAIN REQUIREMENTS FOR LICENSURE OF REAL ESTATE BROKERS AND SALESMEN, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Finance Committee.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 626, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO CITY DEPARTMENTS THE AUTHORITY TO APPROVE FIREWORKS DISPLAYS, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence to read, S.B. 626 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO THE CITY FIRE DEPARTMENT THE AUTHORITY TO APPROVE FIREWORKS DISPLAYS, which is placed on the Calendar for tomorrow, Wednesday, May 12.

S.B. 1039 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NEW MULTICAMPUS COMMUNITY COLLEGE TO SERVE ANSON AND UNION COUNTIES, for concurrence in House Amendment No. 1, which is placed on the Calendar for tomorrow, Wednesday, May 12.

H.B. 237, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE PAID TO AGENTS OF THE WILDLIFE RESOURCES COMMISSION TO AWARD CERTIFICATES OF BOAT NUMBER OR OTHER VESSEL TRANSACTION AND TO AMEND THE DUTIES OF THE WILDLIFE RESOURCES COMMISSION WITH REGARD TO THE APPOINTMENT OF AGENTS FOR THE ISSUANCE OF BOAT NUMBERS, TO RAISE THE REPORTING REQUIREMENT FOR BOATING ACCIDENTS TO DAMAGES IN EXCESS OF FIVE HUNDRED DOLLARS, AND TO REPEAL THE LAW REQUIRING PERMITS FROM THE WILDLIFE RESOURCES COMMISSION TO HOLD REGATTAS AND OTHER EVENTS.

Referred to Agriculture/Environment/Natural Resources Committee and upon a favorable report re-referred to the Finance Committee.

H.B. 419 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATION AND REMOVING A CERTAIN TRACT

May 11, 1999
OF PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY.
Referred to Finance Committee.

H.B. 738, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF
NONCONTIGUOUS AREAS BY THE CITY OF GREENVILLE.
Referred to Finance Committee.

APPOINTMENTS BY THE GOVERNOR

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

JAMES B. HUNT JR.
GOVERNOR

May 10, 1999

The Honorable Dennis Wicker
President of the Senate
2104 Legislative Building
Raleigh, North Carolina 27601

Dear Mr. President:

Pursuant to General Statute 115C-10-11, I hereby appoint Edgar David Murphy, III and Jane P. Norwood as members of the North Carolina State Board of Education and submit their names for confirmation by the North Carolina General Assembly.

Mr. Murphy will replace Dr. Prezell Robinson as the Region Three representative. He will serve a term to begin immediately upon confirmation and to expire March 31, 2007.

Dr. Norwood will replace Mr. Ken Harris as the Region Six representative. She will serve a term to begin immediately upon confirmation and to expire March 31, 2007.

My warmest personal regards.

Sincerely,

S/James B. Hunt Jr.

Referred to Education/Higher Education Committee.

WITHDRAWAL FROM CALENDAR

H.B. 1286 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO
MODIFY THE EXEMPTION FROM THE "MASS GATHERINGS" STATUTE, placed
on the Calendar for Wednesday, May 12.

Senator Cooper offers a motion that the Committee Substitute bill No. 2 be withdrawn from the Calendar for Wednesday, May 12, and re-referred to the Judiciary I Committee, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill No. 2 withdrawn from the Calendar for Wednesday, May 12, and re-refers the measure to the Judiciary I Committee.

May 11, 1999
CALENDAR

A bill on today's Calendar is taken up and disposed of, as follows:

H.B. 722, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CERTAIN PART-TIME SERVICE RENDERED WHILE FULL-TIME STUDENTS.

The bill passes its third reading (46-0) and is ordered enrolled and sent to the Governor.

WITHDRAWAL FROM CALENDAR

S.B. 1039 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NEW MULTICAMPUS COMMUNITY COLLEGE TO SERVE ANSON AND UNION COUNTIES, placed on the Calendar for Wednesday, May 12, for concurrence in House Amendment No. 1.

Senator Plyler offers a motion that the Committee Substitute bill be withdrawn from the Calendar for Wednesday, May 12, and further moves that the rules be suspended and that the Committee Substitute bill be placed before the Senate for immediate consideration, which motions prevail with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Calendar for Wednesday, May 12, and places it before the Senate for immediate consideration.

The Senate concurs in House Amendment No. 1 (47-0) and the measure is ordered enrolled and sent to the Governor by special message.

Upon motion of Senator Ballance, seconded by Senator Plyler, the Senate adjourns at 2:24 P.M. to meet tomorrow, Wednesday, May 12, at 2:00 P.M.

SIXTY-FIRST DAY

Senate Chamber
Wednesday, May 12, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"God of many names, the headline in yesterday's paper read 'Small Donations Guarantee Anonymity.' It seems that if our donors contribute one hundred dollars or less to our campaigns they do not have to be named. The law spares them the notoriety or embarrassment of being associated with us, and many of our donors are grateful for this small courtesy, less chance of their being bothered by other fundraisers or swept up in possible controversy. The law says we don't have to name names.

"You, however, have named and claimed us from the beginning as Your people. We have been made secure under Your gracious rule. And while You know each of us intimately, we are reluctant sometimes to publicly acknowledge Your lordship. We would prefer some anonymity in personal matters of faith, and so we do not freely proclaim Your Name to the listening world.

May 12, 1999
"But the psalmist implores us: 'Let the redeemed of the Lord say so!' We have a Creator, a Redeemer, a Deliverer, how could we not tell? Yahweh, Jehovah, Allah, Father God, Lord Jesus, however You are known to us, let us never be ashamed to speak Your Name. Amen."

With unanimous consent, the President grants leaves of absence for today to Senator Carter and Senator Garwood.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Tuesday, May 11, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. D. E. Ward, Jr. from Lumberton, North Carolina, who is serving the Senate as Doctor of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 245, AN ACT TO ENACT REVISED ARTICLE 5 OF THE UNIFORM COMMERCIAL CODE AND CONFORMING AND MISCELLANEOUS AMENDMENTS TO THE UNIFORM COMMERCIAL CODE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

S.B. 417, AN ACT TO AUTHORIZE THE USE OF LETTERS OF CREDIT FROM A FEDERAL HOME LOAN BANK AS COLLATERAL FOR DEPOSITS OF LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES.

S.B. 790, AN ACT TO CLARIFY WHICH LENDERS MAY CHARGE CERTAIN FEES UNDER THE GENERAL CONTRACT LOAN PROVISION OF CHAPTER 24 OF THE GENERAL STATUTES.

S.B. 1039, AN ACT TO ESTABLISH A NEW MULTICAMPUS COMMUNITY COLLEGE TO SERVE ANSON AND UNION COUNTIES.

H.B. 722, AN ACT TO ALLOW MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CERTAIN PART-TIME SERVICE RENDERED WHILE FULL-TIME STUDENTS.

S.B. 40, AN ACT TO INCREASE THE NUMBER OF PERSONS AUTHORIZED TO BE APPOINTED TO SUBCOMMITTEES OF THE NORTH CAROLINA STUDY COMMISSION ON AGING.

S.B. 939, AN ACT TO REVISE THE REQUIREMENTS OF BANK DIRECTORS, TO CONFORM CERTAIN NORTH CAROLINA BANKING LAWS TO FEDERAL BANKING REGULATIONS, AND TO REMOVE THE SUNSET PROVISION WITH REGARD TO DE NOVO INTERSTATE BRANCH BANKING.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the
following Chapter Numbers, and presented to the Office of the Secretary of State:


**H.B. 837**, AN ACT EXTENDING THE TOWN OF CHOCOWINITY'S EXTRATERRITORIAL JURISDICTION. (Became law upon ratification, May 11, 1999 – S.L. 1999-42.)

**H.B. 846**, AN ACT ALLOWING THE TOWN OF FARMVILLE TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS. (Became law upon ratification, May 11, 1999 – S.L. 1999-43.)

**REPORTS OF COMMITTEES**

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Lee for the Education/Higher Education Committee:

**H.B. 1167** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE LATERAL ENTRY PROGRAM FOR TEACHERS, with a favorable report.

**H.B. 517** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO STUDY THE COMPUTATION OF DROPOUT RATES FOR THE ABCs PROGRAM, with an unfavorable report as to Senate Committee Substitute bill No. 1, but favorable as to Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 1267, which changes the title to read **H.B. 517** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT INCREASING THE CRIMINAL PENALTY FOR MAKING A BOMB THREAT OR PERPETRATING A HOAX BY PLACING A FALSE BOMB AT SCHOOL, MAKING PARENTS CIVILLY LIABLE FOR CHILDREN WHO MAKE THESE THREATS OR PERPETRATE THESE HOAXES, REQUIRING SCHOOLS TO SUSPEND FOR 365 DAYS STUDENTS WHO MAKE THESE THREATS OR PERPETRATE THESE HOAXES, DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF STUDENTS WHO MAKE OR CARRY OUT THREATS OF VIOLENCE DIRECTED AT SCHOOLS OR THE PERSONS IN THE SCHOOLS, AND DIRECTING THE STATE BOARD OF EDUCATION TO STUDY THE COMPUTATION OF DROPOUT RATES FOR THE ABCs PROGRAM, is adopted and engrossed.

Upon motion of Senator Lee, the rules are suspended and the Senate Committee Substitute bill No. 2 is placed on today’s Calendar.

By Senator Soles for the Commerce Committee:

**H.B. 1076**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT FIRE SERVICE MAINS COMPLY WITH THE NORTH CAROLINA STATE BUILDING CODE, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

May 12, 1999
Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 6203 is adopted and engrossed.

By Senator Rand for the Rules and Operations of the Senate Committee:

S.B. 149, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF WILKES COUNTY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7685, which changes the title to read S.B. 149 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL LICENSE PLATES TO MEMBERS OF THE NORTH CAROLINA HIGHWAY PATROL RETIREES ASSOCIATION, INC., is adopted and engrossed.

Upon adoption of the Committee Substitute, the bill becomes a public bill.

Upon motion of Senator Rand, the Committee Substitute bill is re-referred to the Finance Committee.

S.B. 229, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2765, which changes the title to read S.B. 229 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE CHARLOTTE REPERTORY THEATRE, is adopted and engrossed.

Upon motion of Senator Rand, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

H.B. 778, A BILL TO BE ENTITLED AN ACT TO ADD FOUR MEMBERS TO THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 4264, which changes the title to read H.B. 778 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD SIX MEMBERS TO THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA, is adopted and engrossed.


S.B. 96, A BILL TO BE ENTITLED AN ACT TO AMEND THE LOCAL LAWS IN THE 17TH SENATORIAL DISTRICT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 8602, which changes the title to read S.B. 96 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS OF THE SCOTLAND COUNTY STADIUM-CIVIC CENTER, is adopted and engrossed.

Upon adoption of the Committee Substitute, the bill becomes a public bill.

Upon motion of Senator Rand, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 150, A BILL TO BE ENTITLED AN ACT RELATING TO THE
GOVERNANCE OF YADKIN COUNTY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1709, which changes the title to read S.B. 150 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE YADKIN COUNTY HISTORICAL SOCIETY TO RESTORE THE HISTORIC MATHIS HOUSE, is adopted and engrossed.

Upon adoption of the Committee Substitute, the bill becomes a public bill.

Upon motion of Senator Rand, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 200, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3813, which changes the title to read S.B. 200 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CULTURAL DEVELOPMENT, PARKLAND ACQUISITION, AND FOR SUSTAINABLE DEVELOPMENT, is adopted and engrossed.

Upon motion of Senator Rand, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 202, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6674, which changes the title to read S.B. 202 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO HELP ESTABLISH THE TERRY SANFORD ARTS LEGACY FUND, is adopted and engrossed.

Upon motion of Senator Rand, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 541, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS OF NORTH CAROLINA, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1734, which changes the title to read S.B. 541 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE REHABILITATION OF SINGLE SISTERS HOUSE, THE STATE'S OLDEST COLLEGE BUILDING AND THE NATION'S OLDEST COLLEGE RESIDENCE FOR WOMEN, is adopted and engrossed.

Upon motion of Senator Rand, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 890, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PUBLIC-PRIVATE PARTNERSHIP PILOT PROJECTS TO EXPAND ACCESS TO HEALTH CARE.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4698, which changes the title to read S.B. 890 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT PUBLIC-PRIVATE PILOT PROJECTS TO EXPAND ACCESS TO HEALTH CARE, is adopted and engrossed.

Upon motion of Senator Rand, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

May 12, 1999
By Senator Kinnaird for the State and Local Government Committee:

H.B. 371 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD SEVERAL COUNTIES TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS, with a favorable report.

H.B. 378, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ROANOKE RAPIDS HOUSING AUTHORITY AND THE ROANOKE RAPIDS REDEVELOPMENT COMMISSION TO CONVEY BY PRIVATE SALE REAL PROPERTY LOCATED WITHIN A REDEVELOPMENT PROJECT AREA, with a favorable report.

H.B. 471 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTERS OF THE TOWNS OF STOKESDALE, SUMMERFIELD, PLEASANT GARDEN, AND OAK RIDGE TO EXEMPT AGRICULTURAL LAND USES WITHIN THOSE JURISDICTIONS FROM ZONING, with a favorable report.

H.B. 587, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INFORMAL BID LIMITS RELATING TO THE LETTING OF PURCHASE CONTRACTS BY THE CITY OF GREENSBORO, with a favorable report.

H.B. 829, A BILL TO BE ENTITLED AN ACT TO ASSIST THE TRANSYLVANIA SCHOOLS WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES, with a favorable report.

H.B. 880 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE COMPETITIVE BID PROCESS IN ALAMANCE COUNTY FOR CITY, COUNTY, AND PUBLIC SCHOOL PROJECTS OF FIVE HUNDRED THOUSAND DOLLARS OR LESS, with a favorable report, as amended. Pursuant to Rule 45.1, Committee Amendment No. 1, which changes the title to read, H.B. 880 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE COMPETITIVE BID PROCESS IN SEVERAL COUNTIES FOR CITY, COUNTY, AND PUBLIC SCHOOL PROJECTS OF FIVE HUNDRED THOUSAND DOLLARS OR LESS, is adopted and engrossed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message received in the Office of the Principal Clerk from the House of Representatives transmitting a bill is presented to the Senate, read the first time, and disposed of, as follows:

H.B. 708, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SANFORD-LEE REGIONAL AIRPORT AUTHORITY AND THE BRUNSWICK COUNTY AIRPORT COMMISSION TO RECEIVE SALES TAX REFUNDS.
Referral to Finance Committee.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

May 12, 1999
S.B. 626, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO CITY DEPARTMENTS THE AUTHORITY TO APPROVE FIREWORKS DISPLAYS, for concurrence in the House Committee Substitute bill, which changes the title upon concurrence, to read S.B. 626, (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO THE CITY FIRE DEPARTMENT THE AUTHORITY TO APPROVE FIREWORKS DISPLAYS.

The Senate concurs in the House Committee Substitute bill (47-0) and the measure is ordered enrolled.

H.B. 236 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE BAITING OF ANIMALS AND TO MAKE CORRECTIONS IN THE LAW REGARDING THE MANDATORY SUSPENSION OF HUNTING LICENSES AND PERMITS.

With unanimous consent, upon motion of Senator Albertson, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Wednesday, May 19.

H.B. 674 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A FEDERALLY RECOGNIZED INDIAN TRIBE TO PERFORM BUILDING INSPECTIONS AND TO ALLOW CERTIFICATION AND LICENSE REGULATION OF BUILDING INSPECTORS ON TRIBAL LANDS OF FEDERALLY RECOGNIZED INDIAN TRIBES.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 715 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT UTILIZATION REVIEW CRITERIA FOR SUBSTANCE ABUSE TREATMENT BE CRITERIA ADOPTED BY THE AMERICAN SOCIETY OF ADDICTION MEDICINE (ASAM) OR SIMILAR CRITERIA.

The Senate Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

H.B. 818, A BILL TO BE ENTITLED AN ACT AMENDING THE EVIDENCE CODE, CHAPTER 8C OF THE GENERAL STATUTES, TO MAKE ADMISSIBLE FOR THE PURPOSES OF IMPEACHMENT EVIDENCE OF A WITNESS’ CONVICTION OF A FELONY OR CLASS A1, CLASS 1, OR CLASS 2 MISDEMEANOR.

The bill passes its second (48-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 870, A BILL TO BE ENTITLED AN ACT TO ALLOW MAGISTRATES TO ACCEPT WAIVERS AND ENTER JUDGMENT IN CERTAIN CASES INVOLVING REGULATION OF THE USE OF MOTOR VEHICLES ON BEACHES.

The bill passes its second (48-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 906, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF PHARMACY TO ENTER INTO AGREEMENTS WITH PHARMACIST PEER REVIEW ORGANIZATIONS FOR IMPAIRED PHARMACISTS.

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The Committee Substitute bill passes its second (48-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 1125, A BILL TO BE ENTITLED AN ACT TO CONFORM THE DEFINITION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE UNDER THE INACTIVE HAZARDOUS SITES RESPONSE ACT OF 1987 TO FEDERAL LAW.

The bill passes its second (47-1) and third readings and is ordered enrolled and sent to the Governor.

H.B. 1127, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF ENVIRONMENTAL HEALTH OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO CONDUCT A STUDY INVOLVING INTERESTED PARTIES TO REVIEW AND REVISE THE CURRENT PROCEDURES CONCERNING COFFEE POTS AND ICE BUCKETS PROVIDED BY LODGING ESTABLISHMENTS IN GUEST ROOMS AND TO SUSPEND CURRENT APPLICABLE RULES UNTIL REVISED RULES HAVE BEEN ADOPTED AS TEMPORARY RULES.

The bill passes its second (48-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 517 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT INCREASING THE CRIMINAL PENALTY FOR MAKING A BOMB THREAT OR PERPETRATING A HOAX BY PLACING A FALSE BOMB AT SCHOOL, MAKING PARENTS CIVILLY LIABLE FOR CHILDREN WHO MAKE THESE THREATS OR PERPETRATE THESE HOAXES, REQUIRING SCHOOLS TO SUSPEND FOR 365 DAYS STUDENTS WHO MAKE THESE THREATS OR PERPETRATE THESE HOAXES, DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF STUDENTS WHO MAKE OR CARRY OUT THREATS OF VIOLENCE DIRECTED AT SCHOOLS OR THE PERSONS IN THE SCHOOLS, AND DIRECTING THE STATE BOARD OF EDUCATION TO STUDY THE COMPUTATION OF DROPOUT RATES FOR THE ABCs PROGRAM, placed earlier on today’s Calendar, which title changes upon concurrence.

Senator Dalton offers Amendment No. 1 which is adopted (48-0).

Senator Webster announces a pair. If Senator Carter were present he would vote “aye”; Senator Webster votes “no”.

With unanimous consent, upon motion of Senator Dalton, the Senate Committee Substitute No. 2 bill is withdrawn from today’s Calendar and is re-referred to the Judiciary I Committee. A vote was not taken on second reading and Senator Webster subsequently withdraws his pair vote request.

COMMITTEE REFERRAL RECALL

H.B. 226 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A NOTICE OF FORECLOSURE HEARING INCLUDE
ADDITIONAL INFORMATION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, referred to the Judiciary II Committee on March 30.

Pursuant to Rule 47(a), Senator Miller offers a motion that the Committee Substitute bill be withdrawn from the Judiciary II Committee and re-referred to the Judiciary I Committee, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Judiciary II Committee and re-refers the measure to the Judiciary I Committee.

H.B. 863, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ST. JAMES, referred to the Rules and Operations of the Senate Committee on April 21.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Finance Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Finance Committee.

ADDITIONAL SPONSOR

Senator Shaw of Cumberland requests to be added as a sponsor of previously introduced legislation:

S.B. 882, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SYSTEM OF COMPREHENSIVE PUBLIC FINANCING OF ELECTIONS FOR GOVERNOR, COUNCIL OF STATE, AND GENERAL ASSEMBLY; AND TO MAKE RELATED CHANGES.

Upon motion of Senator Basnight, seconded by Senator Dalton, the Senate adjourns at 3:16 P.M. to meet tomorrow, Thursday, May 13, at 12:00 Noon.

SIXTY-SECOND DAY

Senate Chamber
Thursday, May 13, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“Lord God, our petitions bubble up in us like intermittent geysers. Our desire for Your counsel is inconstant and uncertain. Purify our prayer that it might flow endlessly like a deep mountain spring.

“Your prophets did more than just ask when they opened their hearts to You. They pleaded, raged and shed tears, as should we. Deepen our devotion that we might entrust to You our brightest hopes and our darkest fears.

“Help us to savor our communion with Your Spirit as much as we savor the nourishment of a good steak. Invite us to relax into Your gentle presence as if we were turning our faces toward the morning sun. Lord teach us how to pray. We ask in Your Holy Name, Amen.”

May 13, 1999

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Wednesday, May 12, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. John Peter Ebert from Charlotte, North Carolina, who is serving the Senate as Doctor of the Day, and to Pat Minnish from Henderson, North Carolina, who is serving the Senate as Nurse of the Day.

**ENROLLED BILLS**

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

**H.B. 260**, AN ACT TO UPDATE AND MAKE TECHNICAL CHANGES TO THE COMMUNITY COLLEGE LAWS.

**H.B. 674**, AN ACT TO ALLOW A FEDERALLY RECOGNIZED INDIAN TRIBE TO PERFORM BUILDING INSPECTIONS AND TO ALLOW CERTIFICATION AND LICENSE REGULATION OF BUILDING INSPECTORS ON TRIBAL LANDS OF FEDERALLY RECOGNIZED INDIAN TRIBES.

**H.B. 818**, AN ACT AMENDING THE EVIDENCE CODE, CHAPTER 8C OF THE GENERAL STATUTES, TO MAKE ADMISSIBLE FOR THE PURPOSES OF IMPEACHMENT EVIDENCE OF A WITNESS' CONVICTION OF A FELONY OR CLASS A1, CLASS 1, OR CLASS 2 MISDEMEANOR.

**H.B. 870**, AN ACT TO ALLOW MAGISTRATES TO ACCEPT WAIVERS AND ENTER JUDGMENT IN CERTAIN CASES INVOLVING REGULATION OF THE USE OF MOTOR VEHICLES ON BEACHES.

**H.B. 906**, AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF PHARMACY TO ENTER INTO AGREEMENTS WITH PHARMACIST PEER REVIEW ORGANIZATIONS FOR IMPAIRED PHARMACISTS.


**H.B. 1125**, AN ACT TO CONFORM THE DEFINITION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE UNDER THE INACTIVE HAZARDOUS SITES RESPONSE ACT OF 1987 TO FEDERAL LAW.

**H.B. 1127**, AN ACT TO DIRECT THE DIVISION OF ENVIRONMENTAL HEALTH OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO CONDUCT A STUDY INVOLVING INTERESTED PARTIES TO REVIEW AND REVISE THE CURRENT PROCEDURES CONCERNING COFFEE POTS AND ICE BUCKETS PROVIDED BY LODGING ESTABLISHMENTS IN

May 13, 1999
GUEST ROOMS AND TO SUSPEND CURRENT APPLICABLE RULES UNTIL REVISED RULES HAVE BEEN ADOPTED AS TEMPORARY RULES.

The Enrolling Clerk reports the following bills and resolution duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

**S.B. 626**, AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO THE CITY FIRE DEPARTMENT THE AUTHORITY TO APPROVE FIREWORKS DISPLAYS.

**S.B. 44**, AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE TOWN OF LAKE WACCAMAW.

**S.B. 335**, AN ACT TO CLARIFY THE LAW REGARDING REDUCTION OR CONTINUATION OF A TEACHER'S BONUS, AS IT APPLIES TO THE CHARLOTTE-MECKLENBURG COUNTY SCHOOL ADMINISTRATIVE UNIT.

**H.B. 847**, AN ACT RELATING TO THE INVESTMENT OF CERTAIN FUNDS BY PITT COUNTY.

**S.J.R. 795**, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES. (Res. 9)

**REPORTS OF COMMITTEES**

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hoyle for the Finance Committee:

**H.B. 105** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE BUTNER ADVISORY COUNCIL, AND TO ALLOW CERTAIN FEES TO BE PLACED IN A SPECIAL FUND FOR THE BUTNER PUBLIC SAFETY DIVISION, with a favorable report.

**H.B. 221** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTERS OF THE TOWN OF YAUPON BEACH AND THE TOWN OF LONG BEACH AND ESTABLISH A CHARTER FOR THE CONSOLIDATED TOWN OF OAK ISLAND, with a favorable report.

**H.B. 239** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING PROPERTY TRANSFERS BETWEEN COMMUNITY COLLEGE BOARDS OF TRUSTEES AND COUNTIES FOR COMMUNITY COLLEGE PURPOSES, with a favorable report.

**H.B. 301** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE EDUCATIONAL REQUIREMENTS FOR AUCTIONEERS, APPRENTICE AUCTIONEERS, AND PRINCIPALS IN AN AUCTION FIRM, TO ALLOW THE AUCTIONEERS COMMISSION TO ASSESS A CIVIL PENALTY IN CERTAIN CIRCUMSTANCES, TO INCREASE FEES, AND TO AUTHORIZE CRIMINAL

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HISTORY CHECKS FOR APPLICANTS FOR AN AUCTIONEER'S LICENSE, with a favorable report.

**H.B. 776**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF ROANOE RAPIDS TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE, with a favorable report.

**S.B. 1082**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR AGRICULTURAL RESEARCH BY INCREASING THE ASSESSMENT ON FERTILIZER, COMMERCIAL FEED, OR THEIR INGREDIENTS, with a favorable report.

**H.B. 486** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE PERMANENT REGISTRATION PLATES TO TRAILERS OWNED BY CHARITABLE ORGANIZATIONS AND USED ONLY IN PARADES AND TO CONSOLIDATE AND MODERNIZE THE STATUTES PROVIDING FOR PERMANENT REGISTRATION PLATES, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 8128 is adopted and engrossed.

By Senator Phillips for the **Pensions & Retirement and Aging Committee**:

**H.B. 179** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFIT TO MEMBERS OF THE WILKESBORO FIREMEN'S SUPPLEMENTAL PENSION FUND, with a favorable report.

**S.B. 978**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING RETIRING TEACHERS' COMPENSATION FOR ACCUMULATED ANNUAL LEAVE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4699, which changes the title to read **S.B. 978** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW REGARDING THE CONVERSION OF ANNUAL LEAVE FOR RETIRING SCHOOL EMPLOYEES, is adopted and engrossed.

Upon motion of Senator Phillips, the Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

**S.B. 128** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW CONCERNING INTEREST ON MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO ALLOW INTEREST ON JUDGMENTS ON PENAL BONDS, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for Tuesday, May 18.

**H.B. 900**, A BILL TO BE ENTITLED AN ACT ALLOWING GATES COUNTY TO
IMPOSE FEES FOR FIRE PROTECTION SERVICES.
Referred to Finance Committee.

CALENDAR

Bills and a resolution on today's Calendar are taken up and disposed of, as follows:

H.B. 378, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ROANOKE RAPIDS HOUSING AUTHORITY AND THE ROANOKE RAPIDS REDEVELOPMENT COMMISSION TO CONVEY BY PRIVATE SALE REAL PROPERTY LOCATED WITHIN A REDEVELOPMENT PROJECT AREA.

With unanimous consent, upon motion of Senator Rand, the bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, May 18.

H.B. 371 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD SEVERAL COUNTIES TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS.

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

H.B. 471 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTERS OF THE TOWNS OF STOKESDALE, SUMMERFIELD, PLEASANT GARDEN, AND OAK RIDGE TO EXEMPT AGRICULTURAL LAND USES WITHIN THOSE JURISDICTIONS FROM ZONING.

The Committee Substitute bill passes its second reading.

Senator Rand objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Monday, May 17.

H.B. 587, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INFORMAL BID LIMITS RELATING TO THE LETTING OF PURCHASE CONTRACTS BY THE CITY OF GREENSBORO.

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

H.B. 829, A BILL TO BE ENTITLED AN ACT TO ASSIST THE TRANSYLVANIA SCHOOLS WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES.

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

H.B. 880 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE COMPETITIVE BID PROCESS IN ALAMANCE COUNTY FOR CITY, COUNTY, AND PUBLIC SCHOOL PROJECTS OF FIVE HUNDRED THOUSAND DOLLARS OR LESS, as amended, which changes the title, upon concurrence, to read H.B. 880 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE COMPETITIVE BID PROCESS IN SEVERAL COUNTIES FOR CITY, COUNTY, AND PUBLIC SCHOOL PROJECTS OF FIVE HUNDRED THOUSAND DOLLARS OR LESS.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1.

H.B. 778 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD SIX MEMBERS TO THE STUDY COMMISSION ON THE FUTURE OF
ELECTRIC SERVICE IN NORTH CAROLINA, which title changes upon concurrence.

The Senate Committee Substitute bill passes its second (41-0) and third readings and is ordered sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

Upon the appearance of Senator Clodfelter in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

H.B. 1076 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT FIRE SERVICE MAINS COMPLY WITH THE NORTH CAROLINA STATE BUILDING CODE.

The Senate Committee Substitute bill passes its second (42-0) and third readings and is ordered sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

H.B. 1167 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE LATERAL ENTRY PROGRAM FOR TEACHERS.

The Committee Substitute bill passes its second (42-0) and third readings and is ordered enrolled and sent to the Governor.

S.R. 1170, A SENATE RESOLUTION HONORING THE EARLY OFFICERS OF THE TOWN OF SHALLOTTE ON THE ONE HUNDREDTH ANNIVERSARY OF THE TOWN, for adoption. (See Appendix.)

Upon motion of Senator Soles, the Senate Resolution is adopted (42-0).

COMMITTEE REFERRAL RECALL

S.B. 757, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A LITERACY-BASED PRESCHOOL GRANT PROGRAM TO PREPARE AT-RISK STUDENTS FOR KINDERGARTEN, referred to the Appropriations/Base Budget Committee on April 5.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Appropriations/Base Budget Committee and re-referred to the Education/Higher Education Committee, which motion prevails, with unanimous consent.

The Chair orders the bill withdrawn from the Appropriations/Base Budget Committee and re-refers the measure to the Education/Higher Education Committee.

ADDITIONAL SPONSORS

Senator Dannelly and Senator Hagan request to be added as sponsors of previously introduced legislation:

S.B. 882, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SYSTEM OF COMPREHENSIVE PUBLIC FINANCING OF ELECTIONS FOR GOVERNOR, COUNCIL OF STATE, AND GENERAL ASSEMBLY; AND TO MAKE RELATED CHANGES.

Upon motion of Senator Basnight, seconded by Senator Cochrane, the Senate adjourns at 12:39 P.M. to meet Monday, May 17, at 7:00 P.M.

May 13, 1999
The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"God of all goodness, we should be dazzled each moment with the many blessings You shower upon us, and yet in our haste and our complaint, we often neglect to behold the shimmering glimpses of Your Grace which visit us daily. There is so much to be thankful for.

"Thank you for the laughter of school children that greets us each week at the front door. Thank you for the savory smell of fresh popcorn that hangs heavy in the air when the afternoon tummy starts to growl. Thank you for Cecil who holds the door and calls us by name. Thank you for the tactful wink from the trusted aide who reroutes a difficult phone call out of the office right before everything starts falling apart.

"Thank you for all things bright and beautiful, yellow marigolds and red strawberries which appear unannounced on our orderly desks. Thank you for the dozens of photographs that line these corridors reminding us that we are not the first legislators to occupy these prestigious seats and we shall not be the last.

"Thank you for eyes to see, hearts to feel and lips to tell. 'How great is God Almighty who has made all things well.' Amen."

With unanimous consent, the President Pro Tempore grants leaves of absence for tonight to Senator Hartsell and Senator Odom.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of Thursday, May 13, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore of the Senate extends courtesies of the floor to Dr. Warren Herbert Williams from Matthews, North Carolina, who is serving the Senate as Doctor of the Day, and to Gwen Waddell-Schultz from Chapel Hill, North Carolina, who is serving the Senate as Nurse of the Day.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 181 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF DALLAS, THE TOWN OF TABOR CITY, AND THE CITY OF WHITEVILLE TO ENACT A PROPERTY MAINTENANCE ORDINANCE AND TO ASSESS CERTAIN COSTS OF ENFORCEMENT AS A LIEN AGAINST THE PROPERTY, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, May 18.
S.B. 198 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO THE ISSUANCE OF A NEW ADULT CARE HOME LICENSE TO AN APPLICANT WHO WAS THE LICENSEE OR ADMINISTRATOR OF AN ADULT CARE HOME THE LICENSE OF WHICH HAD BEEN REVOKED OR DOWNGRADED TO PROVISIONAL STATUS OR AGAINST WHICH A TYPE A PENALTY HAD BEEN ASSESSED, AND TO ALLOW NURSING HOME RESIDENTS OR THEIR REPRESENTATIVES ACCESS TO INFORMATION ABOUT COMPLAINT INVESTIGATIONS, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, May 18.

S.B. 296 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROVISIONS REGARDING SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE CHARTER OF THE TOWN OF FOREST CITY, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, May 18.

H.B. 1009, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR AGRICULTURAL RESEARCH BY INCREASING THE ASSESSMENT ON FERTILIZER, COMMERCIAL FEED, OR THEIR INGREDIENTS.
Referred to Finance Committee.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 637, AN ACT TO EXPAND THE LAW OF ASSAULT TO PROTECT SCHOOL PERSONNEL AND SCHOOL VOLUNTEERS.

S.B. 693, AN ACT TO PROVIDE, UPON THE MOTION OF A DEFENDANT MADE AFTER ISSUANCE OF SUMMONS, THAT A PLAINTIFF IS NOT ALWAYS REQUIRED TO POST A PROSECUTION BOND, PROVIDE SECURITY, OR SHOW THE PLAINTIFF IS SUING AS AN INDIGENT BUT TO PROVIDE THAT THE PLAINTIFF MAY BE SO REQUIRED BY THE CLERK OR JUDGE UPON A SHOWING OF GOOD CAUSE BY THE DEFENDANT.

S.B. 769, AN ACT TO MODIFY THE ESSENTIAL ELEMENTS OF THE FELONY OFFENSE OF LARCENY OF GINSENG.

S.B. 898, AN ACT TO INCREASE THE NUMBER OF DAYS WITHIN WHICH A BOARD OF EDUCATION MUST HOLD A TEACHER DISMISSAL HEARING, TO CLARIFY THAT THE SUPERINTENDENT'S DESIGNEE MAY BE PRESENT AT THE CASE MANAGER HEARING, TO ALLOW TIME FOR THE SUPERINTENDENT TO OBTAIN A COPY OF THE CASE MANAGER TRANSCRIPT, TO DECREASE THE NUMBER OF DAYS WITHIN WHICH THE SUPERINTENDENT MUST PROVIDE A LIST OF WITNESSES FOR A BOARD HEARING ON A REDUCTION IN FORCE, TO CHANGE THE DATE WHEN LOCAL BOARDS MUST NOTIFY TEACHERS WHETHER THEIR PROBATIONARY CONTRACTS HAVE BEEN RENEWED, TO REPEAL THE PROFESSIONAL PRACTICES BOARD, AND TO LIMIT THE NONINSTRUCTIONAL DUTIES ASSIGNED TO TEACHERS.

May 17, 1999
H.B. 1167, AN ACT TO SIMPLIFY THE LATERAL ENTRY PROGRAM FOR TEACHERS.

The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.B. 313, AN ACT TO ALLOW MECKLENBURG COUNTY TO CONTINUE TO LEVY STORMWATER FEES IF REVENUE BONDS HAVE BEEN ISSUED AND ARE OUTSTANDING.

H.B. 371, AN ACT TO ADD SEVERAL COUNTIES TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS.

H.B. 587, AN ACT TO INCREASE THE INFORMAL BID LIMITS RELATING TO THE LETTING OF PURCHASE CONTRACTS BY THE CITY OF GREENSBORO.

H.B. 829, AN ACT TO ASSIST THE TRANSYLVANIA SCHOOLS WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

H.B. 334, AN ACT TO REPEAL CERTAIN OBSOLETE AGRICULTURAL STATUTES. (Became law upon approval of the Governor, May 13, 1999 – S.L. 1999-44.)

S.B. 626, AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO THE CITY FIRE DEPARTMENT THE AUTHORITY TO APPROVE FIREWORKS DISPLAYS. (Became law upon ratification, May 13, 1999 – S.L. 1999-45.)

S.B. 44, AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE TOWN OF LAKE WACCAMAW. (Became law upon ratification, May 13, 1999 – S.L. 1999-46.)

S.B. 335, AN ACT TO CLARIFY THE LAW REGARDING REDUCTION OR CONTINUATION OF A TEACHER'S BONUS, AS IT APPLIES TO THE CHARLOTTE-MECKLENBURG COUNTY SCHOOL ADMINISTRATIVE UNIT. (Became law upon ratification, May 13, 1999 – S.L. 1999-47.)

H.B. 847, AN ACT RELATING TO THE INVESTMENT OF CERTAIN FUNDS BY PITTS COUNTY. (Became law upon ratification, May 13, 1999 – S.L. 1999-48.)

H.B. 326, AN ACT TO ALLOW THE DIVISION OF NORTH CAROLINA AQUARIUMS TO DISPOSE OF EXHIBITS FROM THE COLLECTIONS OF THE NORTH CAROLINA AQUARIUMS IN ACCORDANCE WITH GENERALLY ACCEPTED PRACTICES FOR ACCREDITED ZOOS AND AQUARIUMS, TO REQUIRE THAT THE NET PROCEEDS OF ANY SALE OR LEASE OF EXHIBITS BE CREDITED TO THE NORTH CAROLINA AQUARIUMS FUND, AND TO
REQUIRE THE DIVISION OF NORTH CAROLINA AQUARIUMS TO REPORT ON RECEIPTS OF AND EXPENDITURES FROM THE NORTH CAROLINA AQUARIUMS FUND. (Became law upon approval of the Governor, May 14, 1999 – S.L. 1999-49.)

CALENDAR

Bills on tonight's Calendar are taken up and disposed of, as follows:

H.B. 486 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE PERMANENT REGISTRATION PLATES TO TRAILERS OWNED BY CHARITABLE ORGANIZATIONS AND USED ONLY IN PARADES AND TO CONSOLIDATE AND MODERNIZE THE STATUTES PROVIDING FOR PERMANENT REGISTRATION PLATES, upon second reading.

With unanimous consent, upon motion of Senator Cochrane, the Senate Committee Substitute bill is withdrawn from tonight's Calendar and is placed on the Calendar for Tuesday, May 18.

H.B. 221 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTERS OF THE TOWN OF YAUPON BEACH AND THE TOWN OF LONG BEACH AND ESTABLISH A CHARTER FOR THE CONSOLIDATED TOWN OF OAK ISLAND, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 47, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Tuesday, May 18, upon third reading.

H.B. 179 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFIT TO MEMBERS OF THE WILKESBORO FIREMEN'S SUPPLEMENTAL PENSION FUND.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered enrolled.

H.B. 776, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF ROANOKE RAPIDS TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE.

The bill passes its second (47-0) and third readings and is ordered enrolled.

H.B. 471 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTERS OF THE TOWNS OF STOKESDALE, SUMMERFIELD, PLEASANT GARDEN, AND OAK RIDGE TO EXEMPT AGRICULTURAL LAND USES WITHIN THOSE JURISDICTIONS FROM ZONING.

The Committee Substitute bill passes its third reading (48-0) and is ordered enrolled.
S.B. 1082, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR AGRICULTURAL RESEARCH BY INCREASING THE ASSESSMENT ON FERTILIZER, COMMERCIAL FEED, OR THEIR INGREDIENTS, upon second reading.

The bill passes its second reading by roll-call vote, ayes 43, noes 5, as follows:


Voting in the negative: Senators Cochrane, East, Forrester, Garwood, and Webster—5.

The bill is ordered placed on the Calendar for tomorrow, Tuesday, May 18, upon third reading.

H.B. 239 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING PROPERTY TRANSFERS BETWEEN COMMUNITY COLLEGE BOARDS OF TRUSTEES AND COUNTIES FOR COMMUNITY COLLEGE PURPOSES, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 44, noes 4, as follows:


Voting in the negative: Senators Cochrane, East, Forrester, and Webster—4.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Tuesday, May 18, upon third reading.

H.B. 301 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE EDUCATIONAL REQUIREMENTS FOR AUCTIONEERS, APPRENTICE AUCTIONEERS, AND PRINCIPALS IN AN AUCTION FIRM, TO ALLOW THE AUCTIONEERS COMMISSION TO ASSESS A CIVIL PENALTY IN CERTAIN CIRCUMSTANCES, TO INCREASE FEES, AND TO AUTHORIZE CRIMINAL HISTORY CHECKS FOR APPLICANTS FOR AN AUCTIONEER’S LICENSE, upon second reading.

With unanimous consent, upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from tonight’s Calendar and is placed on the Calendar for Tuesday, May 18.

H.B. 105 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE BUTNER ADVISORY COUNCIL, AND TO ALLOW CERTAIN FEES TO BE PLACED IN A SPECIAL FUND FOR THE BUTNER PUBLIC SAFETY DIVISION.

Senator Gulley offers Amendment No. 1 which is adopted (48-0), and changes the title upon concurrence, to read H.B. 105 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE BUTNER ADVISORY COUNCIL.

The Committee Substitute bill, as amended, passes its second (48-0) and third readings and is ordered sent to the House of Representatives for concurrence in Senate Amendment No. 1.
SENATE PAGES

The President Pro Tempore recognizes the following pages serving in the Senate this week:

Adam Attarian, Raleigh; Justin Bradley Critcher, Boone; Kathryn Lucille Goff, Boone; Mallory Harrison, Kill Devil Hills; LaToya Jones, Raleigh; Ashley Lane, Burlington; Amanda Evette Linyear, Zebulon; Andrea M. Miller, Boone; David A. Nida, Littleton; Travis Odell, Raleigh; Shannon Rochelle Smiley, Seaboard; and Timothy James Smiley, Seaboard.

ADDITIONAL SPONSORS

Senator Clodfelter and Senator Warren request to be added as sponsors of previously introduced legislation:

S.B. 882, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SYSTEM OF COMPREHENSIVE PUBLIC FINANCING OF ELECTIONS FOR GOVERNOR, COUNCIL OF STATE, AND GENERAL ASSEMBLY; AND TO MAKE RELATED CHANGES.

Upon motion of Senator Ballance, seconded by Senator Foxx, the Senate adjourns at 7:39 P.M. to meet tomorrow, Tuesday, May 18, at 3:00 P.M.

SIXTY-FOURTH DAY

Senate Chamber
Tuesday, May 18, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"God of mercy, while You are the ultimate Judge of all things, we know that our task as Senators is also one of judgement and discernment. We are constantly weighing alternatives, evaluating points of view, and prioritizing outcomes. We are asked at every turn to lean in one direction or another, to lend support to those causes we believe ought to prevail and to withhold our support from those causes we feel ought not to prevail.

"Heavenly Father, how strikingly different is Your method of dealing with Your creation. The fierce neutrality of Your love is amazing. Unlike human affection, we know that Your love shows no partiality. It is not earned. Your help extends to both the sinner and the saint. Your concern is unilateral, focused equally on the just and the unjust. And unlike our cold, stubborn hearts, Your heart never fails to forgive what is condemned.

"Dear God, while our signatures on bills perhaps must be cautiously monitored, our support and opinions moderated, let us dare to be as generous and indiscriminate as You are in expressing love. We make our prayer in Your Holy Name, Amen."

With unanimous consent, the President grants a leave of absence for today to Senator Odom.

May 18, 1999
Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Monday, May 17, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Catherine Marie Green Lee from Durham, North Carolina, who is serving the Senate as Doctor of the Day, and to Ann Newman from Charlotte, North Carolina, who is serving the Senate as Nurse of the Day.

**ENROLLED BILLS**

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

**S.B. 601**, AN ACT TO PROVIDE THAT THE SECRETARY OF CORRECTION HAS SOLE AUTHORITY TO DESIGNATE THE UNIFORMS WORN BY INMATES CONFINED IN THE DIVISION OF PRISONS.

**S.B. 614**, AN ACT TO MAKE CHANGES TO THE IMMUNIZATION LAWS PERTAINING TO ADMINISTRATION AND REPORTING OF IMMUNIZATIONS, CERTIFICATES OF IMMUNIZATIONS RECEIVED IN OTHER STATES, SUBMISSION OF IMMUNIZATION CERTIFICATES TO CHILD CARE FACILITIES AND SCHOOL AUTHORITIES, AND TO MAKE OTHER TECHNICAL CHANGES TO THE IMMUNIZATION STATUTES.

**S.B. 658**, AN ACT TO EXTEND THE SUNSET ON THE LAW PROVIDING THAT CERTAIN SECONDARY SUPPLIERS OF ELECTRIC SERVICE MAY FURNISH SERVICE WITHIN THE CORPORATE LIMITS OF A CITY WITH WRITTEN CONSENT FROM THE CITY, ALLOWING THE BOARD OF AN ELECTRIC OR TELEPHONE MEMBERSHIP CORPORATION TO VOTE BY PROXY ON DECISIONS TO ENCUMBER CORPORATE PROPERTY OR TO DISSOLVE AN ELECTRIC MEMBERSHIP CORPORATION, AND MAKING TECHNICAL CHANGES TO THE LAW REGARDING MUNICIPAL ELECTRIC SERVICE.

**S.B. 1008**, AN ACT TO EXTEND THE TIME FOR THE NORTH CAROLINA UTILITIES COMMISSION TO ADOPT FINAL RULES REGARDING UNIVERSAL SERVICE.

The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

**S.B. 534**, AN ACT PROVIDING THAT THE TOWN OF KENANSVILLE IS NOT OBLIGATED TO PROVIDE SERVICES TO CERTAIN ANNEXED PROPERTY.

**S.B. 720**, AN ACT TO PROVIDE DURHAM COUNTY AND THE CITY OF DURHAM WITH ADDITIONAL OPTIONS FOR SERVICE OF PROCESS IN ZONING CODE CASES.

**H.B. 179**, AN ACT TO INCREASE THE MONTHLY BENEFIT TO MEMBERS OF THE WILKESBORO FIREMEN'S SUPPLEMENTAL PENSION FUND.

**H.B. 471**, AN ACT AMENDING THE Charters OF THE TOWNS OF

May 18, 1999
STOKESDALE, SUMMERFIELD, PLEASANT GARDEN, AND OAK RIDGE TO EXEMPT AGRICULTURAL LAND USES WITHIN THOSE JURISDICTIONS FROM ZONING.

H.B. 776, AN ACT AUTHORIZING THE CITY OF ROANOKE RAPIDS TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

S.B. 313, AN ACT TO ALLOW MECKLENBURG COUNTY TO CONTINUE TO LEVY STORMWATER FEES IF REVENUE BONDS HAVE BEEN ISSUED AND ARE OUTSTANDING. (Became law upon ratification, May 17, 1999 – S.L. 1999-50.)

H.B. 371, AN ACT TO ADD SEVERAL COUNTIES TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS. (Became law upon ratification, May 17, 1999 – S.L. 1999-51.)

H.B. 587, AN ACT TO INCREASE THE INFORMAL BID LIMITS RELATING TO THE LETTING OF PURCHASE CONTRACTS BY THE CITY OF GREENSBORO. (Became law upon ratification, May 17, 1999 – S.L. 1999-52.)


REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

H.B. 316 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENCOURAGE PRESCRIBED BURNING FOR FORESTRY AND WILDLIFE PURPOSES UNDER CERTAIN CONDITIONS, with a favorable report.

By Senator Miller for the Judiciary II Committee:

H.B. 201, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE APPOINTMENT OF SUCCESSOR TRUSTEES TO CONFORM TO THE RULES OF CIVIL PROCEDURE AND TO UPDATE STATUTORY LANGUAGE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

H.B. 214, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE LAND RECORDS STATUTES, with a favorable report.

May 18, 1999
H.B. 975 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT SERVICES PROVIDED THROUGH THE STATEWIDE AUTOMATED VICTIM ASSISTANCE AND NOTIFICATION SYSTEM ARE SUBJECT TO THE EXEMPTIONS FROM DAMAGE CLAIMS AND OTHER GROUNDS FOR RELIEF PROVIDED FOR BY THE VICTIMS' RIGHTS ACT, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 1270 is adopted and engrossed.

By Senator Soles for the Commerce Committee:

H.B. 985 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE BENCHMARK AT WHICH THE DEPARTMENT OF ADMINISTRATION IS REQUIRED TO ADVERTISE FOR PROPOSALS FOR LEASES BY THE STATE, TO CLARIFY WHEN THE DEPARTMENT MAY TRANSFER PROPERTY TO NONPROFIT ORGANIZATIONS AT LESS THAN FAIR-MARKET VALUE, AND TO SIMPLIFY THE LAW REGARDING STATE LEASES OF PROPERTY IN UNIQUE LOCATIONS, with a favorable report.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 719 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE CITY OF DURHAM AND THE COUNTY OF DURHAM TO CONSIDER LIMITATIONS ON USES AS REQUESTED IN THE DEVELOPMENT PLANS SUBMITTED FOR REZONINGS AND TO MAKE OTHER CHANGES REGARDING THE CONSIDERATION OF DEVELOPMENT PLANS, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, May 19.

H.B. 678 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR EQUAL TREATMENT FOR ACUPUNCTURISTS WITH RESPECT TO INSURANCE REIMBURSEMENT AND TO INCREASE THE LATE RENEWAL FEE FOR AN ACUPUNCTURIST LICENSE.

Referred to Health Care Committee and upon a favorable report, re-referred to the Finance Committee.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

H.B. 221 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTERS OF THE TOWN OF YAUPON BEACH AND THE TOWN OF LONG BEACH AND ESTABLISH A CHARTER FOR THE CONSOLIDATED TOWN OF OAK ISLAND, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight,

Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

H.B. 378, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ROANOKE RAPIDS HOUSING AUTHORITY AND THE ROANOKE RAPIDS REDEVELOPMENT COMMISSION TO CONVEY BY PRIVATE SALE REAL PROPERTY LOCATED WITHIN A REDEVELOPMENT PROJECT AREA.

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

S.B. 181, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF DALLAS AND THE TOWN OF TABOR CITY TO ENACT A PROPERTY MAINTENANCE ORDINANCE AND TO ASSESS CERTAIN COSTS OF ENFORCEMENT AS A LIEN AGAINST THE PROPERTY, for concurrence in the House Committee Substitute bill, which changes the title upon concurrence to read S.B. 181 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF DALLAS, THE TOWN OF TABOR CITY, AND THE CITY OF WHITEVILLE TO ENACT A PROPERTY MAINTENANCE ORDINANCE AND TO ASSESS CERTAIN COSTS OF ENFORCEMENT AS A LIEN AGAINST THE PROPERTY.

The Senate concurs in the House Committee Substitute bill (49-0) and the measure is ordered enrolled.

S.B. 296 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROVISIONS REGARDING SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE ChARTER OF THE TOWN OF FOREST CITY, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (49-0) and the measure is ordered enrolled.

H.B. 301 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE EDUCATIONAL REQUIREMENTS FOR AUCTIONEERS, APPRENTICE AUCTIONEERS, AND PRINCIPALS IN AN AUCTION FIRM, TO ALLOW THE AUCTIONEERS COMMISSION TO ASSESS A CIVIL PENALTY IN CERTAIN CIRCUMSTANCES, TO INCREASE FEES, AND TO AUTHORIZE CRIMINAL HISTORY CHECKS FOR APPLICANTS FOR AN AUCTIONEER'S LICENSE, upon second reading.

With unanimous consent, upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, May 19.

S.B. 1082, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR AGRICULTURAL RESEARCH BY INCREASING THE ASSESSMENT ON FERTILIZER, COMMERCIAL FEED, OR THEIR INGREDIENTS, upon third reading.

The bill passes its third reading by roll-call vote, ayes 44, noes 5, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cooper, Dalton, Dannelly, Garrou, Garwood, Guilley, Hagan, Harris, Hartsell, Horton, Hoyle, Jordan, Kerr, Kinnaird, Lee, Lucas,
Martin of Pitt, Martin of Guilford, Metcalf, Miller, Moore, Perdue, Phillips, Plyler, Purcell, Rand, Reeves, Robinson, Rucho, Shaw of Cumberland, Shaw of Guilford, Soles, Warren, Weinstein, and Wellons—44.

Voting in the negative: Senators Cochrane, East, Forrester, Foxx, and Webster—5.

The bill is ordered sent to the House of Representatives.

**H.B. 239** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING PROPERTY TRANSFERS BETWEEN COMMUNITY COLLEGE BOARDS OF TRUSTEES AND COUNTIES FOR COMMUNITY COLLEGE PURPOSES, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 45, noes 4, as follows:


Voting in the negative: Senators Cochrane, East, Forrester, and Webster—4.

The Committee Substitute bill is ordered enrolled and sent to the Governor.

**H.B. 486** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE PERMANENT REGISTRATION PLATES TO TRAILERS OWNED BY CHARITABLE ORGANIZATIONS AND USED ONLY IN PARADES AND TO CONSOLIDATE AND MODERNIZE THE STATUTES PROVIDING FOR PERMANENT REGISTRATION PLATES, upon second reading.

The Senate Committee Substitute bill passes its second reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Senate Committee Substitute bill is ordered placed on the Calendar for tomorrow, Wednesday, May 19, upon third reading.

**S.B. 128** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW CONCERNING INTEREST ON MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO ALLOW INTEREST ON JUDGMENTS ON PENAL BONDS, for concurrence in the House Committee Substitute bill.

With unanimous consent, upon motion of Senator Hartsell, the House Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for tomorrow, Wednesday, May 19.

**S.B. 198**, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE ISSUANCE OF A NEW ADULT CARE HOME LICENSE TO AN APPLICANT WHO WAS THE LICENSEE OR ADMINISTRATOR OF AN ADULT CARE HOME THE LICENSE OF WHICH HAD BEEN REVOKED OR DOWNGRADED TO PROVISIONAL STATUS

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OR AGAINST WHICH A TYPE A PENALTY HAD BEEN ASSESSED, for concurrence in the House Committee Substitute bill, which changes the title upon concurrence to read S.B. 198 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO THE ISSUANCE OF A NEW ADULT CARE HOME LICENSE TO AN APPLICANT WHO WAS THE LICENSEE OR ADMINISTRATOR OF AN ADULT CARE HOME THE LICENSE OF WHICH HAD BEEN REVOKED OR DOWNGRADED TO PROVISIONAL STATUS OR AGAINST WHICH A TYPE A PENALTY HAD BEEN ASSESSED, AND TO ALLOW NURSING HOME RESIDENTS OR THEIR REPRESENTATIVES ACCESS TO INFORMATION ABOUT COMPLAINT INVESTIGATIONS.

The Senate concurs in the House Committee Substitute bill (49-0) and the measure is ordered enrolled and sent to the Governor.

Upon motion of Senator Basnight, seconded by Senator Warren, the Senate adjourns at 3:35 P.M. to meet tomorrow, Wednesday, May 19, at 3:00 P.M.

SIXTY-FIFTH DAY

Senate Chamber
Wednesday, May 19, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Lord God, as a member of the popular Jewish establishment, Joseph of Arimathea needed guts to go to Pilate to ask for the dead body of Jesus so that he could give it a decent burial. Tradition has it that he offered a new garden tomb as a final resting place, knowing that the rag tag band of disciples who followed Jesus did not have the means to purchase one.

"It is presumably no easier for a closet Christian to come out in support of an unpopular cause than it is for anyone else, and you can’t help admiring Joseph for it. He was willing to stick his neck out in opposition to his mainline colleagues, and it may have cost him his privileged parking place at the temple, who knows.

"We too can feel closeted within the constraints of political labels like liberal or conservative, especially when those labels presume to dictate exactly the course of action we are expected to take on a given issue. It takes courage to cross over those boundaries to embrace an unpopular cause the way Joseph did.

"Give us that kind of courage, Lord. While it may be costly to us, help us to see not so much what we would lose in stepping out of line as what we might find, perhaps even ourselves. We pray in Your Holy Name, Amen."

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Tuesday, May 18, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Charles Frederick Willson from Greenville, North Carolina, who is serving the Senate as Doctor of the Day,
and to Cherry Beasley from Lumberton, North Carolina, who is serving the Senate as Nurse of the Day.

RECOGNITION OF MISS INDIAN NORTH CAROLINA AND MISS INDIAN WORLD

Senator Weinstein, Senator Ballance, Senator Carpenter, Senator Lucas, Senator Martin of Guilford, Senator Plyler, and Senator Purcell are recognized to escort former Miss Indian World, Miss Indian North Carolina, and other guests to the Well of the Senate. The guests are received with a standing ovation.

Senator Weinstein presents Miss Indian North Carolina and former Miss Indian World to the President and members of the Senate.

With unanimous consent, upon motion of Senator Martin of Guilford, the remarks of Greg Richardson, Director of North Carolina Indian Affairs; Melissa Dawn Silver, Miss Indian North Carolina; and April L. Whittemore, former Miss Indian World, are spread upon the Journal, as follows:

Greg Richardson:

"Thank you Senator Weinstein. Mr. President, ladies and gentlemen, it is a great pleasure to be here today to be a part of this very historic opportunity, that is for presentation from the American Indian Population in North Carolina and here in the United States. I am deeply honored to stand before the Senate today to introduce two young people who are considered royalty among the American Indian population in North Carolina and the Nation, April Whittemore, Miss Indian World, and Miss Melissa Silver, Miss Indian North Carolina. Let me introduce Melissa Silver, Miss Indian North Carolina for 1999 year 2000 for a brief comment and she will give some brief remarks at this time."

Melissa Silver:

"Thank you Greg. (Saponi language spoken.) In my language, the Saponi language, that means hello, how are you people of the earth, I’m welcome to be here. As Greg said, my name is Melissa Silver and I represent the State of North Carolina and all the Native Americans in it as Miss Indian North Carolina, the year 1999-2000. Thank you for this opportunity and I’m wonderfully happy to be here. Thank you."

Greg Richardson:

"Thank you Melissa. At this time I’d like to introduce Miss April Whittemore, Miss Indian World 1998-1999. April Whittemore was crowned Miss Indian World during the Gathering of the Nations at the annual pow-wow in Albuquerque, New Mexico in 1998. April competed with twenty-eight other contestants from different tribes from around the United States, Guatemala, representation from Alaska, and Canada. As a member of the Lumbee tribe, she’s represented North Carolina and the tribe quite well. As Miss Indian World, April Whittemore served as a worldwide diplomat, spokesperson and representative for all Indians and other indigenous people of this world. In the United States she represented over five hundred Indian tribes who spoke over one hundred and fifty different languages. She represented North Carolina, over eighty thousand Indian citizens, seven State recognized tribes, a State with the largest American Indian population of any State east of the Mississippi, and the seventh largest American Indian population in the United States by the 1990 census. Her performances and appearances at hundreds of gatherings and meetings has raised a new level of consciousness with regards to Indians and other indigenous people of the world. During her reign, she influenced many lives. However, her greatest influence has been that of the youth. She is and has been a good role model and is widely respected and looked up to by her peers. April Whittemore, Miss

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Indian World 1998-99, is an enrolled member of the proud Lumbee people, the Lumbee tribe of Robeson County, North Carolina, the largest Indian tribe in North Carolina, which represents over fifty-one percent of the State’s Indian population. Mr. President and ladies and gentlemen, please join me in welcoming Miss Indian World 1998-99, April Whittemore.”

Miss Indian World:

“Hello everyone. My name is April Whittemore, I’m your former Miss Indian World. I’m twenty-four years old, a graduate of Campbell University and presently working for Palmer Drug Prevention in Lumberton as a drug prevention specialist. I am from a culturally diverse parentage. My mother is Lumbee-Sheraw, Creek and Tuscarora, my father is English and Cherokee. I walk in two worlds. I am from the Turtle Clan from my mother, I am the sister of John Settle Whittemore. In April, 1998, I was crowned before an audience of over 25,000 people as Miss Indian World. Twenty-eight contestants from across the world entered the pageant. Competition included public speaking, interview, traditional talent, and traditional tribal dance. My talent was demonstration of North Carolina tobacco. The tobacco was grown in the traditional way by my elders. I demonstrated the use of tobacco as a medicine. Among natives, tobacco is a source of religious power. My purpose was to educate native youth and others who were interested about the dangers of tobacco but also to increase the knowledge related to the preservation of traditional native use. Out of the twenty-seven contestants, there was one other native woman from the south, from Florida, a Seminole. I was the first native woman from the south to be crowned Miss Indian World. I am also the first non-recognized female to have held the title. As Miss Indian World, I traveled the Nation working toward excelling stereotypes of native people and promoted understanding about the indigenous people, which included reversing the historical human rights violations against natives of this hemisphere, to bring issues such as federal recognition, recognition of religious expression and environmental issues into the new form where the native community can interface with the majority groups to reach solutions. I was able to speak to numerous officials, Senators, Congressmen, and Governors with large populations of natives in their individual states regarding problems with different tribes. I have even had the opportunity to do a two-step dance with General Shelton. Today, I feel like an intruder here but I’m very glad to have this time to send a message to you all, to talk to you about things that effect all nations, all people, and all citizens of North Carolina. Today I am here as April Whittemore, citizen of this great State. We’re all celebrating a time in history which is filled with joy and sadness. Genocide still continues but it is in a different part of the world but that doesn’t make it right. It was right when we found Columbus lost in our forest. We took him in so he wouldn’t starve, shared our houses, taught him the democratic process and the rest is history, yes, his story, not our story. We, as natives, and I as a Lumbee woman, are not finished yet. We will be recognized for our accomplishments and recognized federally as Indians, the Indians that we are. My goal is to help accomplish this before another one of my elders dies without knowing the joy of finally having the government give us permission to be who we are. So it is not news to us that the world needs healing on all levels, personal, social, national, international, environmental, and global. The world is wounded, sick and worn out. Everything we think, say and do has ripple effects to infinity. As students at an early age, we recognize our inner-connection with other people, and we can see the far-reaching effects of what we do. Together or separately, we journey different paths toward finding the understanding and the meaning of our lives. Together we discover that we are not so different from one another. Together we can find strength and support that no one has and we cannot do this alone. We are all under the same big sky. Whether or not we recognize it, we are responsible one to another. You do not make decisions because they are easy.

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You do not make them because they are cheap. You do not make them because they are popular and you shouldn’t make them because there is a profit to be made. And you shouldn’t make them if it will change the moral standards of the office that you hold. You make them because they are right. We’re all shaped and fashioned by what we love. I love grandmas, grandpas, and children. Actually, I love everyone. But the latter three are my favorites. The latter three are having difficult times now. The medicare crisis is hitting the seniors hard, especially the reservation areas that require distant travel, and here in our State many seniors cannot afford the distance to travel to health care facilities. Outpatient facilities and skilled nursing homes are having to make cutbacks in staff because of changes brought about by the balanced budget act, while outpatient hospital services go untouched and remain the most expensive. Caps have been placed on medically necessary treatment and therapy. Providers are being denied payment in the year of a surplus. This is affecting the viability of outpatient medical providers. The gap of receiving adequate health care is widening. Seniors have to go, or have to decide whether to eat or to buy medication. They cannot do both. My own grandmother was a victim last year of medicare cuts. Having being discharged from the hospital three days early so the hospital could make money, that same day hours after leaving the hospital, she passed away. Other issues facing seniors include intergenerational families. Grandparents are raising their grandchildren, either because the kids have lost their parents to imprisonment or abandonment or death. The epidemic of AIDS has and will continue in the year 2000 to orphan children. Grandparents are now abusing or abandoning these children because of the resentment of having to use their retirement or social security to raise another family. Children in America today are having a rough day. During my travels, so many children, native and non-native, shared their problems in letters and in person. They wrote to me that I should help to do things, eliminate all war, hatred, violence and disrespect, eliminate the word ‘gun’. Children are afraid and children are missing three basic things in their lives. These are ‘I love you’, ‘I forgive you’, and ‘dinner is served’. Too few children hear the words ‘I love you’ or ‘I forgive you’, and do you have any idea how many children in the State of North Carolina don’t get dinner, don’t get to sit down at a table with a family and have a meal. They never hear ‘dinner is served’. Children are being raised by children. Parenting skills only exist in textbooks. The majority of the population of kids get their food if it is to be gotten. Children have access to guns, it’s not uncommon. I see them every week in my work, kids too young to drive, but they have guns. Being different is not about being right and wrong, it’s simply being different. Kids are creating their own sanctuaries because of missing ingredients. They turn to violence in the media, to groups that provide them love and forgiveness, that provide them with the security and acceptance they need. Gangs are family to them because they are missing the ingredient of family at home. Our diversity is beautiful. Rather than standing up to tear one another down, let us assemble our diversity and find strength to conquer the problem of a coming millennium. Judge John Marshall Harlen stated, .... verses Ferguson in 1896 that, ‘Our constitution is color blind, and neither knows nor tolerates classes among citizens. The arbitrary separation of citizens on the basis of race is a badge of servitude wholly inconsistent with civil freedom.’ Put your hands out and open them up. They are the tools in which to serve, make friends or enemies and or reach out to the best things in life. Open hands are the open ways to achievement. Put them to work today. I long to accomplish a great task but it is my chief duty as a citizen of the great State of North Carolina to accomplish small tasks as if they were great and noble because every calling is great when greatly pursued. Thank you for letting me come and share my thoughts with you today. God bless you.”

Guests of Miss Silver are introduced: Lori Silver, mother; and Susan Melissa Silver, former Miss Indian North Carolina.

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Guests of Miss Whittemore are introduced: Charles and Sandra Whittemore, parents; John Settle Whittemore, brother; Pete Clark, great uncle Elder of the Lumbee Tribe; George and Shirley Whittemore, aunt and uncle; Bruce Jones, former Director of the North Carolina Commission of Indian Affairs; James Hardin; Patrick Clark, Representative of Census 2000 and member of the North Carolina Commission of Indian Affairs; and Jimmy and Jessica Whittemore, Jamie Whittemore, and Ray and Kat Littleturtle, relatives.

The President recognizes the Committee to escort the guests from the Chamber, who depart to a standing ovation.

The President extends courtesies of the gallery to Mr. Stuart Reeves, father of Senator Eric Reeves.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 198, AN ACT PERTAINING TO THE ISSUANCE OF A NEW ADULT CARE HOME LICENSE TO AN APPLICANT WHO WAS THE LICENSEE OR ADMINISTRATOR OF AN ADULT CARE HOME THE LICENSE OF WHICH HAD BEEN REVOKED OR DOWNGRADED TO PROVISIONAL STATUS OR AGAINST WHICH A TYPE A PENALTY HAD BEEN ASSESSED, AND TO ALLOW NURSING HOME RESIDENTS OR THEIR REPRESENTATIVES ACCESS TO INFORMATION ABOUT COMPLAINT INVESTIGATIONS.

H.B. 165, AN ACT TO REENACT THE 1986 LAW PROVIDING FOR RISK-SHARING PLANS, TO AMEND THE IMMUNITY STATUTES FOR THE FAIR AND BEACH PLANS, TO EXTEND THE BEACH PLAN RATE CAP ON WIND POLICIES ISSUED IN THE COASTAL AREA FOR TWO YEARS, AND TO MAKE A TECHNICAL AMENDMENT IN THE BEACH PLAN LAWS.

H.B. 239, AN ACT TO AMEND THE LAW GOVERNING PROPERTY TRANSFERS BETWEEN COMMUNITY COLLEGE BOARDS OF TRUSTEES AND COUNTIES FOR COMMUNITY COLLEGE PURPOSES.

H.B. 715, AN ACT TO PROVIDE THAT UTILIZATION REVIEW CRITERIA FOR SUBSTANCE ABUSE TREATMENT BE CRITERIA ADOPTED BY THE AMERICAN SOCIETY OF ADDICTION MEDICINE (ASAM) OR SIMILAR CRITERIA.

The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.B. 181, AN ACT AUTHORIZING THE TOWN OF DALLAS, THE TOWN OF TABOR CITY, AND THE CITY OF WHITEVILLE TO ENACT A PROPERTY MAINTENANCE ORDINANCE AND TO ASSESS CERTAIN COSTS OF ENFORCEMENT AS A LIEN AGAINST THE PROPERTY.

S.B. 296, AN ACT TO REPEAL THE PROVISIONS REGARDING SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE CHARTER OF THE TOWN OF FOREST CITY.

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S.B. 652, AN ACT TO MAKE IT A CRIMINAL OFFENSE IN DURHAM COUNTY TO FRAUDULENTLY OBTAIN AMBULANCE SERVICES.

S.B. 709, AN ACT TO ALLOW MECKLENBURG COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS BOARDS OF EDUCATION.

H.B. 221, AN ACT TO REVISE AND CONSOLIDATE THE ChARTERS OF THE TOWN OF YAUPON BEACH AND THE TOWN OF LONG BEACH AND ESTABLISH A CHARTER FOR THE CONSOLIDATED TOWN OF OAK ISLAND.

H.B. 378, AN ACT TO AUTHORIZE THE ROANOKE RAPIDS HOUSING AUTHORITY AND THE ROANOKE RAPIDS REDEVELOPMENT COMMISSION TO CONVEY BY PRIVATE SALE REAL PROPERTY LOCATED WITHIN A REDEVELOPMENT PROJECT AREA.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

S.B. 534, AN ACT PROVIDING THAT THE TOWN OF KENANSVILLE IS NOT OBLIGATED TO PROVIDE SERVICES TO CERTAIN ANNEXED PROPERTY. (Became law upon ratification, May 18, 1999 – S.L. 1999-54.)

S.B. 720, AN ACT TO PROVIDE DURHAM COUNTY AND THE CITY OF DURHAM WITH ADDITIONAL OPTIONS FOR SERVICE OF PROCESS IN ZONING CODE CASES. (Became law upon ratification, May 18, 1999 – S.L. 1999-55.)

H.B. 179, AN ACT TO INCREASE THE MONTHLY BENEFIT TO MEMBERS OF THE WILKESBORO FIREMEN'S SUPPLEMENTAL PENSION FUND. (Became law upon ratification, May 18, 1999 – S.L. 1999-56.)

H.B. 471, AN ACT AMENDING THE CHARTERS OF THE TOWNS OF STOKESDALE, SUMMERFIELD, PLEASANT GARDEN, AND OAK RIDGE TO EXEMPT AGRICULTURAL LAND USES WITHIN THOSE JURISDICTIONS FROM ZONING. (Became law upon ratification, May 18, 1999 – S.L. 1999-57.)

H.B. 776, AN ACT AUTHORIZING THE CITY OF ROANOKE RAPIDS TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE. (Became law upon ratification, May 18, 1999 – S.L. 1999-58.)

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Kinnaird for the State and Local Government Committee:

H.B. 440 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE LAW PROVIDING FOR THE HUNTING AND
TRAPPING OF FOXES AND RACCOONS IN HYDE AND BEAUFORT COUNTIES AND ALLOWING THE USE OF SNARES WHEN TRAPPING FUR-BEARING ANIMALS IN THOSE COUNTIES, with a favorable report.

H.B. 649, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE IN HOLDEN BEACH, with a favorable report.

H.B. 650 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW BRUNSWICK COUNTY TO REGULATE THE OPERATION OF PERSONAL WATERCRAFT, with a favorable report.

H.B. 772 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE IN THE WATERS OF LEE'S CUT, with a favorable report.

H.B. 951, A BILL TO BE ENTITLED AN ACT REQUIRING THAT AT LEAST ONE PERSON WHO IS DIRECTLY ASSISTED BY A PUBLIC HOUSING AUTHORITY BE APPOINTED TO EACH HOUSING AUTHORITY COMMISSION AND REGIONAL HOUSING AUTHORITY COMMISSION IN THE STATE, with a favorable report.

By Senator Wellons for the Insurance Committee:

H.B. 296 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE OR UNNECESSARY LAWS AND MAKE TECHNICAL AND CLARIFYING AMENDMENTS AND CORRECTIONS IN VARIOUS INSURANCE STATUTES, with a favorable report.

H.B. 1119 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT HEALTH BENEFIT PLANS IN NORTH CAROLINA PROVIDE COVERAGE FOR ANESTHESIA AND HOSPITAL CHARGES IN CERTAIN CASES INVOLVING YOUNG CHILDREN, PERSONS WITH SERIOUS MENTAL OR PHYSICAL CONDITIONS, AND PERSONS WITH SIGNIFICANT BEHAVIORAL PROBLEMS, WHERE THE AGE OR CONDITION OR PROBLEM REQUIRES HOSPITALIZATION OR GENERAL ANESTHESIA IN ORDER TO SAFELY AND EFFECTIVELY PERFORM DENTAL PROCEDURES ON THE PATIENT INVOLVED, with a favorable report.

H.B. 306 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO CONDUCT HEARINGS AND ADOPT CERTAIN RULES RELATED TO THE BEACH AND FAIR PLANS, TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO APPROVE ADDITIONAL BEDS FOR CONTINUING CARE RETIREMENT FACILITIES UNDER CERTAIN CIRCUMSTANCES, TO REVISe THE LAW PROHIBITING DISCRIMINATION IN THE TREATMENT OF HANDICAPPED AND DISABLED PERSONS, TO GOVERN MANAGED CARE WITH REGARD TO WORKERS' COMPENSATION, TO EXEMPT COMMERCIAL AIRCRAFT INSURANCE FROM STATE REGULATION, TO REQUIRE ADDITIONAL INFORMATION FROM SURPLUS LINES LICENSEES, TO CLARIFY WHICH SECTIONS OF THE GENERAL STATUTES APPLY TO SURPLUS LINES INSURANCE, TO AUTHORIZE THE SECRETARY OF REVENUE TO PROVIDE
THE NORTH CAROLINA SELF-INSURANCE GUARANTY ASSOCIATION WITH
INFORMATION ON SELF-INSURERS' PREMIUMS, TO REPEAL THE
REQUIREMENT FOR A BIENNIAL REPORT FROM THE DEPARTMENT OF
INSURANCE, TO REPEAL THE AGENCY BUSINESS CESSATION LAW, AND TO
AUTHORIZE THE COMMISSIONER TO ADOPT RULES RECOGNIZING NEW
ANNUITY MORTALITY TABLES, with an unfavorable report as to Committee
Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 7237, which
changes the title, upon concurrence, to read H.B. 306 (Senate Committee Substitute), A
BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF
INSURANCE TO CONDUCT HEARINGS AND ADOPT CERTAIN RULES
RELATED TO THE BEACH AND FAIR PLANS, TO AUTHORIZE THE
DEPARTMENT OF HEALTH AND HUMAN SERVICES TO APPROVE
ADDITIONAL BEDS FOR CONTINUING CARE RETIREMENT FACILITIES
UNDER CERTAIN CIRCUMSTANCES, TO REVISE THE LAW PROHIBITING
DISCRIMINATION IN THE TREATMENT OF HANDICAPPED AND DISABLED
PERSONS, TO GOVERN MANAGED CARE WITH REGARD TO WORKERS' COMPENSATION, TO EXEMPT COMMERCIAL AIRCRAFT INSURANCE FROM
STATE REGULATION, TO REQUIRE ADDITIONAL INFORMATION FROM
SURPLUS LINES LICENSEES, TO CLARIFY WHICH SECTIONS OF THE
GENERAL STATUTES APPLY TO SURPLUS LINES INSURANCE, TO
AUTHORIZE THE SECRETARY OF REVENUE TO PROVIDE THE NORTH
CAROLINA SELF-INSURANCE GUARANTY ASSOCIATION WITH
INFORMATION ON SELF-INSURERS' PREMIUMS, TO REPEAL THE
REQUIREMENT FOR A BIENNIAL REPORT FROM THE DEPARTMENT OF
INSURANCE, TO REPEAL THE AGENCY BUSINESS CESSATION LAW, TO
AUTHORIZE THE COMMISSIONER TO ADOPT RULES RECOGNIZING NEW
ANNUITY MORTALITY TABLES, AND TO CLARIFY THAT MECHANICAL
BREAKDOWN AND RELATED INSURANCE ARE NOT UNDER THE
JURISDICTION OF THE RATE BUREAU, is adopted and engrossed.

By Senator Dalton for the Education/Higher Education Committee:

H.B. 1267 (Committee Substitute), A BILL TO BE ENTITLED AN ACT
PROTECTING PUBLIC SCHOOL EMPLOYEES WHO MAKE FORMAL OR
INFORMAL COMPLAINTS ALLEGING SEXUAL HARASSMENT, with an
unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee
Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 2352, which
changes the title, upon concurrence, to read H.B. 1267 (Senate Committee Substitute), A
BILL TO BE ENTITLED AN ACT PROTECTING PUBLIC SCHOOL EMPLOYEES
WHO FILE WRITTEN COMPLAINTS ALLEGING SEXUAL HARASSMENT, is
adopted and engrossed.

By Senator Kerr for the Finance Committee:

H.B. 648 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE
AND CONSOLIDATE THE CHARTER OF THE TOWN OF BENSON, with a favorable
report.

S.B. 328, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE
TRANSMISSION AND FILING OF MAPS BY THE DEPARTMENT OF

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TRANSPORTATION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill A142, which changes the title to read S.B. 328 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TRANSMISSION AND FILING OF RIGHT-OF-WAY PLANS BY THE DEPARTMENT OF TRANSPORTATION, is adopted and engrossed.

S.B. 817, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXCEPTION TO THE LATE LISTING PENALTY FOR CERTAIN REAL PROPERTY IN COUNTIES THAT HAVE NOT ADOPTED PERMANENT LISTING AND TO PHASE IN PERMANENT LISTING IN ALL COUNTIES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill A143 is adopted and engrossed.

H.B. 62, A BILL TO BE ENTITLED AN ACT TO REQUIRE CORPORATIONS THAT ARE REQUIRED TO PAY FEDERAL-ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER TO PAY STATE-ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 3419, which changes the title, upon concurrence, to read H.B. 62 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE CORPORATIONS THAT ARE REQUIRED TO PAY FEDERAL ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER TO PAY STATE ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER, AND TO STATE THE INTENT OF THE GENERAL ASSEMBLY THAT SOME OF THE RESULTING REVENUE GAIN SHALL BE USED TO ADD FOUR TAX ANALYST POSITIONS IN THE TAX RESEARCH DIVISION, is adopted and engrossed.

By Senator Soles for the Commerce Committee:

H.B. 512 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CERTIFY ASSISTED LIVING RESIDENCE ADMINISTRATORS, with an unfavorable report as to Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 7236 is adopted and engrossed.

By Senator Purcell for the Health Care Committee:

H.B. 944, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON APPROVAL OF ADDITIONAL ADULT CARE HOME BEDS TO SEPTEMBER 30, 2000, with a favorable report.

By Senator Lucas for the Children & Human Resources Committee:

H.B. 287 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES REGARDING CHILD CARE, TO REPEAL SECTION 4(B) OF S.L. 1997-506, AND TO MAKE CHANGES REGARDING THE TRAINING MATERIALS THAT MAY BE USED BY CHILD CARE FACILITIES, with a favorable report.
By Senator Cooper for the Judiciary I Committee:

H.B. 226 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A NOTICE OF FORECLOSURE HEARING INCLUDE ADDITIONAL INFORMATION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages and a special message received in the Office of the Principal Clerk from the House of Representatives transmitting bills and a resolution are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 525 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW NON-UNITED STATES CITIZENS TO SERVE AS PERSONAL REPRESENTATIVES IN THE ADMINISTRATION OF ESTATES, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, May 20.

H.B. 845 (Committee Substitute), A BILL TO BE ENTITLED AN ACT EXPANDING THE PERMISSIBLE PURPOSES OF THE GREENVILLE UTILITIES COMMISSION AND AUTHORIZING THE COMMISSION TO CHARGE APPROPRIATE FEES FOR EXPANDED SERVICES.
Referred to Finance Committee.


With unanimous consent, upon motion of Senator Forrester, the rules are suspended and the joint resolution is placed before the Senate for immediate consideration.

With unanimous consent, upon motion on Senator Forrester, the joint resolution is read in its entirety, and upon motion of Senator Horton, the remarks of the Senators memorializing the life and memory of Dr. Edmund Strudwick, the first President of the North Carolina Medical Society, are spread upon the Journal as follows:

Senator Forrester:

"Members of the Senate, it is a privilege for Senator Purcell and I to support this House Joint Resolution honoring the North Carolina Medical Society on its 150th anniversary and its first elected President, Dr. Edmund Strudwick. Dr. Strudwick was elected President in 1849, 150 years ago. It is interesting that dues were $2.00 a year in the Medical Society at that time. Tonight, 1,800 people, including physicians, spouses and you as our honored guests, will be invited to fill Raleigh Memorial Auditorium as the North Carolina Medical Society hosts this 150th anniversary, this gala celebration which will include the North Carolina Symphony. Governor James Hunt will kick off this spectacular event tonight which will relive the 150 years of medicine in our State and help raise money for the North Carolina Medical Society Foundation which seeks to provide access to quality care for underserved areas of the State. Actually in looking at the history of the Society, I found that the first physician who actually served as Chairman and was nominated for President of the Society for a very short time but he was not actually elected was a Dr. Frederick Hill from Wilmington, North Carolina, Brunswick County at that time, I believe. He was actually known as the Father of Public Schools and about twelve

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years prior years to this, he started a movement in our State to provide for free schools in every county. Dr. Hill actually owned a plantation near Wilmington called Orton Plantation, but the first elected President was Dr. Strudwick, which we honor here today. He was a surgeon from Orange County. He was widely known for his skills as a surgeon and was frequently called on to come to Raleigh, Fayetteville, Wilmington and even on one occasion to Philadelphia for his expertise. He successfully removed an ovarian tumor weighing thirty-six pounds back in 1842. That surgery was rarely performed in our country and even countries in Europe. He excelled at breast amputation for breast cancer auxiliary node dissection which our surgeons do today. He could be considered an ophthalmologist today in that he had skill in moving cataracts and a urologist in that he did a lot of kidney stone removal, lithotomy. Some of you may have seen the replica of Dr. Strudwick walking through the General Assembly yesterday in the appropriate garb of the day. It's interesting, at one time it is reported that he removed kidney stones from twenty-eight patients without a death. On one occasion he had to use tongs from a blacksmith's shop to actually crush and remove the stones because they were so large to get through the incision. There are a couple of interesting stories about Dr. Strudwick that I have found. One is that one day he saw a boy leading an African-American man down the street. The man was blind. Dr. Strudwick examined the man, brought the man to his home, removed the cataracts from the man and nursed him and kept the boy there until the man was able to go home on his own. There was also another interesting story about him when he made a house call one cold wintry night to see one of his patients who had a strangulated hernia. He was thrown from his buggy out in the cold wet snow and rain, and stayed there over half the night with a broken ankle before he was found. At that time, he insisted on being taken to the patient's home where he performed surgery on the patient before he would allow himself to be treated for his fractured ankle. We physicians are proud of our heritage in North Carolina. Physicians in our State emigrated here from Europe and came to mainly Charleston, South Carolina and then migrated up to North Carolina. The first physician in our State was in 1670, a Dr. John King. The wonder drugs of those days were bark, roots, leaves, herbs from the Indian medicine man. Influenza, small pox, malaria, yellow fever were rampant and epidemic. They were treated by bleeding, by leaches mainly, by purging which is kind of like cleaning out of your colon and puking, as they had in the book, which is vomiting. But even as late as 1899, which is only one hundred years ago when your grandparents were around, I was looking through a medical textbook which we use today, an updated version, and the treatment for alcoholism at that time was to slowly suck an orange. Treatment for an earache was to pour hot water in the ear. If you had trouble sleeping at night, this book recommended you drink a lot of coffee and if you had bronchitis, and some of you had, the treatment was cutting the jugular vein and having it drained, and the treatment of acne was taking arsenic. We have come a long way even since your grandparents' times. Back in the early days, the physicians were poorly trained and you could barely make a living practicing medicine. Therefore, they acted as pharmacists. They made their own medicines. They actually made more money selling medicines than they did practicing medicine. But they also farmed, preached, published books, were sheriffs, judges and yes, even a few entered politics. Our first medical school was Edenborough Medical College in Hoke County about half a mile south of Raeford. It only stayed in business for a few years. The first North Carolina woman admitted to medical school, we didn't have any in this State, was Elizabeth Blackwell from Asheville, North Carolina. She was turned down by numerous medical schools, but finally got in to one up in New York. We are proud that our State was first to recognize a woman physician when Dr. Susan Dimock from Washington, North Carolina was admitted to the Society in 1872. After hours and hours of debate and discussion she was admitted as an honorary member. She didn't stay in North Carolina very long, went up to New York and organized the first School of Nursing in Boston. The bylaws of the
North Carolina Medical Society were changed in 1954, forming what was called a scientific membership category available to all non-white physicians. They could participate in scientific sessions, the business sessions, could vote and hold office, but could not participate in social events. In 1957, there were only two African-American physicians in our Medical Society. I am sorry to say it was not until 1965, three years after I started practicing medicine, that our fellow African-American physicians were admitted with unlimited membership, with qualifications being the same for all physicians. But despite some drawbacks, Dr. Purcell and I are certainly proud of our heritage of medicine and politics. Since the first two physicians came over on the Mayflower to Plymouth Rock and since five of the signers of the Declaration of Independence were physicians and over 400 physicians have served in Congress, at least nine of these from North Carolina, we are very proud to be involved in the medical profession and in politics. Fourteen states have had governors who are physicians and three of these were Governors of North Carolina, Dr. Gabriel Johnson, Dr. Thomas Burke and Dr. Nathaniel Alexander. Dr. Johnson was a fellow Scotsman, who was the first physician Governor. He was a Royal Governor, appointed by King George back in 1734-1752. He actually served eighteen years. That's even longer than our present Governor! Our second physician Governor, was Dr. Thomas Burke, who was an Irishman and a Catholic, the only Catholic to ever serve as Governor of our State, and the third was Dr. Nathaniel Alexander who first served in Congress in 1805 and then became our Governor. We've had at least sixty-four physicians to serve in the General Assembly, either the Colonial or the present General Assembly, including twenty-eight in our North Carolina Senate if you include Senator Purcell and I. As you can see the political background of doctors was well established in our State, even the Mecklenburg Resolve of May 1775 was authored by a physician, Dr. Efrin Brevard, who later died on a prison ship after being captured in the Continental Army. There are many other examples of physicians who have contributed to society and given their lives for their country. More and more physicians feel they should be active in the political process, and why not? The list is long of those who improve the lives of their fellow citizens through the practice of medicine and politics. But if the art and science and economics of medicine are to endure for prosperity, as we've known it, it will be because of physicians' participation. Happy anniversary North Carolina Medical Society. The next 150 years will be even greater. We as physicians have learned from Dr. Strudwick and many other of the great physicians of the past and even of today that you make a living at what you get but you make a life by what you give."

**Senator Purcell:**

"I think from the stories that Senator Forrester has told that you have no difficulty understanding that when the Medical Society was formed in 1849 the public had trouble trusting that a person calling themselves a doctor was in any way competent or trained in medicine. Today is a testament to the wisdom and foresight of the General Assembly and the Medical Society that we can trust that our physicians in North Carolina have had the best medical education in the world. The twenty-five physicians who started the North Carolina Medical Society would be proud to know that their vision of a competent and well-trained profession has become a reality and that the Society now has over 10,000 members across the State. Many of you know the Medical Society through the lobbyists who've come by to see you rather frequently, but the organization serves other important functions, too, such as education, public policy research, regular scientific meetings. In fact, the Medical Society has had a scientific meeting every year except for three years during the Civil War and one year during World War II. Perhaps one quaintly worded phrase from the transcripts of the Medical Society's first meeting in April, 1849,
says it best, ‘Physicians have the task of noting all the circumstances effecting the public health and of displaying skill and the ingenuity in devising the best means for its protection.’ I know all the other members of the North Carolina Medical Society join Senator Forrester and me in thanking this State for the privilege to practice medicine here and we look forward to another 150 years of steady progress in good health for North Carolina.”

The joint resolution passes its second reading (50-0) and third reading with Members standing and is ordered enrolled.

**CALENDAR**

Bills and a resolution on today's Calendar are taken up and disposed of, as follows:


With unanimous consent, upon motion of Senator Forrester, the joint resolution is withdrawn from today's Calendar and is re-referred to the Rules and Operations of the Senate Committee.

**S.B. 719**, A BILL TO BE ENTITLED AN ACT ALLOWING THE CITY OF DURHAM TO CONSIDER LIMITATIONS ON USES AS REQUESTED IN THE DEVELOPMENT PLANS SUBMITTED FOR REZONINGS AND TO MAKE OTHER CHANGES REGARDING THE CONSIDERATION OF DEVELOPMENT PLANS, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read **S.B. 719** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE CITY OF DURHAM AND THE COUNTY OF DURHAM TO CONSIDER LIMITATIONS ON USES AS REQUESTED IN THE DEVELOPMENT PLANS SUBMITTED FOR REZONINGS AND TO MAKE OTHER CHANGES REGARDING THE CONSIDERATION OF DEVELOPMENT PLANS.

The Senate concurs in the House Committee Substitute bill (50-0) and the measure is ordered enrolled.

**H.B. 486** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE PERMANENT REGISTRATION PLATES TO TRAILERS OWNED BY CHARITABLE ORGANIZATIONS AND USED ONLY IN PARADES AND TO CONSOLIDATE AND MODERNIZE THE STATUTES PROVIDING FOR PERMANENT REGISTRATION PLATES, upon third reading.

With unanimous consent, upon motion of Senator Rand, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, May 26, upon third reading.

**H.B. 301** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE EDUCATIONAL REQUIREMENTS FOR AUCTIONEERS, APPRENTICE AUCTIONEERS, AND PRINCIPALS IN AN AUCTION FIRM, TO ALLOW THE AUCTIONEERS COMMISSION TO ALLOW THE AUCTIONEERS COMMISSION TO ASSESS A CIVIL PENALTY IN CERTAIN CIRCUMSTANCES, TO INCREASE FEES, AND TO AUTHORIZE CRIMINAL HISTORY CHECKS FOR APPLICANTS FOR AN AUCTIONEER'S LICENSE, upon second reading.

May 19, 1999
The Chair grants leaves of absence for the remainder of today's Session to Senator Basnight and Senator Weinstein.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 32, noes 16, as follows:


Voting in the negative: Senators Carpenter, Carrington, Cochrane, East, Forrester, Garwood, Gulley, Horton, Kinnaird, Lucas, Martin of Guilford, Miller, Moore, Purcell, Shaw of Cumberland, and Webster—16.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Thursday, May 20, upon third reading.

H.B. 201, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE APPOINTMENT OF SUCCESSOR TRUSTEES TO CONFORM TO THE RULES OF CIVIL PROCEDURE AND TO UPDATE STATUTORY LANGUAGE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The bill passes its second (48-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 214, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE LAND RECORDS STATUTES.

The bill passes its second (48-0) and third readings and is ordered enrolled and sent to the Governor.

ENROLLED BILL

The Enrolling Clerk reports the following resolution duly ratified, properly enrolled, and presented to the Office of the Secretary of State:


CALENDAR (Continued)

H.B. 236 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE BAITING OF ANIMALS AND TO MAKE CORRECTIONS IN THE LAW REGARDING THE MANDATORY SUSPENSION OF HUNTING LICENSES AND PERMITS.

The Committee Substitute bill passes its second (43-5) and third readings and is ordered enrolled and sent to the Governor.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

House of Representatives
May 19, 1999
Mr. President:

It is ordered that a message be sent to the Senate informing your Honorable Body that the House of Representatives has been notified that Representative Leo Daughtry has resigned as the Minority Leader. The Republican Caucus has elected Richard T. Morgan to fill that position.

Respectfully,
S/Denise Weeks
Principal Clerk

CALENDAR (Continued)

H.B. 316 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENCOURAGE PRESCRIBED BURNING FOR FORESTRY AND WILDLIFE PURPOSES UNDER CERTAIN CONDITIONS.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 975 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT SERVICES PROVIDED THROUGH THE STATEWIDE AUTOMATED VICTIM ASSISTANCE AND NOTIFICATION SYSTEM ARE SUBJECT TO THE EXEMPTIONS FROM DAMAGE CLAIMS AND OTHER GROUNDS FOR RELIEF PROVIDED FOR BY THE VICTIMS' RIGHTS ACT.

With unanimous consent, upon motion of Senator Miller, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, May 25.

H.B. 985 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE BENCHMARK AT WHICH THE DEPARTMENT OF ADMINISTRATION IS REQUIRED TO ADVERTISE FOR PROPOSALS FOR LEASES BY THE STATE, TO CLARIFY WHEN THE DEPARTMENT MAY TRANSFER PROPERTY TO NONPROFIT ORGANIZATIONS AT LESS THAN FAIR-MARKET VALUE, AND TO SIMPLIFY THE LAW REGARDING STATE LEASES OF PROPERTY IN UNIQUE LOCATIONS.

Senator Kerr offers Amendment No. 1 which is adopted (48-0).

The Committee Substitute bill, as amended, passes its second reading (43-4).

Senator Webster objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Thursday, May 20, upon third reading.

S.B. 128 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW CONCERNING INTEREST ON MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO ALLOW INTEREST ON JUDGMENTS ON PENAL BONDS, for concurrence in the House Committee Substitute bill.

The Senate fails to concur in the House Committee Substitute bill (0-48). Senator Ballance offers a motion that the Senate appoint conferees, which motion prevails.

Senator Ballance, Deputy President Pro Tempore, announces the appointment of Senator Hartsell, Chairman, and Senator Clodfelter and Senator Wellons as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered
sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

**COMMITTEE REFERRAL RECALL**

S.B. 60, A BILL TO BE ENTITLED AN ACT TO EXTEND THE LIFE OF THE HEART DISEASE AND STROKE PREVENTION TASK FORCE AND TO APPROPRIATE FUNDS FOR ITS WORK, referred to the Appropriations/Base Budget Committee on February 10.

Pursuant to Rule 47(a), Senator Perdue offers a motion that the bill be withdrawn from the Appropriations/Base Budget Committee and re-referred to the Health Care Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Appropriations/Base Budget Committee and re-refers the measure to the Health Care Committee.

H.B. 968 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROCEDURES CONCERNING FINAL ADMINISTRATIVE DECISIONS IN CONTESTED CASES HEARD BY THE OFFICE OF ADMINISTRATIVE HEARINGS, referred to the Judiciary I Committee on April 28.

Pursuant to Rule 47(a), Senator Cooper offers a motion that the Committee Substitute bill be withdrawn from the Judiciary I Committee and re-referred to the Judiciary II Committee, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Judiciary I Committee and re-refers the measure to the Judiciary II Committee.

H.B. 1286 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXEMPTION FROM THE "MASS GATHERINGS" STATUTE, re-referred to the Judiciary I Committee on May 11.

Pursuant to Rule 47(a), Senator Cooper offers a motion that the Committee Substitute bill No. 2 be withdrawn from the Judiciary I Committee and placed on the Calendar for Monday, May 24, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill No. 2 withdrawn from the Judiciary I Committee and places it on the Calendar for Monday, May 24.

**REPORTS OF COMMITTEES (Continued)**

By Senator Hoyle for the Finance Committee:

H.B. 462, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHADBOURN AND MOUNT GILEAD, AND MONTGOMERY COUNTY, TO COLLECT UTILITY BILLS AS IF THEY WERE TAXES DUE THEM, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 2352, which changes the title, upon concurrence, to read H.B. 462 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF CHADBOURN AND MOUNT GILEAD, AND MONTGOMERY COUNTY, TO COLLECT UTILITY BILLS AS IF THEY WERE TAXES DUE THEM, AND TO ALLOW DARE COUNTY TO CREATE SPECIAL TAX DISTRICTS TO UNDERGROUND ELECTRIC UTILITY LINES, is adopted and engrossed. The Senate Committee Substitute bill is held to be material, constituting first reading of the measure, and requires a call of the roll.

May 19, 1999
ADDITIONAL SPONSOR

Senator Shaw of Cumberland requests to be added as a sponsor of previously introduced legislation:

S.B. 882, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SYSTEM OF COMPREHENSIVE PUBLIC FINANCING OF ELECTIONS FOR GOVERNOR, COUNCIL OF STATE, AND GENERAL ASSEMBLY; AND TO MAKE RELATED CHANGES.

Upon motion of Senator Ballance, seconded by Senator Forrester and Senator Purcell, the Senate adjourns at 4:49 P.M. to meet tomorrow, Thursday, at 1:00 P.M.

SIXTY-SIXTH DAY

Senate Chamber
Thursday, May 20, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"God of eternity, You are the Author of life and the Giver of time. Forgive us for failing to fully embrace the gift of each day. We confess that the frenetic pace of our lives, our busy schedules and full agendas make time more of a devilish enemy than a divinely appointed gift. We tend to forget that the first thing in all of creation that You sanctified and made holy was time, the Sabbath.

Perhaps our difficulty is not in the hours and minutes that are given to us, but in how we use, or rather abuse them. Help us, Oh God, to be wise stewards of our days. Remind us again that there is indeed enough time today, time enough for meditation and prayer, time enough for acts of charity, time enough to reconcile an estrangement with a forgiving word, time enough to welcome a stranger and rejoice in a friend, time enough to marvel at the beauty of Your creation and give You praise.

"Help us, Oh Lord, not simply to have days that are filled full, but to have fulfilled days. We make our prayer in Your Holy Name, Amen."

With unanimous consent, the President Pro Tempore grants leaves of absence for today to Senator Jordan and Senator Reeves.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Wednesday, May 19, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore of the Senate extends courtesies of the floor to Dr. Russell Mars Howerton from Winston-Salem, North Carolina, who is serving the Senate as Doctor of the Day, and to Cindy Vertefeuille from Archdale, North Carolina, who is serving the Senate as Nurse of the Day.

May 20, 1999
ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 1075, AN ACT REGARDING FUNDING AND TRANSPORTATION FOR CHILDREN WITH SPECIAL NEEDS.

H.B. 201, AN ACT TO AMEND THE LAW RELATING TO THE APPOINTMENT OF SUCCESSOR TRUSTEES TO CONFORM TO THE RULES OF CIVIL PROCEDURE AND TO UPDATE STATUTORY LANGUAGE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

H.B. 214, AN ACT TO MAKE TECHNICAL CHANGES TO THE LAND RECORDS STATUTES.

H.B. 236, AN ACT TO AMEND THE LAW REGARDING THE BAITING OF ANIMALS AND TO MAKE CORRECTIONS IN THE LAW REGARDING THE MANDATORY SUSPENSION OF HUNTING LICENSES AND PERMITS.

H.B. 316, AN ACT TO ENCOURAGE PRESCRIBED BURNING FOR FORESTRY AND WILDLIFE PURPOSES UNDER CERTAIN CONDITIONS.

H.B. 778, AN ACT TO ADD SIX MEMBERS TO THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA.

H.B. 1076, AN ACT TO REQUIRE THAT FIRE SERVICE MAINS COMPLY WITH THE NORTH CAROLINA STATE BUILDING CODE.

The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.B. 702, AN ACT TO ALLOW RESTORATION OF ZONING AUTHORITY OF THE TOWN OF MATTHEWS AS TO CERTAIN PROPERTY IF MECKLENBURG COUNTY DISPOSES OF IT.

S.B. 719, AN ACT ALLOWING THE CITY OF DURHAM AND THE COUNTY OF DURHAM TO CONSIDER LIMITATIONS ON USES AS REQUESTED IN THE DEVELOPMENT PLANS SUBMITTED FOR REZONINGS AND TO MAKE OTHER CHANGES REGARDING THE CONSIDERATION OF DEVELOPMENT PLANS.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

H.B. 1088, AN ACT TO IMPROVE AND MODERNIZE THE TORRENS LAND TITLE REGISTRATION PROCEDURES OF THE STATE. (Became law upon approval of the Governor, May 19, 1999 – S.L. 1999-59.)

S.B. 1039, AN ACT TO ESTABLISH A NEW MULTICAMPUS COMMUNITY COLLEGE TO SERVE ANSON AND UNION COUNTIES. (Became law upon approval May 20, 1999
H.B. 244, AN ACT TO ADD A STUDENT MEMBER TO THE STATE BOARD OF COMMUNITY COLLEGES. (Became law upon approval of the Governor, May 19, 1999 - S.L. 1999-60.)


S.B. 296, AN ACT TO REPEAL THE PROVISIONS REGARDING SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE CHARTER OF THE TOWN OF FOREST CITY. (Became law upon ratification, May 19, 1999 - S.L. 1999-62.)

S.B. 652, AN ACT TO MAKE IT A CRIMINAL OFFENSE IN DURHAM COUNTY TO FRAUDULENTLY OBTAIN AMBULANCE SERVICES. (Became law upon ratification, May 19, 1999 - S.L. 1999-63.)

S.B. 709, AN ACT TO ALLOW MECKLENBURG COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS BOARDS OF EDUCATION. (Became law upon ratification, May 19, 1999 - S.L. 1999-65.)


H.B. 378, AN ACT TO AUTHORIZE THE ROANOKE RAPIDS HOUSING AUTHORITY AND THE ROANOKE RAPIDS REDEVELOPMENT COMMISSION TO CONVEY BY PRIVATE SALE REAL PROPERTY LOCATED WITHIN A REDEVELOPMENT PROJECT AREA. (Became law upon ratification, May 19, 1999 - S.L. 1999-67.)

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

H.B. 985 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE BENCHMARK AT WHICH THE DEPARTMENT OF ADMINISTRATION IS REQUIRED TO ADVERTISE FOR PROPOSALS FOR LEASES BY THE STATE, TO CLARIFY WHEN THE DEPARTMENT MAY TRANSFER PROPERTY TO NONPROFIT ORGANIZATIONS AT LESS THAN FAIR-MARKET VALUE, AND TO SIMPLIFY THE LAW REGARDING STATE LEASES OF PROPERTY IN UNIQUE LOCATIONS.

With unanimous consent, upon motion of Senator Rand, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, May 26.

H.B. 512 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO
CERTIFY ASSISTED LIVING RESIDENCE ADMINISTRATORS.

With unanimous consent, upon motion of Senator Odom, the Senate Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the Appropriations/Base Budget Committee.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Miller for the Judiciary II Committee:

H.B. 304 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CRIMINAL PENALTIES FOR FRAUDULENT MISREPRESENTATION INVOLVING CHILD CARE SUBSIDIES AND TO PROVIDE COUNTIES A FINANCIAL INCENTIVE TO INVESTIGATE AND PURSUE FRAUD IN CHILD CARE PAYMENTS, with a favorable report.

Upon motion of Senator Miller, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

By Senator Purcell for the Health Care Committee:

H.B. 1193, A BILL TO BE ENTITLED AN ACT AUTHORIZING NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS, AND CERTIFIED NURSE MIDwives TO CONDUCT PHYSICAL EXAMINATIONS IN CERTAIN CIRCUMSTANCES, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 7241, which changes the title, upon concurrence, to read H.B. 1193 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING NURSE PRACTITIONERS AND PHYSICIAN ASSISTANTS TO CONDUCT PHYSICAL EXAMINATIONS IN CERTAIN CIRCUMSTANCES, is adopted and engrossed.

By Senator Hoyle for the Finance Committee:

H.B. 259 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LAPSE OF A HOME INSPECTOR'S LICENSE AND AN ASSOCIATE HOME INSPECTOR'S LICENSE UNDER CERTAIN CONDITIONS; TO ESTABLISH RECORD-KEEPING REQUIREMENTS FOR HOME INSPECTORS; AND TO AUTHORIZE THE HOME INSPECTOR LICENSURE BOARD TO ESTABLISH CONTINUING EDUCATION PROGRAMS AND CHARGE FEES FOR THOSE PROGRAMS, with a favorable report.

Upon motion of Senator Hoyle, the Committee Substitute bill is placed on the Calendar for Tuesday, May 25.

S.B. 799, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES COLLECTED BY THE NORTH CAROLINA BOARD OF PHYSICAL THERAPY EXAMINERS, with a favorable report.

Upon motion of Senator Hoyle, the bill is placed on the Calendar for Tuesday, May 25.

S.B. 222, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STATE AND
LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS AND DEBIT CARDS FOR PAYMENT OF GOVERNMENT FEES, COSTS, AND DEBTS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2768, which changes the title to read S.B. 222 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STATE AND LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS, CHARGE CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFERS FOR PAYMENT OF GOVERNMENT FEES, COSTS, AND DEBTS, AND TO ALLOW LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS, CHARGE CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFERS FOR PAYMENT OF PROPERTY TAXES, is adopted and engrossed.

Upon motion of Senator Hoyle, the Committee Substitute bill is placed on the Calendar for Tuesday, May 25.

S.B. 791, A BILL TO BE ENTITLED AN ACT TO CHANGE THE GENERAL DRIVERS LICENSE RENEWAL CYCLE FROM FIVE TO TEN YEARS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill A144 is adopted and engrossed.

Upon motion of Senator Hoyle, the Committee Substitute bill is placed on the Calendar for Tuesday, May 25.

S.B. 1049 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND AND CODIFY THE LAW THAT PROVIDES FOR COMPENSATORY MITIGATION AS AN ALTERNATIVE TO THE MAINTENANCE OF RIPARIAN BUFFERS AND THAT AUTHORIZES THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DELEGATE RESPONSIBILITY FOR THE IMPLEMENTATION AND ENFORCEMENT OF THE STATE'S RIPARIAN BUFFER PROTECTION REQUIREMENTS TO LOCAL GOVERNMENTS, AS RECOMMENDED BY THE NEUSE RIVER BUFFER RULES STAKEHOLDER ADVISORY COMMITTEE AND REQUESTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION, with an unfavorable report as to Committee Substitute bill No. 1, but favorable as to Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 6676, is adopted and engrossed.

Upon motion of Senator Hoyle, the Committee Substitute bill No. 2 is placed on the Calendar for Tuesday, May 25.

By Senator Kerr for the Finance Committee:

S.B. 1115, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WIDELY SHARED PROSPERITY BY AMENDING THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, BY PROVIDING ADDITIONAL TAX INCENTIVES FOR VARIOUS BUSINESSES, AND BY MAKING RELATED CHANGES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill X6678 is adopted and engrossed.

Upon motion of Senator Kerr, the Committee Substitute bill is placed on the Calendar for Tuesday, May 25.
MESSAGES FROM THE HOUSE OF REPRESENTATIVES

A message is received in the Office of the Principal Clerk from the House of Representatives transmitting a bill is presented to the Senate, read the first time, and disposed of, as follows:

H.B. 830 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PENALTIES FOR THE TRANSYLVANIA COUNTY ROOM OCCUPANCY TAX.
Referred to Finance Committee.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S.B. 128 House of Representatives
May 20, 1999

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute for SB 128, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW CONCERNING INTEREST ON MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO ALLOW INTEREST ON JUDGMENTS ON PENAL BONDS, the Speaker has appointed as conferees on the part of the House,

Representative Baddour,
Representative Culpepper and
Representative Bowie

to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
S/Denise Weeks
Principal Clerk

CALENDAR (Continued)

H.B. 462 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF CHADBURN AND MOUNT GILEAD, AND MONTGOMERY COUNTY, TO COLLECT UTILITY BILLS AS IF THEY WERE TAXES DUE THEM, AND TO ALLOW DARE COUNTY TO CREATE SPECIAL TAX DISTRICTS TO UNDERGROUND ELECTRIC UTILITY LINES, upon second reading.

The Senate Committee Substitute bill passes its second reading by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, East, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Horton, Hoyle, Kerr, Kinnaird, Lee, Lucas, Martin of Pitt, Martin of Guilford, Metcalf, Miller, Moore, Odom,

Voting in the negative: None.

The Senate Committee Substitute bill is ordered placed on the Calendar for Monday, May 24, upon third reading.

H.B. 648 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF BENSON, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for Monday, May 24, upon third reading.

H.B. 440 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE LAW PROVIDING FOR THE HUNTING AND TRAPPING OF FOXES AND RACCOONS IN HYDE AND BEAUFORT COUNTIES AND ALLOWING THE USE OF SNARES WHEN TRAPPING FUR-BEARING ANIMALS IN THOSE COUNTIES.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered enrolled.

H.B. 649, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE IN HOLDEN BEACH.

The bill passes its second (48-0) and third readings and is ordered enrolled.

H.B. 650 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW BRUNSWICK COUNTY TO REGULATE THE OPERATION OF PERSONAL WATERCRAFT.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered enrolled.

H.B. 772 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE IN THE WATERS OF LEE'S CUT.

The Committee Substitute bill No. 2 passes its second (48-0) and third readings and is ordered enrolled.

H.B. 301 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE EDUCATIONAL REQUIREMENTS FOR AUCTIONEERS, APPRENTICE AUCTIONEERS, AND PRINCIPALS IN AN AUCTION FIRM, TO ALLOW THE AUCTIONEERS COMMISSION TO ASSESS A CIVIL PENALTY IN CERTAIN CIRCUMSTANCES, TO INCREASE FEES, AND TO AUTHORIZE CRIMINAL HISTORY CHECKS FOR APPLICANTS FOR AN AUCTIONEER'S LICENSE, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 43,
noes 5, as follows:

The Committee Substitute bill is ordered enrolled and sent to the Governor.

H.B. 62 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE CORPORATIONS THAT ARE REQUIRED TO PAY FEDERAL ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER TO PAY STATE ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER, AND TO STATE THE INTENT OF THE GENERAL ASSEMBLY THAT SOME OF THE RESULTING REVENUE GAIN SHALL BE USED TO ADD FOUR TAX ANALYST POSITIONS IN THE TAX RESEARCH DIVISION, upon second reading.

The Senate Committee Substitute bill passes its second reading by roll-call vote, ayes 48, noes 0, as follows:
Voting in the negative: None.

The Senate Committee Substitute bill is ordered placed on the Calendar for Monday, May 24, upon third reading.

S.B. 328 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TRANSMISSION AND FILING OF RIGHT-OF-WAY PLANS BY THE DEPARTMENT OF TRANSPORTATION.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

S.B. 817 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXCEPTION TO THE LATE LISTING PENALTY FOR CERTAIN REAL PROPERTY IN COUNTIES THAT HAVE NOT ADOPTED PERMANENT LISTING AND TO PHASE IN PERMANENT LISTING IN ALL COUNTIES.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

H.B. 226 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A NOTICE OF FORECLOSURE HEARING INCLUDE ADDITIONAL INFORMATION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 287 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES REGARDING
CHILD CARE, TO REPEAL SECTION 4(B) OF S.L. 1997-506, AND TO MAKE CHANGES REGARDING THE TRAINING MATERIALS THAT MAY BE USED BY CHILD CARE FACILITIES.

The President orders, without objection, the Committee Substitute bill No. 2, temporarily displaced.

H.B. 296 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE OR UNNECESSARY LAWS AND MAKE TECHNICAL AND CLARIFYING AMENDMENTS AND CORRECTIONS IN VARIOUS INSURANCE STATUTES.

The Committee Substitute bill passes its second (46-0) and third readings and is ordered enrolled and sent to the Governor.

The Chair grants leaves of absence for the remainder of today's Session to Senator Perdue and Senator Warren.

H.B. 287 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES REGARDING CHILD CARE, TO REPEAL SECTION 4(B) OF S.L. 1997-506, AND TO MAKE CHANGES REGARDING THE TRAINING MATERIALS THAT MAY BE USED BY CHILD CARE FACILITIES, temporarily displaced earlier.

Upon motion of Senator Horton, the President orders, without objection, the Committee Substitute bill No. 2, temporarily displaced.

H.B. 306 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO CONDUCT HEARINGS AND ADOPT CERTAIN RULES RELATED TO THE BEACH AND FAIR PLANS, TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO APPROVE ADDITIONAL BEDS FOR CONTINUING CARE RETIREMENT FACILITIES UNDER CERTAIN CIRCUMSTANCES, TO REVISE THE LAW PROHIBITING DISCRIMINATION IN THE TREATMENT OF HANDICAPPED AND DISABLED PERSONS, TO GOVERN MANAGED CARE WITH REGARD TO WORKERS' COMPENSATION, TO EXEMPT COMMERCIAL AIRCRAFT INSURANCE FROM STATE REGULATION, TO REQUIRE ADDITIONAL INFORMATION FROM SURPLUS LINES LICENSEES, TO CLARIFY WHICH SECTIONS OF THE GENERAL STATUTES APPLY TO SURPLUS LINES INSURANCE, TO AUTHORIZE THE SECRETARY OF REVENUE TO PROVIDE THE NORTH CAROLINA SELF-INSURANCE GUARANTY ASSOCIATION WITH INFORMATION ON SELF-INSURERS' PREMIUMS, TO REPEAL THE REQUIREMENT FOR A BIENNIAL REPORT FROM THE DEPARTMENT OF INSURANCE, TO REPEAL THE AGENCY BUSINESS DISSOLUTION LAW, TO AUTHORIZE THE COMMISSIONER TO ADOPT RULES RECOGNIZING NEW ANNUITY MORTALITY TABLES, AND TO CLARIFY THAT MECHANICAL BREAKDOWN AND RELATED INSURANCE ARE NOT UNDER THE JURISDICTION OF THE RATE BUREAU.

The Senate Committee Substitute bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

H.B. 944, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON APPROVAL OF ADDITIONAL ADULT CARE HOME BEDS TO SEPTEMBER 30, 2000.
The bill passes its second (45-0) and third readings and is ordered enrolled and sent to the Governor.

**H.B. 951**, A BILL TO BE ENTITLED AN ACT REQUIRING THAT AT LEAST ONE PERSON WHO IS DIRECTLY ASSISTED BY A PUBLIC HOUSING AUTHORITY BE APPOINTED TO EACH HOUSING AUTHORITY COMMISSION AND REGIONAL HOUSING AUTHORITY COMMISSION IN THE STATE.

Senator Kinnaird offers Amendment No. 1, which is adopted (46-0), and changes the title upon concurrence to read **H.B. 951**, A BILL TO BE ENTITLED AN ACT REQUIRING THAT AT LEAST ONE PERSON WHO IS DIRECTLY ASSISTED BY A PUBLIC HOUSING AUTHORITY BE APPOINTED TO EACH HOUSING AUTHORITY COMMISSION AND REGIONAL HOUSING AUTHORITY COMMISSION IN THE STATE AND TO INCREASE THE MAXIMUM NUMBER OF MEMBERS THAT MAY BE APPOINTED TO A HOUSING AUTHORITY COMMISSION.

The bill as amended, passes its second (46-0) and third readings and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1.

**H.B. 1119** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT HEALTH BENEFIT PLANS IN NORTH CAROLINA PROVIDE COVERAGE FOR ANESTHESIA AND HOSPITAL CHARGES IN CERTAIN CASES INVOLVING YOUNG CHILDREN, PERSONS WITH SERIOUS MENTAL OR PHYSICAL CONDITIONS, AND PERSONS WITH SIGNIFICANT BEHAVIORAL PROBLEMS, WHERE THE AGE OR CONDITION OR PROBLEM REQUIRES HOSPITALIZATION OR GENERAL ANESTHESIA IN ORDER TO SAFELY AND EFFECTIVELY PERFORM DENTAL PROCEDURES ON THE PATIENT INVOLVED.

The Committee Substitute bill passes its second (46-0) and third readings and is ordered enrolled and sent to the Governor.

**H.B. 1267** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PROTECTING PUBLIC SCHOOL EMPLOYEES WHO FILE WRITTEN COMPLAINTS ALLEGING SEXUAL HARASSMENT.

The Senate Committee Substitute bill passes its second (45-1) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

**S.B. 525**, A BILL TO BE ENTITLED AN ACT TO ALLOW NON-UNITED STATES CITIZENS WHO ARE RESIDENTS OF NORTH CAROLINA TO SERVE AS PERSONAL REPRESENTATIVES IN THE ADMINISTRATION OF ESTATES, for concurrence in the House Committee Substitute bill, which changes the title upon concurrence to read **S.B. 525** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW NON-UNITED STATES CITIZENS TO SERVE AS PERSONAL REPRESENTATIVES IN THE ADMINISTRATION OF ESTATES.

The Senate concurs in the House Committee Substitute bill (45-1) and the measure is ordered enrolled and sent to the Governor.

**H.B. 287** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES REGARDING CHILD CARE, TO REPEAL SECTION 4(B) OF S.L. 1997-506, AND TO MAKE CHANGES REGARDING THE TRAINING MATERIALS THAT MAY BE USED BY CHILD CARE FACILITIES, temporarily displaced earlier.

May 20, 1999
With unanimous consent, upon motion of Senator Phillips, the Committee Substitute bill No. 2 is withdrawn from today's Calendar and is placed on the Calendar for Monday, May 24.

Upon motion of Senator Ballance, seconded by Senator Hartsell, the Senate adjourns at 2:04 P.M. to meet Monday, May 24, at 7:00 P.M.

SIXTY-SEVENTH DAY

Senate Chamber
Monday, May 24, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by Dr. Vernon Hunter, Interim Pastor, First Presbyterian Church, Greensboro, North Carolina, as follows:

"Almighty God, we live under Your Law, and by Your Will we govern ourselves. We pause to pray for the Senate as it begins its work tonight. By Your Spirit, fill the Senators not so much with a sense of power as with a sense of servanthood. By Your Spirit, fill the Senators not so much with a sense of prestige and honor as with a sense of awesome responsibility. May they use their differences not to divide, but to improve the solution. May they use their authority not for privilege, but to get the work done. May they listen to the right voices not only those of party and power, but also the voices not easily heard, even the often strident and uncomfortable words of prophets, even the muted voices of the marginalized that they may serve all Your people.

"Give to these Senators eloquence on issues that matter, sensitivity to matters of fairness and justice, endurance in long Sessions, courtesy in dealing with each other, and laughter when they take themselves too seriously. Guide them in their private lives as well as their public lives, that they may bring integrity and respect to their service. We pray for all elected officials of this great State that they may serve with vision and justice. These things we pray in Your Holy Name. Amen."

With unanimous consent, the President grants leaves of absence for tonight to Senator Gulley, Senator Hoyle, Senator Martin of Pitt, Senator Odom, Senator Perdue, Senator Plyler, Senator Shaw of Cumberland, Senator Webster, and Senator Wellons.

Senator Basnight, President Pro Tempore, announces the Journal of Thursday, May 20, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. James Alexander Bryan II from Chapel Hill, North Carolina, who is serving the Senate as Doctor of the Day, and to Linda Brown from Chapel Hill, North Carolina, who is serving the Senate as Nurse of the Day.

RECALL FROM ENROLLING

H.B. 772 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO
ESTABLISH A NO-WAKE ZONE IN THE WATERS OF LEE’S CUT, ordered enrolled on May 20.

Senator Ballantine offers a motion that the Committee Substitute bill No. 2 be recalled from the Enrolling Office for further consideration, which motion prevails.

The Committee Substitute bill No. 2 is temporarily displaced.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

**S.B. 426**, AN ACT TO LIMIT THE RIGHT OF SHAREHOLDERS OF SECURITIES DESIGNATED AS NATIONAL MARKET SYSTEM SECURITIES TO DISSENT FROM, OR OBTAIN PAYMENT AS A RESULT OF, CERTAIN CORPORATE ACTIONS AND TO MAKE OTHER CLARIFYING CHANGES TO THE LAW GOVERNING DISSENTERS’ RIGHTS.

**S.B. 525**, AN ACT TO ALLOW NON-UNITED STATES CITIZENS TO SERVE AS PERSONAL REPRESENTATIVES IN THE ADMINISTRATION OF ESTATES.

**S.B. 620**, AN ACT TO ALLOW PROFESSIONAL CORPORATIONS TO BE FORMED BETWEEN ANY PHYSICIAN AND CERTAIN NURSING SPECIALISTS, SOCIAL WORKERS, AND COUNSELORS.

**S.B. 774**, AN ACT TO AUTHORIZE THE APPOINTMENT OF MULTIPLE PROXIES OF MEMBERS OF NONPROFIT CORPORATIONS BY ELECTRONIC OR TELEPHONIC COMMUNICATION.

**S.B. 775**, AN ACT TO AUTHORIZE EXPRESSLY THE APPOINTMENT OF MULTIPLE PROXIES BY ELECTRONIC OR TELEPHONIC COMMUNICATION.

**S.B. 1021**, AN ACT CONCERNING THE ADMISSIBILITY INTO EVIDENCE OF PUBLIC OR PRIVATE RECORDS MAINTAINED ON PERMANENT, NONERASABLE, MACHINE-READABLE MEDIA AND RELATING TO THE MAINTENANCE AND PRESERVATION OF PUBLIC RECORDS USING THOSE MEDIA.

**H.B. 105**, AN ACT TO CREATE THE BUTNER ADVISORY COUNCIL.

**H.B. 226**, AN ACT TO REQUIRE THAT A NOTICE OF FORECLOSURE HEARING INCLUDE ADDITIONAL INFORMATION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

**H.B. 296**, AN ACT TO REPEAL OBSOLETE OR UNNECESSARY LAWS AND MAKE TECHNICAL AND CLARIFYING AMENDMENTS AND CORRECTIONS IN VARIOUS INSURANCE STATUTES.

**H.B. 301**, AN ACT TO AMEND THE EDUCATIONAL REQUIREMENTS FOR AUCTIONEERS, APPRENTICE AUCTIONEERS, AND PRINCIPALS IN AN AUCTION FIRM, TO ALLOW THE AUCTIONEERS COMMISSION TO ASSESS A CIVIL PENALTY IN CERTAIN CIRCUMSTANCES, TO INCREASE FEES, AND TO AUTHORIZE CRIMINAL HISTORY CHECKS FOR APPLICANTS FOR AN

May 24, 1999
H.B. 944, AN ACT TO EXTEND THE MORATORIUM ON APPROVAL OF ADDITIONAL ADULT CARE HOME BEDS TO SEPTEMBER 30, 2000.

H.B. 1119, AN ACT TO ENSURE THAT HEALTH BENEFIT PLANS IN NORTH CAROLINA PROVIDE COVERAGE FOR ANESTHESIA AND HOSPITAL CHARGES IN CERTAIN CASES INVOLVING YOUNG CHILDREN, PERSONS WITH SERIOUS MENTAL OR PHYSICAL CONDITIONS, AND PERSONS WITH SIGNIFICANT BEHAVIORAL PROBLEMS, WHERE THE AGE OR CONDITION OR PROBLEM REQUIRES HOSPITALIZATION OR GENERAL ANESTHESIA IN ORDER TO SAFELY AND EFFECTIVELY PERFORM DENTAL PROCEDURES ON THE PATIENT INVOLVED.

The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.B. 353, AN ACT TO AUTHORIZE THE TOWN OF DAVIDSON TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET.

H.B. 440, AN ACT TO EXTEND THE SUNSET ON THE LAW PROVIDING FOR THE HUNTING AND TRAPPING OF FOXES AND RACCOONS IN HYDE AND BEAUFORT COUNTIES AND ALLOWING THE USE OF SNARES WHEN TRAPPING FUR-BEARING ANIMALS IN THOSE COUNTIES.

H.B. 650, AN ACT TO ALLOW BRUNSWICK COUNTY TO REGULATE THE OPERATION OF PERSONAL WATERCRAFT.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

H.B. 477, AN ACT TO AUTHORIZE THE ESTABLISHMENT OF CAMPUS LAW ENFORCEMENT AGENCIES AT COMMUNITY COLLEGES. (Became law upon approval of the Governor, May 20, 1999 - S.L. 1999-68.)

S.B. 702, AN ACT TO ALLOW RESTORATION OF ZONING AUTHORITY OF THE TOWN OF MATTHEWS AS TO CERTAIN PROPERTY IF MECKLENBURG COUNTY DISPOSES OF IT. (Became law upon ratification, May 20, 1999 - S.L. 1999-69.)

S.B. 719, AN ACT ALLOWING THE CITY OF DURHAM AND THE COUNTY OF DURHAM TO CONSIDER LIMITATIONS ON USES AS REQUESTED IN THE DEVELOPMENT PLANS SUBMITTED FOR REZONINGS AND TO MAKE OTHER CHANGES REGARDING THE CONSIDERATION OF DEVELOPMENT PLANS. (Became law upon ratification, May 20, 1999 - S.L. 1999-70.)

H.B. 722, AN ACT TO ALLOW MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CERTAIN PART-TIME

May 24, 1999
SERVICE RENDERED WHILE FULL-TIME STUDENTS. (Became law upon approval of the Governor, May 21, 1999 – S.L. 1999-71.)

S.B. 939, AN ACT TO REVISE THE REQUIREMENTS OF BANK DIRECTORS, TO CONFORM CERTAIN NORTH CAROLINA BANKING LAWS TO FEDERAL BANKING REGULATIONS, AND TO REMOVE THE SUNSET PROVISION WITH REGARD TO DE NOVO INTERSTATE BRANCH BANKING. (Became law upon approval of the Governor, May 21, 1999 – S.L. 1999-72.)

S.B. 245, AN ACT TO ENACT REVISED ARTICLE 5 OF THE UNIFORM COMMERCIAL CODE AND CONFORMING AND MISCELLANEOUS AMENDMENTS TO THE UNIFORM COMMERCIAL CODE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (Became law upon approval of the Governor, May 21, 1999 – S.L. 1999-73.)

S.B. 417, AN ACT TO AUTHORIZE THE USE OF LETTERS OF CREDIT FROM A FEDERAL HOME LOAN BANK AS COLLATERAL FOR DEPOSITS OF LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES. (Became law upon approval of the Governor, May 21, 1999 – S.L. 1999-74.)

S.B. 790, AN ACT TO CLARIFY WHICH LENDERS MAY CHARGE CERTAIN FEES UNDER THE GENERAL CONTRACT LOAN PROVISION OF CHAPTER 24 OF THE GENERAL STATUTES. (Became law upon approval of the Governor, May 21, 1999 – S.L. 1999-75.)

S.B. 40, AN ACT TO INCREASE THE NUMBER OF PERSONS AUTHORIZED TO BE APPOINTED TO SUBCOMMITTEES OF THE NORTH CAROLINA STUDY COMMISSION ON AGING. (Became law upon approval of the Governor, May 21, 1999 – S.L. 1999-76.)

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Cooper for the Judiciary I Committee:

H.B. 517 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT INCREASING THE CRIMINAL PENALTY FOR MAKING A BOMB THREAT OR PERPETRATING A HOAX BY PLACING A FALSE BOMB AT SCHOOL, MAKING PARENTS CIVILLY LIABLE FOR CHILDREN WHO MAKE THESE THREATS OR PERPETRATE THESE HOAXES, REQUIRING SCHOOLS TO SUSPEND FOR 365 DAYS STUDENTS WHO MAKE THESE THREATS OR PERPETRATE THESE HOAXES, DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF STUDENTS WHO MAKE OR CARRY OUT THREATS OF VIOLENCE DIRECTED AT SCHOOLS OR THE PERSONS IN THE SCHOOLS, AND DIRECTING THE STATE BOARD OF EDUCATION TO STUDY THE COMPUTATION OF DROP OUT RATES FOR THE ABCs PROGRAM, with an unfavorable report as to Senate Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill No. 3.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 3, 3423, which changes the title, upon concurrence, to read H.B. 517 (Senate Committee Substitute
No. 3), A BILL TO BE ENTITLED AN ACT INCREASING THE CRIMINAL PENALTY FOR MAKING A BOMB THREAT OR PERPETRATING A HOAX BY PLACING A FALSE BOMB AT SCHOOL AND FOR BRINGING EXPLOSIVE DEVICES ON SCHOOL PROPERTY, MAKING PARENTS CIVILLY LIABLE FOR CHILDREN WHO MAKE THESE THREATS OR PERPETRATE THESE HOAXES, REQUIRING SCHOOLS TO SUSPEND FOR THREE HUNDRED SIXTY-FIVE DAYS STUDENTS WHO MAKE THESE THREATS OR PERPETRATE THESE HOAXES, PROVIDING FOR LOSS OF DRIVERS LICENSE PRIVILEGES BY CERTAIN PERSONS UNDER THE AGE OF EIGHTEEN FOR COMMITTING DESIGNATED ACTS, DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF STUDENTS WHO MAKE OR CARRY OUT THREATS OF VIOLENCE DIRECTED AT SCHOOLS OR THE PERSONS IN THE SCHOOLS, AND DIRECTING THE STATE BOARD OF EDUCATION TO STUDY THE COMPUTATION OF DROPOUT RATES FOR THE ABCs PROGRAM, is adopted and engrossed.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 712 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CORNELIUS TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, May 25.

S.B. 1060 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE TRUSTEES WITH ADDITIONAL AUTHORITY TO SEVER TRUSTS INTO SEPARATE TRUSTS CONSISTENT WITH THE BEST INTERESTS OF THE TRUST BENEFICIARIES, for concurrence in House Amendment No. 1, which is placed on the Calendar for tomorrow, Tuesday, May 25.

H.B. 665 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRITUCK COUNTY ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.
Referred to Finance Committee.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

H.B. 462 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF CHADBOURN AND MOUNT GILEAD, AND MONTGOMERY COUNTY, TO COLLECT UTILITY BILLS AS IF THEY WERE TAXES DUE THEM, AND TO ALLOW DARE COUNTY TO CREATE SPECIAL TAX DISTRICTS TO UNDERGROUND ELECTRIC UTILITY LINES, upon third reading.
The Senate Committee Substitute bill passes its third reading by roll-call vote, ayes 40, noes 0, as follows:
Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight,

Voting in the negative: None.

The Senate Committee Substitute bill is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

H.B. 648 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF BENSON, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 40, noes 0 as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

H.B. 62 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE CORPORATIONS THAT ARE REQUIRED TO PAY FEDERAL ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER TO PAY STATE ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER, AND TO STATE THE INTENT OF THE GENERAL ASSEMBLY THAT SOME OF THE RESULTING REVENUE GAIN SHALL BE USED TO ADD FOUR TAX ANALYST POSITIONS IN THE TAX RESEARCH DIVISION, upon third reading.

The Senate Committee Substitute bill passes its third reading by roll-call vote, ayes 40, noes 0, as follows:


Voting in the negative: None.

The Senate Committee Substitute bill is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

H.B. 287 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES REGARDING CHILD CARE, TO REPEAL SECTION 4(B) OF S.L. 1997-506, AND TO MAKE CHANGES REGARDING THE TRAINING MATERIALS THAT MAY BE USED BY CHILD CARE FACILITIES.

The Committee Substitute bill No. 2 passes its second (40-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 1193 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING NURSE PRACTITIONERS AND PHYSICIAN ASSISTANTS TO CONDUCT PHYSICAL EXAMINATIONS IN CERTAIN CIRCUMSTANCES.

With unanimous consent, upon motion of Senator Forrester, the Senate Committee Substitute bill is withdrawn from tonight’s Calendar and is placed on the Calendar for May 24, 1999
Thursday, May 27.

H.B. 1286 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXEMPTION FROM THE "MASS GATHERINGS" STATUTE.

With unanimous consent, upon motion of Senator Cooper, the Committee Substitute bill No. 2 is withdrawn from tonight's Calendar and is placed on the Calendar for Wednesday, May 26.

RECONSIDERATION

H.B. 772 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE IN THE WATERS OF LEE'S CUT, temporarily displaced earlier.

Senator Ballantine moves that the vote by which the Committee Substitute bill No. 2 passed third reading on May 20 be reconsidered, and that said motion to reconsider be placed on the Calendar for tomorrow, Tuesday, May 25, which motion prevails.

SENATE PAGES

The President recognizes the following pages serving in the Senate this week:

Brooke Elizabeth Agner, Cherryville; Mark Warren Alexander, Washington; Arthenia Bernice Booth, Washington; Crystal Jean Clark, Boone; Jason A. Dixon-Acosta, Burlington; Leroy Alfred Duncan, Jr., Laurinburg; David Joel Frye, Laurinburg; Melissa Dawn Henderson, Tar Heel; Margaret Wood Hinman, Winston-Salem; William Grier Kiser, Bessemer City; Rhonda Cheryl Lambert, Roseboro; Christine Parker, High Shoals; Amy Denise Pasour, Dallas; Matthew Paul Schmidt, Warsaw; Jennifer Lynn Simpson, Cherryville; Jason Watson, Butner; Stacy West, New Bern; Elizabeth Leigh Williamson, Clinton; and Charles LeRoy Woolard, Washington.

Upon motion of Senator Basnight, seconded by Senator Hagan, the Senate adjourns at 7:54 P.M. to meet tomorrow, Tuesday, May 25, at 3:00 P.M.

SIXTY-EIGHTH DAY

Senate Chamber
Tuesday, May 25, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"God of great surprises, when Abraham and Sarah learned from a visiting angel that You would grant them a child in their old age, they laughed. They not only laughed, scripture tells us they practically busted a gut, and fell on their faces, because Abraham was pushing ninety years old, and Sarah's womb was about as fertile as a shriveled up prune, and his medicare supplement didn't offer maternity benefits.

"The reason they laughed is that it suddenly dawned on them that the wildest dreams that they had ever imagined, hadn't been nearly wild enough. Oh God of unexpected hope
and surprise endings, You crept up on their dismal despair and got in the last word. You laughed the last laugh on that day.

"Each of us here has a secret dream that we have long since abandoned as hopeless. Help us to reclaim those secret longings, daring to believe that with You, Oh God, nothing, not even new life, is impossible. We pray in Your Holy Name, Amen."

With unanimous consent, the President grants leaves of absence for today to Senator Cochrane and Senator Martin of Pitt.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Monday, May 24, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Paul Alfred Vadnais from Charlotte, North Carolina, who is serving the Senate as Doctor of the Day.

**CALENDAR**

Bills on today's Calendar are taken up and disposed of, as follows:

**H.B. 517** (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT INCREASING THE CRIMINAL PENALTY FOR MAKING A BOMB THREAT OR PERPETRATING A HOAX BY PLACING A FALSE BOMB AT SCHOOL AND FOR BRINGING EXPLOSIVE DEVICES ON SCHOOL PROPERTY, MAKING PARENTS CIVILLY LIABLE FOR CHILDREN WHO MAKE THESE THREATS OR PERPETRATE THESE HOAXES, REQUIRING SCHOOLS TO SUSPEND FOR THREE HUNDRED SIXTY-FIVE DAYS STUDENTS WHO MAKE THESE THREATS OR PERPETRATE THESE HOAXES, PROVIDING FOR LOSS OF DRIVERS LICENSE PRIVILEGES BY CERTAIN PERSONS UNDER THE AGE OF EIGHTEEN FOR COMMITTING DESIGNATED ACTS, DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF STUDENTS WHO MAKE OR CARRY OUT THREATS OF VIOLENCE DIRECTED AT SCHOOLS OR THE PERSONS IN THE SCHOOLS, AND DIRECTING THE STATE BOARD OF EDUCATION TO STUDY THE COMPUTATION OF DROPOUT RATES FOR THE ABCs PROGRAM.

With unanimous consent, upon motion of Senator Cooper, the Senate Committee Substitute bill No. 3 is taken up out of its regular order of business, and upon his further motion, the Senate Committee Substitute bill No. 3 is moved from its place on the Calendar and placed after local bills.

**COMMITTEE REFERRAL RECALL**

**S.B. 570**, A BILL TO BE ENTITLED AN ACT TO UPDATE THE NORTH CAROLINA CONSUMER FINANCE ACT TO REVISE THE COLLECTION OF INTEREST UNDER CERTAIN CIRCUMSTANCES, TO ALLOW BORROWERS TO CANCEL LOANS UNDER CERTAIN CONDITIONS, TO RECOGNIZE INADVERTENT LOANS IN THE LAW RESTRICTING MULTIPLE-OFFICE LOANS, TO REQUIRE DISCLOSURE ON SOLICITATION OF LOANS BY FACSIMILE OR NEGOTIABLE CHECKS, TO ALLOW LENDERS TO MAINTAIN CERTAIN RECORDS IN THE FORM OF OPTICAL IMAGE DISKS, TO SPECIFY A MAXIMUM CHARGE THAT LENDERS MAY ASSESS AT CLOSING, AND TO REQUIRE

May 25, 1999
LICENSEES TO REPORT ADDITIONAL INFORMATION TO THE COMMISSIONER, referred to the Commerce Committee on March 29.

Pursuant to Rule 47(a), Senator Soles offers a motion that the bill be withdrawn from the Commerce Committee and re-referred to the Finance Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Commerce Committee and re-refers the measure to the Finance Committee.

ENROLLED BILLS

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

H.B. 287, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES REGARDING CHILD CARE, TO REPEAL SECTION 4(B) OF S.L. 1997-506, AND TO MAKE CHANGES REGARDING THE TRAINING MATERIALS THAT MAY BE USED BY CHILD CARE FACILITIES.

The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.B. 350, AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE WITH RESPECT TO EXECUTION OF DEEDS AND THE DISPOSITION OF REAL PROPERTY BY PRIVATE SALE OR SUBJECT TO RESTRICTIONS OR BOTH.

S.B. 468, AN ACT CONCERNING CORNER LOT ASSESSMENT EXEMPTIONS BY THE CITY OF WINSTON-SALEM AND FORSYTH COUNTY.

S.B. 675, AN ACT TO MAKE TECHNICAL AMENDMENTS TO AN ACT WHICH REVIVED THE CHARTER OF THE TOWN OF UNIONVILLE.

H.B. 648, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF BENSON.

H.B. 649, AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE IN HOLDEN BEACH.

H.B. 880, AN ACT TO SIMPLIFY THE COMPETITIVE BID PROCESS IN SEVERAL COUNTIES FOR CITY, COUNTY, AND PUBLIC SCHOOL PROJECTS OF FIVE HUNDRED THOUSAND DOLLARS OR LESS.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

H.B. 1127, AN ACT TO DIRECT THE DIVISION OF ENVIRONMENTAL HEALTH OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO CONDUCT A STUDY INVOLVING INTERESTED PARTIES TO REVIEW AND REVISE THE CURRENT PROCEDURES CONCERNING COFFEE POTS AND ICE BUCKETS PROVIDED BY LODGING ESTABLISHMENTS IN GUEST ROOMS AND TO SUSPEND CURRENT APPLICABLE RULES UNTIL May 25, 1999
REVISED RULES HAVE BEEN ADOPTED AS TEMPORARY RULES. (Became law upon approval of the Governor, May 21, 1999 – S.L. 1999-77.)

**H.B. 674, AN ACT TO ALLOW A FEDERALLY RECOGNIZED INDIAN TRIBE TO PERFORM BUILDING INSPECTIONS AND TO ALLOW CERTIFICATION AND LICENSE REGULATION OF BUILDING INSPECTORS ON TRIBAL LANDS OF FEDERALLY RECOGNIZED INDIAN TRIBES.** (Became law upon approval of the Governor, May 21, 1999 – S.L. 1999-78.)

**H.B. 818, AN ACT AMENDING THE EVIDENCE CODE, CHAPTER 8C OF THE GENERAL STATUTES, TO MAKE ADMISSIBLE FOR THE PURPOSES OF IMPEACHMENT EVIDENCE OF A WITNESS’ CONVICTION OF A FELONY OR CLASS A1, CLASS 1, OR CLASS 2 MISDEMEANOR.** (Became law upon approval of the Governor, May 21, 1999 – S.L. 1999-79.)

**H.B. 870, AN ACT TO ALLOW MAGISTRATES TO ACCEPT WAIVERS AND ENTER JUDGMENT IN CERTAIN CASES INVOLVING REGULATION OF THE USE OF MOTOR VEHICLES ON BEACHES.** (Became law upon approval of the Governor, May 21, 1999 – S.L. 1999-80.)

**H.B. 906, AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF PHARMACY TO ENTER INTO AGREEMENTS WITH PHARMACIST PEER REVIEW ORGANIZATIONS FOR IMPAIRED PHARMACISTS.** (Became law upon approval of the Governor, May 21, 1999 – S.L. 1999-81.)


**H.B. 1125, AN ACT TO CONFORM THE DEFINITION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE UNDER THE INACTIVE HAZARDOUS SITES RESPONSE ACT OF 1987 TO FEDERAL LAW.** (Became law upon approval of the Governor, May 21, 1999 – S.L. 1999-83.)

**H.B. 260, AN ACT TO UPDATE AND MAKE TECHNICAL CHANGES TO THE COMMUNITY COLLEGE LAWS.** (Became law upon approval of the Governor, May 21, 1999 – S.L. 1999-84.)

### REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hoyle for the **Finance Committee:**

**H.B. 708, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SANFORD-LEE REGIONAL AIRPORT AUTHORITY AND THE BRUNSWICK COUNTY AIRPORT COMMISSION TO RECEIVE SALES TAX REFUNDS, with a favorable report.**

May 25, 1999
H.B. 1009, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR AGRICULTURAL RESEARCH BY INCREASING THE ASSESSMENT ON FERTILIZER, COMMERCIAL FEED, OR THEIR INGREDIENTS, with a favorable report.

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

H.B. 237, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE PAID TO AGENTS OF THE WILDLIFE RESOURCES COMMISSION TO AWARD CERTIFICATES OF BOAT NUMBER OR OTHER VESSEL TRANSACTION AND TO AMEND THE DUTIES OF THE WILDLIFE RESOURCES COMMISSION WITH REGARD TO THE APPOINTMENT OF AGENTS FOR THE ISSUANCE OF BOAT NUMBERS, TO RAISE THE REPORTING REQUIREMENT FOR BOATING ACCIDENTS TO DAMAGES IN EXCESS OF FIVE HUNDRED DOLLARS, AND TO REPEAL THE LAW REQUIRING PERMITS FROM THE WILDLIFE RESOURCES COMMISSION TO HOLD REGATTAS AND OTHER EVENTS, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Finance Committee.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message received in the Office of the Principal Clerk from the House of Representatives transmitting a bill is presented to the Senate, read the first time, and disposed of, as follows:

S.B. 543 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO ZONING BY FORSYTH COUNTY, THE TOWNS OF KERNERSVILLE AND LEWISVILLE, AND THE VILLAGE OF CLEMMONS, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, May 26.

CALENDAR (Continued)

H.B. 772 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE IN THE WATERS OF LEE'S CUT, with a motion to reconsider third reading pending.

The motion to reconsider the vote by which the Committee Substitute bill No. 2 passed its third reading on May 20, fails to prevail (12-35).

The Committee Substitute bill No. 2 is ordered enrolled.

COMMITTEE REFERRAL RECALL

S.B. 456, A BILL TO BE ENTITLED AN ACT TO ADJUST THE ELIGIBILITY REQUIREMENTS FOR MEMBERS OF THE FIREFIEMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, referred to the Finance Committee on April 21.

Pursuant to Rule 47(a), Senator Kerr offers a motion that the bill be withdrawn from the Finance Committee and re-referred to the Appropriations/Base Budget Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Finance Committee and re-refers the measure to the Appropriations/Base Budget Committee.

May 25, 1999
CALENDAR (Continued)

S.B. 712 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CORNELIUS TO PROVIDE FOR VOLUNTARY ANNEXATION OF PROPERTY SUBJECT TO PRESENT-USE VALUE APPRAISAL, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence to read S.B. 712 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CORNELIUS TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET, upon second reading.

The Senate concurs in the House Committee Substitute bill on its second reading by roll-call vote, ayes 47, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill remains on the Calendar for tomorrow, Wednesday, May 26, upon third reading.

H.B. 517 (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT INCREASING THE CRIMINAL PENALTY FOR MAKING A BOMB THREAT OR PERPETRATING A HOAX BY PLACING A FALSE BOMB AT SCHOOL AND FOR BRINGING EXPLOSIVE DEVICES ON SCHOOL PROPERTY, MAKING PARENTS CIVILLY LIABLE FOR CHILDREN WHO MAKE THESE THREATS OR PERPETRATE THESE HOAXES, REQUIRING SCHOOLS TO SUSPEND FOR THREE HUNDRED SIXTY-FIVE DAYS STUDENTS WHO MAKE THESE THREATS OR PERPETRATE THESE HOAXES, PROVIDING FOR LOSS OF DRIVERS LICENSE PRIVILEGES BY CERTAIN PERSONS UNDER THE AGE OF EIGHTEEN FOR COMMITTING DESIGNATED ACTS, DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF STUDENTS WHO MAKE OR CARRY OUT THREATS OF VIOLENCE DIRECTED AT SCHOOLS OR THE PERSONS IN THE SCHOOLS, AND DIRECTING THE STATE BOARD OF EDUCATION TO STUDY THE COMPUTATION OF DROPOUT RATES FOR THE ABCs PROGRAM, upon second reading.

The Senate Committee Substitute bill No. 3 passes its second (46-1) and third readings and is ordered sent by special message to the House of Representatives, for concurrence in Senate Committee Substitute bill No. 3.

S.B. 1115 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WIDELY SHARED PROSPERITY BY AMENDING THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, BY PROVIDING ADDITIONAL TAX INCENTIVES FOR VARIOUS BUSINESSES, AND BY MAKING RELATED CHANGES, upon second reading.

Upon motion of Senator Kerr, the President orders, without objection, the Committee Substitute bill temporarily displaced.

H.B. 259 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LAPSE OF A HOME INSPECTOR'S LICENSE AND AN

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ASSOCIATE HOME INSPECTOR'S LICENSE UNDER CERTAIN CONDITIONS; TO ESTABLISH RECORD-KEEPING REQUIREMENTS FOR HOME INSPECTORS; AND TO AUTHORIZE THE HOME INSPECTOR LICENSURE BOARD TO ESTABLISH CONTINUING EDUCATION PROGRAMS AND CHARGE FEES FOR THOSE PROGRAMS, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 46, noes 2, as follows:


Voting in the negative: Senators Horton and Webster—2.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Wednesday, May 26, upon third reading.

S.B. 1115 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WIDELY SHARED PROSPERITY BY AMENDING THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, BY PROVIDING ADDITIONAL TAX INCENTIVES FOR VARIOUS BUSINESSES, AND BY MAKING RELATED CHANGES, upon second reading, temporarily displaced earlier.

Senator Reeves offers Amendment No. 1 which is adopted (44-2).

Senator Clodfelter offers Amendment No. 2 which is adopted (46-0), and is held to be material, constituting the first reading of the measure.

Senator Kerr offers Amendment No. 3 which is adopted (43-4).

Senator Horton offers Amendment No. 4 which fails of adoption (14-32).

The Committee Substitute bill, as amended, is ordered placed on the Calendar for tomorrow, Wednesday, May 26, upon second reading.

S.B. 222 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STATE AND LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS, CHARGE CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFERS FOR PAYMENT OF GOVERNMENT FEES, COSTS, AND DEBTS, AND TO ALLOW LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS, CHARGE CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFERS FOR PAYMENT OF PROPERTY TAXES.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

S.B. 791 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE GENERAL DRIVERS LICENSE RENEWAL CYCLE FROM FIVE TO TEN YEARS.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

S.B. 799, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES COLLECTED BY THE NORTH CAROLINA BOARD OF PHYSICAL THERAPY EXAMINERS.

The bill passes its second reading (39-8).

Senator Kerr objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Wednesday, May 26.
S.B. 1049 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND AND CODIFY THE LAW THAT PROVIDES FOR COMPENSATORY MITIGATION AS AN ALTERNATIVE TO THE MAINTENANCE OF RIPARIAN BUFFERS AND THAT AUTHORIZES THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DELEGATE RESPONSIBILITY FOR THE IMPLEMENTATION AND ENFORCEMENT OF THE STATE'S RIPARIAN BUFFER PROTECTION REQUIREMENTS TO LOCAL GOVERNMENTS, AS RECOMMENDED BY THE NEUSE RIVER BUFFER RULES STAKEHOLDER ADVISORY COMMITTEE AND REQUESTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION.

The Committee Substitute bill No. 2 passes its second (46-1) and third readings and is ordered sent to the House of Representatives.

H.B. 975 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT SERVICES PROVIDED THROUGH THE STATEWIDE AUTOMATED VICTIM ASSISTANCE AND NOTIFICATION SYSTEM ARE SUBJECT TO THE EXEMPTIONS FROM DAMAGE CLAIMS AND OTHER GROUNDS FOR RELIEF PROVIDED FOR BY THE VICTIMS' RIGHTS ACT.

With unanimous consent, upon motion of Senator Miller, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, May 26.

S.B. 1060 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE TRUSTEES WITH ADDITIONAL AUTHORITY TO SEVER TRUSTS INTO SEPARATE TRUSTS CONSISTENT WITH THE BEST INTERESTS OF THE TRUST BENEFICIARIES, for concurrence in House Amendment No. 1.

The Senate concurs in House Amendment No. 1 (46-1) and the measure is ordered enrolled and sent to the Governor.

ADDITIONAL SPONSORS

Senator Odom requests to be added as a sponsor of previously introduced legislation:

S.B. 882, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SYSTEM OF COMPREHENSIVE PUBLIC FINANCING OF ELECTIONS FOR GOVERNOR, COUNCIL OF STATE, AND GENERAL ASSEMBLY; AND TO MAKE RELATED CHANGES.

Senator Clodfelter requests to be added as a sponsor of previously introduced legislation:

S.B. 1000, A BILL TO BE ENTITLED AN ACT TO IMPOSE AN ADVANCE DISPOSAL FEE UPON MOTOR OIL AT THE POINT OF FIRST SALE AND TO ESTABLISH THE USED OIL COLLECTION PROGRAM TO ENCOURAGE THE PROPER MANAGEMENT OF USED OIL GENERATED BY PRIVATE CITIZENS WHO CHANGE THEIR OWN OIL.

Upon motion of Senator Basnight, seconded by Senator Shaw of Cumberland, the Senate adjourns at 4:27 P.M. to meet tomorrow, Wednesday, May 26, at 3:30 P.M.
SIXTY-NINTH DAY

Senate Chamber
Wednesday, May 26, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend Dwight Williams, First Presbyterian Church, Rockingham, North Carolina, as follows:

“Almighty God, we believe You are the source of goodness and mercy and love. Yet we know how easy it is to be pre-occupied with our own agendas, without considering what You would have us do. Thus, we pause to pray, Oh God, that for a moment, for just a moment we might surrender ourselves to You. Allow us to breathe deeply, to feel for a moment the miracle of life beating within us. In the stillness, in the silence, grant us peace, Oh God. Grant us freedom from our iniquities, our insecurities, our fears. Renew our trust in You. Give us strength. Give us new life.

“We give You thanks, Oh God, for the State of North Carolina, for the rich heritage of her people, for the beauty of her land. We pray that You will bless these men and women who have been chosen as guardians of the human, financial, and natural resources of our State. Grant them wisdom and insight, sensitivity and courage, passion and energy for the work You have called them to do. Grant them the gift of Your Spirit and a vision of Your Will, that through their actions this day they might be messengers of Your goodwill to all the citizens of our land. We ask these things for the sake of Your Holy Name, Amen.”

With unanimous consent, the President Pro Tempore grants leaves of absence for today to Senator Cochrane, Senator Jordan, and Senator Martin of Pitt.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Tuesday, May 25, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore of the Senate extends courtesies of the floor to Dr. Anthony Clark Gaither from Goldsboro, North Carolina, who is serving the Senate as Doctor of the Day, and to Bill Grau from Greenville, North Carolina, who is serving the Senate as Nurse of the Day.

Upon motion of Senator Plyer and Senator Purcell, the President Pro Tempore extends the courtesies of the gallery to the family of the guest Chaplain, his wife, Susan Williams, children Monroe and Hillary, and father-in-law, Rodger Decker.

Upon motion of Senator Lucas, the President Pro Tempore extends the courtesies of the gallery to the members of the Delta Sigma Theta Sorority, Inc.

REPORTS OF COMMITTEES

Pursuant to S.J.R. 795, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES (Res. 9), Senator Dalton, Co-Chairman
of the Education/Higher Education Committee, submits the following report:

TO: Members of the Senate

FROM: Senator Howard Lee, Co-Chair
       Senator Walter Dalton, Co-Chair
       Senate Education/Higher Education Committee

RE: State Board of Community Colleges Election

The Senate Committee on Education/Higher Education nominates the following individual for election by the Senate for membership from the State at-large to a six-year term, beginning July 1, 1999, on the State Board of Community Colleges:

   R. Carolyn Harmon
   Lincolnton, North Carolina

No additional nominations shall be received from the floor.

ELECTION OF MEMBER TO THE
STATE BOARD OF COMMUNITY COLLEGES

The Education/Higher Education Committee places in nomination the name of R. Carolyn Harmon.

Senator Dalton is recognized and outlines the procedures to be followed and announces that pursuant to G.S. 115D-2.1(b)(4)f., no further nominations shall be received.

The President Pro Tempore orders the Reading Clerk to call the roll and directs the Members to vote “aye” or “no”.


Those voting against R. Carolyn Harmon are as follows: None.

In compliance with G.S. 115-2.1(b)(4)f., Senator Dalton offers a motion that R. Carolyn Harmon be elected by an electronically recorded vote for a six-year term beginning July 1, 1999, and expiring June 30, 2005, which motion prevails by roll-call vote, ayes 46, noes 0, as follows:


Voting in the negative: None.

The President Pro Tempore declares R. Carolyn Harmon elected to the State Board of Community Colleges and, upon motion of Senator Dalton, orders a special message sent to the House of Representatives informing that Honorable Body of such action.

The President Pro Tempore extends congratulations to R. Carolyn Harmon.

May 26, 1999
REPORTS OF COMMITTEES (Continued)

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Lucas for the Children & Human Resources Committee:

H.B. 255, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES INVOLVING VOCATIONAL REHABILITATION IN ORDER TO COMPLY WITH FEDERAL LAW, with a favorable report.

H.B. 1071 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE HANDICAPPED PERSONS PROTECTION ACT, CHAPTER 168A OF THE GENERAL STATUTES, with a favorable report.

By Senator Soles for the Commerce Committee:

H.B. 476 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING THE GRANT OF POWERS TO ELECTRIC MEMBERSHIP CORPORATIONS REGARDING SUBSIDIARY ORGANIZATIONS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 3427 is adopted and engrossed.

By Senator Purcell for the Health Care Committee:

H.B. 1258 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE FACILITIES THAT ARE INCLUDED IN THE HEALTH CARE PERSONNEL REGISTRY; AND TO REQUIRE THAT EMPLOYERS AT HEALTH CARE FACILITIES ACCESS THE HEALTH CARE PERSONNEL REGISTRY, with a favorable report.

By Senator Cooper for the Judiciary I Committee:

S.B. 244, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA UNCLAIMED PROPERTY ACT AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1746, which changes the title to read S.B. 244 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA UNCLAIMED PROPERTY ACT AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER CHANGES TO THE ESCEHATS LAWS, is adopted and engrossed.

Upon motion of Senator Cooper, the Committee Substitute bill is re-referred to the Finance Committee.

By Senator Kinnaird for the State and Local Government Committee:

H.B. 437, A BILL TO BE ENTITLED AN ACT AMENDING THE STATUTORY
DEFINITION OF "SUBDIVISION" FOR THE PURPOSE OF SUBDIVISION REGULATION IN JONES COUNTY, with a favorable report.

H.B. 474 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE MEMBERSHIP OF THE BERTIE COUNTY ABC BOARD FROM FIVE TO THREE MEMBERS AND TO ALLOW THE APPOINTMENT OF A NEW BERTIE COUNTY ABC BOARD, with a favorable report.

H.B. 811, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF HAVELOCK TO INCREASE THE TERM OF THE MAYOR FROM TWO YEARS TO FOUR YEARS BEGINNING WITH THE REGULAR MUNICIPAL ELECTION IN 2001, with a favorable report.

H.B. 820 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT STATE EMPLOYEES AND PUBLIC SCHOOL EMPLOYEES MAY SHARE LEAVE VOLUNTARILY, with a favorable report.

H.B. 972, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COST AND EXPENSES OF TRANSPORTING A RESPONDENT IN AN IN VOLUNTARY COMMITMENT PROCEEDING MAY BE RECOVERED FROM THE RESPONDENT'S COUNTY OF RESIDENCE, with a favorable report.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 329, AN ACT TO MAKE NORTH CAROLINA'S LAPSE STATUTE LESS RESTRICTIVE.

S.B. 872, AN ACT TO AMEND THE NATURAL AND SCENIC RIVERS ACT OF 1971 TO REMOVE THE LIMIT ON THE AMOUNT OF ACREAGE THE STATE MAY ACQUIRE FOR INCLUSION IN THE NEW RIVER SCENIC RIVER AREA OF THE NORTH CAROLINA NATURAL AND SCENIC RIVERS SYSTEM.

S.B. 1047, AN ACT TO PROHIBIT THE TAKING OF SHELLFISH WITHIN ONE HUNDRED FIFTY FEET OF A PUBLICLY OWNED PIER BENEATH WHICH THE DIVISION OF MARINE FISHERIES HAS DEPOSITED CULTCH MATERIAL.

S.B. 1060, AN ACT TO PROVIDE TRUSTEES WITH ADDITIONAL AUTHORITY TO SEVER TRUSTS INTO SEPARATE TRUSTS CONSISTENT WITH THE BEST INTERESTS OF THE TRUST BENEFICIARIES.

The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.B. 691, AN ACT TO INCORPORATE THE TOWN OF BERMUDA RUN AND TO SIMULTANEOUSLY DISSOLVE THE BERMUDA CENTER SANITARY DISTRICT.

H.B. 772, AN ACT TO ESTABLISH A NO-WAKE ZONE IN THE WATERS OF LEE'S CUT.

May 26, 1999
CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

S.B. 353, AN ACT TO AUTHORIZE THE TOWN OF DAVIDSON TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET. (Became law upon ratification, May 24, 1999 – S.L. 1999-85.)

H.B. 440, AN ACT TO EXTEND THE SUNSET ON THE LAW PROVIDING FOR THE HUNTING AND TRAPPING OF FOXES AND RACCOONS IN HYDE AND BEAUFORT COUNTIES AND ALLOWING THE USE OF SNARES WHEN TRAPPING FUR-BEARING ANIMALS IN THOSE COUNTIES. (Became law upon ratification, May 24, 1999 – S.L. 1999-86.)

H.B. 650, AN ACT TO ALLOW BRUNSWICK COUNTY TO REGULATE THE OPERATION OF PERSONAL WATERCRAFT. (Became law upon ratification, May 24, 1999 – S.L. 1999-87.)

S.B. 350, AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE WITH RESPECT TO EXECUTION OF DEEDS AND THE DISPOSITION OF REAL PROPERTY BY PRIVATE SALE OR SUBJECT TO RESTRICTIONS OR BOTH. (Became law upon ratification, May 25, 1999 – S.L. 1999-88.)

S.B. 468, AN ACT CONCERNING CORNER LOT ASSESSMENT EXEMPTIONS BY THE CITY OF WINSTON-SALEM AND FORSYTH COUNTY. (Became law upon ratification, May 25, 1999 – S.L. 1999-89.)

S.B. 675, AN ACT TO MAKE TECHNICAL AMENDMENTS TO AN ACT WHICH REVIVED THE CHARTER OF THE TOWN OF UNIONVILLE. (Became law upon ratification, May 25, 1999 – S.L. 1999-90.)


H.B. 649, AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE IN HOLDEN BEACH. (Became law upon ratification, May 25, 1999 – S.L. 1999-92.)

H.B. 880, AN ACT TO SIMPLIFY THE COMPETITIVE BID PROCESS IN SEVERAL COUNTIES FOR CITY, COUNTY, AND PUBLIC SCHOOL PROJECTS OF FIVE HUNDRED THOUSAND DOLLARS OR LESS. (Became law upon ratification, May 25, 1999 – S.L. 1999-93.)

WITHDRAWAL FROM CALENDAR

H.B. 1193 (Senate Committee Substitute) A BILL TO BE ENTITLED AN ACT AUTHORIZING NURSE PRACTITIONERS AND PHYSICIAN ASSISTANTS TO CONDUCT PHYSICAL EXAMINATIONS IN CERTAIN CIRCUMSTANCES, placed on the Calendar for Thursday, May 27.

Senator Purcell offers a motion that the Senate Committee Substitute bill be withdrawn from the Calendar for Thursday, May 27, and re-referred to the Health Care Committee, which motion prevails with unanimous consent.

May 26, 1999
The Chair orders the Senate Committee Substitute bill withdrawn from the Calendar for Thursday, May 27, and re-refers the measure to the Health Care Committee.

REPORTS OF COMMITTEES (Continued)

By Senator Hoyle for the Finance Committee:

H.B. 852 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE CITY OF HICKORY, AND ANNEXATION OF CERTAIN DESCRIBED PROPERTY BY THE TOWN OF MOCKSVILLE, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 8136, which changes the title, upon concurrence to read H.B. 852 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE CITY OF HICKORY AND THE TOWN OF BROOKFORD, AND ANNEXATION OF CERTAIN DESCRIBED PROPERTY BY THE TOWN OF MOCKSVILLE, is adopted and engrossed.

By Senator Kerr for the Finance Committee:

H.B. 178, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF JONESVILLE TO CHARGE A FEE NOT TO EXCEED FIVE DOLLARS FOR UNCERTIFIED COPIES OF POLICE INCIDENT OR ACCIDENT REPORTS AND TO AUTHORIZE THE TOWN TO GIVE ANNUAL NOTICE OF VIOLATION TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE, with a favorable report.

S.B. 254 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE VARIOUS OUTDOOR ADVERTISING PERMIT FEES, CHANGE THE ADMINISTRATIVE REVIEW AND JUDICIAL REVIEW OF OUTDOOR ADVERTISING DECISIONS, EXPAND CURRENT NOTIFICATION REQUIREMENTS, AND MODIFY AND UPDATE THE OUTDOOR ADVERTISING CONTROL ACT WITH RESPECT TO VENUE REQUIREMENTS, DEFINITIONS, AND PARTIES RESPONSIBLE FOR PAYMENT OF REMOVAL OF ILLEGAL OUTDOOR ADVERTISING, with a favorable report.

S.B. 285, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE UNIVERSITY HEALTH SYSTEMS OF EASTERN CAROLINA SPECIAL REGISTRATION PLATES, with a favorable report.

S.B. 570, A BILL TO BE ENTITLED AN ACT TO UPDATE THE NORTH CAROLINA CONSUMER FINANCE ACT TO REVISE THE COLLECTION OF INTEREST UNDER CERTAIN CIRCUMSTANCES, TO ALLOW BORROWERS TO CANCEL LOANS UNDER CERTAIN CONDITIONS, TO RECOGNIZE INADVERTENT LOANS IN THE LAW RESTRICTING MULTIPLE-OFFICE LOANS, TO REQUIRE DISCLOSURE ON SOLICITATION OF LOANS BY FACSIMILE OR NEGOTIABLE CHECKS, TO ALLOW LENDERS TO MAINTAIN CERTAIN RECORDS IN THE FORM OF OPTICAL IMAGE DISKS, TO SPECIFY A MAXIMUM CHARGE THAT LENDERS MAY ASSESS AT CLOSING, AND TO REQUIRE LICENSEES TO REPORT ADDITIONAL INFORMATION TO THE
COMMISSIONER, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4684, which changes the title to read S.B. 570 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE NORTH CAROLINA CONSUMER FINANCE ACT TO REVISE THE COLLECTION OF INTEREST UNDER CERTAIN CIRCUMSTANCES, TO ALLOW BORROWERS TO CANCEL LOANS UNDER CERTAIN CONDITIONS, TO INCREASE CERTAIN FEES, TO INCREASE THE LIABILITY AMOUNTS OF INADVERTENT LOANS IN THE LAW RESTRICTING MULTIPLE-OFFICE LOANS, TO REQUIRE DISCLOSURE ON SOLICITATION OF LOANS BY FACSIMILE OR NEGOTIABLE CHECKS, TO ALLOW LENDERS TO MAINTAIN CERTAIN RECORDS IN THE FORM OF OPTICAL IMAGE DISKS, AND TO SPECIFY A MAXIMUM CHARGE THAT LENDERS MAY ASSESS AT CLOSING, is adopted and engrossed.

With unanimous consent, upon motion of Senator Hoyle, the Committee Substitute bill is placed on the Calendar for Tuesday, June 1.

H.B. 275 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR MORE EMPLOYERS WITH POSITIVE EXPERIENCE RATINGS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 6211, which changes the title, upon concurrence, to read H.B. 275 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR MORE EMPLOYERS WITH POSITIVE EXPERIENCE RATINGS, AND TO TEMPORARILY REDUCE THE UNEMPLOYMENT INSURANCE TAX BY TWENTY PERCENT FOR MOST EMPLOYERS AND SUBSTITUTE AN EQUIVALENT CONTRIBUTION TO FUND ENHANCED EMPLOYMENT SERVICES AND WORKER TRAINING PROGRAMS, is adopted and engrossed.

By Senator Lucas for the Children & Human Resources Committee:

H.B. 262, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CUSTODY OF ABUSED, NEGLECTED, OR DEPENDENT JUVENILES IN THE CUSTODY OR AUTHORITY OF THE COUNTY DEPARTMENTS OF SOCIAL SERVICES, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 3429 is adopted and engrossed.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 249 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON ISSUING SHELLFISH CULTIVATION LEASES IN CORE SOUND, TO REQUIRE THE DIVISION OF MARINE FISHERIES AND THE PRIMARY INVESTIGATOR TO REPORT THE RESULTS OF THE SHELLFISH
MAPPING AND HUMAN USE MAPPING OF CORE SOUND TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE AND THE MARINE FISHERIES COMMISSION, TO AUTHORIZE RATHER THAN REQUIRE THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO REQUIRE FISHERIES LICENSE AGENTS TO POST BONDS, TO ESTABLISH AN INTERIM CRAB LICENSE, AND TO CLARIFY THAT THE LAWFUL TAKING OF MARINE AND ESTUARINE RESOURCES UNDER THE JURISDICTION OF THE MARINE FISHERIES COMMISSION OR AS AUTHORIZED BY A FEDERAL LAW, REGULATION, OR FISHERY MANAGEMENT PLAN IS EXEMPT FROM THE CRUELTY TO ANIMALS STATUTE, for concurrence in House Committee Substitute bill No. 2, which is placed on the Calendar for tomorrow, Thursday, May 27.

S.B. 871 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE OBLIGATION OF DECEDENTS' ESTATES FOR FUNERAL EXPENSES AND RELATED EXPENSES, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, May 27.

S.B. 1048 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A GRANTS COMMITTEE TO SET PRIORITIES FOR, REVIEW APPLICATIONS TO, AND AWARD GRANTS UNDER THE FISHERY RESOURCE GRANT PROGRAM AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO THE FISHERY RESOURCE GRANT PROGRAM STATUTE, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, May 27.

S.B. 1062, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD TO DEFINE THE TERM CLINICAL SUPERVISOR INTERN AND AMENDING CERTIFICATION REQUIREMENTS FOR SUBSTANCE ABUSE PROFESSIONALS, for concurrence in House Amendment No. 1, which is placed on the Calendar for tomorrow, Thursday, May 27.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

House of Representatives
May 26, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that pursuant to G. S. 115D-2.1(b)(f), the House of Representatives has elected and confirmed Jeanette M. Council of Fayetteville to serve on the State Board of Community Colleges for a six-year term, beginning July 1, 1999.

Respectfully,
S/Denise Weeks
Principal Clerk

May 26, 1999
CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

H.B. 708, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SANFORD-LEE REGIONAL AIRPORT AUTHORITY AND THE BRUNSWICK COUNTY AIRPORT COMMISSION TO RECEIVE SALES TAX REFUNDS.

The bill passes its second (47-0) and third readings and is ordered enrolled.

S.B. 712 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CORNELIUS TO PROVIDE FOR VOLUNTARY ANNEXATION OF PROPERTY SUBJECT TO PRESENT-USE VALUE APPRAISAL, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence to read S.B. 712 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CORNELIUS TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET, upon third reading.

The Senate concurs in the House Committee Substitute bill on its third reading by roll-call vote, ayes 47, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill is ordered enrolled.

S.B. 543 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO ZONING BY FORSYTH COUNTY, THE TOWNS OF KERNERSVILLE AND LEWISVILLE, AND THE VILLAGE OF CLEMMONS, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (47-0) and the measure is ordered enrolled.

H.B. 259 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LAPSE OF A HOME INSPECTOR'S LICENSE AND AN ASSOCIATE HOME INSPECTOR'S LICENSE UNDER CERTAIN CONDITIONS; TO ESTABLISH RECORD-KEEPING REQUIREMENTS FOR HOME INSPECTORS; AND TO AUTHORIZE THE HOME INSPECTOR LICENSURE BOARD TO ESTABLISH CONTINUING EDUCATION PROGRAMS AND CHARGE FEES FOR THOSE PROGRAMS, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 46, noes 1, as follows:


Voting in the negative: Senator Webster—1.

The Committee Substitute bill is ordered enrolled and sent to the Governor.

May 26, 1999
H.B. 486 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE PERMANENT REGISTRATION PLATES TO TRAILERS OWNED BY CHARITABLE ORGANIZATIONS AND USED ONLY IN PARADES AND TO CONSOLIDATE AND MODERNIZE THE STATUTES PROVIDING FOR PERMANENT REGISTRATION PLATES, upon third reading.

Senator Garwood offers Amendment No. 1.

With unanimous consent, upon motion of Senator Kerr, the Senate Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the Finance Committee, with Amendment No. 1 pending.

S.B. 1115 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WIDELY SHARED PROSPERITY BY AMENDING THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, BY PROVIDING ADDITIONAL TAX INCENTIVES FOR VARIOUS BUSINESSES, AND BY MAKING RELATED CHANGES, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 45, noes 2, as follows:


Voting in the negative: Senators East and Webster—2.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Thursday, May 27, upon third reading.

H.B. 1009, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR AGRICULTURAL RESEARCH BY INCREASING THE ASSESSMENT ON FERTILIZER, COMMERCIAL FEED, OR THEIR INGREDIENTS, upon second reading.

The bill passes its second reading by roll-call vote, ayes 44, noes 3, as follows:


Voting in the negative: Senators East, Forrester, and Webster—3.

The bill is ordered placed on the Calendar for tomorrow, Thursday, May 27, upon third reading.

H.B. 975 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT SERVICES PROVIDED THROUGH THE STATEWIDE AUTOMATED VICTIM ASSISTANCE AND NOTIFICATION SYSTEM ARE SUBJECT TO THE EXEMPTIONS FROM DAMAGE CLAIMS AND OTHER GROUNDS FOR RELIEF PROVIDED FOR BY THE VICTIMS' RIGHTS ACT.

Senator Miller offers Amendment No. 1 which is adopted (47-0).

The Senate Committee Substitute bill, as amended, passes its second (46-1) and third readings and is ordered engrossed and sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

May 26, 1999
H.B. 1286 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXEMPTION FROM THE "MASS GATHERINGS" STATUTE.

Upon motion of Senator Rand, the President Pro Tempore orders, without objection, the Committee Substitute bill No. 2 temporarily displaced.

S.B. 799, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES COLLECTED BY THE NORTH CAROLINA BOARD OF PHYSICAL THERAPY EXAMINERS.

The bill passes its third reading (43-4) and is ordered sent to the House of Representatives.

H.B. 985 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE BENCHMARK AT WHICH THE DEPARTMENT OF ADMINISTRATION IS REQUIRED TO ADVERTISE FOR PROPOSALS FOR LEASES BY THE STATE, TO CLARIFY WHEN THE DEPARTMENT MAY TRANSFER PROPERTY TO NONPROFIT ORGANIZATIONS AT LESS THAN FAIR-MARKET VALUE, AND TO SIMPLIFY THE LAW REGARDING STATE LEASES OF PROPERTY IN UNIQUE LOCATIONS, as amended upon second reading.

Senator Rand offers Amendment No. 2 which is adopted (47-0), and changes the title upon concurrence.

The Committee Substitute bill, as amended, passes its third reading (47-0) and is ordered sent to the House of Representatives, for concurrence in Senate Amendments No. 1 and No. 2.

H.B. 1286 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXEMPTION FROM THE "MASS GATHERINGS" STATUTE, temporarily displaced earlier.

Senator Rand offers Amendment No. 1 which is adopted (45-0).

The Committee Substitute bill No. 2, as amended, passes its second (44-0) and third readings and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1.

COMMITTEE REFERRAL RECALL

S.B. 881, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CAMPAIGN REFORM ACT OF 1999, referred to the Rules and Operations of the Senate Committee on April 13.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Judiciary I Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Judiciary I Committee.

Upon motion of Senator Ballance, seconded by Senator Odom, the Senate adjourns at 4:42 P.M. to meet tomorrow, Thursday, May 27, at 9:00 A.M.

May 26, 1999
The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“Patient and long suffering God, You have called us to be Your covenant people, and yet on most days it is difficult to decipher Your divine hand molding our lives and Your Wisdom seasoning our deliberations. A master teacher once asked his disciples: ‘If the salt has lost its flavor, what good is it?’

“Good God, it is not the atheists who boldly deny Your existence who are the biggest threat to Your Kingdom, it is we who profess to believe in You and yet go about our work as if You were non-existent. We praise You with our lips, but our hearts are far from You.

“Merciful Father, please forgive this flagrant contradiction in our lives. Lead us out of this empty charade which we attempt to live out in full view of Your discerning eye. Remind us again that whatever hope we can ultimately claim is predicated upon the people of God living and acting like the people of God. We make our prayer in Your Holy Name, Amen.”

With unanimous consent, the President grants leaves of absence for today to Senator Cochrane, Senator Jordan, Senator Martin of Pitt, and Senator Rucho.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Wednesday, May 26, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Peter Jernigan from Charlotte, North Carolina, who is serving the Senate as Doctor of the Day, and to Julie Taylor from Rocky Point, North Carolina, who is serving the Senate as Nurse of the Day.

COMMITTEE REFERRAL RECALL

S.B. 850, A BILL TO BE ENTITLED AN ACT REGARDING NONAPPROPRIATED CAPITAL PROJECTS FOR THE UNIVERSITY OF NORTH CAROLINA, referred to the Rules and Operations of the Senate Committee on April 13.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Appropriations/Base Budget Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Appropriations/Base Budget Committee.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

H.B. 820 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING
THAT STATE EMPLOYEES AND PUBLIC SCHOOL EMPLOYEES MAY SHARE LEAVE VOLUNTARILY.

With unanimous consent, upon motion of Senator Lee, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, June 1.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 436, AN ACT TO RATIFY, APPROVE, CONFIRM, AND VALIDATE CERTAIN BOND REFERENDA OF UNITS OF LOCAL GOVERNMENT HELD IN CONNECTION WITH THE AUTHORIZATION OF BONDS OF THOSE UNITS.

S.B. 483, AN ACT TO REVISE THE LAW GOVERNING THE LIMITATIONS OF SUCCESSORS AND ASSIGNEES OF FOREIGN CORPORATIONS AND FOREIGN NONPROFIT CORPORATIONS TO FILE CAUSES OF ACTION OR PROCEEDINGS.

S.B. 773, AN ACT TO CLARIFY THE TIME FOR ACTION ON REMAND FOLLOWING COURT REVIEW OF ANNEXATIONS ORDINANCES.

H.B. 259, AN ACT TO PROVIDE FOR THE LAPSE OF A HOME INSPECTOR'S LICENSE AND AN ASSOCIATE HOME INSPECTOR'S LICENSE UNDER CERTAIN CONDITIONS; TO ESTABLISH RECORD-KEEPING REQUIREMENTS FOR HOME INSPECTORS; AND TO AUTHORIZE THE HOME INSPECTOR LICENSURE BOARD TO ESTABLISH CONTINUING EDUCATION PROGRAMS AND CHARGE FEES FOR THOSE PROGRAMS.

H.B. 951, AN ACT REQUIRING THAT AT LEAST ONE PERSON WHO IS DIRECTLY ASSISTED BY A PUBLIC HOUSING AUTHORITY BE APPOINTED TO EACH HOUSING AUTHORITY COMMISSION AND REGIONAL HOUSING AUTHORITY COMMISSION IN THE STATE AND TO INCREASE THE MAXIMUM NUMBER OF MEMBERS THAT MAY BE APPOINTED TO A HOUSING AUTHORITY COMMISSION.

The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.B. 395, AN ACT RELATING TO THE CABARRUS COUNTY TOURISM AUTHORITY.

S.B. 543, AN ACT RELATING TO ZONING BY FORSYTH COUNTY, THE TOWNS OF KERNERSVILLE AND LEWISVILLE, AND THE VILLAGE OF CLEMMONS.

S.B. 573, AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ENGAGE IN PUBLIC-PRIVATE PROJECTS OUTSIDE THE DOWNTOWN AREA.

S.B. 583, AN ACT TO AMEND THE LAW ESTABLISHING THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM.

S.B. 653, AN ACT RELATING TO INVESTMENT OF HEALTH TRUST FUND

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MONIES BY THE COUNTY OF DURHAM.

S.B. 705, AN ACT TO ASSIST THE JOHNSTON COUNTY BOARD OF EDUCATION WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES.

S.B. 712, AN ACT TO AUTHORIZE THE TOWN OF CORNELIUS TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET.

H.B. 708, AN ACT TO AUTHORIZE THE SANFORD-LEE REGIONAL AIRPORT AUTHORITY AND THE BRUNSWICK COUNTY AIRPORT COMMISSION TO RECEIVE SALES TAX REFUNDS.

The Chair grants leaves of absence for the remainder of today's Session to Senator Dalton and Senator Lee.

CALENDAR (Continued)

H.B. 474 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE MEMBERSHIP OF THE BERTIE COUNTY ABC BOARD FROM FIVE TO THREE MEMBERS AND TO ALLOW THE APPOINTMENT OF A NEW BERTIE COUNTY ABC BOARD.

With unanimous consent, upon motion of Senator Ballance, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Thursday, June 3.

Upon the appearance of Senator Dalton and Senator Lee in the Chamber, the Chair acknowledges their presence and the leaves of absence granted previously are withdrawn.

The Chair grants a leave of absence for the remainder of today's Session to Senator Odom.

H.B. 476 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING THE GRANT OF POWERS TO ELECTRIC MEMBERSHIP CORPORATIONS REGARDING SUBSIDIARY ORGANIZATIONS.

With unanimous consent, upon motion of Senator Basnight, the Senate Committee Substitute bill is taken up out of its regular order of business, and on his further motion, is placed before the Senate for immediate consideration.

With unanimous consent, Senator Clodfelter is excused from voting on this bill due to a conflict of interest.

The President rules that the Senate Committee Substitute bill requires a call of the roll.

The Senate Committee Substitute bill passes its second reading by roll-call vote, ayes 43, noes 1, as follows:


Voting in the negative: Senator Foxx—1.

With unanimous consent, upon motion of Senator Ballance, the Senate Committee Substitute bill is placed on the Calendar for Tuesday, June 1, upon third reading.

May 27, 1999
REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Kinnaird for the State and Local Government Committee:

H.B. 520 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF FLAT ROCK TO BUILD A FACILITY FOR A PUBLIC ENTERPRISE AND THEN CONVEY IT TO THE TOWN OF HENDERSONVILLE WITHOUT OPERATING IT, with a favorable report, as amended.

Pursuant to Rule 45.1, Committee Amendment No. 1 is adopted and engrossed, and changes the title, upon concurrence to read H.B. 520 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF FLAT ROCK TO BUILD A FACILITY FOR A PUBLIC ENTERPRISE AND THEN CONVEY IT TO THE CITY OF HENDERSONVILLE WITHOUT OPERATING IT.

With unanimous consent, upon motion of Senator Kinnaird, the Committee Substitute bill, as amended, is placed on the Calendar for Tuesday, June 1.

H.B. 615, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ELIZABETH CITY TO REGULATE THE OPERATION OF VESSELS WITHIN THE CITY, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 8138, which changes the title, upon concurrence to read H.B. 615 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ELIZABETH CITY TO REGULATE THE SPEED OF VESSELS WITHIN THE CITY, is adopted and engrossed.

With unanimous consent, upon motion of Senator Kinnaird, the Senate Committee Substitute bill is placed on the Calendar for Tuesday, June 1.

CALENDAR (Continued)

Without objection, the Chair rules that all roll-call bills on today’s Calendar which pass second reading, be placed on the Calendar for Tuesday, June 1, upon third reading.

H.B. 178, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF JONESVILLE TO CHARGE A FEE NOT TO EXCEED FIVE DOLLARS FOR UNCERTIFIED COPIES OF POLICE INCIDENT OR ACCIDENT REPORTS AND TO AUTHORIZE THE TOWN TO GIVE ANNUAL NOTICE OF VIOLATION TO CHRONIC VIOLATORS OF THE CITY’S OVERGROWN VEGETATION ORDINANCE, upon second reading.

The bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:


 Voting in the negative: None.

The bill is ordered placed on the Calendar for Tuesday, June 1, upon third reading.

H.B. 852 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT

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CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE CITY OF HICKORY AND THE TOWN OF BROOKFORD, AND ANNEXATION OF CERTAIN DESCRIBED PROPERTY BY THE TOWN OF MOCKSVILLE, upon second reading.

The Senate Committee Substitute bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:


Voting in the negative: None.

The Senate Committee Substitute bill is ordered placed on the Calendar for Tuesday, June 1, upon third reading.

H.B. 437, A BILL TO BE ENTITLED AN ACT AMENDING THE STATUTORY DEFINITION OF "SUBDIVISION" FOR THE PURPOSE OF SUBDIVISION REGULATION IN JONES COUNTY.

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

H.B. 811, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF HAVELOCK TO INCREASE THE TERM OF THE MAYOR FROM TWO YEARS TO FOUR YEARS BEGINNING WITH THE REGULAR MUNICIPAL ELECTION IN 2001.

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

S.B. 1115 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WIDELY SHARED PROSPERITY BY AMENDING THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, BY PROVIDING ADDITIONAL TAX INCENTIVES FOR VARIOUS BUSINESSES, AND BY MAKING RELATED CHANGES, upon third reading, as amended upon second reading on May 25.

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 42, noes 1, as follows:


Voting in the negative: Senator Webster—1.

The Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives.

H.B. 1009, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR AGRICULTURAL RESEARCH BY INCREASING THE ASSESSMENT ON FERTILIZER, COMMERCIAL FEED, OR THEIR INGREDIENTS, upon third reading.

The bill passes its third reading by roll-call vote, ayes 42, noes 2, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cooper, Dalton, Dannelly, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Horton, Hoyle, Kerr, Kinnaird, Lee, Lucas, Martin of Guilford, Metcalf, Miller, Moore, Perdue, Phillips, Plyler, Purcell, Rand,

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Reeves, Robinson, Shaw of Cumberland, Shaw of Guilford, Soles, Warren, Weinstein, and Wellons—42.

Voting in the negative: Senators Forrester and Webster—2.

The bill is ordered enrolled and sent to the Governor.

**S.B. 249, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON ISSUING SHELLFISH CULTIVATION LEASES IN CORE SOUND, TO REQUIRE THE DIVISION OF MARINE FISHERIES AND THE PRIMARY INVESTIGATOR TO REPORT THE RESULTS OF THE SHELLFISH MAPPING AND HUMAN USE MAPPING OF CORE SOUND TO THE JOINT LEGISLATIVE COMMITTEE ON SEAFOOD AND AQUACULTURE AND THE MARINE FISHERIES COMMISSION, AND TO REQUIRE THE MARINE FISHERIES COMMISSION TO REVIEW THESE RESULTS AND REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE JOINT LEGISLATIVE COMMITTEE ON SEAFOOD AND AQUACULTURE, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON SEAFOOD AND AQUACULTURE, for concurrence in House Committee Substitute bill No. 2, upon second reading, which changes the title, upon concurrence, to read S.B. 249 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON ISSUING SHELLFISH CULTIVATION LEASES IN CORE SOUND, TO REQUIRE THE DIVISION OF MARINE FISHERIES AND THE PRIMARY INVESTIGATOR TO REPORT THE RESULTS OF THE SHELLFISH MAPPING AND HUMAN USE MAPPING OF CORE SOUND TO THE JOINT LEGISLATIVE COMMITTEE ON SEAFOOD AND AQUACULTURE AND THE MARINE FISHERIES COMMISSION, TO AUTHORIZE RATHER THAN REQUIRE THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO REQUIRE FISHERIES LICENSE AGENTS TO POST BONDS, TO ESTABLISH AN INTERIM CRAB LICENSE, AND TO CLARIFY THAT THE LAWFUL TAKING OF MARINE AND ESTUARINE RESOURCES UNDER THE JURISDICTION OF THE MARINE FISHERIES COMMISSION OR AS AUTHORIZED BY A FEDERAL LAW, REGULATION, OR FISHERY MANAGEMENT PLAN IS EXEMPT FROM THE CRUELTY TO ANIMALS STATUTE.

With unanimous consent, upon motion of Senator Albertson, House Committee Substitute bill No. 2 is withdrawn from today’s Calendar and is placed on the Calendar for Thursday, June 3.

**H.B. 275 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR MORE EMPLOYERS WITH POSITIVE EXPERIENCE RATINGS, AND TO TEMPORARILY REDUCE THE UNEMPLOYMENT INSURANCE TAX BY TWENTY PERCENT FOR MOST EMPLOYERS AND SUBSTITUTE AN EQUIVALENT CONTRIBUTION TO FUND ENHANCED EMPLOYMENT SERVICES AND WORKER TRAINING PROGRAMS.**

The Senate Committee Substitute bill passes its second reading by roll-call vote, ayes 45, noes 0, as follows:


Voting in the negative: None.

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The Senate Committee Substitute bill is ordered placed on the Calendar for Tuesday, June 1, upon third reading.

**S.B. 254** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE VARIOUS OUTDOOR ADVERTISING PERMIT FEES, CHANGE THE ADMINISTRATIVE REVIEW AND JUDICIAL REVIEW OF OUTDOOR ADVERTISING DECISIONS, EXPAND CURRENT NOTIFICATION REQUIREMENTS, AND MODIFY AND UPDATE THE OUTDOOR ADVERTISING CONTROL ACT WITH RESPECT TO VENUE REQUIREMENTS, DEFINITIONS, AND PARTIES RESPONSIBLE FOR PAYMENT OF REMOVAL OF ILLEGAL OUTDOOR ADVERTISING.

The Committee Substitute bill passes its second (42-2) and third readings and is ordered sent to the House of Representatives.

**S.B. 285**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE UNIVERSITY HEALTH SYSTEMS OF EASTERN CAROLINA SPECIAL REGISTRATION PLATES.

The bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives.

**H.B. 255**, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES INVOLVING VOCATIONAL REHABILITATION IN ORDER TO COMPLY WITH FEDERAL LAW.

The bill passes its second (45-0) and third readings and is ordered enrolled and sent to the Governor.

**H.B. 262** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CUSTODY OF ABUSED, NEGLECTED, OR DEPENDENT JUVENILES IN THE CUSTODY OR AUTHORITY OF THE COUNTY DEPARTMENTS OF SOCIAL SERVICES.

The Senate Committee Substitute bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

**H.B. 972**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COST AND EXPENSES OF TRANSPORTING A RESPONDENT IN AN INVOLUNTARY COMMITMENT PROCEEDING MAY BE RECOVERED FROM THE RESPONDENT'S COUNTY OF RESIDENCE.

The bill passes its second reading (44-1).

Senator Ballance objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Tuesday, June 1.

**H.B. 1071** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE HANDICAPPED PERSONS PROTECTION ACT, CHAPTER 168A OF THE GENERAL STATUTES.

The Committee Substitute bill passes its second (44-0) and third readings and is ordered enrolled and sent to the Governor.

**H.B. 1258** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE FACILITIES THAT ARE INCLUDED IN THE HEALTH CARE PERSONNEL REGISTRY; AND TO REQUIRE THAT EMPLOYERS AT HEALTH CARE FACILITIES ACCESS THE HEALTH CARE PERSONNEL REGISTRY.

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The Committee Substitute bill passes its second (45-0) and third readings and is ordered enrolled and sent to the Governor.

**S.B. 871** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE OBLIGATION OF DECEDENTS' ESTATES FOR FUNERAL EXPENSES AND RELATED EXPENSES, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (45-0) and the measure is ordered enrolled and sent to the Governor.

**S.B. 1048** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A GRANTS COMMITTEE TO SET PRIORITIES FOR, REVIEW APPLICATIONS TO, AND AWARD GRANTS UNDER THE FISHERY RESOURCE GRANT PROGRAM AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO THE FISHERY RESOURCE GRANT PROGRAM STATUTE, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (45-0) and the measure is ordered enrolled and sent to the Governor.

**S.B. 1062**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD TO DEFINE THE TERM CLINICAL SUPERVISOR INTERN AND AMENDING CERTIFICATION REQUIREMENTS FOR SUBSTANCE ABUSE PROFESSIONALS, for concurrence in House Amendment No. 1.

The Senate concurs in House Amendment No. 1 (45-0) and the measure is ordered enrolled and sent to the Governor.

Upon motion of Senator Basnight, seconded by Senator Perdue, the Senate adjourns at 10:36 A.M. to meet Monday, May 31, at 7:00 P.M.

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**SEVENTY-FIRST DAY**

Senate Chamber
Monday, May 31, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President *Pro Tempore*, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Almighty God, before whom stand the living and the dead, we Your children acknowledge that our mortal life is but a hand's breath, and we give thanks to You. On this Memorial Day, we thank You for all those who have blessed our pilgrimage to this Chamber, those whose lives have empowered us and whose influence in our lives is a healing grace.

"We thank You for dear friends and family members whose faces we see no more, but whose love is with us eternally. We thank You for those noble men and women who sacrificed their own lives in the armed services for the sake of others. We hold them in

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continual remembrance and ever think of them with You in that Heavenly City, where there is neither darkness nor weeping.

"The souls of the righteous are in the hand of God, and no torment will ever touch them."

"Dear Lord, save and bless Your people, and lead us in the ways of peace. We pray in Your Holy Name, Amen."

With unanimous consent, the President Pro Tempore grants leaves of absence for tonight to all members excluding Senator Albertson, Senator Basnight, Senator Carpenter, Senator Dannelly, Senator Miller, Senator Rand, Senator Reeves, and Senator Warren, who are present.

Senator Miller announces the Journal of Thursday, May 27, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 687 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SUPPLEMENTAL RETIREMENT FUND FOR FULL-TIME PAID FIREFIGHTERS IN THE CITY OF HICKORY, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, June 1.

S.B. 643 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING INSURANCE PREMIUM FINANCING, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for Tuesday, June 1.

Upon motion of Senator Rand, seconded by Senator Reeves, the Senate adjourns subject to ratification of bills, to meet tomorrow, Tuesday, June 1, at 3:00 P.M.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 344, AN ACT TO PROVIDE EXPANDED ACCESS TO SPECIALTY CARE IN MANAGED CARE PLANS.

S.B. 638, AN ACT TO REDEFINE "EMPLOYEE" AND "EMPLOYER" IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

S.B. 871, AN ACT TO AMEND THE LAW REGARDING THE OBLIGATION OF DECEDENTS' ESTATES FOR FUNERAL EXPENSES AND RELATED EXPENSES.

S.B. 920, AN ACT TO UPDATE THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT TO ACCURATELY REFLECT THE CURRENT SCHEDULING

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OF CONTROLLED SUBSTANCES, AS SCHEDULED BY THE DRUG ENFORCEMENT ADMINISTRATION AND TO PROHIBIT TRAFFICKING IN METHYLENEDIOXYAMPHETAMINE (MDA) OR METHYLENE-DIOXYMETHAMPHETAMINE (MDMA).

S.B. 1048, AN ACT TO CREATE A GRANTS COMMITTEE TO SET PRIORITIES FOR, REVIEW APPLICATIONS TO, AND AWARD GRANTS UNDER THE FISHERY RESOURCE GRANT PROGRAM AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO THE FISHERY RESOURCE GRANT PROGRAM STATUTE.

S.B. 1062, AN ACT AUTHORIZING THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD TO DEFINE THE TERM CLINICAL SUPERVISOR INTERN AND AMENDING CERTIFICATION REQUIREMENTS FOR SUBSTANCE ABUSE PROFESSIONALS.

S.B. 1093, AN ACT TO AMEND THE LAW TO ENSURE THAT ALL TEACHERS RECEIVE A DUTY FREE PERIOD EACH DAY.

S.B. 1113, AN ACT RELATING TO EMPLOYER CONTACT WITH MEDICAL CARE PROVIDERS FOR CLAIMS UNDER THE WORKERS' COMPENSATION ACT.

H.B. 255, AN ACT TO AMEND THE STATUTES INVOLVING VOCATIONAL REHABILITATION IN ORDER TO COMPLY WITH FEDERAL LAW.

H.B. 1009, AN ACT TO PROVIDE FUNDS FOR AGRICULTURAL RESEARCH BY INCREASING THE ASSESSMENT ON FERTILIZER, COMMERCIAL FEED, OR THEIR INGREDIENTS.

H.B. 1071, AN ACT TO MAKE CHANGES TO THE HANDICAPPED PERSONS PROTECTION ACT, CHAPTER 168A OF THE GENERAL STATUTES.

H.B. 1258, AN ACT TO CLARIFY THE FACILITIES THAT ARE INCLUDED IN THE HEALTH CARE PERSONNEL REGISTRY; AND TO REQUIRE THAT EMPLOYERS AT HEALTH CARE FACILITIES ACCESS THE HEALTH CARE PERSONNEL REGISTRY.

The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.B. 645, AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF PARMELE, AND TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE TOWN OF FAIR BLUFF.

H.B. 437, AN ACT AMENDING THE STATUTORY DEFINITION OF "SUBDIVISION" FOR THE PURPOSE OF SUBDIVISION REGULATION IN JONES COUNTY.

H.B. 811, AN ACT TO AMEND THE CHARTER OF THE CITY OF HAVELock
TO INCREASE THE TERM OF THE MAYOR FROM TWO YEARS TO FOUR YEARS BEGINNING WITH THE REGULAR MUNICIPAL ELECTION IN 2001.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

S.B. 691, AN ACT TO INCORPORATE THE TOWN OF BERMUDA RUN AND TO SIMULTANEously DISSOLVE THE BERMUDA CENTER SANITARY DISTRICT. (Became law upon ratification, May 26, 1999 - S.L. 1999-94.)

H.B. 772, AN ACT TO ESTABLISH A NO-WAKE ZONE IN THE WATERS OF LEE'S CUT. (Became law upon ratification, May 26, 1999 - S.L. 1999-95.)

S.B. 898, AN ACT TO INCREASE THE NUMBER OF DAYS WITHIN WHICH A BOARD OF EDUCATION MUST HOLD A TEACHER DISMISSAL HEARING, TO CLARIFY THAT THE SUPERINTENDENT'S DESIGNEE MAY BE PRESENT AT THE CASE MANAGER HEARING, TO ALLOW TIME FOR THE SUPERINTENDENT TO OBTAIN A COPY OF THE CASE MANAGER TRANSCRIPT, TO DECREASE THE NUMBER OF DAYS WITHIN WHICH THE SUPERINTENDENT MUST PROVIDE A LIST OF WITNESSES FOR A BOARD HEARING ON A REDUCTION IN FORCE, TO CHANGE THE DATE WHEN LOCAL BOARDS MUST NOTIFY TEACHERS WHETHER THEIR PROBATIONARY CONTRACTS HAVE BEEN RENEWED, TO REPEAL THE PROFESSIONAL PRACTICES BOARD, AND TO LIMIT THE NONINSTRUCTIONAL DUTIES ASSIGNED TO TEACHERS. (Became law upon approval of the Governor, May 27, 1999 - S.L. 1999-96.)

S.B. 395, AN ACT RELATING TO THE CABARRUS COUNTY TOURISM AUTHORITY. (Became law upon ratification, May 27, 1999 - S.L. 1999-97.)

S.B. 543, AN ACT RELATING TO ZONING BY FORSYTH COUNTY, THE TOWNS OF KERNERSVILLE AND LEWISVILLE, AND THE VILLAGE OF CLEMMONS. (Became law upon ratification, May 27, 1999 - S.L. 1999-98.)

S.B. 573, AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ENGAGE IN PUBLIC-PRIVATE PROJECTS OUTSIDE THE DOWNTOWN AREA. (Became law upon ratification, May 27, 1999 - S.L. 1999-99.)

S.B. 583, AN ACT TO AMEND THE LAW ESTABLISHING THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM. (Became law upon ratification, May 27, 1999 - S.L. 1999-100.)

S.B. 653, AN ACT RELATING TO INVESTMENT OF HEALTH TRUST FUND MONIES BY THE COUNTY OF DURHAM. (Became law upon ratification, May 27, 1999 - S.L. 1999-101.)

S.B. 705, AN ACT TO ASSIST THE JOHNSTON COUNTY BOARD OF EDUCATION WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES. (Became law upon ratification, May 27, 1999 - S.L. 1999-102.)

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S.B. 712, AN ACT TO AUTHORIZE THE TOWN OF CORNELIUS TO MAKE ADDITIONAL VOLUNTARY SATELLITE ANNEXATIONS IF CERTAIN CRITERIA ARE MET. (Became law upon ratification, May 27, 1999 – S.L. 1999-103.)

H.B. 708, AN ACT TO AUTHORIZE THE SANFORD-LEE REGIONAL AIRPORT AUTHORITY AND THE BRUNSWICK COUNTY AIRPORT COMMISSION TO RECEIVE SALES TAX REFUNDS. (Became law upon ratification, May 27, 1999 – S.L. 1999-104.)

S.B. 637, AN ACT TO EXPAND THE LAW OF ASSAULT TO PROTECT SCHOOL PERSONNEL AND SCHOOL VOLUNTEERS. (Became law upon approval of the Governor, May 27, 1999 – S.L. 1999-105.)

S.B. 693, AN ACT TO PROVIDE, UPON THE MOTION OF A DEFENDANT MADE AFTER ISSUANCE OF SUMMONS, THAT A PLAINTIFF IS NOT ALWAYS REQUIRED TO POST A PROSECUTION BOND, PROVIDE SECURITY, OR SHOW THE PLAINTIFF IS SUING AS AN INDIGENT BUT TO PROVIDE THAT THE PLAINTIFF MAY BE SO REQUIRED BY THE CLERK OR JUDGE UPON A SHOWING OF GOOD CAUSE BY THE DEFENDANT. (Became law upon approval of the Governor, May 27, 1999 – S.L. 1999-106.)

S.B. 769, AN ACT TO MODIFY THE ESSENTIAL ELEMENTS OF THE FELONY OFFENSE OF LARCENY OF GINSENG. (Became law upon approval of the Governor, May 27, 1999 – S.L. 1999-107.)

H.B. 1167, AN ACT TO SIMPLIFY THE LATERAL ENTRY PROGRAM FOR TEACHERS. (Became law upon approval of the Governor, May 27, 1999 – S.L. 1999-108.)

S.B. 601, AN ACT TO PROVIDE THAT THE SECRETARY OF CORRECTION HAS SOLE AUTHORITY TO DESIGNATE THE UNIFORMS WORN BY INMATES CONFINED IN THE DIVISION OF PRISONS. (Became law upon approval of the Governor, May 27, 1999 – S.L. 1999-109.)

Pursuant to Senator Rand’s motion to adjourn having prevailed, the Senate adjourns at 7:15 P.M.

SEVENTY-SECOND DAY

Senate Chamber
Tuesday, June 1, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“Gracious Lord God, we are much involved, all of us, with questions about things that seem to matter a good deal today in our Senate work, but which will probably be forgotten by this time tomorrow. Who called today? How much will it cost? Where am I supposed
to be after this meeting? Not exactly life and death issues.

“Scripture, on the other hand, is teeming with questions which are worth remembering: ‘Am I my brother’s keeper?’ ‘What is truth?’ ‘Who is my neighbor?’ ‘What does it profit a man if he gains the whole world and forfeits his soul?’

“Persistent God, keep after us today with Your relentless questions that define who we really are deep inside. Help us to set aside the worldly inquiries which masquerade as vitally important, so that we might hear the one burning question that You have in Your heart for us. Coming up with the answer to that one may truly be a matter of life and death for us. Lord, give us ears to hear. In Your Holy Name we pray, Amen.”

With unanimous consent, the President grants leaves of absence for today to Senator Hartsell, Senator Perdue, and Senator Shaw of Guilford.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of Monday, May 31, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Mark Wendell Swaim from Durham, North Carolina, who is serving the Senate as Doctor of the Day, and to Sharon Cooney from Bahama, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

H.B. 462, AN ACT TO ALLOW THE TOWNS OF CHADBOURN AND MOUNT GILEAD, AND MONTGOMERY COUNTY, TO COLLECT UTILITY BILLS AS IF THEY WERE TAXES DUE THEM, AND TO ALLOW DARE COUNTY TO CREATE SPECIAL TAX DISTRICTS TO UNDERGROUND ELECTRIC UTILITY LINES.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

S.B. 614, AN ACT TO MAKE CHANGES TO THE IMMUNIZATION LAWS PERTAINING TO ADMINISTRATION AND REPORTING OF IMMUNIZATIONS, CERTIFICATES OF IMMUNIZATIONS RECEIVED IN OTHER STATES, SUBMISSION OF IMMUNIZATION CERTIFICATES TO CHILD CARE FACILITIES AND SCHOOL AUTHORITIES, AND TO MAKE OTHER TECHNICAL CHANGES TO THE IMMUNIZATION STATUTES. (Became law upon approval of the Governor, May 28, 1999 – S.L. 1999-110.)

S.B. 658, AN ACT TO EXTEND THE SUNSET ON THE LAW PROVIDING THAT CERTAIN SECONDARY SUPPLIERS OF ELECTRIC SERVICE MAY FURNISH SERVICE WITHIN THE CORPORATE LIMITS OF A CITY WITH WRITTEN CONSENT FROM THE CITY, ALLOWING THE BOARD OF AN ELECTRIC OR TELEPHONE MEMBERSHIP CORPORATION TO VOTE BY PROXY ON DECISIONS TO ENCUMBER CORPORATE PROPERTY OR TO DISSOLVE AN
ELECTRIC MEMBERSHIP CORPORATION, AND MAKING TECHNICAL CHANGES TO THE LAW REGARDING MUNICIPAL ELECTRIC SERVICE. (Became law upon approval of the Governor, May 28, 1999 – S.L. 1999-111.)

S.B. 1008, AN ACT TO EXTEND THE TIME FOR THE NORTH CAROLINA UTILITIES COMMISSION TO ADOPT FINAL RULES REGARDING UNIVERSAL SERVICE. (Became law upon approval of the Governor, May 28, 1999 – S.L. 1999-112.)

S.B. 198, AN ACT PERTAINING TO THE ISSUANCE OF A NEW ADULT CARE HOME LICENSE TO AN APPLICANT WHO WAS THE LICENSEE OR ADMINISTRATOR OF AN ADULT CARE HOME THE LICENSE OF WHICH HAD BEEN REVOKED OR DOWNGRADED TO PROVISIONAL STATUS OR AGAINST WHICH A TYPE A PENALTY HAD BEEN ASSESSED, AND TO ALLOW NURSING HOME RESIDENTS OR THEIR REPRESENTATIVES ACCESS TO INFORMATION ABOUT COMPLAINT INVESTIGATIONS. (Became law upon approval of the Governor, May 28, 1999 – S.L. 1999-113.)

H.B. 165, AN ACT TO REENACT THE 1986 LAW PROVIDING FOR RISK-SHARING PLANS, TO AMEND THE IMMUNITY STATUTES FOR THE FAIR AND BEACH PLANS, TO EXTEND THE BEACH PLAN RATE CAP ON WIND POLICIES ISSUED IN THE COASTAL AREA FOR TWO YEARS, AND TO MAKE A TECHNICAL AMENDMENT IN THE BEACH PLAN LAWS. (Became law upon approval of the Governor, May 28, 1999 – S.L. 1999-114.)

H.B. 239, AN ACT TO AMEND THE LAW GOVERNING PROPERTY TRANSFERS BETWEEN COMMUNITY COLLEGE BOARDS OF TRUSTEES AND COUNTIES FOR COMMUNITY COLLEGE PURPOSES. (Became law upon approval of the Governor, May 28, 1999 – S.L. 1999-115.)

H.B. 715, AN ACT TO PROVIDE THAT UTILIZATION REVIEW CRITERIA FOR SUBSTANCE ABUSE TREATMENT BE CRITERIA ADOPTED BY THE AMERICAN SOCIETY OF ADDICTION MEDICINE (ASAM) OR SIMILAR CRITERIA. (Became law upon approval of the Governor, May 28, 1999 – S.L. 1999-116.)

S.B. 1075, AN ACT REGARDING FUNDING AND TRANSPORTATION FOR CHILDREN WITH SPECIAL NEEDS. (Became law upon approval of the Governor, May 28, 1999 – S.L. 1999-117.)

H.B. 201, AN ACT TO AMEND THE LAW RELATING TO THE APPOINTMENT OF SUCCESSOR TRUSTEES TO CONFORM TO THE RULES OF CIVIL PROCEDURE AND TO UPDATE STATUTORY LANGUAGE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (Became law upon approval of the Governor, May 28, 1999 – S.L. 1999-118.)

H.B. 214, AN ACT TO MAKE TECHNICAL CHANGES TO THE LAND RECORDS STATUTES. (Became law upon approval of the Governor, May 28, 1999 – S.L. 1999-119.)

H.B. 236, AN ACT TO AMEND THE LAW REGARDING THE BAITING OF ANIMALS AND TO MAKE CORRECTIONS IN THE LAW REGARDING THE
MANDATORY SUSPENSION OF HUNTING LICENSES AND PERMITS. (Became law upon approval of the Governor, May 28, 1999 – S.L. 1999-120.)

H.B. 316, AN ACT TO ENCOURAGE PRESCRIBED BURNING FOR FORESTRY AND WILDLIFE PURPOSES UNDER CERTAIN CONDITIONS. (Became law upon approval of the Governor, May 28, 1999 – S.L. 1999-121.)

H.B. 778, AN ACT TO ADD SIX MEMBERS TO THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA. (Became law upon approval of the Governor, May 28, 1999 – S.L. 1999-122.)

H.B. 1076, AN ACT TO REQUIRE THAT FIRE SERVICE MAINS COMPLY WITH THE NORTH CAROLINA STATE BUILDING CODE. (Became law upon approval of the Governor, May 28, 1999 – S.L. 1999-123.)

S.B. 645, AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF PARMELE, AND TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE TOWN OF FAIR BLUFF. (Became law upon ratification, May 31, 1999 – S.L. 1999-124.)

H.B. 437, AN ACT AMENDING THE STATUTORY DEFINITION OF "SUBDIVISION" FOR THE PURPOSE OF SUBDIVISION REGULATION IN JONES COUNTY. (Became law upon ratification, May 31, 1999 – S.L. 1999-125.)


MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message received in the Office of the Principal Clerk from the House of Representatives transmitting a bill is presented to the Senate, read the first time, and disposed of, as follows:

S.B. 347 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS TO COVER NONFORMULARY DRUGS AND DEVICES WHEN MEDICALLY NECESSARY, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, June 2.

EXECUTIVE ORDERS

Executive Orders received in the Office of the Senate Principal Clerk are presented to the Senate and read as follows:

Executive Order No. 151, Amending Executive Order No. 149, Clean NC 2000 Board.

Executive Order No. 152, Establishing the Advisory Committee on Agriculture.

The Senate recesses at 3:07 P.M. to reconvene at 3:17 P.M.

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RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Miller for the Judiciary II Committee:

H.B. 1021, A BILL TO BE ENTITLED AN ACT TO AMEND THE UNIFORM COMMERCIAL CODE WITH REGARD TO THE PROCEDURE FOR FILING OF FINANCING STATEMENTS, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 1274 is adopted and engrossed.

H.B. 980 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW JUDICIAL DISCRETION IN DETERMINING THE AMOUNT OF SUBROGATION OF EMPLOYERS' LIENS IN ACTIONS AGAINST THIRD PARTIES UNDER THE WORKERS' COMPENSATION ACT, with an unfavorable report as to the Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill A147 is adopted and engrossed.

H.B. 991 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT LIABILITY, UNINSURED, AND UNDERINSURED COVERAGE IS NOT REDUCED BY RECEIPT OF SUBROGATED WORKERS' COMPENSATION BENEFITS, with an unfavorable report as to the Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 8137 is adopted and engrossed.

By Senator Lucas for the Children & Human Resources Committee:

H.B. 302 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT ENFORCEMENT, with an unfavorable report as to the Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 6214 is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

By Senator Soles for the Commerce Committee:

H.B. 219, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTERS 54B AND 54C OF THE GENERAL STATUTES TO MAKE TECHNICAL CHANGES TO THE LAW GOVERNING STATE-CHARTERED SAVINGS AND LOAN ASSOCIATIONS

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AND SAVINGS BANKS AND TO INCREASE THE PERMITTED PERCENTAGE OF COMMERCIAL LOANS, with a favorable report.

By Senator Wellons for the **Insurance Committee**:

**H.B. 277** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO PROVIDE THAT AN INDIVIDUAL MAY NOT BE DISQUALIFIED FOR UNEMPLOYMENT INSURANCE BENEFITS WHEN THE INDIVIDUAL'S INABILITY TO ACCEPT BONA FIDE PERMANENT EMPLOYMENT DURING A PARTICULAR SHIFT WOULD RESULT IN AN UNDUE FAMILY HARDSHIP AND TO PROVIDE THAT AN INDIVIDUAL MAY NOT BE DISQUALIFIED FOR UNEMPLOYMENT INSURANCE BENEFITS WHEN THE INDIVIDUAL'S DISCHARGE IS SOLELY DUE TO AN INABILITY TO ACCEPT WORK DURING A PARTICULAR SHIFT AS THE RESULT OF AN UNDUE FAMILY HARDSHIP, with an unfavorable report as to the Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill A148 is adopted and engrossed.

By Senator Hoyle for the **Finance Committee**:

**H.B. 504** (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE ADOPTION OF PLANNING, ZONING, AND SUBDIVISION ORDINANCES IN CARTERET COUNTY, with a favorable report.

**H.B. 665** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRITUCK COUNTY ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report.

**H.B. 899**, A BILL TO BE ENTITLED AN ACT AMENDING CERTAIN REQUIREMENTS FOR LICENSURE OF REAL ESTATE BROKERS AND SALESMEN, with a favorable report.

**H.B. 900**, A BILL TO BE ENTITLED AN ACT ALLOWING GATES COUNTY TO IMPOSE FEES FOR FIRE PROTECTION SERVICES, with a favorable report.

**CALENDAR**

Bills on today's Calendar are taken up and disposed of, as follows:

**S.B. 570** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE NORTH CAROLINA CONSUMER FINANCE ACT TO REVISE THE COLLECTION OF INTEREST UNDER CERTAIN CIRCUMSTANCES, TO ALLOW BORROWERS TO CANCEL LOANS UNDER CERTAIN CONDITIONS, TO INCREASE CERTAIN FEES, TO INCREASE THE LIABILITY AMOUNTS OF INADVERTENT LOANS IN THE LAW RESTRICTING MULTIPLE-OFFICE LOANS, TO REQUIRE DISCLOSURE ON SOLICITATION OF LOANS BY FACSIMILE OR NEGOTIABLE CHECKS, TO ALLOW LENDERS TO MAINTAIN CERTAIN RECORDS IN THE FORM OF OPTICAL IMAGE DISKS, AND TO SPECIFY A MAXIMUM CHARGE THAT LENDERS MAY ASSESS AT CLOSING.

With unanimous consent, upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, June 2.

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H.B. 972, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COST AND EXPENSES OF TRANSPORTING A RESPONDENT IN AN INVOLUNTARY COMMITMENT PROCEEDING MAY BE RECOVERED FROM THE RESPONDENT'S COUNTY OF RESIDENCE.

With unanimous consent, upon motion of Senator Kinnaird, the bill is withdrawn from today's Calendar and is placed on the Calendar for Thursday, June 3.

H.B. 476 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING THE GRANT OF POWERS TO ELECTRIC MEMBERSHIP CORPORATIONS REGARDING SUBSIDIARY ORGANIZATIONS, upon third reading.

With unanimous consent, upon motion of Senator Rand, the Senate Committee Substitute bill is taken up out of its regular order of business, and upon his further motion, the Senate Committee Substitute bill is placed before the Senate for immediate consideration.

Senator Metcalf offers Amendment No. 1 which is adopted (39-5).
Senator Foxx offers Amendment No. 2 which fails of adoption (11-34).

Without objection, Senator Clodfelter requests to be excused from voting on the Senate Committee Substitute bill due to a conflict of interest.

The Senate Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 43, noes 2, as follows:


Voting in the negative: Senators Foxx and Rucho—2.

The Senate Committee Substitute bill, as amended, is ordered engrossed and sent by special message to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

H.B. 178, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF JONESVILLE TO CHARGE A FEE NOT TO EXCEED FIVE DOLLARS FOR UNCERTIFIED COPIES OF POLICE INCIDENT OR ACCIDENT REPORTS AND TO AUTHORIZE THE TOWN TO GIVE ANNUAL NOTICE OF VIOLATION TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE, upon third reading.

The bill passes its third reading by roll-call vote, ayes 46, noes 0, as follows:


Voting in the negative: None.
The bill is ordered enrolled.

H.B. 852 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE CITY OF HICKORY AND THE TOWN OF BROOKFORD, AND ANNEXATION OF CERTAIN DESCRIBED PROPERTY BY THE TOWN OF MOCKSVILLE, upon third reading,
which title changes upon concurrence.

The Senate Committee Substitute bill passes its third reading by roll-call vote, ayes 46, noes 0, as follows:


Voting in the negative: None.

The Senate Committee Substitute bill is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

**H.B. 520 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF FLAT ROCK TO BUILD A FACILITY FOR A PUBLIC ENTERPRISE AND THEN CONVEY IT TO THE CITY OF HENDERSONVILLE WITHOUT OPERATING IT, as amended by committee, which title changes upon concurrence.**

The Committee Substitute bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in Senate Amendment No. 1.

**H.B. 615 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ELIZABETH CITY TO REGULATE THE SPEED OF VESSELS WITHIN THE CITY, which title changes upon concurrence.**

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

**S.B. 687 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SUPPLEMENTAL RETIREMENT FUND FOR FULL-TIME PAID FIREFIGHTERS IN THE CITY OF HICKORY, for concurrence in the House Committee Substitute bill.**

The Senate concurs in the House Committee Substitute bill (47-0) and the measure is ordered enrolled.

**H.B. 275 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR MORE EMPLOYERS WITH POSITIVE EXPERIENCE RATINGS, AND TO TEMPORARILY REDUCE THE UNEMPLOYMENT INSURANCE TAX BY TWENTY PERCENT FOR MOST EMPLOYERS AND SUBSTITUTE AN EQUIVALENT CONTRIBUTION TO FUND ENHANCED EMPLOYMENT SERVICES AND WORKER TRAINING PROGRAMS, upon third reading, which title changes upon concurrence.**

The Senate Committee Substitute bill passes its third reading by roll-call vote, ayes 39, noes 6, as follows:


Voting in the negative: Senators Allran, Ballantine, Cochrane, Foxx, Rucho, and Webster—6.

The Senate Committee Substitute bill is ordered sent by special message to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

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H.B. 820 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT STATE EMPLOYEES AND PUBLIC SCHOOL EMPLOYEES MAY SHARE LEAVE VOLUNTARILY.

The Committee Substitute bill passes its second (45-0) and third readings and is ordered enrolled and sent to the Governor.

S.B. 643 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING INSURANCE PREMIUM FINANCING, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (45-0) and the measure is ordered enrolled and sent to the Governor.

SENATE PAGES

The President recognizes the following pages serving in the Senate this week:

Constance Lucia Barbee, Pinehurst; Nina Burton, Raleigh; Monica Dial, Lumber Bridge; Rebecca Dunn, New Bern; Mark Breckenridge Gibbs, New Bern; Karla Leigh Gregory, Lillington; Virginia Harvey, Tyner; Chad Hinton, Nashville; Andrew Clayton Ledbetter, Lincolnton; Amy Elizabeth McClure, Dallas; Justin Kiel Medlin, West End; Robert H. Meek III, Hickory; John Christopher Miller, Gastonia; Elizabeth LeMaster Stallings, Gastonia; Marian S. Steele, Statesville; Christy Emeline Stowe, Gastonia; Ginna Thompson, Rowland; Christopher M. West, Stanley; Laura Anne Wheeler, New Bern; Megan Willis, Raeford; James Wolfe, Calypso; and Louise Woltz, Mt. Airy.

Upon motion of Senator Basnight, seconded by Senator Cooper, the Senate adjourns at 4:22 P.M. to meet tomorrow, Wednesday, June 2, at 3:00 P.M.

SEVENTY-THIRD DAY

Senate Chamber
Wednesday, June 2, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"God of perfection, You know how important the numbers are to us in our Senate work. We count votes, we count phone calls from constituents, all of it is a kind of political arithmetic, based on the axiom that the more you get, the more you have. But Your kind of calculations, gospel arithmetic, is a different thing all together.

"In Your numbers game, heaven gets a bigger kick out of one sinner who repents than ninety-nine saints who don’t have any need to. And in gospel arithmetic, when two persons give themselves away to one another in love, they have more of themselves left than when they started out. Where’s the logic in that?

"Dear Lord, if You catch us whining today about something not being exactly fair, please remind us that gospel arithmetic is rarely fair. In fact, it is often wildly absurd, just like Your Love for us is. Help us not to lose sight of that fact. Amen.”
With unanimous consent, the President Pro Tempore grants leaves of absence for today to Senator Perdue and Senator Shaw of Guilford.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Tuesday, June 1, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore of the Senate extends courtesies of the floor to Dr. James Kenneth Dziadziola from Concord, North Carolina, who is serving the Senate as Doctor of the Day.

**CALENDAR**

Bills on today’s Calendar are taken up and disposed of, as follows:

**S.B. 570** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE NORTH CAROLINA CONSUMER FINANCE ACT TO REVISE THE COLLECTION OF INTEREST UNDER CERTAIN CIRCUMSTANCES, TO ALLOW BORROWERS TO CANCEL LOANS UNDER CERTAIN CONDITIONS, TO INCREASE CERTAIN FEES, TO INCREASE THE LIABILITY AMOUNTS OF INADVERTENT LOANS IN THE LAW RESTRICTING MULTIPLE-OFFICE LOANS, TO REQUIRE DISCLOSURE ON SOLICITATION OF LOANS BY FACSIMILE OR NEGOTIABLE CHECKS, TO ALLOW LENDERS TO MAINTAIN CERTAIN RECORDS IN THE FORM OF OPTICAL IMAGE DISKS, AND TO SPECIFY A MAXIMUM CHARGE THAT LENDERS MAY ASSESS AT CLOSING.

With unanimous consent, upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from today’s Calendar and is re-referred to the Finance Committee.

**H.B. 1021** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE UNIFORM COMMERCIAL CODE WITH REGARD TO THE PROCEDURE FOR FILING OF FINANCING STATEMENTS.

With unanimous consent, upon motion of Senator Miller, the Senate Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Tuesday, June 8.

**COMMITTEE REFERRAL RECALL**


Pursuant to Rule 47(a), Senator Rand offers a motion that the joint resolution be withdrawn from the Rules and Operations of the Senate Committee and placed on the Calendar for Monday, June 7, which motion prevails with unanimous consent.

The Chair orders the joint resolution withdrawn from the Rules and Operations of the Senate Committee and places it on the Calendar for Monday, June 7.

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

The following special message is received from the House of Representatives:

**H.B. 1267**

House of Representatives
June 1, 1999
Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute to H.B. 1267, A BILL TO BE ENTITLED AN ACT PROTECTING PUBLIC SCHOOL EMPLOYEES WHO MAKE FORMAL OR INFORMAL COMPLAINTS ALLEGING SEXUAL HARASSMENT, and requests conferees. The Speaker has appointed:

Representative Boyd-McIntyre, Chair;
Representative Barefoot,
Representative Nye,
Representative Jarrell, and
Representative C. Wilson

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
S/Denise Weeks
Principal Clerk

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

A message and a special message received in the Office of the Principal Clerk from the House of Representatives transmitting a bill and a resolution are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 839 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO REQUIRE INTERIM CLAIMS PAYMENTS TO PROVIDERS IN THE EVENT CLAIMS CANNOT BE TIMELY PROCESSED DUE TO YEAR 2000 COMPUTER PROBLEMS, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, June 3.

H.J.R. 1251, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF KENNETH R. WILLIAMS, ONE OF WINSTON-SALEM'S MOST PROMINENT CITIZENS.

Upon motion of Senator Rand, the rules are suspended, without objection, and the joint resolution is placed before the Senate for immediate consideration.

With unanimous consent, upon motion of Senator Horton, the joint resolution is read in its entirety, and upon motion of Senator Kinnaird, the remarks memorializing the life and memory of Kenneth R. Williams, are spread upon the Journal as follows:

Senator Garrou:

"Ladies and Gentlemen of the Senate, today I stand and join with the House of Representatives in honoring the life and memory of Dr. Kenneth R. Williams. His wife Edythe, his son Norman and his son Ronald, and his grandson Evan are seated in the gallery. We in this Body know how much we value education. We also know how much of an impact that a teacher can have on the lives of the people that he touches. Dr. Williams impacted the lives of so many people in Winston-Salem through his service at Winston-Salem State, where he served as History Professor, Chaplain, Professor of Religion, Dean of Men, Vice President, President, and finally Chancellor, a position he

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held from 1972 to 1977, and I'm sure he held a lot of other jobs that aren't mentioned in our resolution. During his successful tenure at Winston-Salem State, he began the Business Administration program, and he brought the Nursing and Education programs to prominence. Dr. Williams also served his country in World War II as a chaplain in the U.S. Army, and pastored several churches in Winston-Salem. He was the first African-American Alderman elected in Winston-Salem, serving from 1947 until '51. In addition to this public service, he also served on numerous boards, commissions, and civic organizations and you've heard them read but let me just mention a few of them to you: Forsyth County Mental Health, the Winston-Salem School Board, the Winston-Salem Urban League, the Northwest Bank Board of Directors, and many, many others. He was the epitome of a public servant. In 1975, Dr. Williams was honored by Winston-Salem State when the auditorium was named in his honor, and this building stands today as a visible testimony to the man who gave so much of himself to our community. We are grateful for his life and his service and his many contributions to North Carolina."

Senator Horton:

"Thank you Mr. President. As Senator Garrou mentioned, Kenneth R. Williams was a quintessential educator in our community. But I'd like to speak a little more to how important it was for us that he was there at that time. How fortunate for Winston-Salem that it was Kenneth R. Williams who was our first black elected Alderman. How fortunate it was that he was there not just as a builder of a larger institution, but as a bridge builder bringing together two communities. He was the first black member, I believe, of the Rotary Club. He was, as mentioned, the first Alderman, the first school board member, coming at a time when there were such tensions. He was the peacemaker. He was the person who those in the white community could talk with and he could convey to them the proper and decent aspirations of those of his own community in a way that helped us in a rocky time. Senator Garrou has mentioned his membership in the Urban League, the Red Cross and all but he was known not only locally and in the State sense but Nationally as well, as a member of the Editorial Board of the Journal of Teacher Education, as a member of the National Council of Accreditation for Teachers and he was also a builder. Winston-Salem State Teachers College became Winston-Salem State University during his tenure, and during that time two dormitories were built, the Thomas J. Brown Hall, the Nicholas Dillard Hall, two classroom buildings, the J.S. Hill Hall and Devita Cothrell Hall, the student union, the C. G. O. Kelly Library, which is the finest in our community and probably in that section of the State, and finally the Kenneth R. Williams Auditorium. When he died unfortunately on December 31, 1989, our community lost one of its truly greatest citizens. I urge your support for this resolution for this truly notable man, a man who made a crucial difference in our community when it meant most."

Senator Lee:

"Mr. President, Members of the Senate, as historians continue to write about these times and the times preceding these and they focus on our university system and Winston-Salem State University, they will record very prominently in the pages of history the name of Kenneth R. Williams. I did not know Dr. Williams before the early '70's but shortly after being elected Mayor, the first invitation I received to appear on a college campus, came from Dr. Williams and Winston-Salem State, and I remember making the trip there and after we had completed the convocation for which I had gone to speak, we walked together across the campus and I marveled at the respect, the admiration, and the aura in which the students held this man. That was impressive, but it was more impressive to be invited years later and watch the same expressions from citizens throughout Winston-Salem, off the university campus. He was truly a pioneer, a man whom I got to know quite well before his death and with whom I had an opportunity to spend time as Secretary

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of Natural Resources when I would go to Winston-Salem on special trips and one who has left an indelible mark, not only at Winston-Salem State, but in Winston-Salem, the community and throughout the State of North Carolina. I'm delighted to have the opportunity to stand and join with you, members of the Senate, to remember a giant who truly was a pioneer and one whom I admired. And I'm delighted to have a chance to stand and express my feelings about Dr. Williams and what he meant to me personally and to young people and the State in general. I recommend the resolution to you.”

Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.

The joint resolution passes its second reading (48-0) and third reading, with Members standing and is ordered enrolled.

The Chair extends the courtesies of the gallery to the family of Dr. Kenneth Williams, his wife, Edythe; son, Ronald; son, Norman; and his grandson, Evan.

Upon motion of Senator Warren and Senator Martin of Pitt, the Chair is happy to extend the courtesies of the Gallery to Kerstin Hanisch and Miriam Mayer, visitors from Germany who are in an internship program in the City of Greenville.

COMMITTEE REFERRAL RECALL

H.B. 1186 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW GOVERNING THE UNEARNED PREMIUM RESERVE OF DOMESTIC TITLE COMPANIES, referred to the Insurance Committee on April 28.

Pursuant to Rule 47(a), Senator Rand offers a motion that the Committee Substitute bill be withdrawn from the Insurance Committee and re-referred to the Finance Committee, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Insurance Committee and re-refers the measure to the Finance Committee.

The Chair grants a leave of absence for the remainder of today's Session to Senator Martin of Pitt.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 214, AN ACT TO PROVIDE A MEANS OF MEASURING AVERAGE FINAL COMPENSATION FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL RETIREMENT SYSTEM WHO PURCHASE CREDITABLE SERVICE FOR LEAVES OF ABSENCE INCURRED WHILE RECEIVING WORKERS' COMPENSATION PAYMENTS.

S.B. 643, AN ACT TO AMEND THE LAW GOVERNING INSURANCE PREMIUM FINANCING.

H.B. 820, AN ACT PROVIDING THAT STATE EMPLOYEES AND PUBLIC SCHOOL EMPLOYEES MAY SHARE LEAVE VOLUNTARILY.

H.B. 975, AN ACT TO CLARIFY THAT SERVICES PROVIDED THROUGH THE STATEWIDE AUTOMATED VICTIM ASSISTANCE AND NOTIFICATION SYSTEM
ARE SUBJECT TO THE EXEMPTIONS FROM DAMAGE CLAIMS AND OTHER GROUNDS FOR RELIEF PROVIDED FOR BY THE VICTIMS’ RIGHTS ACT.

H.B. 1286, AN ACT TO MODIFY THE EXEMPTION FROM THE "MASS GATHERINGS" STATUTE.

The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.B. 687, AN ACT TO AMEND THE SUPPLEMENTAL RETIREMENT FUND FOR FULL-TIME PAID FIREFIGHTERS IN THE CITY OF HICKORY.

H.B. 178, AN ACT TO AUTHORIZE THE TOWN OF JONESVILLE TO CHARGE A FEE NOT TO EXCEED FIVE DOLLARS FOR UNCERTIFIED COPIES OF POLICE INCIDENT OR ACCIDENT REPORTS AND TO AUTHORIZE THE TOWN TO GIVE ANNUAL NOTICE OF VIOLATION TO CHRONIC VIOLATORS OF THE CITY’S OVERGROWN VEGETATION ORDINANCE.

CHAPTERED BILL

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

H.B. 462, AN ACT TO ALLOW THE TOWNS OF CHADBURN AND MOUNT GILEAD, AND MONTGOMERY COUNTY, TO COLLECT UTILITY BILLS AS IF THEY WERE TAXES DUE THEM, AND TO ALLOW DARE COUNTY TO CREATE SPECIAL TAX DISTRICTS TO UNDERGROUND ELECTRIC UTILITY LINES. (Became law upon ratification, June 1, 1999 – S.L. 1999-127.)

COURTESIES

Senator Miller and Senator Reeves are recognized to escort the members of the Southeast Raleigh High School Varsity Women’s Basketball team, North Carolina State 4-A Champions for 1998-1999, to the Well of the Senate. The guests are received with a standing ovation.

Senator Miller is recognized and introduces the coaches and members of the basketball team. Those present are Linda Giles, Assistant Principal; William Powell, Athletic Director and Head Coach; Emily Whitaker, Manager; Team Members Alesa Allgood, Tracy Alston, Ansley Bienvenu, Kelly Brady, Otima Gambrell, Kim Goulah, Jessica Hawkins, Gillian Murray, Courtney Nyborg, Michelle Smith, and Allison Thompson.

Senator Miller, Senator Reeves, and visitors are recognized for remarks to the Senate.

The President recognizes the Committee to escort the guests from the Chamber who depart to a standing ovation.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Kerr for the Finance Committee:

S.B. 55, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND
CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill X8611, which changes the title to read S.B. 55 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONFORM THE TAX BASE OF THE REGIONAL TRANSIT AUTHORITY VEHICLE RENTAL TAX TO THE TAX BASE OF THE ALTERNATE HIGHWAY USE TAX ON SHORT TERM VEHICLE RENTALS, AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, is adopted and engrossed

By Senator Wellons for the Insurance Committee:

H.B. 314 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH AND ACCIDENT INSURANCE POLICIES, HOSPITAL OR MEDICAL SERVICES PLANS, AND HMO PLANS TO PROVIDE COVERAGE FOR BONE MASS MEASUREMENT FOR THE DIAGNOSIS AND EVALUATION OF OSTEOPOROSIS, with a favorable report.

H.B. 714, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF CERTIFIED SUBSTANCE ABUSE PROFESSIONALS UNDER HEALTH INSURANCE POLICIES AND PLANS, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the Senate Committee Substitute bill 3428 is adopted and engrossed.

By Senator Soles for the Commerce Committee:

H.B. 414, A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA VETERINARY MEDICAL BOARD TO LICENSE VETERINARIANS WHO ARE LICENSED IN OTHER STATES BUT HAVE NOT COMPLETED THE CERTIFICATION PROGRAM FOR FOREIGN VETERINARY GRADUATES, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 1278 is adopted and engrossed.

By Senator Cooper for the Judiciary I Committee:

H.B. 143 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE RELATED TO UNLAWFUL PARKING IN HANDICAPPED PARKING SPACES, AND TO REQUIRE THAT SIGNS BE PLACED ON HANDICAPPED PARKING SPACES, with a favorable report.

Upon motion of Senator Cooper, the Committee Substitute bill is re-referred to the Finance Committee.

S.B. 881, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CAMPAIGN REFORM ACT OF 1999, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1749 is adopted and engrossed.

H.B. 248 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES CONCERNING PRECINCT BOUNDARIES, with an unfavorable
report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 8140, which changes the title, upon concurrence, to read **H.B. 248** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES CONCERNING PRECINCT BOUNDARIES AND TO PROVIDE THE RULES AND PROCEDURE FOR MUNICIPAL REDISTRICTING IN 2001, is adopted and engrossed.

By Senator Miller for the **Judiciary II Committee**:

**H.B. 494** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT THE UNIFORM CHILD-CUSTODY JURISDICTION AND ENFORCEMENT ACT AND TO MAKE CONFORMING CHANGES, with a favorable report.

**H.B. 495** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ARBITRATION OF ALL ISSUES ARISING FROM A MARITAL SEPARATION OR DIVORCE, EXCEPT FOR THE DIVORCE ITSELF, UPON THE AGREEMENT OF ALL PARTIES; AND TO AMEND G.S. 1-567.57, with a favorable report.

**CALENDAR (Continued)**

**H.B. 504** (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE ADOPTION OF PLANNING, ZONING, AND SUBDIVISION ORDINANCES IN CARTERET COUNTY, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Thursday, June 3, upon third reading.

**H.B. 665** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRITUCK COUNTY ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Thursday, June 3, upon third reading.

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H.B. 900, A BILL TO BE ENTITLED AN ACT ALLOWING GATES COUNTY TO IMPOSE FEES FOR FIRE PROTECTION SERVICES, upon second reading.

The bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:


Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Thursday, June 3, upon third reading.

H.B. 899, A BILL TO BE ENTITLED AN ACT AMENDING CERTAIN REQUIREMENTS FOR LICENSURE OF REAL ESTATE BROKERS AND SALESMEN, upon second reading.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Senator Reeves offers Amendment No. 1 which is adopted (43-2).

The bill, as amended, passes its second reading by roll-call vote, ayes 44, noes 1, as follows:


Voting in the negative: Senator Horton—1.

The bill, as amended, is ordered placed on the Calendar for tomorrow, Thursday, June 3, upon third reading.

H.B. 219, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTERS 54B AND 54C OF THE GENERAL STATUTES TO MAKE TECHNICAL CHANGES TO THE LAW GOVERNING STATE-CHARTERED SAVINGS AND LOAN ASSOCIATIONS AND SAVINGS BANKS AND TO INCREASE THE PERMITTED PERCENTAGE OF COMMERCIAL LOANS.

The bill passes its second (47-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 277 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO PROVIDE THAT AN INDIVIDUAL MAY NOT BE DISQUALIFIED FOR UNEMPLOYMENT INSURANCE BENEFITS WHEN THE INDIVIDUAL'S INABILITY TO ACCEPT BONA FIDE PERMANENT EMPLOYMENT DURING A PARTICULAR SHIFT WOULD RESULT IN AN UNDUE FAMILY HARDSHIP AND TO PROVIDE THAT AN INDIVIDUAL MAY NOT BE DISQUALIFIED FOR UNEMPLOYMENT INSURANCE BENEFITS WHEN THE INDIVIDUAL'S DISCHARGE IS SOLELY DUE TO AN INABILITY TO ACCEPT WORK DURING A PARTICULAR SHIFT AS THE RESULT OF AN UNDUE FAMILY HARDSHIP.

The Senate Committee Substitute bill passes its second (44-3) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

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H.B. 980 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW JUDICIAL DISCRETION IN DETERMINING THE AMOUNT OF SUBROGATION OF EMPLOYERS' LIENS IN ACTIONS AGAINST THIRD PARTIES UNDER THE WORKERS' COMPENSATION ACT.

The Senate Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

H.B. 991 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT LIABILITY, UNINSURED, AND UNDERINSURED COVERAGE IS NOT REDUCED BY RECEIPT OF SUBROGATED WORKERS' COMPENSATION BENEFITS.

The Senate Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

S.B. 347 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS TO COVER NONFORMULARY DRUGS AND DEVICES WHEN MEDICALLY NECESSARY, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (47-0) and the measure is ordered enrolled and sent to the Governor.

ADDITIONAL SPONSORS

Senator Hartsell and Senator Horton request to be added as sponsors of previously introduced legislation:

S.B. 882, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SYSTEM OF COMPREHENSIVE PUBLIC FINANCING OF ELECTIONS FOR GOVERNOR, COUNCIL OF STATE, AND GENERAL ASSEMBLY; AND TO MAKE RELATED CHANGES.

Upon motion of Senator Ballance, seconded by Senator Plyler, the Senate adjourns at 4:20 P.M. to meet tomorrow, Thursday, June 3, at 11:00 A.M.

SEVENTY-FOURTH DAY

Senate Chamber
Thursday, June 3, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Dear Lord, we returned from a long holiday weekend only to find that a $13.5 billion avalanche is ready to roll into this Chamber, perhaps next week. The prospect of long sessions and marathon debates is invigorating to some legislators and intimidating to others. The sporting world speaks of 'the thrill of victory and the agony of defeat'. We

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prepare ourselves for the satisfaction of harmonious accord and the despair of disappointing compromise.

"We genuinely pray this day for strength and perseverance equal to the gargantuan task which will soon be put before us. Be present to us in all our negotiations, better yet, may we be present to you.

"We ask also that You be especially close this day to Senator Perdue in the loss of her father, Alfred P. Moore. Grant her a special measure of Your comfort as she lays him to rest this very hour. ‘For all the saints who from their labors rest, we give You thanks and praise.’ Amen.”

With unanimous consent, the President grants leaves of absence for today to Senator Basnight, Senator Lee, Senator Odom, Senator Perdue, and Senator Shaw of Guilford.

Senator Rand announces the Journal of yesterday, Wednesday, June 2, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Michael W. Wilkerson from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 347, AN ACT TO REQUIRE HEALTH BENEFIT PLANS TO COVER NONFORMULARY DRUGS AND DEVICES WHEN MEDICALLY NECESSARY.

H.B. 219, AN ACT TO AMEND CHAPTERS 54B AND 54C OF THE GENERAL STATUTES TO MAKE TECHNICAL CHANGES TO THE LAW GOVERNING STATE-CHARTERED SAVINGS AND LOAN ASSOCIATIONS AND SAVINGS BANKS AND TO INCREASE THE PERMITTED PERCENTAGE OF COMMERCIAL LOANS.

The Enrolling Clerk reports the following resolution duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

H.J.R. 1251, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF KENNETH R. WILLIAMS, ONE OF WINSTON-SALEM’S MOST PROMINENT CITIZENS. (Res. 11)

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

S.B. 687, AN ACT TO AMEND THE SUPPLEMENTAL RETIREMENT FUND FOR FULL-TIME PAID FIREFIGHTERS IN THE CITY OF HICKORY. (Became law upon ratification, June 2, 1999 – S.L. 1999-128.)

H.B. 178, AN ACT TO AUTHORIZE THE TOWN OF JONESVILLE TO CHARGE A FEE NOT TO EXCEED FIVE DOLLARS FOR UNCERTIFIED COPIES OF POLICE

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INCIDENT OR ACCIDENT REPORTS AND TO AUTHORIZE THE TOWN TO GIVE ANNUAL NOTICE OF VIOLATION TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE. (Became law upon ratification, June 2, 1999 - S.L. 1999-129.)

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Kinnaird for the State and Local Government Committee:

H.B. 728, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GREENVILLE TO REQUIRE FIRE ALARM SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITY AND THE CITY'S EXTRATERRITORIAL PLANNING JURISDICTION, with a favorable report.

H.B. 426, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HIGH POINT TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 7247, which changes the title, upon concurrence, to read H.B. 426 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF GREENSBORO, HIGH POINT, AND ROCKY MOUNT TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION, is adopted and engrossed.

H.B. 514, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 8141, which changes the title, upon concurrence, to read H.B. 514 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF WILMINGTON, GREENVILLE, AND GREENSBORO, AND THE TOWNS OF HUNTERSVILLE, MATTHEWS, AND CORNELIUS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION, AND TO PREVENT INSURANCE POINTS FROM BEING ASSESSED, is adopted and engrossed.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

H.B. 900, A BILL TO BE ENTITLED AN ACT ALLOWING GATES COUNTY TO IMPOSE FEES FOR FIRE PROTECTION SERVICES, upon third reading.

With unanimous consent, upon motion of Senator Ballance, the bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, June 9, upon third reading.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A special message is received from the House of Representatives transmitting a bill

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which is read the first time and disposed of, as follows:

**H.B. 168** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

Referred to Agriculture/Environment/Natural Resources Committee.

**CALENDAR (Continued)**

**H.B. 504** (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE ADOPTION OF PLANNING, ZONING, AND SUBDIVISION ORDINANCES IN CARTERET COUNTY, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 37, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

**H.B. 665** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRITUCK COUNTY ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 37, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

**H.B. 474** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE MEMBERSHIP OF THE BERTIE COUNTY ABC BOARD FROM FIVE TO THREE MEMBERS AND TO ALLOW THE APPOINTMENT OF A NEW BERTIE COUNTY ABC BOARD.

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

**REPORTS OF COMMITTEES (Continued)**

By Senator Dalton for the Education/Higher Education Committee:

**H.B. 293** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF COMMUNITY COLLEGES TO ASSESS MONETARY PENALTIES AGAINST PROPRIETARY SCHOOLS THAT OPERATE WITHOUT A LICENSE OR OPERATE OUTSIDE THE SCOPE OF THEIR LICENSE,
with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 3435 is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the Finance Committee and upon motion of Senator Dalton, if favorable, re-referred to the Judiciary I Committee.

**CALENDAR (Continued)**

**H.B. 899**, A BILL TO BE ENTITLED AN ACT AMENDING CERTAIN REQUIREMENTS FOR LICENSURE OF REAL ESTATE BROKERS AND SALESMEEN, upon third reading.

The President orders, without objection, the bill temporarily displaced.

**S.B. 55** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONFORM THE TAX BASE OF THE REGIONAL TRANSIT AUTHORITY VEHICLE RENTAL TAX TO THE TAX BASE OF THE ALTERNATE HIGHWAY USE TAX ON SHORT-TERM VEHICLE RENTALS, AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 43, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for Monday, June 7, upon third reading.

**H.B. 494** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT THE UNIFORM CHILD-CUSTODY JURISDICTION AND ENFORCEMENT ACT AND TO MAKE CONFORMING CHANGES.

With unanimous consent, upon motion of Senator Plyer, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, June 9.

**S.B. 881** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CAMPAIGN REFORM ACT OF 1999.

With unanimous consent, upon motion of Senator Plyer, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, June 9.

**H.B. 314** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH AND ACCIDENT INSURANCE POLICIES, HOSPITAL OR MEDICAL SERVICES PLANS, AND HMO PLANS TO PROVIDE COVERAGE FOR BONE MASS MEASUREMENT FOR THE DIAGNOSIS AND EVALUATION OF OSTEOPOROSIS.

With unanimous consent, upon motion of Senator Wellons, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, June 9.

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COMMITTEE REFERRAL RECALL

H.B. 143 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE RELATED TO UNLAWFUL PARKING IN HANDICAPPED PARKING SPACES, AND TO REQUIRE THAT SIGNS BE PLACED ON HANDICAPPED PARKING SPACES, referred to the Finance Committee on June 2.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the bill be withdrawn from the Finance Committee and placed on the Calendar for Tuesday, June 8, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Finance Committee and places it on the Calendar for Tuesday, June 8.

CALENDAR (Continued)

H.B. 248 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES CONCERNING PRECINCT BOUNDARIES AND TO PROVIDE THE RULES AND PROCEDURE FOR MUNICIPAL REDISTRICTING IN 2001.

The Senate Committee Substitute bill passes its second reading (45-0).

Senator Ballantine objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Monday, June 7, upon third reading.

H.B. 414 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA VETERINARY MEDICAL BOARD TO LICENSE VETERINARIANS WHO ARE LICENSED IN OTHER STATES BUT HAVE NOT COMPLETED THE CERTIFICATION PROGRAM FOR FOREIGN VETERINARY GRADUATES.

The Senate Committee Substitute bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

Upon the appearance of Senator Lee in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

H.B. 495 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ARBITRATION OF ALL ISSUES ARISING FROM A MARITAL SEPARATION OR DIVORCE, EXCEPT FOR THE DIVORCE ITSELF, UPON THE AGREEMENT OF ALL PARTIES; AND TO AMEND G.S. 1-567.57.

The Committee Substitute bill passes its second (46-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 714 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF CERTIFIED SUBSTANCE ABUSE PROFESSIONALS UNDER HEALTH INSURANCE POLICIES AND PLANS.

The Senate Committee Substitute bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

H.B. 899, A BILL TO BE ENTITLED AN ACT AMENDING CERTAIN REQUIREMENTS FOR LICENSURE OF REAL ESTATE BROKERS AND

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SALESMEN, as amended, upon third reading.
Senator Webster offers Amendment No. 2 which fails of adoption (16-30).
The bill, as amended, passes its third reading by roll-call vote, ayes 43, noes 2, as follows:
Voting in the negative: Senators Horton and Webster—2.
The bill, as amended, is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1.

H.B. 972, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COST AND EXPENSES OF TRANSPORTING A RESPONDENT IN AN INVOLUNTARY COMMITMENT PROCEEDING MAY BE RECOVERED FROM THE RESPONDENT'S COUNTY OF RESIDENCE.
Senator Kinnaird offers Amendment No. 1 which is adopted (46-0).
The bill, as amended, passes its third reading (41-4) and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1.

S.B. 249 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON ISSUING SHELLFISH CULTIVATION LEASES IN CORE SOUND, TO REQUIRE THE DIVISION OF MARINE FISHERIES AND THE PRIMARY INVESTIGATOR TO REPORT THE RESULTS OF THE SHELLFISH MAPPING AND HUMAN USE MAPPING OF CORE SOUND TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE AND THE MARINE FISHERIES COMMISSION, TO AUTHORIZE RATHER THAN REQUIRE THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO REQUIRE FISHERIES LICENSE AGENTS TO POST BONDS, AND TO ESTABLISH AN INTERIM CRAB LICENSE, for concurrence in House Committee Substitute bill No. 2, which changes the title, upon concurrence to read S.B. 249 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON ISSUING SHELLFISH CULTIVATION LEASES IN CORE SOUND, TO REQUIRE THE DIVISION OF MARINE FISHERIES AND THE PRIMARY INVESTIGATOR TO REPORT THE RESULTS OF THE SHELLFISH MAPPING AND HUMAN USE MAPPING OF CORE SOUND TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE AND THE MARINE FISHERIES COMMISSION, TO AUTHORIZE RATHER THAN REQUIRE THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO REQUIRE FISHERIES LICENSE AGENTS TO POST BONDS, TO ESTABLISH AN INTERIM CRAB LICENSE, AND TO CLARIFY THAT THE LAWFUL TAKING OF MARINE AND ESTUARINE RESOURCES UNDER THE JURISDICTION OF THE MARINE FISHERIES COMMISSION OR AS AUTHORIZED BY A FEDERAL LAW, REGULATION, OR FISHERY MANAGEMENT PLAN IS EXEMPT FROM THE CRUELTY TO ANIMALS STATUTE, upon second reading.
The Senate fails to concur in House Committee Substitute bill No. 2 (0-46).
Senator Albertson offers a motion that the Senate appoint conferees which motion prevails.
Senator Ballance, Deputy President Pro Tempore, announces the appointment of Senator Albertson, Chairman; and Senator Ballantine; Senator Jordan; and Senator Perdue as conferees on the part of the Senate to resolve the differences arising between the two

June 3, 1999
Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

S.B. 839 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO REQUIRE INTERIM CLAIMS PAYMENTS TO PROVIDERS IN THE EVENT CLAIMS CANNOT BE TIMELY PROCESSED DUE TO YEAR 2000 COMPUTER PROBLEMS, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (46-0) and the measure is ordered enrolled and sent to Governor.

REPORTS OF COMMITTEES (Continued)

By Senator Kerr for the Finance Committee:

S.B. 499, A BILL TO BE ENTITLED AN ACT TO REQUIRE CANOES AND KAYAKS TO BE REGISTERED AND TO INCREASE THE FEES FOR REGISTRATION OF BOATS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill A147, which changes the title to read S.B. 499 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES FOR REGISTRATION OF BOATS, is adopted and engrossed.

H.B. 486 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE PERMANENT REGISTRATION PLATES TO TRAILERS OWNED BY CHARITABLE ORGANIZATIONS AND USED ONLY IN PARADES AND TO CONSOLIDATE AND MODERNIZE THE STATUTES PROVIDING FOR PERMANENT REGISTRATION PLATES, with an unfavorable report as to Senate Committee Substitute bill No. 1, but favorable as to Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 3434, which changes the title, upon concurrence, to read H.B. 486 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE PERMANENT REGISTRATION PLATES TO TRAILERS OWNED BY CHARITABLE ORGANIZATIONS AND USED ONLY IN PARADES AND TO CONSOLIDATE AND MODERNIZE THE STATUTES PROVIDING FOR PERMANENT REGISTRATION PLATES AND TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR INDIVIDUALS WHO ARE RETIRED FROM THE NORTH CAROLINA HIGHWAY PATROL, is adopted and engrossed.

Upon motion of Senator Ballance, seconded by Senator Ballantine, the Senate adjourns at 11:53 A.M. to meet Monday, June 7, at 7:00 P.M.

June 3, 1999
SEVENTY-FIFTH DAY

Senate Chamber
Monday, June 7, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Almighty and Eternal God, the old riddle asks the question 'If a tree falls in the forest and there is no one there to hear it, will it make a sound?' In the death of Kenneth Royall, a mighty, majestic oak has fallen and while we may not have been present to witness his passing, the thunder of that loss reverberates in each of us. We pause, Oh God, to thank You for the life of this extraordinary man. "We thank You for his devoted service to our State, for the exemplary way in which he championed the causes of mental health reform and education, and how he advocated tirelessly on behalf of the poor. Lord God, we remember fondly that while You did not gift our colleague with an eloquent, silver tongue, You graced his life with a golden heart and a will of iron. "Dear Father, we know that every life is a gift from You. We praise You for the powerful witness of this godly man's enduring influence upon his family, friends, and indeed upon this State which he so dearly loved.

"Good Shepherd, be with us as we move through this valley. May Your peace and comfort surround the Royall family in their loss, and may the warm memories we cherish assure us that our dear colleague, 'The Bear,' now abides in Your tender care. Amen."

With unanimous consent, the President Pro Tempore grants a leave of absence for tonight to Senator Lee.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of Thursday, June 3, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore of the Senate extends courtesies of the floor to Dr. Desmond Kimo Runyan from Chapel Hill, North Carolina, who is serving the Senate as Doctor of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 839, AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO REQUIRE INTERIM CLAIMS PAYMENTS TO PROVIDERS IN THE EVENT CLAIMS CANNOT BE TIMELY PROCESSED DUE TO YEAR 2000 COMPUTER PROBLEMS.

H.B. 495, AN ACT TO PROVIDE FOR THE ARBITRATION OF ALL ISSUES ARISING FROM A MARITAL SEPARATION OR DIVORCE, EXCEPT FOR THE DIVORCE ITSELF, UPON THE AGREEMENT OF ALL PARTIES; AND TO AMEND G.S. 1-567.57.

June 7, 1999
The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

H.B. 474, AN ACT TO REDUCE THE MEMBERSHIP OF THE BERTIE COUNTY ABC BOARD FROM FIVE TO THREE MEMBERS AND TO ALLOW THE APPOINTMENT OF A NEW BERTIE COUNTY ABC BOARD.

H.B. 504, AN ACT RELATING TO THE ADOPTION OF PLANNING, ZONING, AND SUBDIVISION ORDINANCES IN CARTERET COUNTY.

H.B. 665, AN ACT TO MODIFY THE CURRITUCK COUNTY ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.

CALENDAR

Bills and a resolution on today's Calendar are taken up and disposed of, as follows:

S.J.R. 464, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WADE BOSTIC MATHENY, FORMER MEMBER OF THE GENERAL ASSEMBLY.

With unanimous consent, upon motion of Senator Dalton, the joint resolution is taken up out of its regular order of business, and upon his further motion, the joint resolution is placed before the Senate for immediate consideration.

With unanimous consent, upon motion of Senator Dalton, the joint resolution is read in its entirety and upon motion of Senator Foxx, the remarks of the Senators memorializing the life and memory of Wade Bostic Matheny, former member of the General Assembly, are spread upon the Journal as follows:

Senator Dalton:

"Thank you Mr. President, Members of the Senate. It is my pleasure and privilege to rise tonight to honor Wade Matheny and to remember his accomplishments. Wade Matheny was the last person from Rutherford County to serve three consecutive terms in the North Carolina Senate. He did that between 1940 and 1946. This past December Wade Matheny died, but I can assure you that in that intervening fifty plus years he accomplished a great deal for North Carolina and particularly for Rutherford County. Now I know what you’re doing, you’ve already calculated and you’ve figured out that Wade Matheny was here long before R. C. Soles ever got here. And you’re also figuring out in your mind, you’re saying, ‘Well I didn’t know Wade Matheny.’ Well you may be surprised, because when Wade Matheny spoke, Senator Basnight, he spoke with an eloquence that I have witnessed in you and Senator Lee and Senator Cooper and others who speak on this floor and, Senator Rand, Wade Matheny had a quick mind and a quick wit which reminds me of you and when the tension would get so tight in a room that you could cut it with a knife, he would come up and had that ability to cut that tension with a quip or a joke, much like Senator Jordan does today. Senator Reeves, Wade Matheny was not a very large man in physical stature, but he had the same grit and determination that I have noticed in your eyes, and it reminds me of Senator Kerr. Wade Matheny often times, almost always, would talk beyond the allotted time given. But we learned to be patient with Wade Matheny because we learned that if we would be patient there were words of wisdom that we would carry with us in the future. When he spoke of his political party he spoke with a passion I’ve heard in the voice of Senator Perdue and of Senator Shaw. And Senator Lucas, believe it or not, he loved people just as much as you do. Wade Matheny represents the best of what this Body is all about. Wade Matheny personifies what I think is the best of every individual in this Body today and because of Wade Matheny, and

June 7, 1999
people like Wade Matheny, this North Carolina Senate is the great collegial Body we have today and North Carolina is the great State that we have today, and that is why I am pleased to rise and tell you of his accomplishments. When Wade Matheny was a Senator in this Body, he introduced a bill that would appropriate money which would allow every county in North Carolina to offer a health department and every citizen of North Carolina regardless of their means would have access to health care. As a member of the local school board, he had a vision that we should pay attention to these high school dropouts and that we should have a vocational school. Rutherford County had a vocational school for high school dropouts. Years later that was the seed for Isothermal Community College. He served his community in many different ways. Nine times he ran for public office, and nine times he won, and nine times the people that he served won, I can assure you. He was a great businessman, he was an attorney, he was a new car dealer, he was an insurance dealer, he farmed and he was a tremendous member of the Chamber of Commerce. As the District Solicitor and later as a District Court Judge, he was the epitome of justice. He was always fair, honest. He always served with integrity. And in a domestic case they always said of Wade Matheny, when the bailiff called out the name of the plaintiff and he called out the name of the defendant, he would always say, ‘Mr. Bailiff, let them talk to each other as they come up the isle, let them talk to each other.’ He wanted them to try to resolve their differences. In all of this he had a partner. His wife, Eleanor, is seated in our balcony today and it was her love, devotion and encouragement which made this ordinary man an extraordinary man. There is no question that Wade Matheny’s greatest love was the pride he had in his family. His son, David, and his wife, Linda, are very successful realtors there in Rutherford County. He was very, very proud of his grandchildren and proud of his daughter, Alice Lancaster, who is a professor in our community college system and who is also seated in the gallery, and very proud of his son-in-law, Martin Lancaster, proud of the bond that he and Martin had together for serving in this North Carolina General Assembly, and proud of the fact that Martin had served in the United States Congress. Wade Matheny was a very, very special person to all of North Carolina, and particularly Rutherford County. He accomplished a lot. If you did not know Wade Matheny before I arose tonight, I hope you now know him in at least some small measure, and I hope you can now realize why we miss him and why we honor him tonight. I ask for your support for this resolution. Thank you very much.”

Senator Forrester:

“Thank you Mr. President, Members of the Senate. It is an honor to speak on behalf of Wade Matheny, former Senator, attorney, teacher, businessman, a man of many talents. Senator Matheny was a champion of the poor and the less fortunate. As Senator Dalton stated, back during World War II, he helped provide funding for every health department in the State to look after children’s immunizations for these children’s physical examinations. This is certainly to be commended. In fact we in the medical profession almost claim him as one of our own. Yes, Senator Matheny has left his footprints here in North Carolina. As Longfellow said in his Psalm of Life, ‘Lives of great men all remind us we can make our lives sublime, and departing we leave behind us, footprints on the sand of time.’ Wade Matheny left his indelible footprints and inspired others to do the same, leaving positive footprints on their own time and future generations. We thank our Lord for what He gave us in the life of Wade Matheny. We are also thankful for what he has taken away, but even more we are thankful for what Wade Matheny has left us.”

The joint resolution passes its second reading (46-0) and third reading with Members standing and is ordered sent to the House of Representatives by special message.

The President Pro Tempore extends the courtesies of gallery to the family of Wade Bostic Matheny: his wife, Eleanor Matheny; daughter, Alice Matheny Lancaster; son-in-law, Martin Lancaster; and granddaughter, Ashley Lancaster.

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RECOGNITION OF BASKETBALL TEAM

Senator Miller and Senator Reeves are recognized to escort the members of the Word of God Christian Academy Men’s and Women’s Basketball Team to the Well of the Senate. The Men’s Basketball Team is the winner of the National Tournament of the National Association of Christian Athletes for 1999. The Women’s Basketball Team is the winner of the Western Division of Tarheel Christian Conference Division Championship for 1999. The guests are received with a standing ovation.

Senator Miller is recognized and introduces the principal, coaches, and members of the basketball teams. Those present are Elrod Henry, Jr., Principal; Debra Henry, Assistant Principal; Men’s Coach, Kevin Washington; Women’s Coach, Delbra Jones; Administrative Assistant, Sharon Pettiford; and Assistant Coaches, Perry Williams and Talmadge Person, along with team members.

Senator Miller, Senator Reeves, and visitors are recognized for remarks to the Senate.

The President Pro Tempore recognizes Senator Miller and Senator Reeves to escort the guests from the Chamber.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message received in the Office of the Principal Clerk from the House of Representatives transmitting a bill is presented to the Senate, read the first time, and disposed of, as follows:

S.B. 65 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE MOTOR VEHICLE OCCUPANT RESTRRAINT SAFETY, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, June 8.

REPORT TO GENERAL ASSEMBLY

An agency directed to report to the General Assembly submits a report which is ordered placed on file in the Legislative Library, as follows:

The Office of the State Controller, along with the Office of the State Budget and Management, and the North Carolina Department of Revenue, submit the State of North Carolina Summary of Financial Condition as of April 30, 1999.

CALENDAR (Continued)

H.B. 426 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF GREENSBORO, HIGH POINT, AND ROCKY MOUNT TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.

Senator Webster offers Amendment No. 1, which he subsequently withdraws.

The Senate Committee Substitute bill passes its second reading (40-8).

Senator Webster objects to third reading of the measure. Pursuant to Rule 50, the President Pro Tempore orders the measure placed on the Calendar for tomorrow, Tuesday, June 8.

H.B. 514 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF WILMINGTON, GREENVILLE, AND GREENSBORO, AND THE TOWNS OF HUNTERSVILLE, MATTHEWS, AND CORNELIUS TO USE
PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION, AND TO PREVENT INSURANCE POINTS FROM BEING ASSESSED.

The Senate Committee Substitute bill passes its second reading (40-8).

Senator Odom objects to third reading of the measure. Pursuant to Rule 50, the President Pro Tempore orders the measure placed on the Calendar for tomorrow, Tuesday, June 8.

H.B. 728, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GREENVILLE TO REQUIRE FIRE ALARM SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITY AND THE CITY'S EXTRATERRITORIAL PLANNING JURISDICTION.

The bill passes its second (48-0) and third readings and is ordered enrolled.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A special message received in the Office of the Principal Clerk from the House of Representatives transmitting a joint resolution is presented to the Senate, read the first time, and disposed of, as follows:

H.J.R. 150, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF L.W. LOCKE, FORMER MEMBER OF THE GENERAL ASSEMBLY.

Upon motion of Senator Rand, the rules are suspended, without objection, and the joint resolution is placed before the Senate for immediate consideration.

The President Pro Tempore orders the joint resolution read in its entirety.

With unanimous consent, upon motion of Senator Dannelly, the remarks of the Senators memorializing the life and memory of L. W. Locke, former member of the General Assembly, are spread upon the Journal, as follows:

Senator Ballance:

"Thank you Mr. President, Members of the Senate. It is an honor for me to stand at this time and speak to this resolution. L. W. Locke burst on the, I guess I can say, the statewide scene in 1995 when he joined this Body as a Member of the North Carolina General Assembly. Prior to that, as the resolution points out, he was an established business, social, and political leader in his county and in his community. We all are familiar with Halifax County and its historic nature and Halifax Resolves. We are familiar with the City of Enfield and the fact that it has sent many leaders to this State including the Chief Justice at one time of our Supreme Court, Joseph Branch, and of course many of us had the privilege to serve with Julian Allsbrook from Halifax County. L. W. Locke was what I would describe as a quiet and effective leader. When he came to the North Carolina General Assembly, as I said, many of us did not know him personally, but as he served his tenure here in the North Carolina General Assembly many people came to know, respect and love L. W. Locke. We were all shocked on his untimely death in May of 1998. He left a legacy in his hometown, in his home county, and in the State of North Carolina, of leadership and of quiet resolve. I urge you to support this resolution."

Senator Cooper:

"Mr. President and Members of the Senate, it was my honor and privilege to share representation of Halifax County with L. W. Locke. One thing we Carolina folks always knew is that we could find out the dope about what was going on at North Carolina State University from L. W. He always knew what was going on and he always had a very strong opinion about whether he liked it or not, and that was one thing you could always know when you talked to L. W. Locke. He’d shoot straight with you and he’d tell you

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how it was. L. W. Locke spent a great deal of his life trying to bring more economic posterity to the rural parts of our State and he made a difference with his life in doing that. Halifax County is beginning to take off economically. We’ve recruited some new industry. We’re improving our schools there and I think L. W. Locke’s life had a lot to do with that. He is a great North Carolinian and a great American. I’m proud to have known him and to have served with him and I extend my deepest sympathy to the family.”

The joint resolution passes its second reading (48-0) and third reading with Members standing, and is ordered enrolled.

*The President Pro Tempore extends the courtesies of the gallery to the family of L. W. Locke: his wife, Charlotte Locke; his daughter, Audrey Shearin and husband, Marvin; his brother, Ronnie Locke, his wife Gayle and daughter Jennifer; and his sister, Barbara Murray and her daughter Kim.*

**REPORT OF COMMITTEE**

A bill is reported from a standing committee read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Purcell for the Health Care Committee:

**H.B. 96, A BILL TO BE ENTITLED AN ACT TO RESTORE AND APPLY RETROACTIVELY THE EXEMPTION FROM LICENSURE FOR CERTAIN ADULT CARE HOMES MAINTAINED OR OPERATED BY A UNIT OF GOVERNMENT, with a favorable report.**

**CALENDAR (Continued)**

*S.B. 55 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONFORM THE TAX BASE OF THE REGIONAL TRANSIT AUTHORITY VEHICLE RENTAL TAX TO THE TAX BASE OF THE ALTERNATE HIGHWAY USE TAX ON SHORT-TERM VEHICLE RENTALS, AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, upon third reading.*

Senator Cochrane offers Amendment No. 1 which is adopted (47-0).

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 47, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives.

*S.B. 499 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES FOR REGISTRATION OF BOATS, upon second reading.*

Senator Ballantine offers Amendment No. 1 which is adopted (47-0).

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 47, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight,

Voting in the negative: Senator Forrester—1.

The Committee Substitute bill, as amended, is ordered placed on the Calendar for tomorrow, Tuesday, June 8, upon third reading.

H.B. 486 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE PERMANENT REGISTRATION PLATES TO TRAILERS OWNED BY CHARITABLE ORGANIZATIONS AND USED ONLY IN PARADES AND TO CONSOLIDATE AND MODERNIZE THE STATUTES PROVIDING FOR PERMANENT REGISTRATION PLATES AND TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR INDIVIDUALS WHO ARE RETIRED FROM THE NORTH CAROLINA HIGHWAY PATROL, upon second reading.

The Senate Committee Substitute bill No. 2 passes its second reading by roll-call vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The Senate Committee Substitute bill No. 2 is ordered placed on the Calendar for tomorrow, Tuesday, June 8, upon third reading.

H.B. 248 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES CONCERNING PRECINCT BOUNDARIES AND TO PROVIDE THE RULES AND PROCEDURE FOR MUNICIPAL REDISTRICTING IN 2001.

The Senate Committee Substitute bill passes its third reading (48-0) and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

COMMITTEE REFERRAL RECALL

H.B. 168 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, referred to Agriculture/Environment/Natural Resources Committee on June 3.

Pursuant to Rule 47(a), Senator Rand offers a motion that the Committee Substitute bill be withdrawn from the Agriculture/Environment/Natural Resources Committee and re-referred to the Appropriations/Base Budget Committee, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Agriculture/Environment/Natural Resources Committee and re-refers the measure to the Appropriations/Base Budget Committee.

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SENATE PAGES

The President Pro Tempore recognizes the following pages serving in the Senate this week:

Elizabeth Allran, Hickory; Joshua Bryan Bass, Moyock; Catherine Louise Beasley, Wilson; Anand P. Chauhan, Charlotte; Courtney Farmer, Goldsboro; Lauren Renee' Feldman, Cary; Lee Ferris, Raleigh; John Charles Gardner, Charlotte; Tiffany L. Hall, Spruce Pine; Brittany Jo Harrell, Colerain; Paul Doughton Horton, Sanford; Damon Eugene Houghton, Sylva; Jina H. Lee, Raleigh; Alexandra Prinz Leland, Raleigh; Erica Liu, Lake Wylie, South Carolina; Stephen Christopher McIntyre, Lumberton; Courtenay Leigh Nixon, Edenton; Amy Lynn Pegram, Cary; Norman Charles Post III, Sanford; Jessica S. Robinson, Asheboro; Shea Burrows Setzer, Asheboro; Elesha Contre' Speight, Raleigh; Paul Swartzel, Raleigh; Kelly Dean Wohlman, Whittier; and Kari K. Zander, Raleigh.

Upon motion of Senator Ballance, seconded by Senator Odom, the Senate adjourns at 8:24 P.M. in honor of The Reverend John Ship, to meet tomorrow, Tuesday, June 8, at 11:00 A.M.

SEVENTY-SIXTH DAY

Senate Chamber
Tuesday, June 8, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Honorable Betsy Cochrane, Senator from Davie County, as follows:

"Dear Lord, the attitude with which we begin a new week impacts for good or bad all that follows. Give us eyes to see, hearts with which to feel, and hands to help. Save us from the temptation to pass on the other side when we confront the needs of others.

"Help us to remember that sometimes we were needy, sometimes hurting, without much hope. But You reached out to us, meeting that need, comforting us, providing hope.

"Give us the attitude and an inclination to help others as You so bountifully have helped us. In Your Holy Name we pray. Amen."

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Monday, June 7, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Rick Bernard Kappelmann from Chapel Hill, North Carolina, who is serving the Senate as Doctor of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

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S.B. 660, AN ACT TO AMEND THE LAW GOVERNING LIMITED LIABILITY COMPANIES TO CLARIFY CERTAIN DEFINITIONS OF TERMS, TO PROVIDE MORE FLEXIBILITY WITH REGARD TO ORGANIZERS, TO CLARIFY THAT THE FILING OF THE ARTICLES OF ORGANIZATION IS CONCLUSIVE EVIDENCE OF THE FORMATION OF A COMPANY, TO REVISE THE CIRCUMSTANCES AND RESTRICTIONS REGARDING FORMATION OF A COMPANY, TO PROVIDE FOR THE INDEXING OF REAL ESTATE RECORDS TO REFLECT MERGERS AND CONVERSIONS OF BUSINESS ENTITIES, TO ALLOW ALTERNATIVE MANAGEMENT STRUCTURES, TO PROVIDE FOR WITHDRAWAL FROM A COMPANY ONLY AS PERMITTED BY THE ARTICLES OF ORGANIZATION OR WRITTEN OPERATING AGREEMENT, TO REVISE THE PERMITTED GROUNDS FOR DISSOLUTION, AND TO CLARIFY THAT A COMPANY MAY ENGAGE IN A BUSINESS UNDER AN ASSUMED NAME.

S.B. 885, AN ACT CLARIFYING THE AUTHORITY OF THE STATE AUDITOR TO EXAMINE STATE EMPLOYEE PERSONNEL RECORDS.

S.B. 921, AN ACT TO ALLOW JUDGMENT BY DEFAULT TO BE ENTERED BY THE JUDGE WITHOUT A HEARING SUBJECT TO CERTAIN CONDITIONS.

H.B. 262, AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CUSTODY OF ABUSED, NEGLECTED, OR DEPENDENT JUVENILES IN THE CUSTODY OR AUTHORITY OF THE COUNTY DEPARTMENTS OF SOCIAL SERVICES.

The Enrolling Clerk reports the following bill and resolutions duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.J.R. 464, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WADE BOSTIC MATHENY, FORMER MEMBER OF THE GENERAL ASSEMBLY. (Res. 12)

H.J.R. 150, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF L.W. LOCKE, FORMER MEMBER OF THE GENERAL ASSEMBLY. (Res. 13)

H.B. 728, AN ACT AUTHORIZING THE CITY OF GREENVILLE TO REQUIRE FIRE ALARM SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITY AND THE CITY'S EXTRATERRITORIAL PLANNING JURISDICTION.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

H.B. 287, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES REGARDING CHILD CARE, TO REPEAL SECTION 4(B) OF S.L. 1997-506, AND TO MAKE CHANGES REGARDING THE TRAINING MATERIALS THAT MAY BE USED BY CHILD CARE FACILITIES. (Became law upon approval of the Governor, June 4, 1999 – S.L. 1999-130.)

S.B. 1021, AN ACT CONCERNING THE ADMISSIBILITY INTO EVIDENCE OF PUBLIC OR PRIVATE RECORDS MAINTAINED ON PERMANENT,
NONERASABLE, MACHINE-READABLE MEDIA AND RELATING TO THE
MAINTENANCE AND PRESERVATION OF PUBLIC RECORDS USING THOSE
MEDIA. (Became law upon approval of the Governor, June 4, 1999 – S.L. 1999-131.)

H.B. 296, AN ACT TO REPEAL OBSOLETE OR UNNECESSARY LAWS AND
MAKE TECHNICAL AND CLARIFYING AMENDMENTS AND CORRECTIONS IN
VARIOUS INSURANCE STATUTES. (Became law upon approval of the Governor,
June 4, 1999 – S.L. 1999-132.)

S.B. 525, AN ACT TO ALLOW NON-UNITED STATES CITIZENS TO SERVE AS
PERSONAL REPRESENTATIVES IN THE ADMINISTRATION OF ESTATES.
(Became law upon approval of the Governor, June 4, 1999 – S.L. 1999-133.)

H.B. 1119, AN ACT TO ENSURE THAT HEALTH BENEFIT PLANS IN NORTH
CAROLINA PROVIDE COVERAGE FOR ANESTHESIA AND HOSPITAL
CHARGES IN CERTAIN CASES INVOLVING YOUNG CHILDREN, PERSONS
WITH SERIOUS MENTAL OR PHYSICAL CONDITIONS, AND PERSONS WITH
SIGNIFICANT BEHAVIORAL PROBLEMS, WHERE THE AGE OR CONDITION OR
PROBLEM REQUIRES HOSPITALIZATION OR GENERAL ANESTHESIA IN
ORDER TO SAFELY AND EFFECTIVELY PERFORM DENTAL PROCEDURES ON
THE PATIENT INVOLVED. (Became law upon approval of the Governor, June 4,
1999 – S.L. 1999-134.)

H.B. 944, AN ACT TO EXTEND THE MORATORIUM ON APPROVAL OF
ADDITIONAL ADULT CARE HOME BEDS TO SEPTEMBER 30, 2000. (Became law
upon approval of the Governor, June 4, 1999 – S.L. 1999-135.)

S.B. 620, AN ACT TO ALLOW PROFESSIONAL CORPORATIONS TO BE
FORMED BETWEEN ANY PHYSICIAN AND CERTAIN NURSING SPECIALISTS,
SOCIAL WORKERS, AND COUNSELORS. (Became law upon approval of the
Governor, June 4, 1999 – S.L. 1999-136.)

H.B. 226, AN ACT TO REQUIRE THAT A NOTICE OF FORECLOSURE
HEARING INCLUDE ADDITIONAL INFORMATION, AS RECOMMENDED BY
THE GENERAL STATUTES COMMISSION. (Became law upon approval of the
Governor, June 4, 1999 – S.L. 1999-137.)

S.B. 775, AN ACT TO AUTHORIZE EXPRESSLY THE APPOINTMENT OF
MULTIPLE PROXIES BY ELECTRONIC OR TELEPHONIC COMMUNICATION.
(Became law upon approval of the Governor, June 4, 1999 – S.L. 1999-138.)

S.B. 774, AN ACT TO AUTHORIZE THE APPOINTMENT OF MULTIPLE
PROXIES OF MEMBERS OF NONPROFIT CORPORATIONS BY ELECTRONIC OR
TELEPHONIC COMMUNICATION. (Became law upon approval of the Governor,
June 4, 1999 – S.L. 1999-139.)

H.B. 105, AN ACT TO CREATE THE BUTNER ADVISORY COUNCIL. (Became
law upon approval of the Governor, June 4, 1999 – S.L. 1999-140.)

S.B. 426, AN ACT TO LIMIT THE RIGHT OF SHAREHOLDERS OF SECURITIES
DESIGNATED AS NATIONAL MARKET SYSTEM SECURITIES TO DISSENT
FROM, OR OBTAIN PAYMENT AS A RESULT OF, CERTAIN CORPORATE

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ACTIONS AND TO MAKE OTHER CLARIFYING CHANGES TO THE LAW GOVERNING DISSENTERS' RIGHTS. (Became law upon approval of the Governor, June 4, 1999 – S.L. 1999-141.)

H.B. 301, AN ACT TO AMEND THE EDUCATIONAL REQUIREMENTS FOR AUCTIONEERS, APPRENTICE AUCTIONEERS, AND PRINCIPALS IN AN AUCTION FIRM, TO ALLOW THE AUCTIONEERS COMMISSION TO ASSESS A CIVIL PENALTY IN CERTAIN CIRCUMSTANCES, TO INCREASE FEES, AND TO AUTHORIZE CRIMINAL HISTORY CHECKS FOR APPLICANTS FOR AN AUCTIONEER'S LICENSE. (Became law upon approval of the Governor, June 4, 1999 – S.L. 1999-142.)

S.B. 1047, AN ACT TO PROHIBIT THE TAKING OF SHELLFISH WITHIN ONE HUNDRED FIFTY FEET OF A PUBLICLY OWNED PIER BENEATH WHICH THE DIVISION OF MARINE FISHERIES HAS DEPOSITED CULTCH MATERIAL. (Became law upon approval of the Governor, June 4, 1999 – S.L. 1999-143.)

S.B. 1060, AN ACT TO PROVIDE TRUSTEES WITH ADDITIONAL AUTHORITY TO SEVER TRUSTS INTO SEPARATE TRUSTS CONSISTENT WITH THE BEST INTERESTS OF THE TRUST BENEFICIARIES. (Became law upon approval of the Governor, June 4, 1999 – S.L. 1999-144.)

S.B. 329, AN ACT TO MAKE NORTH CAROLINA'S LAPSE STATUTE LESS RESTRICTIVE. (Became law upon approval of the Governor, June 4, 1999 – S.L. 1999-145.)

H.B. 951, AN ACT REQUIRING THAT AT LEAST ONE PERSON WHO IS DIRECTLY ASSISTED BY A PUBLIC HOUSING AUTHORITY BE APPOINTED TO EACH HOUSING AUTHORITY COMMISSION AND REGIONAL HOUSING AUTHORITY COMMISSION IN THE STATE AND TO INCREASE THE MAXIMUM NUMBER OF MEMBERS THAT MAY BE APPOINTED TO A HOUSING AUTHORITY COMMISSION. (Became law upon approval of the Governor, June 4, 1999 – S.L. 1999-146.)

S.B. 872, AN ACT TO AMEND THE NATURAL AND SCENIC RIVERS ACT OF 1971 TO REMOVE THE LIMIT ON THE AMOUNT OF ACREAGE THE STATE MAY ACQUIRE FOR INCLUSION IN THE NEW RIVER SCENIC RIVER AREA OF THE NORTH CAROLINA NATURAL AND SCENIC RIVERS SYSTEM. (Became law upon approval of the Governor, June 4, 1999 – S.L. 1999-147.)

S.B. 773, AN ACT TO CLARIFY THE TIME FOR ACTION ON REMAND FOLLOWING COURT REVIEW OF ANNEXATIONS ORDINANCES. (Became law upon approval of the Governor, June 4, 1999 – S.L. 1999-148.)

H.B. 259, AN ACT TO PROVIDE FOR THE LAPSE OF A HOME INSPECTOR'S LICENSE AND AN ASSOCIATE HOME INSPECTOR'S LICENSE UNDER CERTAIN CONDITIONS; TO ESTABLISH RECORD-KEEPING REQUIREMENTS FOR HOME INSPECTORS; AND TO AUTHORIZ THE HOME INSPECTOR LICENSURE BOARD TO ESTABLISH CONTINUING EDUCATION PROGRAMS AND CHARGE FEES FOR THOSE PROGRAMS. (Became law upon approval of the Governor, June 4, 1999 – S.L. 1999-149.)

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S.B. 1113, AN ACT RELATING TO EMPLOYER CONTACT WITH MEDICAL CARE PROVIDERS FOR CLAIMS UNDER THE WORKERS’ COMPENSATION ACT. (Became law upon approval of the Governor, June 4, 1999 – S.L. 1999-150.)

S.B. 483, AN ACT TO REVISE THE LAW GOVERNING THE LIMITATIONS OF SUCCESSORS AND ASSIGNEES OF FOREIGN CORPORATIONS AND FOREIGN NONPROFIT CORPORATIONS TO FILE CAUSES OF ACTION OR PROCEEDINGS. (Became law upon approval of the Governor, June 4, 1999 – S.L. 1999-151.)

S.B. 436, AN ACT TO RATIFY, APPROVE, CONFIRM, AND VALIDATE CERTAIN BOND REFERENDA OF UNITS OF LOCAL GOVERNMENT HELD IN CONNECTION WITH THE AUTHORIZATION OF BONDS OF THOSE UNITS. (Became law upon approval of the Governor, June 4, 1999 – S.L. 1999-152.)

REPORTS OF COMMITTEES

Bills are reported from a standing committee, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rand for the Rules and Operations of the Senate Committee:

S.B. 509, A BILL TO BE ENTITLED AN ACT RELATING TO THE 11TH SENATORIAL DISTRICT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4704, which changes the title to read S.B. 509 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO FRANKLIN COUNTY FOR A SATELLITE FIRE STATION TO SERVE THE SEVEN PATHS COMMUNITY, is adopted and engrossed. Upon adoption of the Committee Substitute, the bill becomes a public bill.

Upon motion of Senator Rand, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 523, A BILL TO BE ENTITLED AN ACT RELATING TO THE 32ND SENATORIAL DISTRICT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7687, which changes the title to read S.B. 523 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH THE GREENSBORO ROOM OCCUPANCY TAX MAY BE USED, is adopted and engrossed.

Upon motion of Senator Rand, the Committee Substitute bill is re-referred to the Finance Committee.

S.B. 524, A BILL TO BE ENTITLED AN ACT RELATING TO THE 32ND SENATORIAL DISTRICT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6673, which changes the title to read S.B. 524 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMUNITY COLLEGES FOR THE PIEDMONT TRIAD CENTER FOR ADVANCED MANUFACTURING, is adopted and engrossed.

Upon adoption of the Committee Substitute, the bill becomes a public bill.

Upon motion of Senator Rand, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

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MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 764 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MOORESVILLE TO LEVY AN ADDITIONAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.
Referred to Finance Committee.

H.B. 1090 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE AN INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS SPECIAL REGISTRATION PLATE.
Referred to Finance Committee.

H.B. 1134, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE HORACE WILLIAMS CAMPUS TRUST FUND, TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ISSUE REVENUE BONDS FOR THE DEVELOPMENT OF THE HORACE WILLIAMS CAMPUS, TO EXEMPT THE HORACE WILLIAMS CAMPUS FROM THE UMSTEAD ACT, AND TO MAKE VARIOUS CONFORMING CHANGES.
Referred to Finance Committee.

S.B. 474 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE DISTRIBUTION OF THE PROFITS FROM THE HENDERSONVILLE LOCAL ALCOHOLIC BEVERAGE CONTROL SYSTEM, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, June 9.

S.B. 789 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES TO THE NOTICE TO BE GIVEN UPON THE MERGER OF OR UPON THE SALE, LEASE, OR EXCHANGE OF THE ASSETS OF A CHARITABLE OR RELIGIOUS NONPROFIT CORPORATION UNDER THE NONPROFIT CORPORATION ACT, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, June 9.

S.B. 1122 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW TO ALLOW COUNTIES TO REDUCE CERTAIN COUNTY APPROPRIATIONS AND EXPENDITURES FOR AREA MENTAL HEALTH AUTHORITIES FOR FUTURE FISCAL YEARS, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, June 9.

S.B. 1159 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MAY ALLOW THE USE OF LAND-USE RESTRICTIONS TO PROTECT PUBLIC HEALTH AT CONTAMINATED SITES, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, June 9.

June 8, 1999
Bills on today's Calendar are taken up and disposed of, as follows:

**H.B. 514** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF WILMINGTON, GREENVILLE, AND GREENSBORO, AND THE TOWNS OF HUNTERSVILLE, MATTHEWS, AND CORNELIUS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION, AND TO PREVENT INSURANCE POINTS FROM BEING ASSESSED.

With unanimous consent, upon motion of Senator Clodfelter, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, June 9.

**H.B. 426** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF GREENSBORO, HIGH POINT, AND ROCKY MOUNT TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.

With unanimous consent, upon motion of Senator Clodfelter, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, June 9.

**H.B. 1021** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE UNIFORM COMMERCIAL CODE WITH REGARD TO THE PROCEDURE FOR FILING OF FINANCING STATEMENTS.

With unanimous consent, upon motion of Senator Miller, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, June 16.

*The Chair grants a leave of absence for the remainder of today's Session to Senator Kinnaird.*

**S.B. 499** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES FOR REGISTRATION OF BOATS, as amended, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 45, noes 1, as follows:


Voting in the negative: Senator Forrester—1.

The Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives.

**H.B. 486** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE PERMANENT REGISTRATION PLATES TO TRAILERS OWNED BY CHARITABLE ORGANIZATIONS AND USED ONLY IN PARADES AND TO CONSOLIDATE AND MODERNIZE THE STATUTES PROVIDING FOR PERMANENT REGISTRATION PLATES AND TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR INDIVIDUALS WHO ARE RETIRED FROM THE NORTH CAROLINA HIGHWAY
The Senate Committee Substitute bill No. 2 passes its third reading by roll-call vote, ayes 47, noes 0, as follows:


Voting in the negative: None.

The Senate Committee Substitute bill No. 2 is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill No. 2.

H.B. 96, A BILL TO BE ENTITLED AN ACT TO RESTORE AND APPLY RETROACTIVELY THE EXEMPTION FROM LICENSURE FOR CERTAIN ADULT CARE HOMES MAINTAINED OR OPERATED BY A UNIT OF GOVERNMENT.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

The bill passes its second (49-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 143 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE RELATED TO UNLAWFUL PARKING IN HANDICAPPED PARKING SPACES, AND TO REQUIRE THAT SIGNS BE PLACED ON HANDICAPPED PARKING SPACES.

With unanimous consent, upon motion of Senator Cooper, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Thursday, June 10.

S.B. 65 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE MOTOR VEHICLE OCCUPANT RESTRANT SAFETY, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (45-4) and the measure is ordered enrolled and sent to the Governor.

COMMITTEE APPOINTMENT

Pursuant to Rules 31 and 34, Senator Basnight, President Pro Tempore announces the appointment of Senator Harris to the Finance Committee.

Upon motion of Senator Ballance, seconded by Senator Purcell, the Senate adjourns at 11:44 A.M. to meet tomorrow, Wednesday, June 9, at 3:00 P.M.

SEVENTY-SEVENTH DAY

Senate Chamber
Wednesday, June 9, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.
Prayer is offered by The Reverend Lori Pistor, Associate Pastor, First Presbyterian Church, Durham, North Carolina, as follows:

"With all that there is to do, with the responsibilities that await decisions and action, we pray, gracious God, that we would know Your peace and wisdom and work with thankful hearts.

"We offer our thanks for all who support the work of this Body, for administrative assistants, clerks and aides, for custodians, carriers and secretaries. We give You thanks for good friends and patient family members, those who listen and support and encourage. We especially give thanks for the life of Ken Royall and other everyday saints who from their labors rest.

"Kind Spirit, hear our prayers of thanks for colleagues and caregivers, for those who carry out the tasks of our decisions. We offer prayers for constituents, for concerned citizens, for those with vision and perseverance.

"Holy Creator, thank You for Your mercy and Your steadfast love that sustain us when we stumble and uphold us when we are weary. We are grateful for the work of our hearts, minds, and hands. In the joy of Your grace we pray, Amen."

With unanimous consent, the President grants a leave of absence for today to Senator Rand.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Tuesday, June 8, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Sydney Glen Short from Sanford, North Carolina, who is serving the Senate as Doctor of the Day, and to Melba Brendle from High Point, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 65, AN ACT TO ENHANCE MOTOR VEHICLE OCCUPANT RESTRAINT SAFETY.

S.B. 293, AN ACT TO REMOVE THE SUNSET FROM AN ACT PROVIDING FOR REIMBURSEMENT BY HEALTH INSURERS FOR SERVICES PROVIDED BY FEE-BASED PRACTICING PASTORAL COUNSELORS.

S.B. 325, AN ACT TO MAKE CORRECTIONS AND CONFORMING CHANGES RELATING TO TAXATION OF CONTINUING CARE RETIREMENT HOMES.

S.B. 389, AN ACT TO CLARIFY THE 1998 CHANGE IN THE LAW GOVERNING THE FILING OF FINANCIAL REPORTS BY SMALL TOWN OR COUNTY MUTUALS.

H.B. 96, AN ACT TO RESTORE AND APPLY RETROACTIVELY THE EXEMPTION FROM LICENSURE FOR CERTAIN ADULT CARE HOMES MAINTAINED OR OPERATED BY A UNIT OF GOVERNMENT.

June 9, 1999
H.B. 277, AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO PROVIDE THAT AN INDIVIDUAL MAY NOT BE DISQUALIFIED FOR UNEMPLOYMENT INSURANCE BENEFITS WHEN THE INDIVIDUAL'S INABILITY TO ACCEPT BONA FIDE PERMANENT EMPLOYMENT DURING A PARTICULAR SHIFT WOULD RESULT IN AN UNDUE FAMILY HARDSHIP AND TO PROVIDE THAT AN INDIVIDUAL MAY NOT BE DISQUALIFIED FOR UNEMPLOYMENT INSURANCE BENEFITS WHEN THE INDIVIDUAL'S DISCHARGE IS SOLELY DUE TO AN INABILITY TO ACCEPT WORK DURING A PARTICULAR SHIFT AS THE RESULT OF AN UNDUE FAMILY HARDSHIP.

H.B. 980, AN ACT TO ALLOW JUDICIAL DISCRETION IN DETERMINING THE AMOUNT OF SUBROGATION OF EMPLOYERS' LIENS IN ACTIONS AGAINST THIRD PARTIES UNDER THE WORKERS' COMPENSATION ACT.

H.B. 991, AN ACT TO CLARIFY THAT LIABILITY, UNINSURED, AND UNDERINSURED COVERAGE IS NOT REDUCED BY RECEIPT OF SUBROGATED WORKERS' COMPENSATION BENEFITS.

The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

H.B. 520, AN ACT TO ALLOW THE TOWN OF FLAT ROCK TO BUILD A FACILITY FOR A PUBLIC ENTERPRISE AND THEN CONVEY IT TO THE CITY OF HENDERSONVILLE WITHOUT OPERATING IT.

H.B. 615, AN ACT TO ALLOW THE CITY OF ELIZABETH CITY TO REGULATE THE SPEED OF VESSELS WITHIN THE CITY.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

H.B. 474, AN ACT TO REDUCE THE MEMBERSHIP OF THE BERTIE COUNTY ABC BOARD FROM FIVE TO THREE MEMBERS AND TO ALLOW THE APPOINTMENT OF A NEW BERTIE COUNTY ABC BOARD. (Became law upon ratification, June 7, 1999 – S.L. 1999-153.)

H.B. 504, AN ACT RELATING TO THE ADOPTION OF PLANNING, ZONING, AND SUBDIVISION ORDINANCES IN CARTERET COUNTY. (Became law upon ratification, June 7, 1999 – S.L. 1999-154.)

H.B. 665, AN ACT TO MODIFY THE CURRITUCK COUNTY ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX. (Became law upon ratification, June 7, 1999 – S.L. 1999-155.)

H.B. 728, AN ACT AUTHORIZING THE CITY OF GREENVILLE TO REQUIRE FIRE ALARM SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITY AND THE CITY'S EXTRATERRITORIAL PLANNING JURISDICTION. (Became law upon ratification, June 8, 1999 – S.L. 1999-156.)

S.B. 643, AN ACT TO AMEND THE LAW GOVERNING INSURANCE

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PREMIUM FINANCING. (Became law upon approval of the Governor, June 8, 1999 – S.L. 1999-157.)

S.B. 214, AN ACT TO PROVIDE A MEANS OF MEASURING AVERAGE FINAL COMPENSATION FOR MEMBERS OF THE TEACHERS’ AND STATE EMPLOYEES’ RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL RETIREMENT SYSTEM WHO PURCHASE CREDITABLE SERVICE FOR LEAVES OF ABSENCE INCURRED WHILE RECEIVING WORKERS’ COMPENSATION PAYMENTS. (Became law upon approval of the Governor, June 8, 1999 – S.L. 1999-158.)

H.B. 1258, AN ACT TO CLARIFY THE FACILITIES THAT ARE INCLUDED IN THE HEALTH CARE PERSONNEL REGISTRY; AND TO REQUIRE THAT EMPLOYERS AT HEALTH CARE FACILITIES ACCESS THE HEALTH CARE PERSONNEL REGISTRY. (Became law upon approval of the Governor, June 8, 1999 – S.L. 1999-159.)

H.B. 1071, AN ACT TO MAKE CHANGES TO THE HANDICAPPED PERSONS PROTECTION ACT, CHAPTER 168A OF THE GENERAL STATUTES. (Became law upon approval of the Governor, June 8, 1999 – S.L. 1999-160.)

H.B. 255, AN ACT TO AMEND THE STATUTES INVOLVING VOCATIONAL REHABILITATION IN ORDER TO COMPLY WITH FEDERAL LAW. (Became law upon approval of the Governor, June 8, 1999 – S.L. 1999-161.)

S.B. 1048, AN ACT TO CREATE A GRANTS COMMITTEE TO SET PRIORITIES FOR, REVIEW APPLICATIONS TO, AND AWARD GRANTS UNDER THE FISHERY RESOURCE GRANT PROGRAM AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO THE FISHERY RESOURCE GRANT PROGRAM STATUTE. (Became law upon approval of the Governor, June 8, 1999 – S.L. 1999-162.)

S.B. 1093, AN ACT TO AMEND THE LAW TO ENSURE THAT ALL TEACHERS RECEIVE A DUTY FREE PERIOD EACH DAY. (Became law upon approval of the Governor, June 8, 1999 – S.L. 1999-163.)

S.B. 1062, AN ACT AUTHORIZING THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD TO DEFINE THE TERM CLINICAL SUPERVISOR INTERN AND AMENDING CERTIFICATION REQUIREMENTS FOR SUBSTANCE ABUSE PROFESSIONALS. (Became law upon approval of the Governor, June 8, 1999 – S.L. 1999-164.)

S.B. 920, AN ACT TO UPDATE THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT TO ACCURATELY REFLECT THE CURRENT SCHEDULING OF CONTROLLED SUBSTANCES, AS SCHEDULED BY THE DRUG ENFORCEMENT ADMINISTRATION AND TO PROHIBIT TRAFFICKING IN METHYLENEDIOXYAMPHETAMINE (MDA) OR METHYLENEDIOXYMETHAMPHETAMINE (MDMA). (Became law upon approval of the Governor, June 8, 1999 – S.L. 1999-165.)

S.B. 871, AN ACT TO AMEND THE LAW REGARDING THE OBLIGATION OF DECEDENTS’ ESTATES FOR FUNERAL EXPENSES AND RELATED EXPENSES. (Became law upon approval of the Governor, June 8, 1999 – S.L. 1999-166.)
S.B. 638, AN ACT TO REDEFINE "EMPLOYEE" AND "EMPLOYER" IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM. (Became law upon approval of the Governor, June 8, 1999 – S.L. 1999-167.)

S.B. 344, AN ACT TO PROVIDE EXPANDED ACCESS TO SPECIALTY CARE IN MANAGED CARE PLANS. (Became law upon approval of the Governor, June 8, 1999 – S.L. 1999-168.)

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Kinnaird for the State and Local Government Committee:

H.B. 841 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CARRBORO TOWN CHARTER TO AUTHORIZE THE GOVERNING BODY TO OFFER INCENTIVES TO ENCOURAGE MORE AFFORDABLE HOUSING UNITS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 1279, which changes the title, upon concurrence to read H.B. 841 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CARRBORO TOWN CHARTER TO AUTHORIZE THE GOVERNING BODY TO OFFER INCENTIVES TO ENCOURAGE MORE AFFORDABLE HOUSING UNITS AND TO CHANGE THE NAME OF THE CARRBORO BOARD OF ALDERMEN, AND TO AUTHORIZE THE TOWN OF CHAPEL HILL TO ENHANCE AND INCREASE SEDIMENTATION PROTECTION AND TO AMEND THE CHAPEL HILL CHARTER TO ALLOW THE TOWN COUNCIL TO REQUIRE CANDIDATES FOR ELECTIVE TOWN OFFICE TO DISCLOSE THE NAMES OF CAMPAIGN CONTRIBUTORS AND TO LIMIT BY ORDINANCE THE AMOUNT THAT PERSONS MAY CONTRIBUTE TO A CANDIDATE OR THEIR POLITICAL COMMITTEE AND TO ALLOW THE REGULATION OF OPEN BURNING, AND TO ALLOW HALF-DAY SHIFTS FOR ELECTION JUDGES IN ORANGE COUNTY, is adopted and engrossed.

The President extends the privileges of the floor to Helen Marvin, former Senator from Gaston County, and to Bill Barker, former Senator from Pamlico County.

REPORTS OF COMMITTEES (Continued)

By Senator Purcell for the Health Care Committee:

H.B. 190 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN FACILITIES TO SHARE PEER REVIEW INFORMATION WITH ACCREDITING ORGANIZATIONS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 7249 is adopted and engrossed.

H.B. 1193 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING NURSE PRACTITIONERS AND PHYSICIAN ASSISTANTS TO CONDUCT PHYSICAL EXAMINATIONS IN CERTAIN CIRCUMSTANCES, with an unfavorable report as to Senate Committee Substitute bill No. 1, but favorable as to Senate

June 9, 1999
Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 8139, is adopted and engrossed.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 288 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND NORTH CAROLINA'S "LONG ARM JURISDICTION" STATUTE TO INCLUDE SENDERS OF UNSOLICITED ELECTRONIC BULK COMMERCIAL MAIL AND TO MAKE THE SENDING OF UNSOLICITED ELECTRONIC BULK COMMERCIAL MAIL UNLAWFUL IN THIS STATE, for concurrence in the House Committee Substitute bill.

Pursuant to Rule 43, the House Committee Substitute bill is ordered held in the Office of the Principal Clerk pending referral.

S.B. 867 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING CERTAIN PROVISIONS OF THE REAL ESTATE LICENSE LAW, for concurrence in the House Committee Substitute bill.

Pursuant to Rule 43, the House Committee Substitute bill is ordered held in the Office of the Principal Clerk pending referral.

S.B. 878 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN NONPROFIT WATER CORPORATIONS TO BE ELIGIBLE FOR REVOLVING LOANS AND GRANTS FROM THE DRINKING WATER TREATMENT REVOLVING LOAN FUND, for concurrence in the House Committee Substitute bill.

Pursuant to Rule 43, the House Committee Substitute bill is ordered held in the Office of the Principal Clerk pending referral.

S.B. 1068 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL LAW ENFORCEMENT AGENCIES TO ACCESS THE CRIMINAL INFORMATION NETWORK TO RUN CRIMINAL BACKGROUND CHECKS ON VOLUNTEERS FOR THE MCGRUFF HOUSES PROGRAM, for concurrence in the House Committee Substitute bill.

Pursuant to Rule 43, the House Committee SUBSTITUTE bill is ordered held in the Office of the Principal Clerk pending referral.

S.B. 1096 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY FOR A SCHOOL EMPLOYEE TO POSSESS A FIREARM ON EDUCATIONAL PROPERTY AND TO MAKE IT A FELONY FOR A STUDENT OR SCHOOL EMPLOYEE TO HAVE A FIREARM AT A CURRICULAR OR EXTRACURRICULAR ACTIVITY SPONSORED BY THE SCHOOL, for concurrence in the House Committee Substitute bill.

Pursuant to Rule 43, the House Committee SUBSTITUTE bill is ordered held in the Office of the Principal Clerk pending referral.

H.B. 1095 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA MEDICAL BOARD AND THE BOARD
OF PHARMACY TO ADOPT RULES TO APPROVE CLINICAL PHARMACIST PRACTITIONERS TO PRACTICE DRUG THERAPY MANAGEMENT PURSUANT TO A DRUG THERAPY MANAGEMENT.

Pursuant to Rule 43, the Committee Substitute No. 2 bill is ordered held in the Office of the Principal Clerk pending referral to committee.

**H.B. 1302, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM TAX MOTOR FUEL SOLD TO CHARTER SCHOOLS.**

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

_The President extends the courtesies of the gallery to members of the Cleveland County Chamber of Commerce, including the President, Jim Allen; and the Director, Rob Youngblood._

_The President extends the courtesies of the gallery to Jack Hunt of Cleveland County, former Speaker Pro Tempore of the House of Representatives._

**CALENDAR**

Bills on today's Calendar are taken up and disposed of, as follows:

**H.B. 900, A BILL TO BE ENTITLED AN ACT ALLOWING GATES COUNTY TO IMPOSE FEES FOR FIRE PROTECTION SERVICES,** upon third reading.

Senator Ballance offers Amendment No. 1 which is adopted (47-0).

The bill, as amended, passes its third reading by roll-call vote, ayes 47, noes 1, as follows:


Voting in the negative: Senator Webster—1.

The bill, as amended, is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1.

**H.B. 426 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF GREENSBORO, HIGH POINT, AND ROCKY MOUNT TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.**

Senator Odom offers Amendment No. 2 which is adopted (49-0).

The Senate Committee Substitute bill, as amended, passes its third reading (46-3) and is ordered engrossed and sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

**H.B. 514 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF WILMINGTON, GREENVILLE, AND GREENSBORO, AND THE TOWNS OF HUNTERSVILLE, MATTHEWS, AND CORNELIUS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION, AND TO PREVENT INSURANCE POINTS FROM BEING ASSESSED.**

Senator Odom offers Amendment No. 1 which is adopted (49-0).

June 9, 1999
The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

The Senate Committee Substitute bill, as amended, passes its third reading (46-3) and is ordered engrossed and sent to the House of Representatives, for concurrence in Senate Committee Substitute bill.

S.B. 881 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CAMPAIGN REFORM ACT OF 1999.

With unanimous consent, upon motion of Senator Gulley, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Tuesday, June 15.

S.B. 474 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE DISTRIBUTION OF THE PROFITS FROM THE HENDERSONVILLE LOCAL ALCOHOLIC BEVERAGE CONTROL SYSTEM, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (49-0) and the measure is ordered enrolled.

H.B. 314 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH AND ACCIDENT INSURANCE POLICIES, HOSPITAL OR MEDICAL SERVICES PLANS, AND HMO PLANS TO PROVIDE COVERAGE FOR BONE MASS MEASUREMENT FOR THE DIAGNOSIS AND EVALUATION OF OSTEOPOROSIS.

Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 494 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT THE UNIFORM CHILD-CUSTODY JURISDICTION AND ENFORCEMENT ACT AND TO MAKE CONFORMING CHANGES.

With unanimous consent, upon motion of Senator Miller, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Tuesday, June 15.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.B. 517 House of Representatives June 9, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute bill #3 for HB 517, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO STUDY THE COMPUTATION OF DROPOUT RATES FOR THE ABCs PROGRAM, and requests conferees. The Speaker has appointed

Representative Moore, Chair;
Representative Hackney,
Representative Warner and
Representative Sherrill.

June 9, 1999
on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,  
S/Denise Weeks  
Principal Clerk

A special message received in the Office of the Principal Clerk from the House of Representatives transmitting a bill is presented to the Senate, read, and disposed of, as follows:

S.B. 385, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MOORE COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL ACTIVITY BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE U. S. OPEN GOLF TOURNAMENT, for concurrence in House Amendment No. 1.

Upon motion of Senator Lee, the rules are suspended, without objection, and the bill is placed at the end of today’s Calendar, for concurrence in House Amendment No. 1.

REPORTS OF COMMITTEES (Continued)

By Senator Hoyle for the Finance Committee:

H.B. 755 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO CREATE SERVICE DISTRICTS TO FINANCE LIGHTING AT INTERSTATE HIGHWAY INTERCHANGES, with a favorable report.

With unanimous consent, upon motion of Senator Hoyle, the Committee Substitute bill is placed on the Calendar for Tuesday, June 15.

H.B. 863, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ST. JAMES, with a favorable report.

With unanimous consent, upon motion of Senator Hoyle, the bill is referred to the Commerce Committee.

S.B. 619, A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF FUQUAY-VARINA, with a favorable report.

With unanimous consent, upon motion of Senator Hoyle, the bill is placed on the Calendar for Tuesday, June 15.

S.B. 244 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA UNCLAIMED PROPERTY ACT AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER CHANGES TO THE ESCHEATS LAWS, with an unfavorable report as to Committee Substitute bill No. 1, but favorable as to Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 8613, is adopted and engrossed.

With unanimous consent, upon motion of Senator Hoyle, the Committee Substitute bill No. 2 is placed on the Calendar for Tuesday, June 15.
S.B. 789, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES TO THE NOTICE TO BE GIVEN UPON THE SALE, LEASE, OR EXCHANGE OF THE ASSETS OF A CHARITABLE OR RELIGIOUS NONPROFIT CORPORATION UNDER THE NONPROFIT CORPORATION ACT, for concurrence in the House Committee Substitute bill, which changes the title upon concurrence, to read S.B. 789 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES TO THE NOTICE TO BE GIVEN UPON THE MERGER OF OR UPON THE SALE, LEASE, OR EXCHANGE OF THE ASSETS OF A CHARITABLE OR RELIGIOUS NONPROFIT CORPORATION UNDER THE NONPROFIT CORPORATION ACT.

The Senate concurs in the House Committee Substitute bill (49-0) and the measure is ordered enrolled and sent to the Governor.

S.B. 1122 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW TO ALLOW COUNTIES TO REDUCE CERTAIN COUNTY APPROPRIATIONS AND EXPENDITURES FOR AREA MENTAL HEALTH AUTHORITIES FOR FUTURE FISCAL YEARS, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (49-0) and the measure is ordered enrolled and sent to the Governor.

S.B. 1159 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MAY ALLOW THE USE OF LAND-USE RESTRICTIONS TO PROTECT PUBLIC HEALTH AT CONTAMINATED SITES, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (49-0) and the measure is ordered enrolled and sent to the Governor.

S.B. 385, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MOORE COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL ACTIVITY BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE U. S. OPEN GOLF TOURNAMENT, for concurrence in House Amendment No. 1, placed earlier on today's Calendar.

The Senate concurs in House Amendment No. 1 (48-1) and the measure is ordered enrolled.

REPORTS OF COMMITTEES (Continued)

By Senator Phillips for the Pensions & Retirement and Aging Committee:

NORTH CAROLINA GENERAL ASSEMBLY
Senate Chamber
State Legislative Building
Raleigh 27601-2808

June 9, 1999

The President and Members of the Senate
North Carolina General Assembly
State Legislative Building  
Raleigh, North Carolina 27601

Dear Mr. President and Members of the Senate:

In compliance with the provisions of G.S. 135-6 requiring appointees to the Board of Trustees of the Teachers’ and State Employees’ Retirement System to be confirmed by the General Assembly, Governor Hunt has submitted his appointees, Daniel H. DeVane, Shirley Ann Hise and Shirley Ann Bell, for confirmation. Their terms will begin immediately and expire March 31, 2003.

The Senate Committee on Pensions and Retirement and Aging has considered the appointments and makes the following recommendation to the Senate:

That the appointment of Daniel H. DeVane, Shirley Ann Hise and Shirley Ann Bell to the Board of Trustees of the Teachers’ and State Employees’ Retirement System beginning immediately and expiring on March 31, 2003, be confirmed.

Respectfully submitted,
S/Senator Jim Phillips, Sr.
Chairman
Senate Committee on
Pensions & Retirement and Aging

Senator Phillips offers a motion that the Senate adopt the report of the Committee, which motion prevails by roll-call vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The Senate confirms the appointments by the Governor pursuant to G.S. 135-6 of Daniel H. DeVane, Shirley Ann Hise, and Shirley Ann Bell to the Board of Trustees of the Teachers’ and State Employees’ Retirement System.

A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

**APPOINTMENT OF CONFERENCE COMMITTEE**

H.B. 517 (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT INCREASING THE CRIMINAL PENALTY FOR MAKING A BOMB THREAT OR PERPETRATING A HOAX BY PLACING A FALSE BOMB AT SCHOOL AND FOR BRINGING EXPLOSIVE DEVICES ON SCHOOL PROPERTY, MAKING PARENTS CIVILLY LIABLE FOR CHILDREN WHO MAKE THESE THREATS OR PERPETRATE THESE HOAXES, REQUIRING SCHOOLS TO SUSPEND FOR THREE HUNDRED SIXTY-FIVE DAYS STUDENTS WHO MAKE THESE THREATS OR PERPETRATE THESE HOAXES, PROVIDING FOR LOSS OF DRIVERS LICENSE PRIVILEGES BY CERTAIN PERSONS UNDER THE AGE OF EIGHTEEN FOR COMMITTING DESIGNATED ACTS, DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE

June 9, 1999
OF STUDENTS WHO MAKE OR CARRY OUT THREATS OF VIOLENCE DIRECTED AT SCHOOLS OR THE PERSONS IN THE SCHOOLS, AND DIRECTING THE STATE BOARD OF EDUCATION TO STUDY THE COMPUTATION OF DROPOUT RATES FOR THE ABCs PROGRAM.

Pursuant to a special message received earlier today from the House of Representatives requesting conferees, Senator Dalton offers a motion that the Senate appoint conferees, which motion prevails.

Senator Basnight, President Pro Tempore, announces the appointment of Senator Dalton, Chairman, and Senator Cochrane, Senator Hagan, and Senator Lee as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

Upon motion of Senator Basnight, seconded by Senator Gulley and Senator Lucas, the Senate adjourns at 4:04 P.M. in memory of former Senator Kenneth C. Royall, Jr., to meet tomorrow, Thursday, June 10, at 11:00 A.M.

SEVENTY-EIGHTH DAY

Senate Chamber
Thursday, June 10, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Allen Proctor, Presbyterian Campus Minister, North Carolina State University, Raleigh, North Carolina, as follows:

"Gracious God, Lord and Giver of life, in whom we live and move and have our being, we come to You with gratitude for all the richness and fullness of life which You have enabled each of us to enjoy. We thank You for the opportunities we have each day to take the gifts You have given and use them in ways that give witness to Your presence in our lives, for love, for justice, for mercy, for compassion.

"I give You thanks for the men and women of this Senate and all the staff who enable the work of this Body to serve the people of North Carolina. I thank You for the various ways that they have chosen to sacrifice time and energy and personal gain in order to serve the common good. I pray that all the personal concerns that they bring with them this morning would be met with Your promises of strength and healing and hope for all who put their trust in You.

"And I pray for these men and women as they do the work of this Body. As they navigate the difficult waters of the work of government and of political negotiation, may they resist the temptation to exercise power for personal advantage. Remind them of the ideals of service and fairness and leadership that first drew them to this vocation. And when they err, as we all do, Oh Lord, forgive them and restore them with new resolve and energy to follow the paths of truth and goodness and justice, working toward that promised day when all Your children will live and work together in perfect love and peace. For we offer this prayer as we offer our lives in service to You. Amen."

With unanimous consent, the President grants leaves of absence for today to Senator Carrington, Senator East, Senator Garwood, Senator Gulley, and Senator Hoyle.

June 10, 1999
Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Wednesday, June 9, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Edward Louis Treadwell from Greenville, North Carolina, who is serving the Senate as Doctor of the Day, and to Diane Kjervik from Chapel Hill, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 789, AN ACT TO MAKE CERTAIN CHANGES TO THE NOTICE TO BE GIVEN UPON THE MERGER OF OR UPON THE SALE, LEASE, OR EXCHANGE OF THE ASSETS OF A CHARITABLE OR RELIGIOUS NONPROFIT CORPORATION UNDER THE NONPROFIT CORPORATION ACT.

S.B. 1122, AN ACT TO AMEND THE LAW TO ALLOW COUNTIES TO REDUCE CERTAIN COUNTY APPROPRIATIONS AND EXPENDITURES FOR AREA MENTAL HEALTH AUTHORITIES FOR FUTURE FISCAL YEARS.

S.B. 1159, AN ACT TO EXPAND THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MAY ALLOW THE USE OF LAND-USE RESTRICTIONS TO PROTECT PUBLIC HEALTH AT CONTAMINATED SITES.

H.B. 314, AN ACT TO REQUIRE HEALTH AND ACCIDENT INSURANCE POLICIES, HOSPITAL OR MEDICAL SERVICES PLANS, AND HMO PLANS TO PROVIDE COVERAGE FOR BONE MASS MEASUREMENT FOR THE DIAGNOSIS AND EVALUATION OF OSTEOPOROSIS.

H.B. 414, AN ACT ALLOWING THE NORTH CAROLINA VETERINARY MEDICAL BOARD TO LICENSE VETERINARIANS WHO ARE LICENSED IN OTHER STATES BUT HAVE NOT COMPLETED THE CERTIFICATION PROGRAM FOR FOREIGN VETERINARY GRADUATES.

H.B. 476, AN ACT CONCERNING THE GRANT OF POWERS TO ELECTRIC MEMBERSHIP CORPORATIONS REGARDING SUBSIDIARY ORGANIZATIONS.

H.B. 714, AN ACT TO PROVIDE FOR DIRECT PAYMENT OF CERTIFIED SUBSTANCE ABUSE PROFESSIONALS UNDER HEALTH INSURANCE POLICIES AND PLANS.

H.B. 899, AN ACT AMENDING CERTAIN REQUIREMENTS FOR LICENSURE OF REAL ESTATE BROKERS AND SALESMEN.

H.B. 972, AN ACT TO PROVIDE THAT THE COST AND EXPENSES OF TRANSPORTING A RESPONDENT IN AN INVOLUNTARY COMMITMENT PROCEEDING MAY BE RECOVERED FROM THE RESPONDENT'S COUNTY OF RESIDENCE.

June 10, 1999
The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

**S.B. 314, AN ACT TO INCORPORATE THE TOWN OF MINERAL SPRINGS.**

**S.B. 385, AN ACT TO ALLOW THE MOORE COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL ACTIVITY BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE U. S. OPEN GOLF TOURNAMENT.**

**S.B. 474, AN ACT TO MODIFY THE DISTRIBUTION OF THE PROFITS FROM THE HENDERSONVILLE LOCAL ALCOHOLIC BEVERAGE CONTROL SYSTEM.**

### REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Reeves for the **Information Technology Committee:**

**H.B. 957, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN ELECTRONIC OR FACSIMILE SIGNATURE OF A PHYSICIAN PROVIDING MEDICAL CERTIFICATION OF DEATH IS ACCEPTABLE IF APPROVED BY THE STATE REGISTRAR OF VITAL STATISTICS, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.**

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 8143, which changes the title, upon concurrence, to read **H.B. 957 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN ELECTRONIC OR FACSIMILE SIGNATURE OF A PHYSICIAN PROVIDING MEDICAL CERTIFICATION OF DEATH IS ACCEPTABLE IF APPROVED BY THE STATE REGISTRAR OF VITAL STATISTICS, TO AUTHORIZE ELECTRONIC MEDICAL RECORDS, AND TO CLARIFY WHICH ESTABLISHMENTS ARE SUBJECT TO REGULATION AS FOOD AND LODGING FACILITIES UNDER CHAPTER 130A OF THE GENERAL STATUTES, is adopted and engrossed.**

By Senator Kinnaird for the **State and Local Government Committee:**

**H.B. 840, A BILL TO BE ENTITLED AN ACT TO EXEMPT ONSLOW COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION OF THE ONSLOW SUPERIOR COURTHOUSE, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.**

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill A149, which changes the title, upon concurrence, to read **H.B. 840 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT ONSLOW COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION OF THE ONSLOW SUPERIOR COURTHOUSE AND TO PROVIDE FOR FLEXIBILITY IN SCHOOL CONSTRUCTION AND REPAIR CONTRACTS FOR CHARLOTTE/MECKLENBURG SCHOOLS,** is adopted and engrossed.

By Senator Miller for the **Judiciary II Committee:**

**H.B. 222 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LITTERING LAW BY INCREASING THE MINIMUM AND**
MAXIMUM FINES AND BY REQUIRING COMMUNITY SERVICE IN THOSE INSTANCES WHERE IT IS CURRENTLY PERMISSIVE, with a favorable report.

Upon motion of Senator Miller, the Committee Substitute bill No. 2 is re-referred to the Finance Committee.

H.B. 1209 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE BOATING SAFETY BY AMENDING THE STATE LAW REGULATING PERSONAL WATERCRAFT OPERATION TO CONFORM WITH THE RECOMMENDATIONS OF THE NATIONAL ASSOCIATION OF STATE BOATING LAW ADMINISTRATORS AND TO OTHERWISE IMPROVE PERSONAL WATERCRAFT SAFETY, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 3437 is adopted and engrossed.

REFERRAL OF HOUSE MESSAGES

Bills received from the House of Representatives on Wednesday, June 9, and ordered held in the Office of the Principal Clerk pending referral by the Chairman of the Rules and Operations of the Senate Committee pursuant to Rule 43, are referred as follows:

S.B. 288 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND NORTH CAROLINA'S "LONG ARM JURISDICTION" STATUTE TO INCLUDE SENDERS OF UNSOLICITED ELECTRONIC BULK COMMERCIAL MAIL AND TO MAKE THE SENDING OF UNSOLICITED ELECTRONIC BULK COMMERCIAL MAIL UNLAWFUL IN THIS STATE, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for Monday, June 14.

S.B. 867 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING CERTAIN PROVISIONS OF THE REAL ESTATE LICENSE LAW, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for Wednesday, June 16.

S.B. 878 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN NONPROFIT WATER CORPORATIONS TO BE ELIGIBLE FOR REVERSING LOANS AND GRANTS FROM THE DRINKING WATER TREATMENT REVERSING LOAN FUND, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for Monday, June 14.

S.B. 1068 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL LAW ENFORCEMENT AGENCIES TO ACCESS THE CRIMINAL INFORMATION NETWORK TO RUN CRIMINAL BACKGROUND CHECKS ON VOLUNTEERS FOR THE MCGUFF HOURS PROGRAM, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for Monday, June 14.

S.B. 1096 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY FOR A SCHOOL EMPLOYEE TO POSSESS A FIREARM ON EDUCATIONAL PROPERTY AND TO MAKE IT A FELONY FOR A STUDENT OR SCHOOL EMPLOYEE TO HAVE A FIREARM AT A CURRICULAR OR EXTRACURRICULAR ACTIVITY SPONSORED BY THE SCHOOL, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for Monday, June 14.

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H.B. 1095 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA MEDICAL BOARD AND THE BOARD OF PHARMACY TO ADOPT RULES TO APPROVE CLINICAL PHARMACIST PRACTITIONERS TO PRACTICE DRUG THERAPY MANAGEMENT PURSUANT TO A DRUG THERAPY MANAGEMENT AGREEMENT.

Referred to Finance Committee.

H.B. 1302, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM TAX MOTOR FUEL SOLD TO CHARTER SCHOOLS.

Referred to Finance Committee.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received today in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 622 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPOSE ADDITIONAL FEES AND COSTS AND TO INCREASE EXISTING FEES COLLECTED UNDER THE NURSING HOME ADMINISTRATORS BOARD ACT, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for Monday, June 14.

S.B. 685 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT TREATMENT OR SERVICES RENDERED BY PHYSICIAN ASSISTANTS SHALL BE REIMBURSABLE UNDER THE STATE HEALTH PLAN AND OTHER HEALTH INSURANCE POLICIES UNDER CERTAIN CIRCUMSTANCES, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for Monday, June 14.

H.B. 734 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF CHAPEL HILL TO ENTER INTO DEVELOPMENT AGREEMENTS WITH OWNERS OF LARGE TRACTS OF LAND WITHIN THE TOWN AND ITS EXTRATERRITORIAL PLANNING JURISDICTION.

Referred to Finance Committee.

H.B. 1069 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RECLASSIFYING CERTIFIED CLINICAL SOCIAL WORKERS AS LICENSED CLINICAL SOCIAL WORKERS AND REVISING THE FEES AND QUALIFICATIONS FOR CERTIFICATION AND LICENSURE OF SOCIAL WORKERS.

Referred to Health Care Committee and upon a favorable report, re-referred to the Finance Committee.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

H.B. 841 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CARRBORO TOWN CHARTER TO AUTHORIZE THE GOVERNING BODY TO OFFER INCENTIVES TO ENCOURAGE MORE AFFORDABLE HOUSING UNITS AND TO CHANGE THE NAME OF THE CARRBORO BOARD

June 10, 1999
OF ALDERMEN, AND TO AUTHORIZE THE TOWN OF CHAPEL HILL TO ENHANCE AND INCREASE SEDIMENTATION PROTECTION AND TO AMEND THE CHAPEL HILL CHARTER TO ALLOW THE TOWN COUNCIL TO REQUIRE CANDIDATES FOR ELECTIVE TOWN OFFICE TO DISCLOSE THE NAMES OF CAMPAIGN CONTRIBUTORS AND TO LIMIT BY ORDINANCE THE AMOUNT THAT PERSONS MAY CONTRIBUTE TO A CANDIDATE OR THEIR POLITICAL COMMITTEE AND TO ALLOW THE REGULATION OF OPEN BURNING, AND TO ALLOW HALF-DAY SHIFTS FOR ELECTION JUDGES IN ORANGE COUNTY.

Senator Kinnaird offers Amendment No. 1 which is adopted (40-2).

The Senate Committee Substitute bill, as amended, passes its second reading (33-9).

The President orders, without objection, the Senate Committee Substitute bill temporarily displaced.

H.B. 143 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE RELATED TO UNLAWFUL PARKING IN HANDICAPPED PARKING SPACES, AND TO REQUIRE THAT SIGNS BE PLACED ON HANDICAPPED PARKING SPACES.

With unanimous consent, upon motion of Senator Cooper, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Wednesday, June 16.

H.B. 190 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN FACILITIES TO SHARE PEER REVIEW INFORMATION WITH ACCREDITING ORGANIZATIONS.

The Senate Committee Substitute bill passes its second (42-0) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

H.B. 1193 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AUTHORIZING NURSE PRACTITIONERS AND PHYSICIAN ASSISTANTS TO CONDUCT PHYSICAL EXAMINATIONS IN CERTAIN CIRCUMSTANCES.

The Senate Committee Substitute bill No. 2 passes its second (42-0) and third readings and is ordered sent to the House of Representatives, for concurrence in Senate Committee Substitute bill No. 2.

REPORTS OF COMMITTEES (Continued)

By Senator Lee for the Education/Higher Education Committee:

S.J.R. 469, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF TWO APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, with an unfavorable report as to joint resolution, but favorable as to Committee Substitute joint resolution.

Pursuant to Rule 45.1, the proposed Committee Substitute joint resolution 6683, which changes the title to read S.J.R. 469 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF EDGAR DAVID MURPHY, III AND JANE P. NORWOOD TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION, is adopted and engrossed.

Upon motion of Senator Lee, the Committee Substitute joint resolution is re-referred to the Rules and Operations of the Senate Committee.

June 10, 1999
The Chair grants a leave of absence for the remainder of today's Session to Senator Horton.

CALENDAR (Continued)

H.B. 841 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CARRBORO TOWN CHARTER TO AUTHORIZE THE GOVERNING BODY TO OFFER INCENTIVES TO ENCOURAGE MORE AFFORDABLE HOUSING UNITS AND TO CHANGE THE NAME OF THE CARRBORO BOARD OF ALDERMEN, AND TO AUTHORIZE THE TOWN OF CHAPEL HILL TO ENHANCE AND INCREASE SEDIMENTATION PROTECTION AND TO AMEND THE CHAPEL HILL CHARTER TO ALLOW THE TOWN COUNCIL TO REQUIRE CANDIDATES FOR ELECTIVE TOWN OFFICE TO DISCLOSE THE NAMES OF CAMPAIGN CONTRIBUTORS AND TO LIMIT BY ORDINANCE THE AMOUNT THAT PERSONS MAY CONTRIBUTE TO A CANDIDATE OR THEIR POLITICAL COMMITTEE AND TO ALLOW THE REGULATION OF OPEN BURNING, AND TO ALLOW HALF-DAY SHIFTS FOR ELECTION JUDGES IN ORANGE COUNTY, temporarily displaced earlier.

The Senate Committee Substitute bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

Upon motion of Senator Basnight, seconded by Senator Hagan, the Senate adjourns at 12:01 P.M. to meet Monday, June 14, at 7:00 P.M.

SEVENTY-NINTH DAY

Senate Chamber
Monday, June 14, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend Charles Kelly, Superintendent, North Carolina Assemblies of God, Selma, North Carolina, as follows:

“Our Father, we are thankful for the privileges that come to us as citizens of this great Nation. However, we take this opportunity to pray for the displaced and deprived people of this world.

“We pray for wisdom and courage for our national leaders as they exercise the power and fulfill the privilege and responsibility of their high office.

“We pray for the Governor, Lieutenant Governor, State Officials, and Members of the Senate of this great State. May the focus of their personal attention and the concentration of their corporate efforts result in the highest and best for this State and its citizens.

“We pray that North Carolina will be a leader in modeling for this Nation the principles and values essential to good government and leadership.

“Grant these requests I pray. Amen.”

June 14, 1999
The President Pro Tempore extends the privileges of the floor to Tom Taft, former Senator from Pitt County, and the courtesies of the gallery to the wife of our guest Chaplain, Mrs. Eloise Kelly.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of Thursday, June 10, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore of the Senate extends courtesies of the floor to Dr. Phillip James Calenda from Tarboro, North Carolina, who is serving the Senate as Doctor of the Day, and to Cathy Chapman from Burlington, North Carolina, who is serving the Senate as Nurse of the Day.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

H.B. 975, AN ACT TO CLARIFY THAT SERVICES PROVIDED THROUGH THE STATEWIDE AUTOMATED VICTIM ASSISTANCE AND NOTIFICATION SYSTEM ARE SUBJECT TO THE EXEMPTIONS FROM DAMAGE CLAIMS AND OTHER GROUNDS FOR RELIEF PROVIDED FOR BY THE VICTIMS' RIGHTS ACT. (Became law upon approval of the Governor, June 9, 1999 – S.L. 1999-169.)

H.B. 820, AN ACT PROVIDING THAT STATE EMPLOYEES AND PUBLIC SCHOOL EMPLOYEES MAY SHARE LEAVE VOLUNTARILY. (Became law upon approval of the Governor, June 9, 1999 – S.L. 1999-170.)

H.B. 1286, AN ACT TO MODIFY THE EXEMPTION FROM THE "MASS GATHERINGS" STATUTE. (Became law upon approval of the Governor, June 9, 1999 – S.L. 1999-171.)

H.B. 1009, AN ACT TO PROVIDE FUNDS FOR AGRICULTURAL RESEARCH BY INCREASING THE ASSESSMENT ON FERTILIZER, COMMERCIAL FEED, OR THEIR INGREDIENTS. (Became law upon approval of the Governor, June 9, 1999 – S.L. 1999-172.)

H.B. 520, AN ACT TO ALLOW THE TOWN OF FLAT ROCK TO BUILD A FACILITY FOR A PUBLIC ENTERPRISE AND THEN CONVEY IT TO THE CITY OF HENDERSONVILLE WITHOUT OPERATING IT. (Became law upon ratification, June 9, 1999 – S.L. 1999-173.)

H.B. 615, AN ACT TO ALLOW THE CITY OF ELIZABETH CITY TO REGULATE THE SPEED OF VESSELS WITHIN THE CITY. (Became law upon ratification, June 9, 1999 – S.L. 1999-174.)

S.B. 314, AN ACT TO INCORPORATE THE TOWN OF MINERAL SPRINGS. (Became law upon ratification, June 10, 1999 – S.L. 1999-175.)

S.B. 385, AN ACT TO ALLOW THE MOORE COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL ACTIVITY BUSES TO

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S.B. 474, AN ACT TO MODIFY THE DISTRIBUTION OF THE PROFITS FROM THE HENDERSONVILLE LOCAL ALCOHOLIC BEVERAGE CONTROL SYSTEM. (Became law upon ratification, June 10, 1999 – S.L. 1999-177.)

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Hoyle for the Finance Committee:

S.B. 1112, A BILL TO BE ENTITLED AN ACT TO PROMOTE ELECTRONIC COMMERCE BY REPEALING THE SALES TAX REGISTRATION FEE AND TO MAKE OTHER CHANGES TO THE TAX LAWS AND RELATED STATUTES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill X3832 is adopted and engrossed.

WITHDRAWAL FROM CALENDAR

S.B. 244 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA UNCLAIMED PROPERTY ACT AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER CHANGES TO THE ESCHEATS LAWS, placed on the Calendar for Tuesday, June 15.

Senator Hoyle offers a motion that Committee Substitute bill No. 2 be withdrawn from the Calendar for Tuesday, June 15, and re-referred to the Finance Committee, which motion prevails with unanimous consent.

The Chair orders Committee Substitute bill No. 2 withdrawn from the Calendar for Tuesday, June 15, and re-refers the measure to the Finance Committee.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 178 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA UNIFORM PRUDENT INVESTOR ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, June 15.

S.B. 246 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND REVISE THE PROCEDURES GOVERNING APPEALS OR TRANSFERS FROM CLERKS OF SUPERIOR COURT TO THE TRIAL COURTS

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AND TO MAKE CONFORMING AND CLARIFYING AMENDMENTS TO OTHER RELATED SECTIONS OF THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, June 15.

S.B. 742 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR A SCHOOL TEACHER OR ADMINISTRATOR TO ENGAGE IN SEXUAL ACTS WITH A STUDENT, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, June 15.

S.B. 756 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE MANDATORY LIABILITY INSURANCE REQUIREMENTS FOR CERTAIN MOTOR VEHICLES AND TO MAKE CONFORMING CHANGES IN CHAPTER 58 OF THE GENERAL STATUTES, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, June 15.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S.B. 249

House of Representatives
June 10, 1999

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in the House Committee Substitute # 2 for S.B. 249, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON ISSUING SHELLFISH CULTIVATION LEASES IN CORE SOUND, TO REQUIRE THE DIVISION OF MARINE FISHERIES AND THE PRIMARY INVESTIGATOR TO REPORT THE RESULTS OF THE SHELLFISH MAPPING AND HUMAN USE MAPPING OF CORE SOUND TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE AND THE MARINE FISHERIES COMMISSION, TO AUTHORIZE RATHER THAN REQUIRE THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO REQUIRE FISHERIES LICENSE AGENTS TO POST BONDS, TO ESTABLISH AN INTERIM CRAB LICENSE, AND TO CLARIFY THAT THE LAWFUL TAKING OF MARINE AND ESTUARINE RESOURCES UNDER THE JURISDICTION OF THE MARINE FISHERIES COMMISSION OR AS AUTHORIZED BY A FEDERAL LAW REGULATION, OR FISHERY MANAGEMENT PLAN IS EXEMPT FROM THE CRUELTY TO ANIMALS STATUTE, the Speaker has appointed as conferees on the part of the House:

Representative Smith,
Representative Preston,
Representative Gibson and
Representative Warwick

to act with a like committee on the part of the Senate to the end that the differences

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existing between the two bodies may be adjusted.

Respectfully,
S/Denise Weeks
Principal Clerk

CALENDAR

Bills on tonight’s Calendar are taken up and disposed of, as follows:

H.B. 957 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN ELECTRONIC OR FACSIMILE SIGNATURE OF A PHYSICIAN PROVIDING MEDICAL CERTIFICATION OF DEATH IS ACCEPTABLE IF APPROVED BY THE STATE REGISTRAR OF VITAL STATISTICS, TO AUTHORIZE ELECTRONIC MEDICAL RECORDS, AND TO CLARIFY WHICH ESTABLISHMENTS ARE SUBJECT TO REGULATION AS FOOD AND LODGING FACILITIES UNDER CHAPTER 130A OF THE GENERAL STATUTES.

With unanimous consent, upon motion of Senator Reeves, the Senate Committee Substitute bill is withdrawn from tonight’s Calendar and is placed on the Calendar for Tuesday, June 15.

H.B. 1209 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE BOATING SAFETY BY AMENDING THE STATE LAW REGULATING PERSONAL WATERCRAFT OPERATION TO CONFORM WITH THE RECOMMENDATIONS OF THE NATIONAL ASSOCIATION OF STATE BOATING LAW ADMINISTRATORS AND TO OTHERWISE IMPROVE PERSONAL WATERCRAFT SAFETY.

With unanimous consent, upon motion of Senator Miller, the Senate Committee Substitute bill is withdrawn from tonight’s Calendar and is re-referred to the Judiciary II Committee.

H.B. 840 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT ONSLOW COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION OF THE ONSLOW SUPERIOR COURTHOUSE AND TO PROVIDE FOR FLEXIBILITY IN SCHOOL CONSTRUCTION AND REPAIR CONTRACTS FOR CHARLOTTE/MECKLENBURG SCHOOLS.

The Senate Committee Substitute bill passes its second reading (41-8).

Senator Odom objects to third reading of the measure. Pursuant to Rule 50, the President Pro Tempore orders the measure placed on the Calendar for tomorrow, Tuesday, June 15.

S.B. 622 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPOSE ADDITIONAL FEES AND COSTS AND TO INCREASE EXISTING FEES COLLECTED UNDER THE NURSING HOME ADMINISTRATORS BOARD ACT, for concurrence in the House Committee Substitute bill, upon second reading.

The Senate concurs in the House Committee Substitute bill on its second reading by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, East, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Horton, Hoyle, Kerr, Kinnaird, Lee, Lucas, Martin of Guilford, Metcalf, Miller, Moore, Odom, Perdue, Phillips,

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Plyler, Purcell, Rand, Reeves, Robinson, Rucho, Shaw of Cumberland, Shaw of Guilford, Soles, Warren, Webster, Weinstein, and Wellons—48.

Voting in the negative: None.

The House Committee Substitute bill remains on the Calendar for tomorrow, Tuesday, June 15, upon third reading.

COMMITTEE REFERRAL RECALL

S.B. 327, A BILL TO BE ENTITLED AN ACT RELATING TO THE 4TH SENATORIAL DISTRICT, referred to the Rules and Operations of the Senate Committee on March 11.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be placed on the Calendar for Wednesday, June 16, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and places it on the Calendar for Wednesday, June 16.

CALENDAR (Continued)

S.B. 288 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND NORTH CAROLINA'S "LONG ARM JURISDICTION" STATUTE TO INCLUDE SENDERs OF UNSOLICITED ELECTRONIC BULK COMMERCIAL MAIL AND TO MAKE THE SENDING OF UNSOLICITED ELECTRONIC BULK COMMERCIAL MAIL UNLAWFUL IN THIS STATE, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (49-0) and the measure is ordered enrolled and sent to the Governor.

S.B. 685 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT TREATMENT OR SERVICES RENDERED BY PHYSICIAN ASSISTANTS SHALL BE REIMBURSABLE UNDER THE STATE HEALTH PLAN AND OTHER HEALTH INSURANCE POLICIES UNDER CERTAIN CIRCUMSTANCES, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (49-0) and the measure is ordered enrolled and sent to the Governor.

S.B. 878 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN NONPROFIT WATER CORPORATIONS TO BE ELIGIBLE FOR REVOLVING LOANS AND GRANTS FROM THE DRINKING WATER TREATMENT REVOLVING LOAN FUND, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (49-0) and the measure is ordered enrolled and sent to the Governor.

S.B. 1068 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL LAW ENFORCEMENT AGENCIES TO ACCESS THE CRIMINAL INFORMATION NETWORK TO RUN CRIMINAL BACKGROUND CHECKS ON VOLUNTEERS FOR THE MCGRUFF HOUSES PROGRAM, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (49-0) and the measure is ordered enrolled and sent to the Governor.

S.B. 1096 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO
MAKE IT A FELONY FOR A SCHOOL EMPLOYEE TO POSSESS A FIREARM ON EDUCATIONAL PROPERTY AND TO MAKE IT A FELONY FOR A STUDENT OR SCHOOL EMPLOYEE TO HAVE A FIREARM AT A CURRICULAR OR EXTRACURRICULAR ACTIVITY SPONSORED BY THE SCHOOL, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (49-0) and the measure is ordered enrolled and sent to the Governor.

WITHDRAWAL FROM CALENDAR

S.B. 327, A BILL TO BE ENTITLED AN ACT RELATING TO THE 4TH SENATORIAL DISTRICT, placed earlier tonight on the Calendar for Wednesday, June 16.

Senator Rand offers a motion that the bill be withdrawn from the Calendar for Wednesday, June 16 and re-referred to the Rules and Operations of the Senate Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Calendar for Wednesday, June 16 and re-refers the measure to the Rules and Operations of the Senate Committee.

SENATE PAGES

The President Pro Tempore recognizes the following pages serving in the Senate this week:

Joanna Brake, Beaufort; Elizabeth Ashley Carrier, Raleigh; Carrie Lee Childress, Pilot Mountain; Scott Denton, Greenville; Leslie Danielle Dickens, Rocky Mount; Leah Dorsey, Raleigh; Stephen Tyler Elkins-Williams, Chapel Hill; Clint E. Fuller, Fair Bluff; Erin S. Gray, Greenville; Matthew Joseph Greenan, Raleigh; Emily Harrison, Cary; Sarah Christine Hudson, Rocky Mount; Lindsay Lea Jessup, Fountain; Molly Martin King, Raleigh; Natalie Victoria King, Hobbsville; LeRoy Richmond Kirksey, Raleigh; William Sean Lancaster, Chapel Hill; Jaimie Lee, Chapel Hill; Kristen A. Nelson, Beaufort; Dustin Alexander Parker, Raleigh; Hayes Penick, Rocky Mount; D. Ryland Pond, Charlotte; Dustin Mark Souther, Albemarle; Amber-Ashley Elizabeth Stanley, Raleigh; Thomas Fleming Taft, Jr., Greenville; and Virginia Pate Thomas, Beaufort.

APPOINTMENT OF CONFERENCE COMMITTEE

S.B. 29 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION FEES COLLECTED UNDER THE COSMETIC ART ACT.

Pursuant to the Senate having failed to concur in the House Committee Substitute for S.B. 29 and Senator Ballance’s motion to appoint conferees having prevailed on April 21, Senator Ballance, the Deputy President Pro Tempore announces the appointment of Senator Kerr, Chairman, and Senator Ballantine and Senator Hoyle as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

Upon motion of Senator Ballance, seconded by Senator Carter, the Senate adjourns at 8:17 P.M. in memory of former Senator W. Craig Lawing, to meet tomorrow, Tuesday, June 15, at 3:00 P.M.
EIGHTIETH DAY

Senate Chamber
Tuesday, June 15, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"God of all goodness, we cannot help but notice that every day the gallery is full of guests. The stream of visiting children has tapered off now that school is out, but soon we shall welcome families on their summer vacations. Every week it seems, the Chair extends what we call 'the courtesy of the gallery' to these visitors. But why is it a special privilege for them to sit in our midst and observe our deliberations?

"Is it perhaps that we have been set apart for a life of service, set apart as role models and exemplary citizens? What a daunting calling that is, especially when there are children in our midst. What do these visitors see when they look down at us from up in the gallery? Perhaps we can recall our first visit to the State Capitol, and the faces of the men and women who made the intricate workings of State government intelligible and human for us.

"God of mercy, give us grace to conduct our duties this day in ways that will inspire others to seek a life of public service. May we be for them models of what is courageous, wise, and compassionate. We pray in Your Holy Name, Amen."

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Monday, June 14, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Catherine Marie Green Lee from Durham, North Carolina, who is serving the Senate as Doctor of the Day, and to Gayle Kemble from Salisbury, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 288, AN ACT TO EXTEND NORTH CAROLINA'S "LONG ARM JURISDICTION" STATUTE TO INCLUDE SENDERS OF UNSOLICITED ELECTRONIC BULK COMMERCIAL MAIL AND TO MAKE THE SENDING OF UNSOLICITED ELECTRONIC BULK COMMERCIAL MAIL UNLAWFUL IN THIS STATE.

S.B. 685, AN ACT TO CLARIFY THAT TREATMENT OR SERVICES RENDERED BY PHYSICIAN ASSISTANTS SHALL BE REIMBURSABLE UNDER THE STATE HEALTH PLAN AND OTHER HEALTH INSURANCE POLICIES UNDER CERTAIN CIRCUMSTANCES.

S.B. 878, AN ACT TO ALLOW CERTAIN NONPROFIT WATER CORPORATIONS TO BE ELIGIBLE FOR REVOLVING LOANS AND GRANTS

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FROM THE DRINKING WATER TREATMENT REVOLVING LOAN FUND.

S.B. 1068, AN ACT TO AUTHORIZE LOCAL LAW ENFORCEMENT AGENCIES TO ACCESS THE CRIMINAL INFORMATION NETWORK TO RUN CRIMINAL BACKGROUND CHECKS ON VOLUNTEERS FOR THE MCGUFF HOUSES PROGRAM.

S.B. 1096, AN ACT TO MAKE IT A FELONY FOR A SCHOOL EMPLOYEE TO POSSESS A FIREARM ON EDUCATIONAL PROPERTY AND TO MAKE IT A FELONY FOR A STUDENT OR SCHOOL EMPLOYEE TO HAVE A FIREARM AT A CURRICULAR OR EXTRACURRICULAR ACTIVITY SPONSORED BY THE SCHOOL.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

S.B. 347, AN ACT TO REQUIRE HEALTH BENEFIT PLANS TO COVER NONFORMULARY DRUGS AND DEVICES WHEN MEDICALLY NECESSARY. (Became law upon approval of the Governor, June 14, 1999 - S.L. 1999-178.)

H.B. 219, AN ACT TO AMEND CHAPTERS 54B AND 54C OF THE GENERAL STATUTES TO MAKE TECHNICAL CHANGES TO THE LAW GOVERNING STATE-CHARTERED SAVINGS AND LOAN ASSOCIATIONS AND SAVINGS BANKS AND TO INCREASE THE PERMITTED PERCENTAGE OF COMMERCIAL LOANS. (Became law upon approval of the Governor, June 14, 1999 - S.L. 1999-179.)

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Miller for the Judiciary II Committee:

H.B. 1192 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TRACING OF FIREARMS USED IN THE COMMISSION OF A CRIME, with a favorable report.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 59 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE PHARMACY PRACTICE ACT TO PERMIT CERTAIN NONPROFIT CORPORATIONS TO OPERATE MOBILE PHARMACIES AND TO ALLOW SUCH PHARMACIES TO REGISTER ANNUALLY WITH THE BOARD OF PHARMACY, for concurrence in House Committee Substitute bill No. 2, which is placed on the Calendar for tomorrow, Wednesday, June 16.
S.B. 761 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM AND MODERNIZE THE ACKNOWLEDGMENT OF CORPORATE REAL PROPERTY INSTRUMENTS AND THE EXECUTION OF REAL PROPERTY INSTRUMENTS GENERALLY, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, June 16.

COURTESIES

The President recognizes Senator Basnight, President Pro Tempore, who appoints Senator Forrester and Senator Reeves as the Committee to escort dignitaries and guests from the Republic of Moldova to the Well of the Senate. The guests are received with a standing ovation.

Senator Forrester offers remarks and presents the guests from the Republic of Moldova, as follows:

Dumitru Diacov, President of the Parliament of the Republic of Moldova; Mihai Cucos, Member of the Parliament; Marcel Raducanu, Vice Minister of Industry and Commerce; Florine Pediala, Honorary Counsel from Hickory; and U.S. Escort Interpreters, Sandra Huffman and Ilie Tecuta.

Senator Forrester introduces the President of the Parliament of the Republic of Moldova who addresses the Senate.

The President recognizes the Committee to escort the guests from the Chamber who depart to a standing ovation.

COURTESIES

The President recognizes Senator Basnight, President Pro Tempore, who appoints Senator Carrington, Senator Plyler, and Senator Purcell to escort guests from Shiloh Elementary School of Union County to the Well of the Senate. Shiloh Elementary School of Union County was awarded the 1998-99 Blue Ribbon School Award from the United States Department of Education. The guests are received with a standing ovation.

Senator Plyler offers remarks and presents the Principal of Shiloh Elementary School, Linda Fritz, to the President and members of the Senate. The principal addresses the Senate, and introduces the staff members and teachers as follows: Blair Austin, Assistant Principal; and Adele Bryant, Linda Layton, Sarah Hemby, Linda Helbig, Brenda Payne, Donna Lowery, Katherine Ladd, Cathy Frailey, and Sally Besaw.

The President of the Senate offers remarks and presents the North Carolina flag to the principal, Linda Fritz. The guests depart to a standing ovation.

The Chair grants a leave of absence for the remainder of today’s Session to Senator Albertson.

COMMITTEE REFERRAL RECALL


Pursuant to Rule 47(a), Senator Rand offers a motion that the joint resolution be withdrawn from the Rules and Operations of the Senate Committee and placed on today’s Calendar, which motion prevails with unanimous consent.

The Chair orders the joint resolution withdrawn from the Rules and Operations of the Senate Committee and places it on today’s Calendar.

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S.J.R. 470, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, referred to the Rules and Operations of the Senate Committee on March 23.

Pursuant to Rule 47(a), Senator Rand offers a motion that the joint resolution be withdrawn from the Rules and Operations of the Senate Committee and placed on today’s Calendar, which motion prevails with unanimous consent.

The Chair orders the joint resolution withdrawn from the Rules and Operations of the Senate Committee and places it on today’s Calendar.

**CALENDAR**

Bills and resolutions on today's Calendar are taken up and disposed of, as follows:

S.B. 619, A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF FUQUAY-VARINA.

The President rules that the bill requires a call of the roll.

The bill passes its second reading by roll-call vote, ayes 43, noes 0, as follows:


Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Wednesday, June 16, upon third reading.

H.B. 840 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT ONSLOW COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION OF THE ONSLOW SUPERIOR COURTHOUSE AND TO PROVIDE FOR FLEXIBILITY IN SCHOOL CONSTRUCTION AND REPAIR CONTRACTS FOR CHARLOTTE/MECKLENBURG SCHOOLS.

Senator Odom offers Amendment No. 1 which is adopted (48-0), and changes the title upon concurrence.

The Senate Committee Substitute bill passes its third reading (44-4) and is ordered engrossed and sent by special message to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

**COMMITTEE REFERRAL RECALL**

S.B. 472, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF FORSYTH COUNTY, referred to the Rules and Operations of the Senate Committee on March 23.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Finance Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Finance Committee.

S.B. 882, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SYSTEM OF COMPREHENSIVE PUBLIC FINANCING OF ELECTIONS FOR GOVERNOR,
COUNCIL OF STATE, AND GENERAL ASSEMBLY; AND TO MAKE RELATED CHANGES, referred to the Rules and Operations of the Senate Committee on April 13.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Judiciary I Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Judiciary I Committee.

REPORTS OF COMMITTEES (Continued)

By Senator Hoyle for the Finance Committee:

S.B. 1110, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCENTIVE FOR BUSINESSES TO FIND COMMERCIAL USES FOR TECHNOLOGY DEVELOPED BY CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7696, which changes the title to read S.B. 1110 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCENTIVE FOR BUSINESSES TO FIND COMMERCIAL USES FOR TECHNOLOGY DEVELOPED BY RESEARCH UNIVERSITIES, is adopted and engrossed.

S.B. 244 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA UNCLAIMED PROPERTY ACT AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER CHANGES TO THE ESCHEATS LAWS, with an unfavorable report as to Committee Substitute bill No. 2, but favorable as to Committee Substitute bill No. 3.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 3, 1755, is adopted and engrossed.

By Senator Shaw of Cumberland for the Transportation Committee:

S.B. 844, A BILL TO BE ENTITLED AN ACT TO ALLOW CHARTER SCHOOLS TO OBTAIN THE SAME PERMANENT LICENSE PLATES AS PUBLIC SCHOOLS, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Finance Committee.

CALENDAR (Continued)

S.B. 1112 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE ELECTRONIC COMMERCE BY REPEALING THE SALES TAX REGISTRATION FEE AND TO MAKE OTHER CHANGES TO THE TAX LAWS AND RELATED STATUTES, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannely, East, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Horton, Hoyle, Jordan, Kerr, Kinnaid, Lee, Lucas, Martin of Pitt, Martin of Guilford, Metcalf, Miller, Moore, Odom, Perdue,

June 15, 1999
Phillips, Plyler, Purcell, Rand, Reeves, Robinson, Rucho, Shaw of Cumberland, Shaw of Guilford, Soles, Warren, Webster, Weinstein, and Wellons—49.

Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Wednesday, June 16, upon third reading.

H.B. 755 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO CREATE SERVICE DISTRICTS TO FINANCE LIGHTING AT INTERSTATE HIGHWAY INTERCHANGES, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Wednesday, June 16, upon third reading.

S.B. 881 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CAMPAIGN REFORM ACT OF 1999.

Senator Gulley offers Amendment No. 1 which is adopted (48-0).

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Senator Gulley offers Amendment No. 2 which is adopted (49-0).

Senator Horton offers Amendment No. 3.

Senator Gulley rises to a point of order under Rule 57.1 as to Amendment No. 3 being germane to the original subject matter of the Committee Substitute bill.

The Chair rules that, pursuant to Rule 57.1, Amendment No. 3 is not germane.

Senator Gulley calls the previous question, seconded by Senator Rand. The call is sustained (36-13).

Senator Ballantine announces a pair vote: If Senator Albertson were present, he would vote "aye"; Senator Ballantine votes "no".

The Committee Substitute bill, as amended, passes its second reading (36-12).

Senator Webster objects to third reading of the measure. Pursuant to Rule 50, the President Pro Tempore orders the measure placed on the Calendar for tomorrow, Wednesday, June 16, upon third reading.

H.B. 494 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT THE UNIFORM CHILD-CUSTODY JURISDICTION AND ENFORCEMENT ACT AND TO MAKE CONFORMING CHANGES.

With unanimous consent, upon motion of Senator Miller, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Wednesday, June 16.

H.B. 957 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN ELECTRONIC OR FACSIMILE SIGNATURE OF A PHYSICIAN PROVIDING MEDICAL CERTIFICATION OF DEATH IS ACCEPTABLE IF APPROVED BY THE STATE REGISTRAR OF VITAL

June 15, 1999
STATISTICS, TO AUTHORIZE ELECTRONIC MEDICAL RECORDS, AND TO CLARIFY WHICH ESTABLISHMENTS ARE SUBJECT TO REGULATION AS FOOD AND LODGING FACILITIES UNDER CHAPTER 130A OF THE GENERAL STATUTES.

Senator Reeves offers Amendment No. 1 which is adopted (49-0).

The Senate Committee Substitute bill, as amended, passes its second (49-0) and third readings and is ordered engrossed and sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

S.B. 622 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPOSE ADDITIONAL FEES AND COSTS AND TO INCREASE EXISTING FEES COLLECTED UNDER THE NURSING HOME ADMINISTRATORS BOARD ACT, for concurrence in the House Committee Substitute bill, upon third reading.

The Senate concurs in the House Committee Substitute bill on its third reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill is ordered enrolled and sent to the Governor.

S.B. 178 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA UNIFORM PRUDENT INVESTOR ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (49-0) and the measure is ordered enrolled and sent to the Governor.

S.B. 246 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND REVISE THE PROCEDURES GOVERNING APPEALS OR TRANSFERS FROM CLERKS OF SUPERIOR COURT TO THE TRIAL COURTS AND TO MAKE CONFORMING AND CLARIFYING AMENDMENTS TO OTHER RELATED SECTIONS OF THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (49-0) and the measure is ordered enrolled and sent to the Governor.

S.B. 742 A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR A SCHOOL TEACHER OR ADMINISTRATOR TO ENGAGE IN SEXUAL ACTS WITH A STUDENT, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 742 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR SCHOOL PERSONNEL TO ENGAGE IN SEXUAL ACTS WITH A STUDENT.

The Senate fails to concur in the House Committee Substitute bill (1-48).

A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

S.B. 756 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO
INCREASE MANDATORY LIABILITY INSURANCE REQUIREMENTS FOR CERTAIN MOTOR VEHICLES AND TO MAKE CONFORMING CHANGES IN CHAPTER 58 OF THE GENERAL STATUTES, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (48-0) and the measure is ordered enrolled and sent to the Governor.

The Chair grants a leave of absence for the remainder of today’s Session to Senator Dalton.

S.J.R. 470, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, placed earlier on today’s Calendar.

The joint resolution passes its second (48-0) and third readings and is ordered sent by special message to the House of Representatives.

REPORTS OF COMMITTEES (Continued)

By Senator Cooper for the Judiciary I Committee:

H.B. 280 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER CHANGES TO THE MOTOR VEHICLE LAWS, with an unfavorable report as to Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 7253 is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the Finance Committee.

H.B. 924 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COMMUNITY MEDIATION CENTERS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 4268 is adopted and engrossed.

CALENDAR (Continued)

H.J.R. 76, A JOINT RESOLUTION HONORING THE MEMORY OF JOHN REED ON THE BICENTENNIAL OF AMERICA'S FIRST GOLD DISCOVERY, placed earlier on today’s Calendar.

The joint resolution passes its second (47-0) and third readings and is ordered enrolled.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.B. 900    House of Representatives
            June 15, 1999
Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Amendment #1 to HB 900, A BILL TO BE ENTITLED AN ACT ALLOWING GATES COUNTY TO IMPOSE FEES FOR FIRE PROTECTION SERVICES, and requests conferees. The Speaker has appointed:

Representative Hunter,
Representative Mitchell, and
Representative Owens

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
S/Denise Weeks
Principal Clerk

The following special message is received from the House of Representatives:

S.B. 29
House of Representatives
June 15, 1999

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute for SB 29, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION FEES COLLECTED UNDER THE COSMETIC ART ACT, the Speaker has appointed as conferees on the part of the House:

Representative Luebke,
Representative Buchanan, and
Representative Tucker

to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
S/Denise Weeks
Principal Clerk

Upon motion of Senator Ballance, seconded by Senator Jordan, the Senate adjourns at 5:41 P.M. to meet tomorrow, Wednesday, June 16, at 2:00 P.M.

EIGHTY-FIRST DAY

Senate Chamber
Wednesday, June 16, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

June 16, 1999
Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“Lord God, Election Campaign Reform was the topic You heard us debating yesterday at great length. Some were saying that the bill goes far in reforming campaign practices. Others were saying it doesn’t go nearly far enough.

“You know all about reform don’t You, Lord? That’s Your specialty, isn’t it? Reforming people’s hearts and remaking their lives. Most of the time we feel like Your initiatives with us have been more than sufficient, thank You very much, to move us in a new direction. We don’t want to change all that much, really. You, on the other hand, probably feel that we don’t go nearly far enough in our willingness to submit to Your radical plan for reforming our lives.

“Reform, whether it be of our campaigns or our spirits requires, first of all, that we let go of what we know and intentionally submit ourselves to an authority we cannot control. And that involves trust, a commodity that can be in short supply when the stakes are as high as the ones we’re talking about.

“As we grapple with this slippery agenda of reforming, God grant us hearts to trust You and to trust one another. Thaw out our rigid wills with the warm breath of Your Spirit so that we might be gently remade in the newness of Your Love. We pray in Your Holy Name, Amen.”

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Tuesday, June 15, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Richard William Croskery from Greenville, North Carolina, who is serving the Senate as Doctor of the Day, and to Edwin Zagami from Chapel Hill, North Carolina, who is serving the Senate as Nurse of the Day.

**ENROLLED BILLS**

The Enrolling Clerk reports the following bills duly ratified for the presentation to the Governor:

**S.B. 178, AN ACT TO BE KNOWN AS THE NORTH CAROLINA UNIFORM PRUDENT INVESTOR ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.**

**S.B. 246, AN ACT TO CLARIFY AND REVISE THE PROCEDURES GOVERNING APPEALS OR TRANSFERS FROM CLERKS OF SUPERIOR COURT TO THE TRIAL COURTS AND TO MAKE CONFORMING AND CLARIFYING AMENDMENTS TO OTHER RELATED SECTIONS OF THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.**

**S.B. 622, AN ACT TO IMPOSE ADDITIONAL FEES AND COSTS AND TO INCREASE EXISTING FEES COLLECTED UNDER THE NURSING HOME ADMINISTRATORS BOARD ACT.**

**S.B. 756, AN ACT TO INCREASE MANDATORY LIABILITY INSURANCE REQUIREMENTS FOR CERTAIN MOTOR VEHICLES AND TO MAKE**

June 16, 1999
CONFORMING CHANGES IN CHAPTER 58 OF THE GENERAL STATUTES.

S.B. 1140, AN ACT TO BAN NEW OR REPLACEMENT BILLBOARDS ON A PORTION OF U.S. HIGHWAY 52 AND NORTH CAROLINA HIGHWAY 752 IN SURRY COUNTY.

H.B. 306, AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO CONDUCT HEARINGS AND ADOPT CERTAIN RULES RELATED TO THE BEACH AND FAIR PLANS, TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO APPROVE ADDITIONAL BEDS FOR CONTINUING CARE RETIREMENT FACILITIES UNDER CERTAIN CIRCUMSTANCES, TO REVISE THE LAW PROHIBITING DISCRIMINATION IN THE TREATMENT OF HANDICAPPED AND DISABLED PERSONS, TO GOVERN MANAGED CARE WITH REGARD TO WORKERS' COMPENSATION, TO EXEMPT COMMERCIAL AIRCRAFT INSURANCE FROM STATE REGULATION, TO REQUIRE ADDITIONAL INFORMATION FROM SURPLUS LINES LICENSEES, TO CLARIFY WHICH SECTIONS OF THE GENERAL STATUTES APPLY TO SURPLUS LINES INSURANCE, TO AUTHORIZE THE SECRETARY OF REVENUE TO PROVIDE THE NORTH CAROLINA SELF-INSURANCE GUARANTY ASSOCIATION WITH INFORMATION ON SELF-INSURERS' PREMIUMS, TO REPEAL THE REQUIREMENT FOR A BIENNIAL REPORT FROM THE DEPARTMENT OF INSURANCE, TO REPEAL THE AGENCY BUSINESS CESSATION LAW, TO AUTHORIZE THE COMMISSIONER TO ADOPT RULES RECOGNIZING NEW ANNUITY MORTALITY TABLES, AND TO CLARIFY THAT MECHANICAL BREAKDOWN AND RELATED INSURANCE ARE NOT UNDER THE JURISDICTION OF THE RATE BUREAU.

H.B. 486, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE PERMANENT REGISTRATION PLATES TO TRAILERS OWNED BY CHARITABLE ORGANIZATIONS AND USED ONLY IN PARADES AND TO CONSOLIDATE AND MODERNIZE THE STATUTES PROVIDING FOR PERMANENT REGISTRATION PLATES AND TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR INDIVIDUALS WHO ARE RETIRED FROM THE NORTH CAROLINA HIGHWAY PATROL.

The Enrolling Clerk reports the following bills and a resolution duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

H.B. 426, AN ACT TO AUTHORIZE THE CITIES OF GREENSBORO, HIGH POINT, AND ROCKY MOUNT TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.

H.B. 514, AN ACT TO AUTHORIZE THE CITIES OF WILMINGTON, GREENVILLE, AND GREENSBORO, AND THE TOWNS OF HUNTERSVILLE, MATTHEWS, AND CORNELIUS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION, AND TO PREVENT INSURANCE POINTS FROM BEING ASSESSED.

H.J.R. 76, A JOINT RESOLUTION HONORING THE MEMORY OF JOHN REED ON THE BICENTENNIAL OF AMERICA'S FIRST GOLD DISCOVERY. (Res. 14)

June 16, 1999
REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Purcell for the Health Care Committee:

S.B. 665, A BILL TO BE ENTITLED AN ACT AUTHORIZING DENTAL HYGIENIST LICENSURE BY CREDENTIAL AND AMENDING THE LICENSURE REQUIREMENTS FOR DENTAL HYGIENISTS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1746, which changes the title to read S.B. 665 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF DENTAL EXAMINERS TO STUDY, CONSIDER, AND DEVELOP PROCEDURES FOR NORTH CAROLINA LICENSURE-BY-CREDENTIAL FOR ALREADY LICENSED OUT-OF-STATE DENTIST AND DENTAL HYGIENIST APPLICANTS; TO RECOMMEND TO THE 2000 SESSION OF THE GENERAL ASSEMBLY ANY CHANGES NEEDED IN THE DENTAL PRACTICE ACT FOR AUTHORIZING SUCH PROCEDURES; AND TO PREPARE PROPOSED ADMINISTRATIVE REGULATIONS TO IMPLEMENT THE NEW LICENSING PATHWAY, is adopted and engrossed.

Upon motion of Senator Purcell, the Committee Substitute bill is re-referred to the Rules and Operations of the Senate Committee.

By Senator Plyler for the Appropriations/Base Budget Committee:

H.B. 168 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill X7254 is adopted and engrossed.

By Senator Rand for the Rules and Operations of the Senate Committee:

S.J.R. 469, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF EDGAR DAVID MURPHY, III AND JANE P. NORWOOD TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION, with a favorable report, which is placed on the Calendar for Tuesday, June 22.

S.B. 45, A BILL TO BE ENTITLED AN ACT RELATING TO THE 18TH SENATORIAL DISTRICT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4705, which changes the title to read S.B. 45 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CHANNEL IMPROVEMENT AT JOCKEY’S BRANCH, is adopted and engrossed.

Upon adoption of the Committee Substitute, the bill becomes a public bill.

Upon motion of Senator Rand, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

June 16, 1999
S.B. 46, A BILL TO BE ENTITLED AN ACT RELATING TO THE EIGHTEENTH SENATORIAL DISTRICT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill A148, which changes the title to read S.B. 46 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO TABOR CITY TO COMPLETE THE EMERGENCY REPAIR PROJECT FOR STORM DAMAGE, is adopted and engrossed.

Upon adoption of the Committee Substitute, the bill becomes a public bill.

Upon motion of Senator Rand, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 327, A BILL TO BE ENTITLED AN ACT RELATING TO THE 4TH SENATORIAL DISTRICT, with an unfavorable report as to bill, but favorable as to Committee Substitute Senate Resolution.

Pursuant to Rule 45.1, the proposed Committee Substitute Senate Resolution 7697, which changes the title to read S.R. 327 (Committee Substitute), A SENATE RESOLUTION HONORING THE ONE HUNDREDTH ANNIVERSARY OF THE TOWN OF WRIGHTSVILLE BEACH, is adopted and engrossed.

With unanimous consent, upon motion of Senator Rand, the Committee Substitute Senate Resolution is placed on the Calendar for Thursday, June 24.

S.R. 1038, A SENATE RESOLUTION HONORING THE FIFTIETH ANNIVERSARY OF THE TOWN OF SURF CITY, with an unfavorable report as to Senate Resolution, but favorable as to Committee Substitute Senate Resolution.

Pursuant to Rule 45.1, the proposed Committee Substitute Senate Resolution 3835 is adopted and engrossed.

With unanimous consent, upon motion of Senator Rand, the Committee Substitute Senate Resolution is placed on the Calendar for Wednesday, June 23.

The Chair grants a leave of absence for the remainder of today's Session to Senator Carter.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message received in the Office of the Principal Clerk from the House of Representatives transmitting a bill is presented to the Senate, read the first time, and disposed of, as follows:

S.B. 194 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE NURSE LICENSURE COMPACT, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, June 17.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.B. 1472 House of Representatives
June 16, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body requesting the return of H.B.
1999] SENATE JOURNAL 665

1472, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND MODERNIZE TAX CREDITS FOR INVESTING IN RENEWABLE ENERGY SOURCES, for further consideration by the House of Representatives.

Respectfully,
S/Denise Weeks
Principal Clerk

Without objection, the President orders H.B. 1472 returned to the House of Representatives, pursuant to their request.

REPORTS OF COMMITTEES (Continued)

By Senator Cooper for the Judiciary I Committee:

S.B. 1149, A BILL TO BE ENTITLED AN ACT TO MODIFY PERMISSIBLE FEES WHICH MAY BE CHARGED IN CONNECTION WITH HOME LOANS SECURED BY FIRST MORTGAGE OR FIRST DEED OF TRUST, TO IMPOSE RESTRICTIONS AND LIMITATIONS ON HIGH COST HOME LOANS, TO REVISE THE PERMISSIBLE FEES AND CHARGES ON CERTAIN LOANS, AND TO PROHIBIT UNFAIR OR DECEPTIVE PRACTICES BY MORTGAGE BROKERS AND LENDERS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1753, which changes the title to read S.B. 1149 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY PERMISSIBLE FEES WHICH MAY BE CHARGED IN CONNECTION WITH HOME LOANS SECURED BY FIRST MORTGAGE OR FIRST DEED OF TRUST, TO IMPOSE RESTRICTIONS AND LIMITATIONS ON HIGH-COST HOME LOANS, TO REVISE THE PERMISSIBLE FEES AND CHARGES ON CERTAIN LOANS, TO PROHIBIT UNFAIR OR DECEPTIVE PRACTICES BY MORTGAGE BROKERS AND LENDERS, AND TO APPROPRIATE FUNDS FOR PUBLIC EDUCATION AND COUNSELLING ABOUT PREDATORY LENDERS, is adopted and engrossed.

Upon motion of Senator Cooper, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 619, A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF FUQUAY-VARINA, upon third reading.

The bill passes its third reading by roll-call vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

June 16, 1999
S.B. 1112 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE ELECTRONIC COMMERCE BY REPEALING THE SALES TAX REGISTRATION FEE AND TO MAKE OTHER CHANGES TO THE TAX LAWS AND RELATED STATUTES, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives.

H.B. 755 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO CREATE SERVICE DISTRICTS TO FINANCE LIGHTING AT INTERSTATE HIGHWAY INTERCHANGES, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered enrolled and sent to the Governor.

S.B. 244 (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA UNCLAIMED PROPERTY ACT AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER CHANGES TO THE ESCHEATS LAWS.

Upon motion of Senator Hartsell, the President orders, without objection, Committee Substitute bill No. 3 temporarily displaced.

S.B. 1110 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCENTIVE FOR BUSINESSES TO FIND COMMERCIAL USES FOR TECHNOLOGY DEVELOPED BY RESEARCH UNIVERSITIES.

Without objection, Senator Clodfelter requests to be excused from voting on the Committee Substitute bill due to a conflict of interest.

The Committee Substitute bill passes its second (47-1) and third readings and is ordered sent to the House of Representatives.

H.B. 143 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE RELATED TO UNLAWFUL PARKING IN HANDICAPPED PARKING SPACES, AND TO REQUIRE THAT SIGNS BE PLACED ON HANDICAPPED PARKING SPACES.

Upon motion of Senator Cooper, the President orders, without objection, the
Committee Substitute bill temporarily displaced.

**H.B. 494** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT THE UNIFORM CHILD-CUSTODY JURISDICTION AND ENFORCEMENT ACT AND TO MAKE CONFORMING CHANGES.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered enrolled and sent to the Governor.

**H.B. 143** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE RELATED TO UNLAWFUL PARKING IN HANDICAPPED PARKING SPACES, AND TO REQUIRE THAT SIGNS BE PLACED ON HANDICAPPED PARKING SPACES, temporarily displaced earlier.

Senator Cooper offers Amendment No. 1 which is adopted (49-0).

Upon the appearance of Senator Carter in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

The Committee Substitute bill, as amended, passes its second reading (46-4).

Senator Cooper objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Thursday, June 17.

**S.B. 244** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA UNCLAIMED PROPERTY ACT AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER CHANGES TO THE ESCHEATS LAWS, temporarily displaced earlier.

Senator Webster offers Amendment No. 1 which is adopted (50-0).

The President orders, without objection, the Committee Substitute bill No. 3, as amended, temporarily displaced.

**H.B. 924** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COMMUNITY MEDIATION CENTERS.

With unanimous consent, upon motion of Senator Cooper, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Thursday, June 17.

**REPORTS OF COMMITTEES (Continued)**

By Senator Rand for the Rules and Operations of the Senate Committee:

**H.B. 253** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE STATE INFORMATION PROCESSING SERVICES TO THE DIVISION OF INFORMATION TECHNOLOGY SERVICES, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 7255, which changes the title, upon concurrence, to read H.B. 253 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DUTIES OF THE INFORMATION RESOURCE MANAGEMENT COMMISSION AND TO REQUIRE THAT CERTAIN STATE AGENCY INFORMATION TECHNOLOGY PROJECTS MUST BE CERTIFIED BY THE COMMISSION, is adopted and engrossed.

With unanimous consent, upon motion of Senator Rand, the Senate Committee Substitute bill is placed on the Calendar for Monday, June 21.
CALENDAR (Continued)

H.B. 1021 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE UNIFORM COMMERCIAL CODE WITH REGARD TO THE PROCEDURE FOR FILING OF FINANCING STATEMENTS.

With unanimous consent, upon motion of Senator Miller, the Senate Committee Substitute bill is withdrawn from today’s Calendar and is re-referred to the Judiciary II Committee.

The Chair extends courtesies of the gallery to the North Carolina Federation of Republican Women.

CALENDAR (Continued)

H.B. 1192 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TRACING OF FIREARMS USED IN THE COMMISSION OF A CRIME.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered enrolled and sent to the Governor.

S.B. 881, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CAMPAIGN REFORM ACT OF 1999, as amended on second reading.

The Committee Substitute bill passes its third reading (36-14) and is ordered engrossed and sent to the House of Representatives.

S.B. 59 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE PHARMACY PRACTICE ACT TO PERMIT CERTAIN NONPROFIT CORPORATIONS TO OPERATE MOBILE PHARMACIES AND TO ALLOW SUCH PHARMACIES TO REGISTER ANNUALLY WITH THE BOARD OF PHARMACY, for concurrence in House Committee Substitute bill No. 2, upon second reading.

The Senate concurs in House Committee Substitute bill No. 2 on its second reading by roll-call vote, ayes 50, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill No. 2 remains on the Calendar for tomorrow, Thursday, June 17, upon third reading.

S.B. 761 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM AND MODERNIZE THE ACKNOWLEDGMENT OF CORPORATE REAL PROPERTY INSTRUMENTS AND THE EXECUTION OF REAL PROPERTY INSTRUMENTS GENERALLY, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (49-1) and the measure is ordered enrolled and sent to the Governor.

S.B. 867 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING CERTAIN PROVISIONS OF THE REAL ESTATE LICENSE LAW, for

June 16, 1999
The Senate concurs in the House Committee Substitute bill (50-0) and the measure is ordered enrolled and sent to the Governor.

S.B. 244 (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA UNCLAIMED PROPERTY ACT AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER CHANGES TO THE ESCHEATS LAWS, as amended and temporarily displaced earlier.

Senator Kerr offers Amendment No. 2 which is adopted (49-1).

The Committee Substitute bill No. 3, as amended, passes its second (50-0) and third readings and is ordered engrossed and sent to the House of Representatives.

REPORTS OF COMMITTEES (Continued)

By Senator Kerr for the Finance Committee:

H.B. 237, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE PAID TO AGENTS OF THE WILDLIFE RESOURCES COMMISSION TO AWARD CERTIFICATES OF BOAT NUMBER OR OTHER VESSEL TRANSACTION AND TO AMEND THE DUTIES OF THE WILDLIFE RESOURCES COMMISSION WITH REGARD TO THE APPOINTMENT OF AGENTS FOR THE ISSUANCE OF BOAT NUMBERS, TO RAISE THE REPORTING REQUIREMENT FOR BOATING ACCIDENTS TO DAMAGES IN EXCESS OF FIVE HUNDRED DOLLARS, AND TO REPEAL THE LAW REQUIRING PERMITS FROM THE WILDLIFE RESOURCES COMMISSION TO HOLD REGATTAS AND OTHER EVENTS, with a favorable report.

H.B. 283 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE TREASURER'S INVESTMENT AUTHORITY, with a favorable report.

H.B. 830 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PENALTIES FOR THE TRANSYLVANIA COUNTY ROOM OCCUPANCY TAX, with a favorable report.

S.B. 941 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE MANUFACTURED HOUSING BOARD STATUTES, TO PROVIDE FOR CONTINUING EDUCATION FOR LICENSEES, TO IMPROVE THE BUYER CANCELLATION LAW, AND TO UPDATE THE LAW ON MANUFACTURED HOME STANDARDS TO COMPLY WITH FEDERAL LAWS AND REGULATIONS, with an unfavorable report as to Committee Substitute bill No. 1, but favorable as to Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, A154, is adopted and engrossed.

APPOINTMENT OF CONFERENCE COMMITTEE

S.B. 742 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR SCHOOL PERSONNEL TO ENGAGE IN SEXUAL ACTS WITH A STUDENT.

Pursuant to the Senate having failed to concur in the House Committee Substitute on
June 15, Senator Basnight, President Pro Tempore, announces the appointment of Senator Dalton, Chairman, and Senator Garrou and Senator Rucho as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

Upon motion of Senator Basnight, seconded by Senator Robinson, the Senate adjourns at 3:24 P.M. to meet tomorrow, Thursday, June 17, at 9:00 A.M.

EIGHTY-SECOND DAY

Senate Chamber
Thursday, June 17, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Stephen Elkins-Williams, Rector of Chapel of the Cross, Chapel Hill, North Carolina, as follows:

“Oh God, in whom we live and move and have our being, You have so linked our lives with one another that all we do affects, for good or ill, all other lives, so expand our vision and guide our work that what we do may not be for self alone, but for the common good. Direct the efforts of this Legislative Body as they deal with complex decisions. Teach them to perceive what is right, and grant them both the courage to pursue it and the grace to accomplish it. Fill them with the energy and the dedication to see the difficult choices asked of them, not as stumbling blocks, but as opportunities to serve You by serving others. Thank You for the people of this State, for its leaders, for our youth, and for challenges that shape us into the persons You would have us to be. On a personal note, thank You for our family cat, Simon, who is twenty years old today. Your wonders never cease! Amen.”

With unanimous consent, the President grants a leave of absence for today to Senator Jordan.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Wednesday, June 16, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Daniel Leland Schwarz from Winston-Salem, North Carolina, who is serving the Senate as Doctor of the Day, and to Nancy Crutchfield from Eden, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 761, AN ACT TO REFORM AND MODERNIZE THE ACKNOWLEDGMENT

June 17, 1999
OF CORPORATE REAL PROPERTY INSTRUMENTS AND THE EXECUTION OF REAL PROPERTY INSTRUMENTS GENERALLY.

S.B. 867, AN ACT AMENDING CERTAIN PROVISIONS OF THE REAL ESTATE LICENSE LAW.

H.B. 190, AN ACT TO AUTHORIZE CERTAIN FACILITIES TO SHARE PEER REVIEW INFORMATION WITH ACCREDITING ORGANIZATIONS.

H.B. 494, AN ACT TO ADOPT THE UNIFORM CHILD-CUSTODY JURISDICTION AND ENFORCEMENT ACT AND TO MAKE CONFORMING CHANGES.

H.B. 755, AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO CREATE SERVICE DISTRICTS TO FINANCE LIGHTING AT INTERSTATE HIGHWAY INTERCHANGES.

H.B. 1192, AN ACT TO PROVIDE FOR THE TRACING OF FIREARMS USED IN THE COMMISSION OF A CRIME.

H.B. 1193, AN ACT AUTHORIZING NURSE PRACTITIONERS AND PHYSICIAN ASSISTANTS TO CONDUCT PHYSICAL EXAMINATIONS IN CERTAIN CIRCUMSTANCES.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

H.B. 476, AN ACT CONCERNING THE GRANT OF POWERS TO ELECTRIC MEMBERSHIP CORPORATIONS REGARDING SUBSIDIARY ORGANIZATIONS. (Became law upon approval of the Governor, June 16, 1999 – S.L. 1999-180.)

H.B. 426, AN ACT TO AUTHORIZE THE CITIES OF GREENSBORO, HIGH POINT, AND ROCKY MOUNT TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION. (Became law upon ratification, June 16, 1999 – S.L. 1999-181.)

H.B. 514, AN ACT TO AUTHORIZE THE CITIES OF WILMINGTON, GREENVILLE, AND GREENSBORO, AND THE TOWNS OF HUNTERSVILLE, MATTHEWS, AND CORNELIUS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION, AND TO PREVENT INSURANCE POINTS FROM BEING ASSESSED. (Became law upon ratification, June 16, 1999–S.L. 1999-182.)

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A special message is received from the House of Representatives transmitting a joint resolution which is read the first time and disposed of, as follows:

H.J.R. 1486, A JOINT RESOLUTION COMMEMORATING JUNETEENTH AND HONORING THE MEMORY OF THE HUNDREDS OF THOUSANDS OF AFRICAN-

June 17, 1999
AMERICANS WHO WERE ENSLAVED IN THIS COUNTRY.

Upon motion of Senator Rand, the rules are suspended, without objection, and the joint resolution is placed on today’s Calendar.

CALENDAR

Bills on today’s Calendar are taken up and disposed of, as follows:

H.B. 924 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COMMUNITY MEDIATION CENTERS.

With unanimous consent, upon motion of Senator Rand, the Senate Committee Substitute bill is withdrawn from today’s Calendar and is re-referred to the Judiciary I Committee.

H.B. 830 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PENALTIES FOR THE TRANSYLVANIA COUNTY ROOM OCCUPANCY TAX, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 46, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for Monday, June 21, upon third reading.

S.B. 941 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO UPDATE THE MANUFACTURED HOUSING BOARD STATUTES, TO PROVIDE FOR CONTINUING EDUCATION FOR LICENSEES, TO IMPROVE THE BUYER CANCELLATION LAW, AND TO UPDATE THE LAW ON MANUFACTURED HOME STANDARDS TO COMPLY WITH FEDERAL LAWS AND REGULATIONS.

With unanimous consent, upon motion of Senator Warren, the Committee Substitute bill No. 2 is withdrawn from today’s Calendar and is placed on the Calendar for Wednesday, June 23.

H.B. 237, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE PAID TO AGENTS OF THE WILDLIFE RESOURCES COMMISSION TO AWARD CERTIFICATES OF BOAT NUMBER OR OTHER VESSEL TRANSACTION AND TO AMEND THE DUTIES OF THE WILDLIFE RESOURCES COMMISSION WITH REGARD TO THE APPOINTMENT OF AGENTS FOR THE ISSUANCE OF BOAT NUMBERS, TO RAISE THE REPORTING REQUIREMENT FOR BOATING ACCIDENTS TO DAMAGES IN EXCESS OF FIVE HUNDRED DOLLARS, AND TO REPEAL THE LAW REQUIRING PERMITS FROM THE WILDLIFE RESOURCES COMMISSION TO HOLD REGATTAS AND OTHER EVENTS, upon second reading.

The bill passes its second reading by roll-call vote, ayes 47, noes 0, as follows:

Plyler, Purcell, Rand, Reeves, Robinson, Rucho, Shaw of Cumberland, Shaw of Guilford, Soles, Warren, Webster, Weinstein, and Wellons—47.

Voting in the negative: None.

The bill is ordered placed on the Calendar for Monday, June 21, upon third reading.

**H.B. 168 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.**

Upon motion of Senator Plyer, the Senate Committee Substitute bill is taken up out of its regular order of business.

*The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.*

Senator Martin of Pitt offers Amendment No. 1 which is adopted (49-0).

*Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.*

Senator Reeves offers Amendment No. 2 which is adopted (48-0).

Senator Horton offers Amendment No. 3.

Senator Rand rises to a point of order under Rule 57.1 as to Amendment No. 3 being germane to the original subject matter of the Senate Committee Substitute bill.

The Chair rules, pursuant to Rule 57.1, that Amendment No. 3 is not germane.

Senator Horton appeals the rule of the Chair and calls for “ayes” and “noes” on the question. The call for “ayes” and “noes” is sustained, and the question becomes the appeal of the ruling of the Chair.

The ruling of the Chair is sustained by a two-thirds roll-call vote, ayes 31, noes 15, as follows:


Voting in the negative: Senators Allran, Ballantine, Carpenter, Carrington Cochrane, East, Forrester, Foxx, Garwood, Hartsell, Horton, Moore, Rucho, Shaw of Guilford, and Webster—15.

Senator Horton offers Amendment No. 4.

The Senate recesses at 10:51 A.M. with Amendment No. 4 pending, to reconvene at 11:21 A.M.

**RECESS**

The Senate meets pursuant to recess and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

**H.B. 168 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, with Amendment No. 4 pending.**

Senator Rand offers Amendment No. 5, a substitute to Amendment No. 4, which is adopted (33-15).

Senator Martin of Guilford offers Amendment No. 6 which is adopted (48-0).

Senator Plyler offers Amendment No. 7 which is adopted (49-0).

Senator Kerr offers Amendment No. 8 which is adopted (49-0).

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Senator Carpenter offers Amendment No. 9.

Senator Basnight offers a motion that Amendment No. 9 do lie upon the table, seconded by Senator Rand. Senator Horton calls for the "ayes" and "noes" on the motion that Amendment No. 9 lie upon the table. The motion prevails, ayes 33, noes 15, as follows:


Voting in the negative: Senators Allran, Ballantine, Carpenter, Carrington, Cochrane, East, Forrester, Foxx, Garwood, Hartsell, Horton, Moore, Rucho, Shaw of Guilford, and Webster—15.

Amendment No. 9 lies upon the table.

Senator Webster offers Amendment No. 10.

Senator Webster calls the previous question on Amendment No. 10, seconded by Senator Rand. The call is sustained.

Amendment No. 10 fails of adoption (16-33).

Senator Plyler calls the previous question on second and third readings of the Senate Committee Substitute bill, seconded by Senator Rand.

Senator Webster calls for a division of the vote on the call of the previous question.

The call is sustained, ayes 34, noes 15, as follows:


Voting in the negative: Senators Allran, Ballantine, Carpenter, Carrington, Cochrane, East, Forrester, Foxx, Garwood, Hartsell, Horton, Moore, Rucho, Shaw of Guilford, and Webster—15.

The Senate Committee Substitute bill, as amended, passes its second reading by a three-fifths majority vote, ayes 48, noes 1, as follows:


Voting in the negative: Senator Webster—1.

The Senate Committee Substitute bill, as amended, passes its third reading by a three-fifths majority vote, ayes 48, noes 1 as follows:


Voting in the negative: Senator Webster—1.

The Senate Committee Substitute bill, as amended, is ordered engrossed and sent by special message to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

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Upon motion of Senator Basnight, seconded by Senator Carter, the Senate adjourns at 12:27 P.M. with unfinished business remaining on the Calendar, subject to the reading of notices and announcements, to reconvene on Monday, June 21, at 7:00 P.M.

EIGHTY-THIRD DAY

Senate Chamber
Monday, June 21, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"God of strength, tonight we will consider a vote on the Juneteenth resolution. It doesn’t exactly strike us as a critical piece of legislation given the budget business we are grappling with this week. But does not the commemoration of Juneteenth reach right into the heart of Your divine law?

"The reality of emancipation had been achieved by presidential proclamation in January 1863. The words of freedom had been spoken, but the people of Texas did not hear it. It took nearly two and a half years for the good news to reach them, June 1865.

"We, too, have heard the good news of Your liberation and yet we still continue to live in slavery. Not just in slavery which binds our wrists and ankles in iron shackles, but the slavery which imprisons our hearts and minds. Our hopes have been fettered, our spirits hobbled.

"God of promise, we know that You abhor bondage however it is manifest. Renew in us a hunger for the freedom which You have promised us, freedom from jealousy, oppression, injustice, and pessimism. Stir up in us a passion for spreading the good news of Your liberating word, for there are some this day who have not yet heard, who still walk in darkness. Lord, use us as Your instruments of freedom as we consider the commemoration of Juneteenth. In Your Holy Name we pray, Amen."

With unanimous consent, the President grants leaves of absence for tonight to Senator Hartsell, Senator Jordan, Senator Martin of Pitt, and Senator Perdue.

Senator Basnight, President Pro Tempore, announces the Journal of Thursday, June 17, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Ralph C. Gertsch from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:


June 21, 1999
The Enrolling Clerk reports the following resolution duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.J.R. 470, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION. (Res. 15)

CHAPTERED BILL

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

S.B. 65, AN ACT TO ENHANCE MOTOR VEHICLE OCCUPANT RESTRAINT SAFETY. (Became law upon approval of the Governor, June 17, 1999 – S.L. 1999-183.)

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Kinnaird for the State and Local Government Committee:

H.B. 228 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE STATE EMPLOYEES COMBINED CAMPAIGN, with a favorable report.

H.B. 447, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF ASHEVILLE TO PROHIBIT ACTS OF DISCRIMINATION IN EMPLOYMENT BASED ON RACE, COLOR, NATIONAL ORIGIN, RELIGION, SEX, DISABILITY, OR AGE, with a favorable report.

H.B. 570, A BILL TO BE ENTITLED AN ACT TO REMOVE THE TOWN OF CAROLINA SHORES FROM THE 201 PLANNING AREA IN BRUNSWICK COUNTY, with a favorable report.

Upon motion of Senator Kinnaird, the bill is re-referred to the Commerce Committee.

H.B. 1104, A BILL TO BE ENTITLED AN ACT CLARIFYING THE DESIGNATION OF EXEMPT POSITIONS IN STATE GOVERNMENT EMPLOYMENT, with a favorable report.

H.B. 684 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF APEX, CARY, GARNER, AND MORRISVILLE TO ADOPT ORDINANCES REGULATING REMOVAL, REPLACEMENT, AND PRESERVATION OF TREES AND SHRUBS WITHIN THE TOWNS AND THE TOWNS' EXTRATERRITORIAL PLANNING JURISDICTION, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 3432, which changes the title, upon concurrence, to read H.B. 684 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF KINSTON AND THE TOWNS OF APEX, CARY, GARNER, AND MORRISVILLE TO ADOPT ORDINANCES REGULATING REMOVAL, REPLACEMENT, AND
PRESERVATION OF TREES AND SHRUBS WITHIN THE TOWNS AND THE TOWNS' EXTRATERRITORIAL PLANNING JURISDICTION, is adopted and engrossed.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 90 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT INSURERS THAT PROVIDE HEALTH INSURANCE COVERAGE FOR PRESCRIPTION DRUGS OR OUTPATIENT SERVICES PROVIDE COVERAGE FOR PRESCRIBED CONTRACEPTIVE DRUGS AND DEVICES OR OUTPATIENT CONTRACEPTIVE SERVICES, for concurrence in House Committee Substitute bill No. 2, which is placed on the Calendar for tomorrow, Tuesday, June 22.

S.B. 172 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN THE POSSESSION OF BLUE LIGHTS IS ILLEGAL, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, June 22.

S.B. 843 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF NURSING TO INCREASE THE ANNUAL FEE CHARGED NURSES AIDES II, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, June 22.

H.B. 541 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TROTLLINES, BUOY SETS, AND SET HOOKS ARE SPECIAL FISHING DEVICES.

Referred to Agriculture/Environment/Natural Resources Committee.

H.B. 1397 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE MORE MUNICIPALITIES ELIGIBLE FOR DEVELOPMENT ZONES.

Referred to Finance Committee.

H.B. 1470 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS TO ENTER INTO AGREEMENTS WITH SPECIAL IMPAIRED DENTIST PEER REVIEW ORGANIZATIONS TO INCLUDE PROGRAMS FOR IMPAIRED DENTAL HYGIENISTS, TO COLLECT FEES TO FUND SUCH PROGRAMS, AND TO PROVIDE FOR REPRESENTATION FOR DENTAL HYGIENISTS ON THE STATEWIDE SUPERVISORY COMMITTEE.

Referred to Health Care Committee and upon a favorable report, re-referred to the Finance Committee.

H.B. 1472 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND MODERNIZE TAX CREDITS FOR INVESTING IN RENEWABLE ENERGY SOURCES.

Referred to Finance Committee.
SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.B. 275

House of Representatives
June 17, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute to HB 275, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR MORE EMPLOYERS WITH POSITIVE EXPERIENCE RATINGS.

Respectfully,
S/Denise Weeks
Principal Clerk

The following special message is received from the House of Representatives:

S.B. 742

House of Representatives
June 17, 1999

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in the House Committee Substitute for SB 742, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR SCHOOL PERSONNEL TO ENGAGE IN SEXUAL ACTS WITH A STUDENT, the Speaker has appointed as conferees on the part of the House:

Representative Goodwin,
Representative Moore,
Representative Esposito and
Representative Mitchell

to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
S/Denise Weeks
Principal Clerk

The following special message is received from the House of Representatives:

H.B. 168

House of Representatives
June 17, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute to HB 168, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS

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AND CAPITAL IMPROVEMENTS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, and requests conferees. The Speaker has appointed: Representatives Easterling, Hardaway and Redwine, Chairs; Representatives Owens, Hackney, Baddour, Rogers, Boyd-McIntyre, Oldham, Wright, Jeffus, Wainwright, Earle, Nye, Kinney, Culpepper, Miller, McCrary, Fox, Crawford, Cole, Cunningham, Buchanan, Culp, Walend, McMahan, and Thompson on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
S/Denise Weeks
Principal Clerk

EXECUTIVE ORDER

An Executive Order received is presented to the Senate, read, and ordered filed in the Office of the Principal Clerk with the papers of the Senate, as follows:

Executive Order No. 153, Persian Gulf War Memorial Commission.

CALENDAR

Bills and a resolution on the Calendar carried forward as unfinished business from Thursday, June 17, are taken up and disposed of, as follows:

H.B. 283 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE TREASURER'S INVESTMENT AUTHORITY.

The Committee Substitute bill passes its second reading (44-0).

Senator Ballantine objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Tuesday, June 22.

COMMITTEE REFERRAL RECALL

S.B. 1149 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY PERMISSIBLE FEES WHICH MAY BE CHARGED IN CONNECTION WITH HOME LOANS SECURED BY FIRST MORTGAGE OR FIRST DEED OF TRUST, TO IMPose RESTRICTIONS AND LIMITATIONS ON HIGH-COST HOME LOANS, TO REVISE THE PERMISSIBLE FEES AND CHARGES ON CERTAIN LOANS, TO PROHIBIT UNFAIR OR DECEPTIVE PRACTICES BY MORTGAGE BROKERS AND LENDERS, AND TO APPROPRIATE FUNDS FOR PUBLIC EDUCATION AND COUNSELING ABOUT PREDATORY LENDERS, referred to the Appropriations/Base Budget Committee on June 16.

Pursuant to Rule 47(a), Senator Odom offers a motion that the Committee Substitute bill be withdrawn from the Appropriations/Base Budget Committee and placed on the Calendar for Tuesday, June 22.

The Chair orders the Committee Substitute bill withdrawn from the Appropriations/Base Budget Committee and places it on the Calendar for Tuesday, June 22.

CALENDAR (Continued)

H.J.R. 1486, A JOINT RESOLUTION COMMEMORATING JUNETEENTH AND HONORING THE MEMORY OF THE HUNDREDS OF THOUSANDS OF AFRICAN-
AMERICANS WHO WERE ENSLAVED IN THIS COUNTRY.

With unanimous consent, upon motion of Senator Ballance, the joint resolution is read in its entirety, and upon motion of Senator Kinnaird, the remarks of the Senators commemorating Juneteenth and honoring the memory of the hundreds of thousands of African-Americans who were enslaved in this country, are spread upon the Journal as follows:

Senator Ballance:

"Thank you Mr. President, Members of the Senate. From time to time, we pause to recognize certain events in our history and this is no different than other events. This particular date, June 19, 1865, is significant in that many of us, in a lot of our communities in North Carolina, celebrate January 1st Emancipation Day, that is the day that Lincoln’s proclamation was issued and many of us celebrate that as the Emancipation or freedom of the slaves in America. Juneteenth recognizes June 19th two and one-half years later when, for whatever reason, there are a lot of explanations, the Union soldiers finally reached Galveston, Texas with the news and we don’t know how many people went to their graves not knowing that a Proclamation had been issued declaring their freedom. But we do know that people who received this news, although it was late, began celebrating their freedom and this celebration has spread throughout the Nation. There are other examples of Holocaust in this world and in this country. We think of the Jews and we think of Native Americans and in terms of slavery, we think of African-Americans and we pause today to just recognize that we have this burden to bear, all of us together. And it’s important that as we march down the road together we, from time to time, pause and look back, commemorate these mile stones and we could measure how much progress we have made and I’m proud to say that we’ve made a lot of progress in this country. We’ve made a lot of progress in this State. We still have a long way to go. I listened to a preacher preach yesterday and his sermon was Public Enemy Number One. And he said something that my parents told me a long time ago. It’s not enough to look at other folk and place the blame on them for your shortcomings, but you have an obligation to lift yourself from whatever circumstances you find yourself in. You have an obligation, he said, to be whatever God wants you to be. And those of us in the African-American community, while we abhor slavery and racism, we do not spend all of our time complaining about those events. We try to spend a lot of our times stepping out on our own ability, on our own knowledge, on our own faith, and so it is as we pause tonight, we can recall the words of James Weldon Johnson, ‘Stoney the road we trod, and bitter the chasting rod, felt in the days when hope unborn had died. Yet with the steady beat, have not our weary feet come to the place for which our fathers died.’ I could go on but I’ll just stop there and leave those words ringing in your ears as we pause to celebrate Juneteenth."

Senator Shaw of Cumberland:

"Thank you Mr. President. I would also like to commend Senator Ballance for bringing this celebration to our attention. I first learned about Juneteenth Celebration Day about twenty-seven years ago. I was a young fellow out of school and I was coaching out in Corpus Christie, Texas at one of the high schools out there. When the occasion came around I was informed of what I thought was a cruel joke. I said, ‘No.’ I said, ‘Haven’t ya’ll heard about the Emancipation Proclamation. ‘Yea, this is what happened.’ And I think well uh, I thought they were for real and that this was in fact quite a celebration. And they had picked up a lot of recognition across the State and I’m delighted to see that this Body has seen fit to honor this occasion and I certainly want to thank Senator Ballance for speaking so eloquently on it. I don’t know if the Union soldiers made it to Galveston, it took them a long while to get out there, is one of the stories that I’ve heard and I’ve also heard the version that was part of an understanding and an agreement that we

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wouldn’t tell them until we got all the crops in. So be that as it may, I’m delighted to stand here before you today in celebration of Juneteenth Day. I urge your adoption of the resolution.”

Senator Horton:
“Members of the Senate, my fellow representative from Forsyth County, Representative Larry Womble, was the principal sponsor of this and I certainly commend it to you. It commemorates a two and one-half year lag before the word of the Emancipation Proclamation finally got to Texas. Texas has seemed behind the times in many respects since then. But I think a little history might be instructive to us. You recall that it was in January of 1863 that President Lincoln made his Emancipation Proclamation and he included only the territory that was under the control of the Confederate Government. So those slaves in Delaware, New Jersey, Missouri, Maryland, West Virginia, Kentucky, weren’t freed at all. But they were freed when the Thirteenth Amendment was finally passed. A provisional government was established for all the confederate states and it was that provisional government that gave us in North Carolina freedom for our Black citizens. It also gave them the right to vote. And it was under this provisional government, all of them, dare I say, Republicans, that joining with the Blacks and the old Whigs who had become Republicans, they gave us a new Constitution, essentially the one that we have right now, the Constitution of 1868. North Carolina did well in a number of intervening years until 1900 when in the last of the great white supremacy campaigns, waving the bloody shirt, as representatives from New Hanover will recall, the Democrats swept in office and took the vote away from the Blacks, established literacy qualifications, poll taxes, and so on. I mention this just because I think history is interesting. History has a lot of quirks in it. Ironically, it was the Republicans that freed those slaves. It was the Republicans that gave them in North Carolina the right to be full citizens and I’m delighted to support this resolution in memory of those people who, at a time when it wasn’t always popular with their more ritzy friends, stood for what was right. Juneteenth is a signal day, a day that I think we all ought to bare in our minds is worth remembering and it’s also worth remembering our history. I commend this to you.”

Senator Phillips:
“To my learned friends in the Senate, I can’t speak nor can I apologize for my predecessors in the 1830’s, ’40’s, ’50’s, ’60’s, ’70’s, but I can certainly speak for today and for myself. I am pleased to support this resolution for other reasons than those that have been described here tonight. I look at who I am and where I came from and I look at my parents and my grandparents and I’m always minded of their instructions, that to myself be true, to all others be true and kind and decent. And all of my life I’ve put forth that effort, to recognize the dignity in all men and all women. To recognize their talents and skills and their right to be free, to be free to express, to be free to learn, to be free to study, to work and have a place in a society. And I’ve all my life worked to that end. I’m grateful for my teachings. I’m also grateful for my friendship with all people. I’m grateful for the cultures, the diversity that makes up our Senate, that makes up our State, that makes up our Nation. I’m always mindful that from all the people around me I have been blessed. I’ve always had an opportunity to learn from different cultures from the diversity that surrounds me and I’m thankful for that. I am thankful that we no longer have what we called in the 1860’s ‘slavery.’ But I must say to you, there are people in the world around us today that are still not free. There are people in our State that are not free. There are people in our Body who are not free. They are not free in some cases because they do not allow themselves to be free. They’re filled with hate. They’re filled with jealousy and pettiness, and I feel sorry for them because they never know the joy of free life and free expression and the relationship with each other. I thank you for this

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resolution, Senator Ballance. I thank those who will support this resolution that we might from this day forward not only have a free society in our world, in our country and in our State, but also in our community and in our own hearts and I support your resolution. Thank you.”

Senator Ballance:
“Thank you Mr. President. I neglected to say those of us in the Senate Black Caucus sort of agreed that all of us would not stand up and speak on this resolution. I wanted to make sure that this is a Caucus resolution and each of our members are supportive of it. Thank you very much.”

Senator Basnight:
“There are not many times that I enjoy, like you too, very much the resolutions. They sometimes are about people that we don’t know and about times and issues in history that we don’t know too much about and really don’t have too much of an impact on the way we feel or think. But tonight, Senator Ballance, I’d have to say that I could have enjoyed much more than what we heard from other members of our Black delegation. I don’t like to call things by color, but what we are is a people, we’re all one but to enjoy some of that verbiage that could have been offered and would have been appreciated by many of us. Now that’s a rare opportunity that any of us feel that way, but I believe you could feel it in this Chamber tonight. The awful history of our past and the remembrance of such is so important to the children that serve here as pages tonight and to all of us who are adults, that we teach, we learn from the evils of the past to make the world more beautiful and more fruitful for opportunity and the enjoyment to appreciate everyone. We are one people under God’s name.”

The joint resolution passes its second reading (44-0) and third reading, with Members standing, and is ordered enrolled.

H.B. 143 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE RELATED TO UNLAWFUL PARKING IN HANDICAPPED PARKING SPACES, AND TO REQUIRE THAT SIGNS BE PLACED ON HANDICAPPED PARKING SPACES, as amended on second reading.

Upon motion of Senator Cooper, the President orders, without objection, the Committee Substitute bill, as amended, temporarily displaced.

S.B. 59 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE PHARMACY PRACTICE ACT TO PERMIT CERTAIN NONPROFIT CORPORATIONS TO OPERATE MOBILE PHARMACIES AND TO ALLOW SUCH PHARMACIES TO REGISTER ANNUALLY WITH THE BOARD OF PHARMACY, for concurrence in House Committee Substitute bill No. 2, upon third reading.

The Senate concurs in House Committee Substitute bill No. 2 on its third reading by roll-call vote, ayes 45, noes 0, as follows:

Voting in the negative: None.

The House Committee Substitute bill No. 2 is ordered enrolled and sent to the Governor.

June 21, 1999
S.B. 194 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE NURSE LICENSURE COMPACT, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (45-0) and the measure is ordered enrolled and sent to the Governor.

Bills on tonight’s Calendar are taken up and disposed of, as follows:

H.B. 830 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PENALTIES FOR THE TRANSYLVANIA COUNTY ROOM OCCUPANCY TAX, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 45, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

H.B. 237, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE PAID TO AGENTS OF THE WILDLIFE RESOURCES COMMISSION TO AWARD CERTIFICATES OF BOAT NUMBER OR OTHER VESSEL TRANSACTION AND TO AMEND THE DUTIES OF THE WILDLIFE RESOURCES COMMISSION WITH REGARD TO THE APPOINTMENT OF AGENTS FOR THE ISSUANCE OF BOAT NUMBERS, TO RAISE THE REPORTING REQUIREMENT FOR BOATING ACCIDENTS TO DAMAGES IN EXCESS OF FIVE HUNDRED DOLLARS, AND TO REPEAL THE LAW REQUIRING PERMITS FROM THE WILDLIFE RESOURCES COMMISSION TO HOLD REGATTAS AND OTHER EVENTS, upon third reading.

The bill passes its third reading by roll-call vote, ayes 45, noes 0, as follows:


Voting in the negative: None.

The bill is ordered enrolled and sent to the Governor.

H.B. 253 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DUTIES OF THE INFORMATION RESOURCE MANAGEMENT COMMISSION AND TO REQUIRE THAT CERTAIN STATE AGENCY INFORMATION TECHNOLOGY PROJECTS MUST BE CERTIFIED BY THE COMMISSION, which title changes upon concurrence.

The Senate Committee Substitute bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

H.B. 143 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE RELATED TO UNLAWFUL PARKING IN HANDICAPPED
PARKING SPACES, AND TO REQUIRE THAT SIGNS BE PLACED ON HANDICAPPED PARKING SPACES, as amended on second reading, temporarily displaced earlier.

Senator Cooper offers Amendment No. 2 which is adopted (46-0).

The Committee Substitute bill, as amended, passes its third reading (45-1) and is ordered sent to the House of Representatives, for concurrence in Senate Amendments No. 1 and No. 2.

SENATE PAGES

The President recognizes the following pages serving in the Senate this week:

Ivy Lea Capell, Hendersonville; Katie Alice Cox, Monroe; Femi David-Yerumo, Durham; Robert Rhodes DeMason, Eden; James C. Dempsey IV, Raleigh; Alan Ray Fann, Stedman; Mary Elizabeth Gregory, Camden; Robert C. Hewett, Greensboro; Katie Anne Hughes, Lexington; Myra Ann Johnson, Four Oaks; Isaac Andrew Johnston, Wilkesboro; Robert Matthew Jones, Plymouth; Jason Paul Kohler, Matthews; Holly Lemmings, Lexington; Steven De’l McLeod, Raleigh; Dolphin H. Overton IV, Wilson; Matthew Rowe, Raleigh; Jason S. Scott, Fayetteville; Anna Brock Thompson, Raleigh; Simmons Tucker, Charlotte; William Chandler Watavuk, Durham; Carrie Vinson, Fayetteville; Megan Wood, Fayetteville; and Danielle Yeargin, South Mills.

APPOINTMENT OF CONFERENCE COMMITTEE

H.B. 168 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

Pursuant to the message received from the House of Representatives earlier tonight, that the House fails to concur in the Senate Committee Substitute for H.B. 168 and requests conferees, Senator Basnight offers a motion that the Senate appoint conferees, which motion prevails.

Senator Basnight, President Pro Tempore announces the appointment of Senator Plyler, Senator Perdue and Senator Odom, Co-Chairs, and Senators Albertson, Ballance, Cooper, Cochrane, Dalton, Dannelly, Forrester, Gulley, Hoyle, Jordan, Kerr, Lee, Lucas, Martin of Guilford, Martin of Pitt, Moore, Rand, Shaw of Cumberland, and Warren, as conferees on the part of the Senate to act with a like committee from the House of Representatives to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

Upon motion of Senator Basnight, seconded by Senators Ballance, Dannelly, Lee, Lucas, Martin of Guilford, and Shaw of Cumberland, the Senate adjourns at 8:06 P.M. to meet tomorrow, Tuesday, June 22, at 2:00 P.M.

EIGHTY-FOURTH DAY

Senate Chamber
Tuesday, June 22, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable
Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Gracious Lord God, as the Session moves into its last few laps, we find ourselves increasingly under the gun. Things are not as neat as they were back in January. We have started forgetting conversations, confusing names and dates. Important budget figures seem to surreptitiously exit our memory by the back door. Our reason is growing fuzzy. Is it age that weakens our minds or just the everyday stress we work under?

"Perhaps we would do well to welcome this occasional chaos inside our heads. After all, it was out of the watery chaos that God created the world. And it is through the howling confusion of the storm that we hear the quiet, comforting voice of our Redeemer.

"Dear Lord, while there is much we may forget today, Your promise to us is secure, that You have engraved our names upon Your heart. Remember and revisit us today. We may not even be alert enough to notice, but just the anticipation of Your presence is a blessing to us. We pray in Your Holy Name, Amen."

With unanimous consent, the President grants a leave of absence for today to Senator Jordan.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Monday, June 22, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

**ENROLLED BILLS**

The Enrolling Clerk reports the following bills duly ratified, for presentation to the Governor:

**S.B. 59, AN ACT TO AMEND THE PHARMACY PRACTICE ACT TO PERMIT CERTAIN NONPROFIT CORPORATIONS TO OPERATE MOBILE PHARMACIES AND TO ALLOW SUCH PHARMACIES TO REGISTER ANNUALLY WITH THE BOARD OF PHARMACY.**

**S.B. 194, AN ACT TO CREATE THE NURSE LICENSURE COMPACT.**

**S.B. 766, AN ACT TO MAKE CERTAIN PROVISIONS IN THE INSURANCE LAW APPLICABLE TO HOSPITAL, MEDICAL, AND DENTAL SERVICE CORPORATIONS AND TO HEALTH MAINTENANCE ORGANIZATIONS.**

**H.B. 237, AN ACT TO INCREASE THE FEE PAID TO AGENTS OF THE WILDLIFE RESOURCES COMMISSION TO AWARD CERTIFICATES OF BOAT NUMBER OR OTHER VESSEL TRANSACTION AND TO AMEND THE DUTIES OF THE WILDLIFE RESOURCES COMMISSION WITH REGARD TO THE APPOINTMENT OF AGENTS FOR THE ISSUANCE OF BOAT NUMBERS, TO RAISE THE REPORTING REQUIREMENT FOR BOATING ACCIDENTS TO DAMAGES IN EXCESS OF FIVE HUNDRED DOLLARS, AND TO REPEAL THE LAW REQUIRING PERMITS FROM THE WILDLIFE RESOURCES COMMISSION TO HOLD REGATTAS AND OTHER EVENTS.**

**H.B. 957, AN ACT TO PROVIDE THAT AN ELECTRONIC OR FACSIMILE SIGNATURE OF A PHYSICIAN PROVIDING MEDICAL CERTIFICATION OF**
DEATH IS ACCEPTABLE IF APPROVED BY THE STATE REGISTRAR OF VITAL STATISTICS, TO AUTHORIZE ELECTRONIC MEDICAL RECORDS, AND TO CLARIFY WHICH ESTABLISHMENTS ARE SUBJECT TO REGULATION AS FOOD AND LODGING FACILITIES UNDER CHAPTER 130A OF THE GENERAL STATUTES.

The Enrolling Clerk reports the following bill and resolution duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

**H.B. 830**, AN ACT TO MODIFY THE PENALTIES FOR THE TRANSYLVANIA COUNTY ROOM OCCUPANCY TAX.

**H.J.R. 1486**, A JOINT RESOLUTION COMMEMORATING JUNETEENTH AND HONORING THE MEMORY OF THE HUNDREDS OF THOUSANDS OF AFRICAN-AMERICANS WHO WERE ENSLAVED IN THIS COUNTRY. (Res. 16)

**CHAPTERED BILLS**

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

**S.B. 839**, AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO REQUIRE INTERIM CLAIMS PAYMENTS TO PROVIDERS IN THE EVENT CLAIMS CANNOT BE TIMELY PROCESSED DUE TO YEAR 2000 COMPUTER PROBLEMS. (Became law upon approval of the Governor, June 18, 1999 - S.L. 1999-184.)

**H.B. 495**, AN ACT TO PROVIDE FOR THE ARBITRATION OF ALL ISSUES ARISING FROM A MARITAL SEPARATION OR DIVORCE, EXCEPT FOR THE DIVORCE ITSELF, UPON THE AGREEMENT OF ALL PARTIES; AND TO AMEND G.S. 1-567.57. (Became law upon approval of the Governor, June 18, 1999 - S.L. 1999-185.)

**S.B. 293**, AN ACT TO REMOVE THE SUNSET FROM AN ACT PROVIDING FOR REIMBURSEMENT BY HEALTH INSURERS FOR SERVICES PROVIDED BY FEE-BASED PRACTICING PASTORAL COUNSELORS. (Became law upon approval of the Governor, June 18, 1999 - S.L. 1999-186.)

**S.B. 921**, AN ACT TO ALLOW JUDGMENT BY DEFAULT TO BE ENTERED BY THE JUDGE WITHOUT A HEARING SUBJECT TO CERTAIN CONDITIONS. (Became law upon approval of the Governor, June 18, 1999 - S.L. 1999-187.)

**S.B. 885**, AN ACT CLARIFYING THE AUTHORITY OF THE STATE AUDITOR TO EXAMINE STATE EMPLOYEE PERSONNEL RECORDS. (Became law upon approval of the Governor, June 18, 1999 - S.L. 1999-188.)

**S.B. 660**, AN ACT TO AMEND THE LAW GOVERNING LIMITED LIABILITY COMPANIES TO CLARIFY CERTAIN DEFINITIONS OF TERMS, TO PROVIDE MORE FLEXIBILITY WITH REGARD TO ORGANIZERS, TO CLARIFY THAT THE FILING OF THE ARTICLES OF ORGANIZATION IS CONCLUSIVE EVIDENCE OF THE FORMATION OF A COMPANY, TO REVISE THE CIRCUMSTANCES AND RESTRICTIONS REGARDING FORMATION OF A COMPANY, TO PROVIDE FOR THE INDEXING OF REAL ESTATE RECORDS TO REFLECT Mergers and

June 22, 1999
CONVERSIONS OF BUSINESS ENTITIES, TO ALLOW ALTERNATIVE MANAGEMENT STRUCTURES, TO PROVIDE FOR WITHDRAWAL FROM A COMPANY ONLY AS PERMITTED BY THE ARTICLES OF ORGANIZATION OR WRITTEN OPERATING AGREEMENT, TO REVISE THE PERMITTED GROUNDS FOR DISSOLUTION, AND TO CLARIFY THAT A COMPANY MAY ENGAGE IN A BUSINESS UNDER AN ASSUMED NAME. (Became law upon approval of the Governor, June 18, 1999 – S.L. 1999-189.)

H.B. 262, AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CUSTODY OF ABUSED, NEGLECTED, OR DEPENDENT JUVENILES IN THE CUSTODY OR AUTHORITY OF THE COUNTY DEPARTMENTS OF SOCIAL SERVICES. (Became law upon approval of the Governor, June 18, 1999 – S.L. 1999-190.)

S.B. 325, AN ACT TO MAKE CORRECTIONS AND CONFORMING CHANGES RELATING TO TAXATION OF CONTINUING CARE RETIREMENT HOMES. (Became law upon approval of the Governor, June 18, 1999 – S.L. 1999-191.)

S.B. 389, AN ACT TO CLARIFY THE 1998 CHANGE IN THE LAW GOVERNING THE FILING OF FINANCIAL REPORTS BY SMALL TOWN OR COUNTY MUTUALS. (Became law upon approval of the Governor, June 18, 1999 – S.L. 1999-192.)

H.B. 96, AN ACT TO RESTORE AND APPLY RETROACTIVELY THE EXEMPTION FROM LICENSURE FOR CERTAIN ADULT CARE HOMES MAINTAINED OR OPERATED BY A UNIT OF GOVERNMENT. (Became law upon approval of the Governor, June 18, 1999 – S.L. 1999-193.)

H.B. 980, AN ACT TO ALLOW JUDICIAL DISCRETION IN DETERMINING THE AMOUNT OF SUBROGATION OF EMPLOYERS' LIENS IN ACTIONS AGAINST THIRD PARTIES UNDER THE WORKERS' COMPENSATION ACT. (Became law upon approval of the Governor, June 18, 1999 – S.L. 1999-194.)

H.B. 991, AN ACT TO CLARIFY THAT LIABILITY, UNINSURED, AND UNDERINSURED COVERAGE IS NOT REDUCED BY RECEIPT OF SUBROGATED WORKERS' COMPENSATION BENEFITS. (Became law upon approval of the Governor, June 18, 1999 – S.L. 1999-195.)

H.B. 277, AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO PROVIDE THAT AN INDIVIDUAL MAY NOT BE DISQUALIFIED FOR UNEMPLOYMENT INSURANCE BENEFITS WHEN THE INDIVIDUAL'S INABILITY TO ACCEPT BONA FIDE PERMANENT EMPLOYMENT DURING A PARTICULAR SHIFT WOULD RESULT IN AN UNDUE FAMILY HARDSHIP AND TO PROVIDE THAT AN INDIVIDUAL MAY NOT BE DISQUALIFIED FOR UNEMPLOYMENT INSURANCE BENEFITS WHEN THE INDIVIDUAL'S DISCHARGE IS SOLELY DUE TO AN INABILITY TO ACCEPT WORK DURING A PARTICULAR SHIFT AS THE RESULT OF AN UNDUE FAMILY HARDSHIP. (Became law upon approval of the Governor, June 18, 1999 – S.L. 1999-196.)

H.B. 314, AN ACT TO REQUIRE HEALTH AND ACCIDENT INSURANCE POLICIES, HOSPITAL OR MEDICAL SERVICES PLANS, AND HMO PLANS TO PROVIDE COVERAGE FOR BONE MASS MEASUREMENT FOR THE DIAGNOSIS AND EVALUATION OF OSTEOPOROSIS. (Became law upon approval of the Governor, June 21, 1999 – S.L. 1999-197.)
S.B. 1159, AN ACT TO EXPAND THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MAY ALLOW THE USE OF LAND-USE RESTRICTIONS TO PROTECT PUBLIC HEALTH AT CONTAMINATED SITES. (Became law upon approval of the Governor, June 21, 1999 – S.L. 1999-198.)

H.B. 714, AN ACT TO PROVIDE FOR DIRECT PAYMENT OF CERTIFIED SUBSTANCE ABUSE PROFESSIONALS UNDER HEALTH INSURANCE POLICIES AND PLANS. (Became law upon approval of the Governor, June 21, 1999 – S.L. 1999-199.)

H.B. 899, AN ACT AMENDING CERTAIN REQUIREMENTS FOR LICENSURE OF REAL ESTATE BROKERS AND SALESMEN. (Became law upon approval of the Governor, June 21, 1999 – S.L. 1999-200.)

H.B. 972, AN ACT TO PROVIDE THAT THE COST AND EXPENSES OF TRANSPORTING A RESPONDENT IN AN INVOLUNTARY COMMITMENT PROCEEDING MAY BE RECOVERED FROM THE RESPONDENT’S COUNTY OF RESIDENCE. (Became law upon approval of the Governor, June 21, 1999 – S.L. 1999-201.)

S.B. 1122, AN ACT TO AMEND THE LAW TO ALLOW COUNTIES TO REDUCE CERTAIN COUNTY APPROPRIATIONS AND EXPENDITURES FOR AREA MENTAL HEALTH AUTHORITIES FOR FUTURE FISCAL YEARS. (Became law upon approval of the Governor, June 21, 1999 – S.L. 1999-202.)

H.B. 414, AN ACT ALLOWING THE NORTH CAROLINA VETERINARY MEDICAL BOARD TO LICENSE VETERINARIANS WHO ARE LICENSED IN OTHER STATES BUT HAVE NOT COMPLETED THE CERTIFICATION PROGRAM FOR FOREIGN VETERINARY GRADUATES. (Became law upon approval of the Governor, June 21, 1999 – S.L. 1999-203.)

S.B. 789, AN ACT TO MAKE CERTAIN CHANGES TO THE NOTICE TO BE GIVEN UPON THE MERGER OF OR UPON THE SALE, LEASE, OR EXCHANGE OF THE ASSETS OF A CHARITABLE OR RELIGIOUS NONPROFIT CORPORATION UNDER THE NONPROFIT CORPORATION ACT. (Became law upon approval of the Governor, June 21, 1999 – S.L. 1999-204.)

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Soles for the Commerce Committee:

H.B. 19 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT CASINO BOATS FROM OPERATING IN NORTH CAROLINA, TO REGULATE CERTAIN GAMBLING BOATS THAT OPERATE IN NORTH CAROLINA PURSUANT TO FEDERAL LAW, TO LEVY A PRIVILEGE TAX ON GAMBLING BOATS OPERATING IN NORTH CAROLINA, AND TO REQUIRE WITHHOLDING FROM CERTAIN GAMBLING BOAT WINNINGS, with a favorable report.

June 22, 1999
Pursuant to Rule 43, the Committee Substitute No. 2 bill is re-referred to the Finance Committee.

By Senator Shaw of Cumberland for the Transportation Committee:

H.B. 1030 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE LIGHTING REQUIREMENTS FOR LIGHT TRAILERS AND EXEMPT CERTAIN ADDITIONAL FARM TRAILERS FROM THE REGISTRATION REQUIREMENTS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 3439 is adopted and engrossed.

INTRODUCTION OF A RESOLUTION

A resolution filed for introduction is presented to the Senate, read the first time, and disposed of, as follows:

By Senator Ballance:

S.R. 1172, A SENATE RESOLUTION CONGRATULATING PFIZER, INC., ON ITS ONE HUNDRED FIFTIETH ANNIVERSARY.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 956 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT A CLASS 2 MISDEMEANOR TO USE IN TELEPHONIC OR ELECTRONIC-MAIL COMMUNICATIONS WITH ANOTHER PERSON ANY WORDS OR LANGUAGE THREATENING THAT PERSON'S CHILD, DEPENDENT, SIBLING, OR SPOUSE, AND TO MAKE IT A CLASS 1 MISDEMEANOR TO WILLFULLY THREATEN PHYSICAL INJURY TO THE CHILD, DEPENDENT, SIBLING, OR SPOUSE OF ANOTHER, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, June 23.

S.B. 1003 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES REGULATING THE ABILITY OF GUARDIANS TO MAKE GIFTS FROM INCOMPETENT WARDS' ESTATES UNDER CERTAIN CIRCUMSTANCES, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, June 23.

S.B. 1011 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN ENHANCED CRIMINAL PENALTY SHALL BE IMPOSED ON A PERSON WHO HAS IN HIS OR HER IMMEDIATE POSSESSION OR IS WEARING A BULLET-PROOF VEST WHILE COMMITTING A FELONY, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, June 23.
S.B. 1055 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF A COURT REPORTING SERVICE THAT HAS AN INTEREST WHEN A DEPOSITION IS TAKEN, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, June 23.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.B. 275
House of Representatives
June 21, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute to HB 275, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR MORE EMPLOYERS WITH POSITIVE EXPERIENCE RATINGS and requests conferees. The Speaker has appointed:

Representative Redwine,
Representative Baddour,
Representative Miller,
Representative Oldham, and
Representative Pope

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
S/Denise Weeks
Principal Clerk

The following special message is received from the House of Representatives:

S.B. 29
House of Representatives
June 21, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that Representative Tucker has been removed as one of the conferees on House Committee Substitute for SB 29, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION FEES COLLECTED UNDER THE COSMETIC ART ACT, and Representative Morris has been added as a conferee.

Respectfully,
S/Denise Weeks
Principal Clerk

June 22, 1999
Bills on today's Calendar are taken up and disposed of, as follows:

H.B. 684 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF KINSTON AND THE TOWNS OF APEX, CARY, GARNER, AND MORRISVILLE TO ADOPT ORDINANCES REGULATING REMOVAL, REPLACEMENT, AND PRESERVATION OF TREES AND SHRUBS WITHIN THE TOWNS AND THE TOWNS' EXTRATERRITORIAL PLANNING JURISDICTION.

With unanimous consent, upon motion of Senator Kinnaird, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, June 23.

H.B. 447, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF ASHEVILLE TO PROHIBIT ACTS OF DISCRIMINATION IN EMPLOYMENT BASED ON RACE, COLOR, NATIONAL ORIGIN, RELIGION, SEX, DISABILITY, OR AGE.

The President orders, with objection, the bill temporarily displaced.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S.J.R. 470

House of Representatives
June 22, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the message that pursuant to SJR 470, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, the House stands ready to receive your Honorable Body in Joint Session.

Respectfully,
S/Denise Weeks
Principal Clerk

The Chair recognizes Senator Basnight, President Pro Tempore, who offers a motion that the Senate do now recess to reconvene in the Hall of the House of Representatives to sit in Joint Session to consider the confirmation of appointments by the Governor to the State Board of Education, and offers a further motion to the end that upon dissolution of the Joint Session, the Senate return to the Senate Chamber for consideration of further business.

The motions offered by Senator Basnight prevail, and the President declares the Senate in recess at 2:25 P.M. The Senate, preceded by its officers, repairs to the Hall of the House of Representatives.

June 22, 1999
JOINT SESSION

The Senate is received with the members of the House of Representatives standing. Speaker Black relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who calls the Joint Session to order.

The President of the Senate directs the Reading Clerk of the Senate to call the roll of the Senate and the following members answer the call:


The roll of the House of Representatives is called electronically and the following members answer the call:


The President of the Senate declares a quorum of each Body present and announces the Joint Session shall proceed with the business for which it convened, the confirmation of the appointments by the Governor of members to the State Board of Education as outlined in S.J.R. 469. The President places before the Senate S.J.R. 469 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF EDGAR DAVID MURPHY, III AND JANE P. NORWOOD TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION, and he further directs the Senate Reading Clerk to read the resolution.

Senator Lee, Co-Chairman of the Education/Higher Education Committee of the Senate, offers a motion that the rules be suspended to the end that the Committee Substitute joint resolution be placed before the Senate for immediate consideration, which motion prevails. Senator Lee is recognized to speak to the passage of the Committee Substitute joint resolution whereupon he speaks to the qualifications of the individual appointees.

The Senate passes the Committee Substitute joint resolution on its second reading by roll-call vote, ayes 45, noes 0, as follows:


Voting in the negative: None.

June 22, 1999
Without objection, the Committee Substitute joint resolution remains before the Senate for further consideration upon third reading. The Committee Substitute joint resolution passes its third reading and is ordered sent by special message to the House of Representatives.

The President of the Senate relinquishes the gavel to the Speaker of the House of Representatives, who presides.

The Speaker calls for messages from the Senate and directs the Reading Clerk of the House of Representatives to read, as follows:

S.J.R. 469 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF EDGAR DAVID MURPHY, III AND JANE P. NORWOOD TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION.

Representative Culpepper offers a motion that the rules be suspended and that the Committee Substitute joint resolution be placed before the House of Representatives for immediate consideration, which motion prevails. Representative Warner and Representative Yongue are recognized to speak to the passage of the joint resolution, whereupon they offer the Committee’s endorsement of the appointees.

The House of Representatives passes the Committee Substitute joint resolution on its second reading by a call of the roll, ayes 112, noes 0, as follows:


Voting in the negative: None.

(Representatives Black, Boyd-McIntyre, Luebke and Miller did not answer the previous call of the roll, but were present in the Chamber to vote.)

With unanimous consent, the Committee Substitute joint resolution remains before the House of Representatives for further consideration, upon third reading. The Committee Substitute joint resolution passes its third reading and the Speaker orders the measure enrolled.

The President of the Senate calls for the ratification of the Committee Substitute joint resolution.

S.J.R. 469, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF EDGAR DAVID MURPHY, III AND JANE P. NORWOOD TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION (Res. 17) is presented to the President of the Senate and the Speaker of the House of Representatives, whereupon they affix their signatures.

The President announces that the Senate and House of Representatives, sitting in Joint Session, confirm Governor Hunt’s appointments of Edgar David Murphy III and Jane P. Norwood, to the State Board of Education and orders the Governor notified pursuant to G.S. 143-47.7 of the action of the General Assembly taken on this date.

June 22, 1999
The President extends congratulations to Edgar David Murphy III, newly confirmed member of the State Board of Education, who is seated in the gallery and is acknowledged with a standing ovation.

The President recognizes Senator Basnight who offers a motion that the Joint Session be dissolved and pursuant to the motion heretofore made, that the Senate return to its Chamber for the consideration of further business, which motion prevails.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

CALENDAR (Continued)

H.B. 447, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF ASHEVILLE TO PROHIBIT ACTS OF DISCRIMINATION IN EMPLOYMENT BASED ON RACE, COLOR, NATIONAL ORIGIN, RELIGION, SEX, DISABILITY, OR AGE, temporarily displaced earlier.

The bill passes its second (47-1) and third readings and is ordered enrolled.

S.B. 1149 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY PERMISSIBLE FEES WHICH MAY BE CHARGED IN CONNECTION WITH HOME LOANS SECURED BY FIRST MORTGAGE OR FIRST DEED OF TRUST, TO IMPOSE RESTRICTIONS AND LIMITATIONS ON HIGH-COST HOME LOANS, TO REVISE THE PERMISSIBLE FEES AND CHARGES ON CERTAIN LOANS, TO PROHIBIT UNFAIR OR DECEPTIVE PRACTICES BY MORTGAGE BROKERS AND LENDERS, AND TO APPROPRIATE FUNDS FOR PUBLIC EDUCATION AND COUNSELING ABOUT PREDATORY LENDERS.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Senator Cooper offers Amendment No. 1 which is adopted (49-0).

Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.

The Committee Substitute bill, as amended, passes its second (48-1) and third readings and is ordered engrossed and sent to the House of Representatives.

H.B. 228 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE STATE EMPLOYEES COMBINED CAMPAIGN.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 1104, A BILL TO BE ENTITLED AN ACT CLARIFYING THE DESIGNATION OF EXEMPT POSITIONS IN STATE GOVERNMENT EMPLOYMENT.

The bill passes its second (47-2) and third readings and is ordered enrolled and sent to the Governor.

H.B. 283 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE TREASURER'S INVESTMENT AUTHORITY.

The Committee Substitute bill passes its third reading (49-0) and is ordered enrolled and sent to the Governor.

June 22, 1999
S.B. 843 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF NURSING TO INCREASE THE ANNUAL FEE CHARGED NURSES AIDES II, for concurrence in the House Committee Substitute bill, upon second reading.

The Senate concurs in the House Committee Substitute bill on its second reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill remains on the Calendar for tomorrow, Wednesday, June 23, upon third reading.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

The Chair grants a leave of absence for the remainder of today's Session to Senator Dalton.

S.B. 90 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT INSURERS THAT PROVIDE HEALTH INSURANCE COVERAGE FOR PRESCRIPTION DRUGS OR OUTPATIENT SERVICES PROVIDE COVERAGE FOR PRESCRIBED CONTRACEPTIVE DRUGS AND DEVICES OR OUTPATIENT CONTRACEPTIVE SERVICES, for concurrence in House Committee Substitute bill No. 2.

The Senate concurs in House Committee Substitute bill No. 2 (46-2) and the measure is ordered enrolled and sent to the Governor.

S.B. 172 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN THE POSSESSION OF BLUE LIGHTS IS ILLEGAL, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (48-0) and the measure is ordered enrolled and sent to the Governor.

REPORTS OF COMMITTEES (Continued)

By Senator Cooper for the Judiciary I Committee:

S.B. 1026, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE SUPREME COURT WITH AUTHORITY TO REVISE THE RULES OF CIVIL AND CRIMINAL PROCEDURE AND THE RULES OF EVIDENCE, SUBJECT TO AMENDMENT OR VETO BY THE GENERAL ASSEMBLY AND TO APPROPRIATE FUNDS FOR ADVISORY COMMITTEES ON THE ADOPTION AND AMENDMENT OF THOSE RULES, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Appropriations/Base Budget Committee.
APPOINTMENT OF CONFERENCE COMMITTEES

H.B. 900, A BILL TO BE ENTITLED AN ACT ALLOWING GATES COUNTY TO IMPOSE FEES FOR FIRE PROTECTION SERVICES.

Pursuant to a message received from the House of Representatives on June 15 that the House failed to concur in the Senate Committee Substitute for H.B. 900 and requests conferees, Senator Ballance, the Deputy President Pro Tempore announces the appointments by the President Pro Tempore of Senator Ballance, Chairman, and Senator Jordan and Senator Kerr as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

H.B. 275, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR MORE EMPLOYERS WITH POSITIVE EXPERIENCE RATINGS.

Pursuant to a message received from the House of Representatives earlier today that the House failed to concur in the Senate Committee Substitute for H.B. 275 and requests conferees, Senator Ballance, the Deputy President Pro Tempore announces the appointments by the President Pro Tempore of Senator Kerr, Chairman; and Senators Dalton, Hoyle, Kerr, Lee, Odom, Perdue, and Pyler as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

COMMITTEE REFERRAL RECALL

H.B. 302 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT ENFORCEMENT, referred to the Appropriations/Base Budget Committee on June 1.

Pursuant to Rule 47(a), Senator Perdue offers a motion that the Senate Committee Substitute bill be withdrawn from the Appropriations/Base Budget Committee and re-referred to the Children & Human Resources Committee, which motion prevails with unanimous consent.

The Chair orders the Senate Committee Substitute bill withdrawn from the Appropriations/Base Budget Committee and re-refers the measure to the Children & Human Resources Committee.

Upon motion of Senator Ballance, seconded by Senator Harris, the Senate adjours at 3:48 P.M. to meet tomorrow, Wednesday, June 23, at 3:00 P.M.

EIGHTY-FIFTH DAY

Senate Chamber
Wednesday, June 23, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Honorable John Blust, former Senator from Guilford County, as follows:

June 23, 1999
“Heavenly Father, history teaches us that freedom is not an easy discipline, that it can be difficult, and we know from the founding of our country that we almost didn’t even get a Constitution. There was so much division and bickering at the Constitutional Convention. In fact the delegates were about to go home and give up when Benjamin Franklin got up and made this speech:

‘In the beginning of the contest with Britain, when we were sensible of danger, we had daily prayers in this room for Divine protection. Our prayers, Sir, were heard, and they were graciously answered. All of us who were engaged in the struggle must have observed frequent instances of a superintending Providence in our favor...And have we now forgotten this powerful Friend or do we imagine we no longer need His assistance?

‘I have lived, Sir, a long time, and the longer I live, the more convincing proofs I see of this truth that God governs in the affairs of man. And if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid?

‘We have been assured, Sir, in the Sacred Writings that except the Lord build the house, they labor in vain that build it. I firmly believe this. I also believe that, without His concurring aid, we shall succeed in this political building no better than the builders of Babel; we shall be divided by our little, partial local interests; our projects will be confounded; and we ourselves shall become a reproach and a byword down to future ages. And what is worse, mankind may hereafter, from this unfortunate instance, despair of establishing government by human wisdom and leave it to chance war or conquest.

‘I therefore beg leave to move that, henceforth, prayers imploring the assistance of Heaven and its blessing on our deliberation be held in this assembly every morning before we proceed to business.’

“And Father history also shows that after this motion they did ask for Your help, that You granted those prayers and they produced a document that has lived down through the ages and has worked under all kinds of wars, depressions, and other challenges. And Father, my prayer for this Senate and this General Assembly is that these Senators would never forget that they need to call on Your Name in the deliberations they do here everyday, and that they would humbly ask for Your assistance and Your intervention. And Father I pray that You would bless this great institution and give them Your aid as they work for the people of North Carolina. And we just thank You for these people and the freedom You’ve given us. And Father I pray for wisdom upon these Senators, especially for Senator Basnight, Lieutenant Governor Wicker, as they have to make the decisions that govern the deliberations in this Chamber. We ask a special wisdom for them and I just pray that Your blessings be upon everyone that serves here and that the laws they pass would be just and equitable and fair and that they never lose sight of the people that they represent here. And Father, finally I’d like to ask Your special blessing and intervention for the health of Jane Odom and Karen Weinstein, Father, and Your Word in James, chapter five, tells us to pray one for another that we should be healed, and Father we just stand upon Your Word and ask for Your intervention and Your healing of these two fine ladies. And I just pray again for this Chamber and all the great work that goes on here, and that You’ll bless this place and this institution. In Jesus’ Name, Amen.”

With unanimous consent, the President grants a leave of absence for today to Senator Jordan.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Tuesday, June 22, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Charles Stewart Roberts from Chapel Hill, North Carolina, who is serving the Senate as Doctor of the Day.

June 23, 1999
ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

**S.B. 90**, AN ACT TO ENSURE THAT INSURERS THAT PROVIDE HEALTH INSURANCE COVERAGE FOR PRESCRIPTION DRUGS OR OUTPATIENT SERVICES PROVIDE COVERAGE FOR PRESCRIBED CONTRACEPTIVE DRUGS AND DEVICES OR OUTPATIENT CONTRACEPTIVE SERVICES.

**S.B. 172**, AN ACT TO CLARIFY WHEN THE POSSESSION OF BLUE LIGHTS IS ILLEGAL.

**H.B. 228**, AN ACT RELATING TO THE STATE EMPLOYEES COMBINED CAMPAIGN.

**H.B. 283**, AN ACT TO AMEND THE STATE TREASURER'S INVESTMENT AUTHORITY.

**H.B. 985**, AN ACT TO INCREASE THE BENCHMARK AT WHICH THE DEPARTMENT OF ADMINISTRATION IS REQUIRED TO ADVERTISE FOR PROPOSALS FOR LEASES BY THE STATE, TO CLARIFY WHEN THE DEPARTMENT MAY TRANSFER PROPERTY TO NONPROFIT ORGANIZATIONS AT LESS THAN FAIR-MARKET VALUE, TO SIMPLIFY THE LAW REGARDING STATE LEASES OF PROPERTY IN UNIQUE LOCATIONS, AND TO PROVIDE THAT ACQUISITIONS AND DISPOSITIONS OF REAL PROPERTY INTERESTS FOR THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM AND THE MEDICAL FACULTY PRACTICE PLAN OF THE SCHOOL OF MEDICINE OF EAST CAROLINA UNIVERSITY ARE SUBJECT TO RULES ADOPTED BY THE BOARD OF DIRECTORS OF THE HEALTH CARE SYSTEM AND THE BOARD OF TRUSTEES OF EAST CAROLINA UNIVERSITY RESPECTIVELY IN LIEU OF CERTAIN STATUTORY PROVISIONS GOVERNING STATE ACQUISITIONS AND DISPOSITIONS OF REAL PROPERTY.

**H.B. 1104**, AN ACT CLARIFYING THE DESIGNATION OF EXEMPT POSITIONS IN STATE GOVERNMENT EMPLOYMENT.

The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

**H.B. 447**, AN ACT TO AUTHORIZE THE CITY OF ASHEVILLE TO PROHIBIT ACTS OF DISCRIMINATION IN EMPLOYMENT BASED ON RACE, COLOR, NATIONAL ORIGIN, RELIGION, SEX, DISABILITY, OR AGE.

**H.B. 840**, AN ACT TO EXEMPT ONSLOW COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION OF THE ONSLOW SUPERIOR COURTHOUSE AND TO PROVIDE FOR FLEXIBILITY IN SCHOOL CONSTRUCTION AND REPAIR CONTRACTS FOR CHARLOTTE/MECKLENBURG SCHOOLS.

**H.B. 852**, AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE CITY OF HICKORY AND THE TOWN OF BROOKFORD, AND

June 23, 1999
ANNEXATION OF CERTAIN DESCRIBED PROPERTY BY THE TOWN OF MOCKSVILLE.

CHAPTERED BILL

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

H.B. 830, AN ACT TO MODIFY THE PENALTIES FOR THE TRANSYLVANIA COUNTY ROOM OCCUPANCY TAX. (Became law upon ratification, June 22, 1999 – S.L. 1999-205.)

COURTESIES

With unanimous consent, upon motion of Senator Warren, privileges of the floor are extended to the members of the J. H. Rose High School 1999 Baseball Team, from Greenville, North Carolina, who are the 1999 State 4-A Champions, Assistant Principal, and Coaches. The guests are escorted to the Well of the Senate and are received with a standing ovation.

Senator Warren introduces the Head Coach, Ronald Vincent; Assistant Coaches, Paul Hill and Marvin Jarman; Assistant Principal; and Team Members: James Bengala, Kenny Biggs, Jeff Blick, Will Brinson, Ashley Capps, David Creech, John Finch, Brian Flye, Ryan Gordon, Matt Grace, Mike Harrington, Kelly Hodges, Dylan Jackson, Jay Landen, Haig Lea, Vince Logan, Demond Mayo, Morgan Morgan, Brian Moye, Jamie Paige, Bryan Pair, Justin Phillips, Robbie Riggs, Tim Teel, Reid Twine, Adam Tysinger, Josh White, and Trey Williams.

The guests depart from the Chamber to a standing ovation.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Phillips for the Pensions & Retirement and Aging Committee:

S.B. 1046, A BILL TO BE ENTITLED AN ACT TO MAKE EMPLOYEES OF STATE LICENSING AND EXAMINING BOARDS MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4706, which changes the title to read S.B. 1046 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN EMPLOYEES OF STATE LICENSING AND EXAMINING BOARDS MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

By Senator Wellons for the Insurance Committee:

H.B. 1025, A BILL TO BE ENTITLED AN ACT TO ALLOW SMALL EMPLOYERS TO CHARGE THE SAME ADMINISTRATIVE FEE UNDER THE STATE GROUP HEALTH CONTINUATION LAW AS LARGER EMPLOYERS
CHARGE UNDER THE FEDERAL COBRA GROUP HEALTH CONTINUATION LAW, with a favorable report.

By Senator Soles for the Commerce Committee:

S.B. 968, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE WAIVER OF COMPETITIVE BIDDING, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6685, which changes the title to read S.B. 968 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE WAIVER OF COMPETITIVE BIDDING AND TO REQUIRE BID PROTESTS INVOLVING CONTRACTS OVER A CERTAIN AMOUNT TO BE HANDLED BY THE DEPARTMENT OF ADMINISTRATION, is adopted and engrossed.

Upon motion of Senator Soles, the Committee Substitute bill is re-referred to the Finance Committee.

By Senator Kinnaird for the State and Local Government Committee:

H.B. 707, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF BROADWAY TO ALLOW THE TOWN TO OPERATE UNDER A COUNCIL-MANAGER FORM OF GOVERNMENT, with a favorable report.

By Senator Dalton for the Education/Higher Education Committee:

H.B. 1187, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM TO PUT COMMUNICATION DEVICES ON SCHOOL BUSES, with a favorable report.

By Senator Purcell for the Health Care Committee:

H.B. 1069 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RECLASSIFYING CERTIFIED CLINICAL SOCIAL WORKERS AS LICENSED CLINICAL SOCIAL WORKERS AND REVISING THE FEES AND QUALIFICATIONS FOR CERTIFICATION AND LICENSURE OF SOCIAL WORKERS, with a favorable report.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Finance Committee.

By Senator Cooper for the Judiciary I Committee:

S.B. 969, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA HEALTH AND WELLNESS TRUST FUND FOR THE PURPOSE OF RECEIPT AND DISTRIBUTION OF TWENTY-FIVE PERCENT OF THE TOBACCO SETTLEMENT FUNDS IN THE SETTLEMENT RESERVE FUND ESTABLISHED UNDER G.S. 143-16.4 TO DEVELOP A COMPREHENSIVE COMMUNITY-BASED PLAN AND FUND PROGRAMS AND INITIATIVES FOR IMPROVING THE HEALTH AND WELLNESS OF THE PEOPLE OF NORTH CAROLINA WITH A PRIORITY ON PREVENTING, REDUCING, AND REMEDYING THE HEALTH EFFECTS OF TOBACCO USE WITH AN EMPHASIS ON REDUCING YOUTH TOBACCO USE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

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Pursuant to Rule 45.1 the proposed Committee Substitute bill 1763 is adopted and engrossed.

S.B. 1025, A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE SUPERIOR COURT DIVISION BY EXPANDING THE NUMBER OF JUDICIAL DIVISIONS FROM FOUR TO EIGHT, TO ESTABLISH PILOT PROGRAMS FOR CONSIDERATION OF THE RECOMMENDATIONS OF THE COMMISSION FOR THE FUTURE OF JUSTICE AND THE COURTS IN NORTH CAROLINA CONCERNING ORGANIZATION AND MANAGEMENT OF THE TRIAL COURT, AND TO APPROPRIATE FUNDS TO A RESERVE FOR IMPLEMENTATION OF THOSE PILOT PROGRAMS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3838 is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

By Senator Lucas for the Children & Human Resources Committee:

H.B. 302 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT ENFORCEMENT, with a favorable report, as amended.

Pursuant to Rule 45.1, the Committee Amendment No. 1 is adopted and engrossed.

CONFERENCE REPORT

S.B. 249

Senator Albertson for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon S.B. 249 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON ISSUING SHELLFISH CULTIVATION LEASES IN CORE SOUND, TO REQUIRE THE DIVISION OF MARINE FISHERIES AND THE PRIMARY INVESTIGATOR TO REPORT THE RESULTS OF THE SHELLFISH MAPPING AND HUMAN USE MAPPING OF CORE SOUND TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE AND THE MARINE FISHERIES COMMISSION, TO AUTHORIZE RATHER THAN REQUIRE THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO REQUIRE FISHERIES LICENSE AGENTS TO POST BONDS, TO ESTABLISH AN INTERIM CRAB LICENSE, AND TO CLARIFY THAT THE LAWFUL TAKING OF MARINE AND ESTUARINE RESOURCES UNDER THE JURISDICTION OF THE MARINE FISHERIES COMMISSION OR AS AUTHORIZED BY A FEDERAL LAW, REGULATION, OR FISHERY MANAGEMENT PLAN IS EXEMPT FROM THE CRUELTY TO ANIMALS STATUTE, submits for adoption the following report, which proposes to further change the title, upon adoption, to read S.B. 249 (Conference Report), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON THE ISSUANCE OF SHELLFISH CULTIVATION LEASES IN CORE SOUND, TO REQUIRE THE DIVISION OF MARINE FISHERIES AND THE PRIMARY INVESTIGATOR TO REPORT THE RESULTS OF THE SHELLFISH MAPPING AND HUMAN USE MAPPING OF CORE SOUND TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE AND THE MARINE FISHERIES COMMISSION, TO AUTHORIZE RATHER THAN REQUIRE THE
SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO REQUIRE FISHERIES LICENSE AGENTS TO POST BONDS, TO ESTABLISH AN INTERIM CRAB LICENSE, TO ESTABLISH A 1999 GRACE PERIOD FOR THE ISSUANCE OF MARINE FISHING LICENSES, TO PROVIDE THAT THE DIVISION OF MARINE FISHERIES MAY ISSUE LICENSES PRIOR TO THE END OF EACH LICENSE YEAR AND MAY RETAIN REVENUES FROM THOSE LICENSES DURING THE FOLLOWING LICENSE YEAR, TO CLARIFY THE CRUELTY TO ANIMALS STATUTE, AND TO EXEMPT PERSONS WHO TAKE FISH BY MEANS OF A GIG FOR RECREATIONAL PURPOSES FROM THE RECREATIONAL COMMERCIAL GEAR LICENSE REQUIREMENT.

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 249, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON ISSUING SHELLFISH CULTIVATION LEASES IN CORE SOUND, TO REQUIRE THE DIVISION OF MARINE FISHERIES AND THE PRIMARY INVESTIGATOR TO REPORT THE RESULTS OF THE SHELFISH MAPPING AND HUMAN USE MAPPING OF CORE SOUND TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE AND THE MARINE FISHERIES COMMISSION, TO AUTHORIZE RATHER THAN REQUIRE THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO REQUIRE FISHERIES LICENSE AGENTS TO POST BONDS, TO ESTABLISH AN INTERIM CRAB LICENSE, AND TO CLARIFY THAT THE LAWFUL TAKING OF MARINE AND ESTUARINE RESOURCES UNDER THE JURISDICTION OF THE MARINE FISHERIES COMMISSION OR AS AUTHORIZED BY A FEDERAL LAW, REGULATION, OR FISHERY MANAGEMENT PLAN IS EXEMPT FROM THE CRUELTY TO ANIMALS STATUTE, submit the following report:

The Senate concurs in House Committee Substitute #2 Favorable 5/17/99 with the following amendment:

Delete the entire House Committee Substitute #2 Favorable 5/17/99 and substitute the attached Proposed Conference Committee Substitute S249-PCCS1760-SB, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON ISSUING SHELLFISH CULTIVATION LEASES IN CORE SOUND, TO REQUIRE THE DIVISION OF MARINE FISHERIES AND THE PRIMARY INVESTIGATOR TO REPORT THE RESULTS OF THE SHELFISH MAPPING AND HUMAN USE MAPPING OF CORE SOUND TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE AND THE MARINE FISHERIES COMMISSION, TO AUTHORIZE RATHER THAN REQUIRE THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO REQUIRE FISHERIES LICENSE AGENTS TO POST BONDS, TO ESTABLISH AN INTERIM CRAB LICENSE, TO ESTABLISH A 1999 GRACE PERIOD FOR THE ISSUANCE OF MARINE FISHING LICENSES, TO PROVIDE THAT THE DIVISION OF MARINE FISHERIES MAY ISSUE LICENSES PRIOR TO THE END OF EACH LICENSE YEAR AND MAY RETAIN REVENUES FROM THOSE LICENSES DURING THE FOLLOWING LICENSE YEAR, TO CLARIFY THE CRUELTY TO ANIMALS STATUTE, AND TO EXEMPT PERSONS WHO TAKE FISH BY MEANS OF A GIG FOR RECREATIONAL FROM THE RECREATIONAL COMMERCIAL GEAR LICENSE REQUIREMENT.

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And the House of Representatives agrees to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: 23 June 1999.

S/Charles W. Albertson  S/Ronnie Smith
S/Patrick J. Ballantine  S/Pryor A. Gibson
Luther H. Jordan  S/Jean Preston
S/Bev Perdue  S/Nurham O. Warwick

Conferees for the Senate  Conferees for the House of Representatives

The text of the attached Proposed Conference Committee Substitute S249-PCCS1760-SB is as follows:

A BILL TO BE ENTITLED
AN ACT TO EXTEND THE MORATORIUM ON THE ISSUANCE OF SHELLFISH CULTIVATION LEASES IN CORE SOUND, TO REQUIRE THE DIVISION OF MARINE FISHERIES AND THE PRIMARY INVESTIGATOR TO REPORT THE RESULTS OF THE SHELLFISH MAPPING AND HUMAN USE MAPPING OF CORE SOUND TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE AND THE MARINE FISHERIES COMMISSION, TO AUTHORIZE RATHER THAN REQUIRE THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO REQUIRE FISHERIES LICENSE AGENTS TO POST BONDS, TO ESTABLISH AN INTERIM CRAB LICENSE, TO ESTABLISH A 1999 GRACE PERIOD FOR THE ISSUANCE OF MARINE FISHING LICENSES, TO PROVIDE THAT THE DIVISION OF MARINE FISHERIES MAY ISSUE LICENSES PRIOR TO THE END OF EACH LICENSE YEAR AND MAY RETAIN REVENUES FROM THOSE LICENSES DURING THE FOLLOWING LICENSE YEAR, TO CLARIFY THE CRUELTY TO ANIMALS STATUTE, AND TO EXEMPT PERSONS WHO TAKE FISH BY MEANS OF A GIG FOR RECREATIONAL PURPOSES FROM THE RECREATIONAL COMMERCIAL GEAR LICENSE REQUIREMENT.

The General Assembly of North Carolina enacts:

Section 1. Section 3 of Chapter 547 of the 1995 Session Laws, Regular Session 1996, as amended by subsection (b) of Section 1 of Chapter 633 of the 1995 Session Laws, Regular Session 1996; Section 27.33 of Chapter 18 of the 1996 Session Laws, Second Extra Session; Section 12 of S.L. 1997-256; Section 8 of S.L. 1997-347; Section 6.14 of S.L. 1997-400; Section 15 of S.L. 1998-23; and Section 1 of S.L. 1998-56, reads as rewritten:

"Sec. 3. Notwithstanding G.S. 113-202, a moratorium on new shellfish cultivation leases shall be imposed in the remaining area of Core Sound not described in Section 1 of this act. During the moratorium, a comprehensive study of the shellfish lease program shall be conducted. The moratorium established under this section covers that part of Core Sound bounded by a line beginning at a point on Cedar Island at 35°00'39"N - 76°17'48"W, thence 109°(M) to a point in Core Sound 35°00'00"N - 76°12'42"W, thence 229°(M) to Marker No. 37 located 0.9 miles off Bells Point at 34°43'30"N - 76°29'00"W,

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thence 207°(M) to the Cape Lookout Lighthouse at 34°37'24"N - 76°31'30"W, thence 12°(M) to a point at Marshallberg at 34°43'07"N - 76°31'12"W, thence following the shoreline in a northerly direction to the point of beginning except that the highway bridges at Salters Creek, Thorfare Bay, and the Rumley Bay ditch shall be considered shoreline. The moratorium shall expire July 1, 1999, October 1, 2001."

Section 2. The Division of Marine Fisheries and the Primary Investigator for the Human Use Mapping Project in Core Sound shall report the results of the shellfish mapping and human use mapping of Core Sound to the Joint Legislative Commission on Seafood and Aquaculture and the Marine Fisheries Commission no later than October 1, 1999.

Section 3. G.S. 113-172(a) reads as rewritten:

"(a) The Secretary shall designate license agents for the Department. At least one license agent shall be designated for each county that contains or borders on coastal fishing waters. The Secretary may designate additional license agents in any county if the Secretary determines that additional agents are needed to provide efficient service to the public. The Division and license agents designated by the Secretary under this section shall issue licenses authorized under this Article in accordance with this Article and the rules of the Commission. The Secretary shall may require license agents to enter into a contract that provides for their duties and compensation, post a bond, and submit to reasonable inspections and audits. If a license agent violates any provision of this Article, the rules of the Commission, or the terms of the contract, the Secretary may initiate proceedings for the forfeiture of the license agent's bond and may summarily suspend, revoke, or refuse to renew a designation as a license agent and may impound or require the return of all licenses, money, record books, reports, license forms and other documents, ledgers, and materials pertinent or apparently pertinent to the license agency. The Secretary shall report evidence or misuse of State property, including license fees, by a license agent to the State Bureau of Investigation as provided by G.S. 114-15.1."

Section 4.(a) Definitions. -- The definitions set out in G.S. 113-168 shall apply to this section.

Section 4.(b) SCFL Not Valid to Take Crabs. -- Notwithstanding G.S. 113-168.2, it is unlawful for any person to take crabs as part of a commercial fishing operation from the coastal fishing waters of North Carolina under a SCFL or any other license issued by the Division other than an interim crab license issued pursuant to this section.

Section 4.(c) Interim Crab License Required to Take Crabs as Part of a Commercial Fishing Operation; Sale of Crabs. -- Except as otherwise provided by this section, it is unlawful for any person to take crabs as part of a commercial fishing operation from the coastal fishing waters of North Carolina without having first procured an interim crab license. A person who works as a member of the crew of a vessel that is taking crabs as part of a commercial fishing operation under the direction of a person who holds an interim crab license is not required to hold an interim crab license. An interim crab license entitles the holder to transfer crabs taken under the interim crab license to a person who holds a Standard Commercial Fishing License issued under G.S. 113-168.2 or a Retired Standard Commercial Fishing License issued under G.S. 113-168.3.

Section 4.(d) Eligibility for Interim Crab License. -- Any person who held a valid crab license issued pursuant to G.S. 113-153.1 at any time during the period July 1, 1994, through June 30, 1999, is eligible to receive an interim crab license. The Division shall issue an interim crab license to any person who is eligible under this section upon receipt of an application and required fees.

Section 4.(e) Duration; Fees. -- The interim crab license expires on October 1, 2000. The fee for the interim crab license shall be seven dollars and fifty cents ($7.50)
for a resident of this State and one hundred dollars ($100.00) for a person who is not a resident of this State.

Section 4.(f) General Provisions. -- Subsections (c), (d), (e), (g), (h), and (i) of G.S. 113-168.1 shall apply to the interim crab license.

Section 4.(g) License Issuance. -- The Division shall issue an interim crab license to eligible applicants at any office of the Division.

Section 4.(h) Assignment and Transfer. -- Except as provided in this subsection and subsection (j) of this section, it is unlawful to buy, sell, lend, borrow, assign, or otherwise transfer an interim crab license, or to attempt to buy, sell, lend, borrow, assign, or otherwise transfer an interim crab license. An interim crab license may be transferred only by the Division. The Division shall transfer an interim crab license only to a person who is eligible to obtain or renew a license or endorsement under G.S. 113-168.1(g). The Division may transfer an interim crab license upon the request of:

1. A licensee, from the licensee to a member of the licensee's immediate family.
2. The administrator or executor of the estate of a deceased licensee, to the administrator or executor of the estate. The administrator or executor must request a transfer under this subdivision within six months after the administrator or executor qualifies under Chapter 28A of the General Statutes. An administrator or executor who holds an interim crab license under this subdivision may, for the benefit of the estate of the deceased licensee, take crabs as part of a commercial fishing operation.
3. An administrator or executor to whom an interim crab license was transferred pursuant to subdivision (2) of this subsection, to a surviving member of the deceased licensee's immediate family.
4. The surviving member of the deceased licensee's immediate family to whom an interim crab license was transferred pursuant to subdivision (3) of this subsection, to a third-party purchaser of the deceased licensee's fishing vessel.

Section 4.(i) Record-Keeping Requirements. -- The record-keeping requirements of G.S. 113-168.2(i) shall apply to the interim crab license.

Section 4.(j) Exemptions. -- A person who is under 16 years of age is exempt from the license requirements of this section if the person is accompanied by a parent, grandparent, or guardian who holds an interim crab license or if the person has in the person's possession a valid interim crab license issued to the person's parent, grandparent, or guardian.

Section 4.(k) Rules on Incidental Taking of Crabs. -- Notwithstanding subsections (b) and (c) of this section, the Marine Fisheries Commission may adopt rules to allow the landing and sale of crabs taken incidentally in the course of other commercial fishing operations.

Section 4.(l) Note to G.S. 113-168.2. -- The Revisor of Statutes shall set out this section as a note to G.S. 113-168.2.

Section 5. Notwithstanding S.L. 1997-400 and S.L. 1998-225, a license or endorsement issued for the 1998-1999 license year by the Division of Marine Fisheries of the Department of Environment and Natural Resources under Article 14 of Chapter 113 of the General Statutes that has not been suspended or revoked shall continue in effect from 1 July 1999 until the earlier of: (i) the date on which the license or endorsement is replaced by a license or endorsement issued pursuant to Article 14A of Chapter 113 of the General Statutes or (ii) 1 August 1999.

Section 6. G.S. 113-168.1 is amended by adding a new subsection to read:
"(j) Advance Sale of Licenses, License Revenue. -- To ensure an orderly transition from one license year to the next, the Division may issue a license or endorsement prior to 1 July of the license year for which the license or endorsement is valid. Revenue that the Division receives for the issuance of a license or endorsement prior to the beginning of a license year shall not revert at the end of the fiscal year in which the revenue is received and shall be credited and available to the Division for the license year in which the license or endorsement is valid."

Section 7. The Department of Environment and National Resources shall report to the Joint Legislative Commission on Seafood and Aquaculture on the use of funds derived from the sale of licenses and endorsements under Article 14A of Chapter 113 of the General Statutes no later than 1 October 1999.

Section 8. G.S. 14-360(c) reads as rewritten:

"(c) As used in this section, the words 'torture', 'torment', and 'cruelly' include or refer to any act, omission, or neglect causing or permitting unjustifiable pain, suffering, or death. As used in this section, the word 'intentionally' refers to an act committed knowingly and without justifiable excuse, while the word 'maliciously' means an act committed intentionally and with malice or bad motive. As used in this section, the term 'animal' includes every living vertebrate in the classes Amphibia, Reptilia, Aves, and Mammalia except human beings. However, this section shall not apply to the following activities:

(1) The lawful taking of animals under the jurisdiction and regulation of the Wildlife Resources Commission, except that this section shall apply to those birds exempted by the Wildlife Resources Commission from its definition of 'wild birds' pursuant to G.S. 113-129(15a); 113-129(15a).

(2) Lawful activities conducted for purposes of biomedical research or training or for purposes of production of livestock or poultry, livestock, poultry, or aquatic species.

(2a) Lawful activities conducted for the primary purpose of providing food for human or animal consumption.

(3) Activities conducted for lawful veterinary purposes or purposes.

(4) The lawful destruction of any animal for the purposes of protecting the public, other animals, property, or the public health."

Section 9. G.S. 113-173(j) is amended by adding a new subdivision to read:

"(5) A person may take fish for recreational purposes by means of a gig without holding a RCGL."

Section 10. Section 6 of this act is effective 30 June 1999. Sections 7, 8, and 10 of this act are effective when this act becomes law. All other sections of this act become effective 1 July 1999. Section 4 of this act expires 1 October 2000.

Senator Albertson offers a motion that the rules be suspended and that the Conference Report be brought before the Senate for immediate consideration, upon adoption.

The Conference Report is temporarily displaced.

**SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special message is received from the House of Representatives:

S.B. 29

House of Representatives

June 22, 1999

June 23, 1999
Mr. President:

It is ordered that a message be sent your Honorable Body with the information that Representative Buchanan has been removed as one of the conferees on House Committee Substitute for SB 29, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION FEES COLLECTED UNDER THE COSMETIC ART ACT, and Representative Tucker has been added as a conferee.

Respectfully,
S/Denise Weeks
Principal Clerk

The following special message is received from the House of Representatives:

H.B. 168

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that Representative Dedmon has been added as one of the conferees on Senate Committee Substitute for HB 168, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

Respectfully,
S/Denise Weeks
Principal Clerk

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

H.B. 684 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF KINSTON AND THE TOWNS OF APEX, CARY, GARNER, AND MORRISVILLE TO ADOPT ORDINANCES REGULATING REMOVAL, REPLACEMENT, AND PRESERVATION OF TREES AND SHRUBS WITHIN THE TOWNS AND THE TOWNS' EXTRATERRITORIAL PLANNING JURISDICTION, which title changes upon concurrence.

Senator Odom offers Amendment No. 1 which is adopted (36-13), and further changes the title upon concurrence.

The Senate Committee Substitute bill, as amended, passes its second (42-7) and third readings and is ordered engrossed and sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

COMMITTEE REFERRAL RECALL

S.B. 1026, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE SUPREME COURT WITH AUTHORITY TO REVISE THE RULES OF CIVIL AND CRIMINAL PROCEDURE AND THE RULES OF EVIDENCE, SUBJECT TO AMENDMENT OR
VETO BY THE GENERAL ASSEMBLY AND TO APPROPRIATE FUNDS FOR ADVISORY COMMITTEES ON THE ADOPTION AND AMENDMENT OF THOSE RULES, referred to the Appropriations/Base Budget Committee on June 22.

Pursuant to Rule 47(a), Senator Odom offers a motion that the bill be withdrawn from the Appropriations/Base Budget Committee and placed on the Calendar for Thursday, June 24, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Appropriations/Base Budget Committee and places it on the Calendar for Thursday, June 24.

S.B. 1025 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE SUPERIOR COURT DIVISION BY EXPANDING THE NUMBER OF JUDICIAL DIVISIONS FROM FOUR TO EIGHT, TO ESTABLISH PILOT PROGRAMS FOR CONSIDERATION OF THE RECOMMENDATIONS OF THE COMMISSION FOR THE FUTURE OF JUSTICE AND THE COURTS IN NORTH CAROLINA CONCERNING ORGANIZATION AND MANAGEMENT OF THE TRIAL COURT, AND TO APPROPRIATE FUNDS TO A RESERVE FOR IMPLEMENTATION OF THOSE PILOT PROGRAMS, referred to the Appropriations/Base Budget Committee on June 23.

Pursuant to Rule 47(a), Senator Odom offers a motion that the Committee Substitute bill be withdrawn from the Appropriations/Base Budget Committee and placed on the Calendar for Thursday, June 24, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Appropriations/Base Budget Committee and places it on the Calendar for Thursday, June 24.

**CALENDAR (Continued)**

S.B. 249 (Conference Report), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON ISSUING SHELLFISH CULTIVATION LEASES IN CORE SOUND, TO REQUIRE THE DIVISION OF MARINE FISHERIES AND THE PRIMARY INVESTIGATOR TO REPORT THE RESULTS OF THE SHELLFISH MAPPING AND HUMAN USE MAPPING OF CORE SOUND TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE AND THE MARINE FISHERIES COMMISSION, TO AUTHORIZE RATHER THAN REQUIRE THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO REQUIRE FISHERIES LICENSE AGENTS TO POSTS BONDS, TO ESTABLISH AN INTERIM CRAB LICENSE, TO ESTABLISH A 1999 GRACE PERIOD FOR THE ISSUANCE OF MARINE FISHING LICENSES, TO PROVIDE THAT THE DIVISION OF MARINE FISHERIES MAY ISSUE LICENSES PRIOR TO THE END OF EACH LICENSE YEAR AND MAY RETAIN REVENUES FROM THOSE LICENSES DURING THE FOLLOWING LICENSE YEAR, TO CLARIFY THE CRUELTY TO ANIMALS STATUTE, AND TO EXEMPT PERSONS WHO TAKE FISH BY MEANS OF A GIG FOR RECREATIONAL FROM THE RECREATIONAL COMMERCIAL GEAR LICENSE REQUIREMENT, for adoption, placed on today’s Calendar and temporarily displaced earlier.

Upon motion of Senator Albertson, the Senate adopts the Conference Report upon second reading, ayes 49, noes 0, as follows:


Voting in the negative: None.

June 23, 1999
The Conference Report remains on the Calendar for tomorrow, Thursday, June 24, upon third reading.

REPORTS OF COMMITTEES (Continued)

By Senator Hoyle for the Finance Committee:

H.B. 419 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATION AND REMOVING A CERTAIN TRACT OF PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY, with a favorable report.

H.B. 845 (Committee Substitute), A BILL TO BE ENTITLED AN ACT EXPANDING THE PERMISSIBLE PURPOSES OF THE GREENVILLE UTILITIES COMMISSION AND AUTHORIZING THE COMMISSION TO CHARGE APPROPRIATE FEES FOR EXPANDED SERVICES, with a favorable report.

H.B. 1095 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA MEDICAL BOARD AND THE BOARD OF PHARMACY TO ADOPT RULES TO APPROVE CLINICAL PHARMACIST PRACTITIONERS TO PRACTICE DRUG THERAPY MANAGEMENT PURSUANT TO A DRUG THERAPY MANAGEMENT AGREEMENT, with a favorable report.

H.B. 1134, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE HORACE WILLIAMS CAMPUS TRUST FUND, TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ISSUE REVENUE BONDS FOR THE DEVELOPMENT OF THE HORACE WILLIAMS CAMPUS, TO EXEMPT THE HORACE WILLIAMS CAMPUS FROM THE UMSTEAD ACT, AND TO MAKE VARIOUS CONFORMING CHANGES, with a favorable report.

S.B. 523 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH THE GREENSBORO ROOM OCCUPANCY TAX MAY BE USED, with a favorable report.

S.B. 251, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HISTORIC REHABILITATION TAX CREDIT TO BE ALLOCATED BY A PASS-THROUGH ENTITY TO ITS OWNERS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1759 is adopted and engrossed.

Upon motion of Senator Basnight, seconded by Senator Harris, the Senate adjourns at 4:09 P.M. with unfinished business remaining on the Calendar to meet tomorrow, Thursday, June 24, at 12:30 P.M.

EIGHTY-SIXTH DAY

Senate Chamber
Thursday, June 24, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable
Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Honorable John Garwood, Senator from Wilkes County, as follows:

"Lord, we know that helping others is not only our civic responsibility, it is our spiritual responsibility as well. Lord, lay Your hand on us that we may endeavor to always offer others 'a cup of cold water.'

"A cup of cold water' may mean visiting the sick or lonely, sitting with the dying, helping a stranded motorist, or just have a friendly manner. Or it may mean the vote we cast to help the needy or oppressed.

"Life gives us daily opportunities to offer someone 'a cup of cold water'.

"Acting on those opportunities moves us closer to God's presence. Lord, teach us to help despite the inconvenience. Amen."

With unanimous consent, the President Pro Tempore grants leaves of absence for today to Senator Carter, Senator Jordan, Senator Odom, Senator Perdue, Senator Plyler, Senator Reeves, and Senator Shaw of Guilford.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Wednesday, June 23, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore of the Senate extends courtesies of the floor to Dr. Ann Michele Martin from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Gale Adcock from Cary, North Carolina, who is serving the Senate as Nurse of the Day.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

H.B. 447, AN ACT TO AUTHORIZE THE CITY OF ASHEVILLE TO PROHIBIT ACTS OF DISCRIMINATION IN EMPLOYMENT BASED ON RACE, COLOR, NATIONAL ORIGIN, RELIGION, SEX, DISABILITY, OR AGE. (Became law upon ratification, June 23, 1999 – S.L. 1999-206.)

H.B. 840, AN ACT TO EXEMPT ONSLOW COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION OF THE ONSLOW SUPERIOR COURTHOUSE AND TO PROVIDE FOR FLEXIBILITY IN SCHOOL CONSTRUCTION AND REPAIR CONTRACTS FOR CHARLOTTE/MECKLENBURG SCHOOLS. (Became law upon ratification, June 23, 1999 – S.L. 1999-207.)


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REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hoyle for the Finance Committee:

S.B. 547, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A TELECOMMUNICATIONS RELAY SERVICE TO ASSIST DEAF AND HEARING IMPAIRED PERSONS, INCLUDING THOSE WHO ALSO HAVE VISION IMPAIRMENT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1765 is adopted and engrossed.

INTRODUCTION OF A RESOLUTION

A resolution filed for introduction is presented to the Senate, read the first time, and disposed of, as follows:

By Senators Phillips and Forrester:
S.R. 1173, A SENATE RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES IREDELL FOR WHOM IREDELL COUNTY IS NAMED.
Referred to Rules and Operations of the Senate Committee.

REPORTS OF COMMITTEES (Continued)

By Senator Miller for the Judiciary II Committee:

H.B. 290, A BILL TO BE ENTITLED AN ACT TO AMEND THE CRIME VICTIMS' COMPENSATION ACT BY INCREASING THE MEMBERSHIP OF THE CRIME VICTIMS' COMPENSATION COMMISSION, BY INCREASING THE SIZE OF INITIAL CLAIMS THAT MAY BE AWARDED BY THE DIRECTOR OF THE COMMISSION, AND BY PROVIDING THE COMMISSION WITH THE DISCRETION TO PAY CERTAIN CLAIMS PREVIOUSLY DENIED, with a favorable report.

H.B. 958, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT CONFIDENTIAL INFORMATION OBTAINED BY HEALTH MAINTENANCE ORGANIZATIONS OR PROVIDER SPONSORED ORGANIZATIONS MAY BE DISCLOSED PURSUANT TO COURT ORDER FOR CERTAIN PURPOSES, with a favorable report.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 57 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING FOR LOSS OF DRIVERS LICENSE PRIVILEGES BY CERTAIN PERSONS UNDER THE AGE OF EIGHTEEN FOR COMMITTING DESIGNATED

June 24, 1999
ACTS, for concurrence in the House Committee Substitute, which is placed on the Calendar for Monday, June 28.

S.B. 526 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MODIFICATION AND TERMINATION OF IRREVOCABLE TRUSTS, for concurrence in the House Committee Substitute, which is placed on the Calendar for Monday, June 28.

H.B. 315 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MOTOR VEHICLE'S PROPERTY TAX VALUE IS DETERMINED AS OF JANUARY 1 PRECEDING THE DUE DATE OF THE TAX.
Referred to Finance Committee.

H.B. 964 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REVISE THE MUNICIPAL INCORPORATION PROCESS SO AS TO PROVIDE MORE SCRUTINY.
Referred to Finance Committee.

**CALENDAR**

Bills and a resolution on today's Calendar are taken up and disposed of, as follows:

S.B. 249 (Conference Report), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON THE ISSUANCE OF SHELLFISH CULTIVATION LEASES IN CORE SOUND, TO REQUIRE THE DIVISION OF MARINE FISHERIES AND THE PRIMARY INVESTIGATOR TO REPORT THE RESULTS OF THE SHELLFISH MAPPING AND HUMAN USE MAPPING OF CORE SOUND TO THE JOINT LEGISLATIVE COMMITTEE ON SEAFOOD AND AQUACULTURE AND THE MARINE FISHERIES COMMISSION, TO AUTHORIZE RATHER THAN REQUIRE THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO REQUIRE FISHERIES LICENSE AGENTS TO POST BONDS, TO ESTABLISH AN INTERIM CRAB LICENSE, TO ESTABLISH A 1999 GRACE PERIOD FOR THE ISSUANCE OF MARINE FISHING LICENSES, TO PROVIDE THAT THE DIVISION OF MARINE FISHERIES MAY ISSUE LICENSES PRIOR TO THE END OF EACH LICENSE YEAR AND MAY RETAIN REVENUES FROM THOSE LICENSES DURING THE FOLLOWING LICENSE YEAR, TO CLARIFY THE CRUELTY TO ANIMALS STATUTE, AND TO EXEMPT PERSONS WHO TAKE FISH BY MEANS OF A GIG FOR RECREATIONAL PURPOSES FROM THE RECREATIONAL COMMERCIAL GEAR LICENSE REQUIREMENT, for adoption, upon third reading.

With unanimous consent, upon motion of Senator Albertson, the Conference Report is taken up out of its regular order of business and is placed before the Senate for immediate consideration.

Upon motion of Senator Albertson, the Senate adopts the Conference Report on its third reading by roll-call vote, ayes 41, noes 1, as follows:


Voting in the negative: Senator East—1.

June 24, 1999
SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S.B. 249

House of Representatives
June 23, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferes on House Committee Substitute # 2 for SB 249, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON ISSUING SHELLFISH CULTIVATION LEASES IN CORE SOUND, TO REQUIRE THE DIVISION OF MARINE FISHERIES AND THE PRIMARY INVESTIGATOR TO REPORT THE RESULTS OF THE SHELLFISH MAPPING AND HUMAN USE MAPPING OF CORE SOUND TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE AND THE MARINE FISHERIES COMMISSION, TO AUTHORIZE RATHER THAN REQUIRE THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO REQUIRE THE FISHERIES LICENSE AGENTS TO POST BONDS, TO ESTABLISH AN INTERIM CRAB LICENSE, AND TO CLARIFY THAT THE LAWFUL TAKING OF MARINE AND ESTUARINE RESOURCES UNDER THE JURISDICTION OF THE MARINE FISHERIES COMMISSION OR AS AUTHORIZED BY A FEDERAL LAW, REGULATION, OR FISHERY MANAGEMENT PLAN IS EXEMPT FROM THE CRUELTY TO ANIMALS STATUTE, to the end that when a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,
S/Denise Weeks
Principal Clerk

Pursuant to the Senate having adopted the Conference Report earlier today, the Chair orders the Conference Committee Substitute bill enrolled and sent to the Governor by special message.

CALENDAR (Continued)

H.B. 1095 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA MEDICAL BOARD AND THE BOARD OF PHARMACY TO ADOPT RULES TO APPROVE CLINICAL PHARMACIST PRACTITIONERS TO PRACTICE DRUG THERAPY MANAGEMENT PURSUANT TO A DRUG THERAPY MANAGEMENT AGREEMENT, upon second reading.

With unanimous consent, upon motion of Senator Rand, the Committee Substitute bill No. 2 is withdrawn from today’s Calendar and is placed on the Calendar for Monday, June 28.

S.B. 251 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE HISTORIC REHABILITATION TAX CREDIT TO BE ALLOCATED BY A PASS-THROUGH ENTITY TO ITS OWNERS.

With unanimous consent, upon motion of Senator Rand, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Monday, June 28.

S.B. 969 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO
ESTABLISH THE NORTH CAROLINA HEALTH AND WELLNESS TRUST FUND FOR THE PURPOSE OF RECEIPT AND DISTRIBUTION OF TWENTY-FIVE PERCENT OF THE TOBACCO SETTLEMENT FUNDS IN THE SETTLEMENT RESERVE FUND ESTABLISHED UNDER G.S. 143-16.4 TO DEVELOP A COMPREHENSIVE COMMUNITY-BASED PLAN AND FUND PROGRAMS AND INITIATIVES FOR IMPROVING THE HEALTH AND WELLNESS OF THE PEOPLE OF NORTH CAROLINA WITH A PRIORITY ON PREVENTING, REDUCING, AND REMEDYING THE HEALTH EFFECTS OF TOBACCO USE WITH AN EMPHASIS ON REDUCING YOUTH TOBACCO USE.

With unanimous consent, upon motion of Senator Rand, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Monday, June 28.

S.B. 1025 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE SUPERIOR COURT DIVISION BY EXPANDING THE NUMBER OF JUDICIAL DIVISIONS FROM FOUR TO EIGHT, TO ESTABLISH PILOT PROGRAMS FOR CONSIDERATION OF THE RECOMMENDATIONS OF THE COMMISSION FOR THE FUTURE OF JUSTICE AND THE COURTS IN NORTH CAROLINA CONCERNING ORGANIZATION AND MANAGEMENT OF THE TRIAL COURT, AND TO APPROPRIATE FUNDS TO A Reserve FOR IMPLEMENTATION OF THOSE PILOT PROGRAMS.

With unanimous consent, upon motion of Senator Rand, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Monday, June 28.

S.B. 1026, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE SUPREME COURT WITH AUTHORITY TO REVISE THE RULES OF CIVIL AND CRIMINAL PROCEDURE AND THE RULES OF EVIDENCE, SUBJECT TO AMENDMENT OR VETO BY THE GENERAL ASSEMBLY AND TO APPROPRIATE FUNDS FOR ADVISORY COMMITTEES ON THE ADOPTION AND AMENDMENT OF THOSE RULES.

With unanimous consent, upon motion of Senator Rand, the bill is withdrawn from today’s Calendar and is placed on the Calendar for Monday, June 28.

H.B. 302 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT ENFORCEMENT.

With unanimous consent, upon motion of Senator Rand, the Senate Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Monday, June 28.

H.B. 1025, A BILL TO BE ENTITLED AN ACT TO ALLOW SMALL EMPLOYERS TO CHARGE THE SAME ADMINISTRATIVE FEE UNDER THE STATE GROUP HEALTH CONTINUATION LAW AS LARGER EMPLOYERS CHARGE UNDER THE FEDERAL COBRA GROUP HEALTH CONTINUATION LAW.

With unanimous consent, upon motion of Senator Rand, the bill is withdrawn from today’s Calendar and is placed on the Calendar for Monday, June 28.

H.B. 1187, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM TO PUT COMMUNICATION DEVICES ON SCHOOL BUSES.

With unanimous consent, upon motion of Senator Rand, the bill is withdrawn from today’s Calendar and is placed on the Calendar for Monday, June 28.
S.R. 327 (Committee Substitute), A SENATE RESOLUTION HONORING THE ONE HUNDREDTH ANNIVERSARY OF THE TOWN OF WRIGHTSVILLE BEACH.

With unanimous consent, upon motion of Senator Rand, the Committee Substitute Senate resolution is withdrawn from today's Calendar and is placed on the Calendar for Monday, June 28.

Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.

COMMITTEE REFERRAL RECALL

S.B. 912, A BILL TO BE ENTITLED AN ACT PERTAINING TO CAPITAL FINANCING FOR THE UNIVERSITY OF NORTH CAROLINA, referred to Rules and Operations of the Senate Committee on April 14.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Finance Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Finance Committee.

Senator Basnight offers a motion that all bills which were previously placed on the Calendar on Monday, June 28, be withdrawn from that Calendar and placed on the Calendar for Tuesday, June 29, which motion prevails.

CALENDAR (Continued)

Bills and a resolution on the Calendar carried forward as unfinished business from Wednesday, June 23, are taken up and disposed of, as follows:

S.R. 1038 (Committee Substitute), A SENATE RESOLUTION HONORING THE FIFTIETH ANNIVERSARY OF THE TOWN OF SURF CITY, for adoption.

Upon motion of Senator Ballantine, the Committee Substitute Senate Resolution is adopted (43-0). (See Appendix.)

WITHDRAWAL FROM CALENDAR

S.B. 57 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING FOR LOSS OF DRIVERS LICENSE PRIVILEGES BY CERTAIN PERSONS UNDER THE AGE OF EIGHTEEN FOR COMMITTING DESIGNATED ACTS, for concurrence in the House Committee Substitute bill.

Senator Cooper offers a motion that the House Committee Substitute bill be withdrawn from the Calendar for Monday, June 28, and placed before Senate for immediate consideration, which motion prevails with unanimous consent.

The Chair orders the House Committee Substitute bill withdrawn from the Calendar for Monday, June 28, and places it before the Senate for immediate consideration.

The Senate concurs in the House Committee Substitute bill (42-1) and the measure is ordered enrolled and sent to the Governor by special message.

CALENDAR (Continued)

S.B. 941 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO UPDATE THE MANUFACTURED HOUSING BOARD STATUTES, TO PROVIDE
FOR CONTINUING EDUCATION FOR LICENSEES, TO IMPROVE THE BUYER CANCELLATION LAW, AND TO UPDATE THE LAW ON MANUFACTURED HOME STANDARDS TO COMPLY WITH FEDERAL LAWS AND REGULATIONS.

Senator Ballantine offers Amendment No. 1 which is adopted (43-0).

The Committee Substitute bill No. 2, as amended, passes its second (43-0) and third readings and is ordered engrossed and sent to the House of Representatives.

Without objection, Senator Rand offers a motion that effective today through the end of the Session, all roll-call bills be sent to the House of Representatives and to the Office of the Governor by special message.

ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

S.B. 249, AN ACT TO EXTEND THE MORATORIUM ON THE ISSUANCE OF SHELLFISH CULTIVATION LEASES IN CORE SOUND, TO REQUIRE THE DIVISION OF MARINE FISHERIES AND THE PRIMARY INVESTIGATOR TO REPORT THE RESULTS OF THE SHELLFISH MAPPING AND HUMAN USE MAPPING OF CORE SOUND TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE AND THE MARINE FISHERIES COMMISSION, TO AUTHORIZE RATHER THAN REQUIRE THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO REQUIRE FISHERIES LICENSE AGENTS TO POSTS BONDS, TO ESTABLISH AN INTERIM CRAB LICENSE, TO ESTABLISH A 1999 GRACE PERIOD FOR THE ISSUANCE OF MARINE FISHING LICENSES, TO PROVIDE THAT THE DIVISION OF MARINE FISHERIES MAY ISSUE LICENSES PRIOR TO THE END OF EACH LICENSE YEAR AND MAY RETAIN REVENUES FROM THOSE LICENSES DURING THE FOLLOWING LICENSE YEAR, TO CLARIFY THE CRUELTY TO ANIMALS STATUTE, AND TO EXEMPT PERSONS WHO TAKE FISH BY MEANS OF A GIG FOR RECREATIONAL PURPOSES FROM THE RECREATIONAL COMMERCIAL GEAR LICENSE REQUIREMENT.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.B. 253

House of Representatives
June 24, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute to HB 253, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE STATE INFORMATION PROCESSING SERVICES TO THE DIVISION OF INFORMATION TECHNOLOGY SERVICES, and requests conferees. The Speaker has appointed:

Representative Owens,
Representative Tolson, and
Representative McMahan

June 24, 1999
on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
S/Denise Weeks
Principal Clerk

CALENDAR (Continued)

H.B. 1030 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE LIGHTING REQUIREMENTS FOR LIGHT TRAILERS AND EXEMPT CERTAIN ADDITIONAL FARM TRAILERS FROM THE REGISTRATION REQUIREMENTS.

The President orders, without objection, the Senate Committee Substitute bill temporarily displaced.

S.B. 843 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF NURSING TO INCREASE THE ANNUAL FEE CHARGED NURSES AIDES II, for concurrence in the House Committee Substitute bill, upon third reading.

The Senate concurs in the House Committee Substitute bill on its third reading by roll-call vote, ayes 43, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

S.B. 956, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CLASS 2 MISDEMEANOR TO USE IN TELEPHONIC COMMUNICATIONS WITH ANOTHER PERSON ANY WORDS OR LANGUAGE THREATENING THAT PERSON'S CHILD OR SPOUSE, AND TO MAKE IT A CLASS 1 MISDEMEANOR TO WILLFULLY THREATEN PHYSICAL INJURY TO THE CHILD OR SPOUSE OF ANOTHER, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 956 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT A CLASS 2 MISDEMEANOR TO USE IN TELEPHONIC OR ELECTRONIC-MAIL COMMUNICATIONS WITH ANOTHER PERSON ANY WORDS OR LANGUAGE THREATENING THAT PERSON'S CHILD, DEPENDENT, SIBLING, OR SPOUSE, AND TO MAKE IT A CLASS 1 MISDEMEANOR TO WILLFULLY THREATEN PHYSICAL INJURY TO THE CHILD, DEPENDENT, SIBLING, OR SPOUSE OF ANOTHER.

The Senate concurs in the House Committee Substitute bill (43-0) and the measure is ordered enrolled and sent to the Governor.

S.B. 1003 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES REGULATING THE ABILITY OF GUARDIANS TO MAKE GIFTS FROM INCOMPETENT WARD'S ESTATES UNDER CERTAIN CIRCUMSTANCES, for concurrence in the House Committee Substitute bill.

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The Senate concurs in the House Committee Substitute bill (43-0) and the measure is ordered enrolled and sent to the Governor.

S.B. 1011 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN ENHANCED CRIMINAL PENALTY SHALL BE IMPOSED ON A PERSON WHO HAS IN HIS OR HER IMMEDIATE POSSESSION OR IS WEARING A BULLET-PROOF VEST WHILE COMMITTING A FELONY, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (43-0) and the measure is ordered enrolled and sent to the Governor.

S.B. 1055 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF A COURT REPORTING SERVICE THAT HAS AN INTEREST WHEN A DEPOSITION IS TAKEN, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (43-0) and the measure is ordered enrolled and sent to the Governor.

H.B. 1030 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE LIGHTING REQUIREMENTS FOR LIGHT TRAILERS AND EXEMPT CERTAIN ADDITIONAL FARM TRAILERS FROM THE REGISTRATION REQUIREMENTS, temporarily displaced earlier.

The Chair grants a leave of absence for the remainder of today's Session to Senator Basnight.

The Senate Committee Substitute bill passes its second (42-0) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

Bills on today's Calendar are taken up and disposed of as follows:

H.B. 419 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATION AND REMOVING A CERTAIN TRACT OF PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY, upon second reading.

The Committee Substitute bill No. 2 passes its second reading by roll-call vote, ayes 42, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill No. 2 is ordered placed on the Calendar for Tuesday, June 29, upon third reading.

H.B. 845 (Committee Substitute), A BILL TO BE ENTITLED AN ACT EXPANDING THE PERMISSIBLE PURPOSES OF THE GREENVILLE UTILITIES COMMISSION AND AUTHORIZING THE COMMISSION TO CHARGE APPROPRIATE FEES FOR EXPANDED SERVICES, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 42, noes 0, as follows:

June 24, 1999

Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for Tuesday, June 29, upon third reading.

S.B. 523 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH THE GREENSBORO ROOM OCCUPANCY TAX MAY BE USED.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

H.B. 707, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF BROADWAY TO ALLOW THE TOWN TO OPERATE UNDER A COUNCIL-MANAGER FORM OF GOVERNMENT.

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

REPORTS OF COMMITTEES (Continued)

By Senator Shaw of Cumberland for the Transportation Committee:

H.B. 1054, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL ACTIVITY BUSES TO STOP AT ALL RAILROAD CROSSINGS, with a favorable report.

Pursuant to the previous motion by Senator Basnight, the bill is placed on the Calendar for Tuesday, June 29.

H.B. 1263, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON BETWEEN SIXTEEN AND EIGHTEEN YEARS OF AGE WITH A DRIVERS LICENSE ISSUED BY THE FEDERAL GOVERNMENT MAY BE ISSUED THE PROPER DRIVERS PERMIT UNDER THE GRADUATED DRIVERS LICENSE PROGRAM, with a favorable report.

Pursuant to the previous motion by Senator Basnight, the bill is placed on the Calendar for Tuesday, June 29.

CALENDAR (Continued)

H.B. 1134, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE HORACE WILLIAMS CAMPUS TRUST FUND, TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ISSUE REVENUE BONDS FOR THE DEVELOPMENT OF THE HORACE WILLIAMS CAMPUS, TO EXEMPT THE HORACE WILLIAMS CAMPUS FROM THE UMSTEAD ACT, AND TO MAKE VARIOUS CONFORMING CHANGES, upon second reading.

The bill passes its second reading by roll-call vote, ayes 39, noes 2, as follows:


June 24, 1999
Voting in the negative: Senators Horton and Webster—2.
The bill is ordered placed on the Calendar for Tuesday, June 29, upon third reading.

Upon motion of Senator Ballance, seconded by Senator Cochrane, the Senate adjourns at 1:31 P.M. to meet Monday, June 28, at 7:00 P.M.

EIGHTY-SEVENTH DAY

Senate Chamber
Monday, June 28, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Glenn Pettiford, First Baptist Church, Village Drive, Lexington, North Carolina, as follows:

"God of our weary years, God of our silent tears, Thou who has brought us thus far on the way.

"Thou who hast by Thy might led us into the light, keep us forever in the path, we pray. Lest our feet stray from the places, our God, where we met Thee. Lest our hearts, drunk with the wine of the world, we forget Thee.

"Shadowed beneath Thy hand, may we forever stand, true to our God, true to our native land. Please Lord, please Lord, please. Amen."

With unanimous consent, the President grants leaves of absence for tonight to Senator Gulley, Senator Jordan, Senator Metcalf, Senator Reeves, Senator Robinson, Senator Shaw of Cumberland, and Senator Webster.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of Thursday, June 24, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Patrick Patteson Carone from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Ernest Grant from Chapel Hill, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 57, AN ACT PROVIDING FOR LOSS OF DRIVERS LICENSE PRIVILEGES BY CERTAIN PERSONS UNDER THE AGE OF EIGHTEEN FOR COMMITTING DESIGNATED ACTS.

S.B. 192, AN ACT TO PROVIDE FOR THE FILING WITH THE SECRETARY OF STATE OF ALL MEMORANDA OF UNDERSTANDING AND AGREEMENTS OF A NONCOMMERCIAL NATURE BETWEEN THE STATE OF NORTH CAROLINA

June 28, 1999
AND FOREIGN GOVERNMENTS, TO AUTHORIZE THE SECRETARY OF STATE TO PROVIDE INTERNATIONAL RELATIONS ASSISTANCE AND TO PUBLISH PUBLICATIONS ELECTRONICALLY, AND TO PROVIDE FOR GUBERNATORIAL OVERSIGHT OF AGREEMENTS INVOLVING THE STATE AND FOREIGN GOVERNMENTS.

S.B. 484, AN ACT CHANGING THE METHOD OF CALCULATING THE RATIO OF PROPERTY TAX COLLECTIONS TO THE TOTAL LEVY FOR LOCAL GOVERNMENT BUDGETING PURPOSES RELATING TO THE REGISTERED MOTOR VEHICLE TAX.

S.B. 843, AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF NURSING TO INCREASE THE ANNUAL FEE CHARGED NURSES AIDS II.

S.B. 956, AN ACT TO MAKE IT A CLASS 2 MISDEMEANOR TO USE IN TELEPHONIC OR ELECTRONIC-MAIL COMMUNICATIONS WITH ANOTHER PERSON ANY WORDS OR LANGUAGE THREATENING THAT PERSON'S CHILD, DEPENDENT, SIBLING, OR SPOUSE, AND TO MAKE IT A CLASS 1 MISDEMEANOR TO WILLFULLY THREATEN PHYSICAL INJURY TO THE CHILD, DEPENDENT, SIBLING, OR SPOUSE OF ANOTHER.

S.B. 1003, AN ACT TO AMEND THE STATUTES REGULATING THE ABILITY OF GUARDIANS TO MAKE GIFTS FROM INCOMPETENT WARDS' ESTATES UNDER CERTAIN CIRCUMSTANCES.

S.B. 1011, AN ACT TO PROVIDE THAT AN ENHANCED CRIMINAL PENALTY SHALL BE IMPOSED ON A PERSON WHO HAS IN HIS OR HER IMMEDIATE POSSESSION OR IS WEARING A BULLET-PROOF VEST WHILE COMMITTING A FELONY.

S.B. 1055, AN ACT TO PROHIBIT THE USE OF A COURT REPORTING SERVICE THAT HAS AN INTEREST WHEN A DEPOSITION IS TAKEN.

The Enrolling Clerk reports the following bill duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

H.B. 707, AN ACT AMENDING THE CHARTER OF THE TOWN OF BROADWAY TO ALLOW THE TOWN TO OPERATE UNDER A COUNCIL-MANAGER FORM OF GOVERNMENT.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

S.B. 249, AN ACT TO EXTEND THE MORATORIUM ON THE ISSUANCE OF SHELLFISH CULTIVATION LEASES IN CORE SOUND, TO REQUIRE THE DIVISION OF MARINE FISHERIES AND THE PRIMARY INVESTIGATOR TO REPORT THE RESULTS OF THE SHELLFISH MAPPING AND HUMAN USE MAPPING OF CORE SOUND TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE AND THE MARINE FISHERIES COMMISSION, TO AUTHORIZE RATHER THAN REQUIRE THE SECRETARY OF

June 28, 1999
ENVIRONMENT AND NATURAL RESOURCES TO REQUIRE FISHERIES LICENSE AGENTS TO POSTS BONDS, TO ESTABLISH AN INTERIM CRAB LICENSE, TO ESTABLISH A 1999 GRACE PERIOD FOR THE ISSUANCE OF MARINE FISHING LICENSES, TO PROVIDE THAT THE DIVISION OF MARINE FISHERIES MAY ISSUE LICENSES PRIOR TO THE END OF EACH LICENSE YEAR AND MAY RETAIN REVENUES FROM THOSE LICENSES DURING THE FOLLOWING LICENSE YEAR, TO CLARIFY THE CRUELTY TO ANIMALS STATUTE, AND TO EXEMPT PERSONS WHO TAKE FISH BY MEANS OF A GIG FOR RECREATIONAL PURPOSES FROM THE RECREATIONAL COMMERCIAL GEAR LICENSE REQUIREMENT. (Became law upon approval of the Governor, June 24, 1999 – S.L. 1999-209.)

S.B. 685, AN ACT TO CLARIFY THAT TREATMENT OR SERVICES RENDERED BY PHYSICIAN ASSISTANTS SHALL BE REIMBURSABLE UNDER THE STATE HEALTH PLAN AND OTHER HEALTH INSURANCE POLICIES UNDER CERTAIN CIRCUMSTANCES. (Became law upon approval of the Governor, June 25, 1999 – S.L. 1999-210.)

S.B. 1096, AN ACT TO MAKE IT A FELONY FOR A SCHOOL EMPLOYEE TO POSSESS A FIREARM ON EDUCATIONAL PROPERTY AND TO MAKE IT A FELONY FOR A STUDENT OR SCHOOL EMPLOYEE TO HAVE A FIREARM AT A CURRICULAR OR EXTRACURRICULAR ACTIVITY SPONSORED BY THE SCHOOL. (Became law upon approval of the Governor, June 25, 1999 – S.L. 1999-211.)

S.B. 288, AN ACT TO EXTEND NORTH CAROLINA'S "LONG ARM JURISDICTION" STATUTE TO INCLUDE SENDERs OF UNSOLICITED ELECTRONIC BULK COMMERCIAL MAIL AND TO MAKE THE SENDING OF UNSOLICITED ELECTRONIC BULK COMMERCIAL MAIL UNLAWFUL IN THIS STATE. (Became law upon approval of the Governor, June 25, 1999 – S.L. 1999-212.)

S.B. 878, AN ACT TO ALLOW CERTAIN NONPROFIT WATER CORPORATIONS TO BE ELIGIBLE FOR REVOLVING LOANS AND GRANTS FROM THE DRINKING WATER TREATMENT REVOLVING LOAN FUND. (Became law upon approval of the Governor, June 25, 1999 – S.L. 1999-213.)

S.B. 1068, AN ACT TO AUTHORIZE LOCAL LAW ENFORCEMENT AGENCIES TO ACCESS THE CRIMINAL INFORMATION NETWORK TO RUN CRIMINAL BACKGROUND CHECKS ON VOLUNTEERS FOR THE MCGRUFF HOUSES PROGRAM. (Became law upon approval of the Governor, June 25, 1999 – S.L. 1999-214.)

S.B. 178, AN ACT TO BE KNOWN AS THE NORTH CAROLINA UNIFORM PRUDENT INVESTOR ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (Became law upon approval of the Governor, June 25, 1999 – S.L. 1999-215.)

S.B. 246, AN ACT TO CLARIFY AND REVISE THE PROCEDURES GOVERNING APPEALS OR TRANSFERS FROM CLERKS OF SUPERIOR COURT TO THE TRIAL COURTS AND TO MAKE CONFORMING AND CLARIFYING AMENDMENTS TO OTHER RELATED SECTIONS OF THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (Became law upon approval of the Governor, June 25, 1999 – S.L. 1999-216.)

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S.B. 622, AN ACT TO IMPOSE ADDITIONAL FEES AND COSTS AND TO INCREASE EXISTING FEES COLLECTED UNDER THE NURSING HOME ADMINISTRATORS BOARD ACT. (Became law upon approval of the Governor, June 25, 1999 – S.L. 1999-217.)

S.B. 1140, AN ACT TO BAN NEW OR REPLACEMENT BILLBOARDS ON A PORTION OF U.S. HIGHWAY 52 AND NORTH CAROLINA HIGHWAY 752 IN SURRY COUNTY. (Became law upon approval of the Governor, June 25, 1999 – S.L. 1999-218.)

H.B. 306, AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO CONDUCT HEARINGS AND ADOPT CERTAIN RULES RELATED TO THE BEACH AND FAIR PLANS, TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO APPROVE ADDITIONAL BEDS FOR CONTINUING CARE RETIREMENT FACILITIES UNDER CERTAIN CIRCUMSTANCES, TO REVISE THE LAW PROHIBITING DISCRIMINATION IN THE TREATMENT OF HANDICAPPED AND DISABLED PERSONS, TO GOVERN MANAGED CARE WITH REGARD TO WORKERS' COMPENSATION, TO EXEMPT COMMERCIAL AIRCRAFT INSURANCE FROM STATE REGULATION, TO REQUIRE ADDITIONAL INFORMATION FROM SURPLUS LINES LICENSEES, TO CLARIFY WHICH SECTIONS OF THE GENERAL STATUTES APPLY TO SURPLUS LINES INSURANCE, TO AUTHORIZE THE SECRETARY OF REVENUE TO PROVIDE THE NORTH CAROLINA SELF-INSURANCE GUARANTY ASSOCIATION WITH INFORMATION ON SELF-INSURERS' PREMIUMS, TO REPEAL THE REQUIREMENT FOR A BIENNIAL REPORT FROM THE DEPARTMENT OF INSURANCE, TO REPEAL THE AGENCY BUSINESS CESSION LAW, TO AUTHORIZE THE COMMISSIONER TO ADOPT RULES RECOGNIZING NEW ANNUITY MORTALITY TABLES, AND TO CLARIFY THAT MECHANICAL BREAKDOWN AND RELATED INSURANCE ARE NOT UNDER THE JURISDICTION OF THE RATE BUREAU. (Became law upon approval of the Governor, June 25, 1999 – S.L. 1999-219.)

H.B. 486, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE PERMANENT REGISTRATION PLATES TO TRAILERS OWNED BY CHARITABLE ORGANIZATIONS AND USED ONLY IN PARADES AND TO CONSOLIDATE AND MODERNIZE THE STATUTES PROVIDING FOR PERMANENT REGISTRATION PLATES AND TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR INDIVIDUALS WHO ARE RETIRED FROM THE NORTH CAROLINA HIGHWAY PATROL. (Became law upon approval of the Governor, June 25, 1999 – S.L. 1999-220.)

S.B. 761, AN ACT TO REFORM AND MODERNIZE THE ACKNOWLEDGMENT OF CORPORATE REAL PROPERTY INSTRUMENTS AND THE EXECUTION OF REAL PROPERTY INSTRUMENTS GENERALLY. (Became law upon approval of the Governor, June 25, 1999 – S.L. 1999-221.)

H.B. 190, AN ACT TO AUTHORIZE CERTAIN FACILITIES TO SHARE PEER REVIEW INFORMATION WITH ACCREDITING ORGANIZATIONS. (Became law upon approval of the Governor, June 25, 1999 – S.L. 1999-222.)

H.B. 494, AN ACT TO ADOPT THE UNIFORM CHILD-CUSTODY JURISDICTION AND ENFORCEMENT ACT AND TO MAKE CONFORMING
H.B. 755, AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO CREATE SERVICE DISTRICTS TO FINANCE LIGHTING AT INTERSTATE HIGHWAY INTERCHANGES. (Became law upon approval of the Governor, June 25, 1999 – S.L. 1999-224.)

H.B. 1192, AN ACT TO PROVIDE FOR THE TRACING OF FIREARMS USED IN THE COMMISSION OF A CRIME. (Became law upon approval of the Governor, June 25, 1999 – S.L. 1999-225.)

H.B. 1193, AN ACT AUTHORIZING NURSE PRACTITIONERS AND PHYSICIAN ASSISTANTS, TO CONDUCT PHYSICAL EXAMINATIONS IN CERTAIN CIRCUMSTANCES. (Became law upon approval of the Governor, June 25, 1999 – S.L. 1999-226.)


S.B. 756, AN ACT TO INCREASE MANDATORY LIABILITY INSURANCE REQUIREMENTS FOR CERTAIN MOTOR VEHICLES AND TO MAKE CONFORMING CHANGES IN CHAPTER 58 OF THE GENERAL STATUTES. (Became law upon approval of the Governor, June 27, 1999 – S.L. 1999-228.)

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills and a resolution are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 56 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCLUDE SERVICES IN THE DEFINITION OF ENERGY CONSERVATION MEASURES, TO EXTEND THE MAXIMUM DURATION OF A GUARANTEED ENERGY SAVINGS CONTRACT, AND TO REPEAL THE SUNSET REGARDING THE AUTHORITY OF A LOCAL GOVERNMENTAL UNIT TO ENTER INTO A GUARANTEED ENERGY SAVINGS CONTRACT FOR A LOCAL PUBLIC FACILITY, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for Tuesday, June 29.

S.B. 1009 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE FREE FLOW OF INFORMATION TO THE PEOPLE OF NORTH CAROLINA BY CODIFYING THE JOURNALISTS' TESTIMONIAL PRIVILEGE, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for Tuesday, June 29.

S.B. 1127 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CODIFY THE JOINT RESOLUTION DEDICATING PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE, INCLUDING THE CODIFICATION OF NAME CHANGES OF CERTAIN LANDS PREVIOUSLY ACCEPTED INTO THE STATE NATURE AND HISTORIC PRESERVE; TO REMOVE CERTAIN LANDS
FROM THE STATE NATURE AND HISTORIC PRESERVE; TO CODIFY THESE REMOVALS; TO DELETE CERTAIN LANDS FROM THE STATE PARKS SYSTEM; AND TO MAKE A TECHNICAL CORRECTION TO THE STATE CONSTITUTION TO ALLOW THE DEDICATION AND ACCEPTANCE OF PROPERTY INTO THE STATE NATURE AND HISTORIC PRESERVE BY THE GENERAL ASSEMBLY BY A BILL RATHER THAN BY A JOINT RESOLUTION, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Tuesday, June 29, and requires a three-fifths majority vote.

S.J.R. 1139 (House Committee Substitute), A JOINT RESOLUTION DEDICATING PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Tuesday, June 29, and requires a three-fifths majority vote.

H.B. 1473 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE INCOME TAX CREDIT FOR MANUFACTURERS OF CERTAIN RENEWABLE ENERGY EQUIPMENT AND TO SUNSET THE CREDIT FOR COSTS INCURRED DURING TAXABLE YEARS BEGINNING ON OR AFTER JANUARY 1, 2002.

Referred to Finance Committee.

H.B. 782 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESOLVE AN APPARENT OVERLAP IN FIRE DISTRICT BOUNDARIES IN WILKES COUNTY, AND TO VALIDATE PAST LEVY AND COLLECTION OF TAXES FOR THOSE DISTRICTS.

Referred to Finance Committee.

The President extends the courtesies of the gallery to Clark Plexico, former Senator from Henderson County.

Upon motion of Senator Basnight, seconded by Senator Phillips, the Senate adjourns subject to the receipt of messages from the House of Representatives, to meet tomorrow, Tuesday, June 29, at 3:00 P.M.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages are received from the House of Representatives transmitting bills and a resolution which are read the first time and disposed of, as follows:

H.J.R. 1463, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DAVID CLARK, A FORMER MEMBER OF THE NORTH CAROLINA GENERAL ASSEMBLY.

Referred to Rules and Operations of the Senate Committee.

H.B. 1190, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE "DESERT STORM VETERAN" SPECIAL REGISTRATION PLATES.

Referred to Finance Committee.
H.B. 794, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF FARMVILLE.

Referred to Finance Committee.

S.B. 235 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE "KIDS FIRST" SPECIAL REGISTRATION PLATES, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, June 29.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 8:20 P.M.

EIGHTY-EIGHTH DAY

Senate Chamber
Tuesday, June 29, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"God of all compassion, for the last few months we have been admiring those bright orange highway cones that have been placed around the fountain pools in the lobby. Some conscientious person was concerned about our safety and put them there for our own good. It appears some of us weren't able to discern where the floor ended and the water began, and people were going places they didn't intend to go, and they were ending up soaking wet. Those cones seem to have caught our attention, because nobody has been wading in several months.

"It would be nice if You were able to delineate the perilous, falling off places in our lives just as clearly as those cones delineate the danger of the fountain. The cones are simple and easy to understand. 'Stop, don't wander here.' Not unlike Your Ten Commandments, 'don't kill, don't steal, don't lie, don't covet.'

"This week, as we stroll through the lobby and see those cones poised on the edge of the fountain, may we recall with thanksgiving the gift of Your Law to us. Your Law, which does not seek to punish us, but only to protect and prosper us on our journey through this perilous life. Be near us we pray. Amen."

With unanimous consent, the President grants a leave of absence for today to Senator Jordan.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Monday, June 28, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Elizabeth Pascher Kanof from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day.

June 29, 1999
ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

H.B. 143, AN ACT TO INCREASE THE FINE RELATED TO UNLAWFUL PARKING IN HANDICAPPED PARKING SPACES, AND TO REQUIRE THAT SIGNS BE PLACED ON HANDICAPPED PARKING SPACES.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Miller for the Judiciary II Committee:

H.B. 331 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDESIGNATE THE COMMUNITY PENALTIES PROGRAM AS THE SENTENCING SERVICES PROGRAM, TO CLARIFY THAT THE WORK PRODUCT OF THESE PROGRAMS IS ALWAYS PRESENTED TO THE COURTS, AND TO MAKE OTHER CLARIFYING CHANGES, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 1297 is adopted and engrossed.

H.B. 1022 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE UNLAWFUL USE OF A DRIVERS LICENSE, A LEARNER'S PERMIT, OR A SPECIAL IDENTIFICATION CARD ISSUED BY THE DIVISION OF MOTOR VEHICLES, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 4267 is adopted and engrossed.

By Senator Shaw of Cumberland for the Transportation Committee:

H.B. 303 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO COMMERCIAL VEHICLE HIGHWAY SAFETY AND WORK ZONE SAFETY, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 3449 is adopted and engrossed.

Upon motion of Senator Shaw of Cumberland, the Senate Committee Substitute bill is placed on the Calendar for Thursday, July 1.

H.B. 937 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE REGIONAL TRANSPORTATION AUTHORITY ACT CONCERNING JURISDICTION OF THE ENTIRE AREA OF THE COUNTY IN CERTAIN CIRCUMSTANCES AND MEMBERSHIP OF THE AUTHORITY, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 4273 is adopted and engrossed.

Upon motion of Senator Shaw of Cumberland, the Senate Committee Substitute bill is re-referred to the Finance Committee.

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MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 18 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CARTHAGE AND CONCERNING AN ANNEXATION AGREEMENT BETWEEN THAT TOWN AND THE VILLAGE OF PINEHURST, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, June 30.

S.B. 618 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF MACON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, June 30.

S.B. 654 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTORE THE PRE-1995 LAW ON DISPOSITION OF PROPERTY AND LIENS RELATING TO MANUFACTURED HOUSING, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, June 30.

H.B. 74 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPOINTMENT BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE OF MEMBERS OF THE BOARD OF DIRECTORS OF THE CERTIFICATION ENTITY FOR THE PHASE II SETTLEMENT FUNDS, TO PROVIDE THE MEMBERS OF THE BOARD OF DIRECTORS LIMITED IMMUNITY FROM CIVIL LIABILITY, AND TO PROVIDE AN EXEMPTION FROM STATE INCOME TAX FOR INTEREST, INVESTMENT EARNINGS, AND GAINS OF CERTAIN TRUST FUNDS.

Referred to Finance Committee.

H.B. 1135 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S DWI TASK FORCE.

Referred to Judiciary II Committee.

H.B. 1476 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS AND TO CONFORM TO THE FEDERAL STATUTE OF LIMITATIONS FOR WILLFUL FAILURE TO COMPLY WITH STATE TAX LAWS.

Referred to Finance Committee.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

REPORT TO GENERAL ASSEMBLY

An agency directed to report to the General Assembly submits a report which is

June 29, 1999
ordered placed on file in the Legislative Library, as follows:


**CALENDAR**

Bills and resolutions on today's Calendar are taken up and disposed of, as follows:

**H.B. 419** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATION AND REMOVING A CERTAIN TRACT OF PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY, upon third reading.

The Committee Substitute bill No. 2 passes its third reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill No. 2 is ordered enrolled.

**H.B. 845** (Committee Substitute), A BILL TO BE ENTITLED AN ACT EXPANDING THE PERMISSIBLE PURPOSES OF THE GREENVILLE UTILITIES COMMISSION AND AUTHORIZING THE COMMISSION TO CHARGE APPROPRIATE FEES FOR EXPANDED SERVICES, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

**S.R. 327** (Committee Substitute), A SENATE RESOLUTION HONORING THE ONE HUNDREDTH ANNIVERSARY OF THE TOWN OF WRIGHTSVILLE BEACH, for adoption.

Upon motion of Senator Ballantine, the Senate Resolution is adopted (49-0). (See Appendix.)

**H.B. 1134**, a bill to be entitled an act to establish the Horace Williams Campus Trust Fund, to authorize the Board of Governors of the University of North Carolina to issue revenue bonds for the development of the Horace Williams Campus, to exempt the Horace Williams Campus from the Umstead Act, and to make various conforming changes, upon third reading.

June 29, 1999
The bill passes its third reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The bill is ordered enrolled and sent to the Governor by special message.

**COMMITTEE REFERRAL RECALL**

S.B. 25 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ATTORNEY REPRESENTATION OF CHILDREN REPRESENTED BY GUARDIAN AD LITEM PROGRAM THROUGHOUT PROCEEDINGS OF THE CASE, referred to the Appropriations/Base Budget Committee on March 2.

Pursuant to Rule 47(a), Senator Odom offers a motion that the Committee Substitute bill be withdrawn from the Appropriations/Base Budget Committee and placed on the Calendar for Wednesday, June 30, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Appropriations/Base Budget Committee and places it on the Calendar for Wednesday, June 30.

**CALENDAR (Continued)**

H.B. 1095 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA MEDICAL BOARD AND THE BOARD OF PHARMACY TO ADOPT RULES TO APPROVE CLINICAL PHARMACIST PRACTITIONERS TO PRACTICE DRUG THERAPY MANAGEMENT PURSUANT TO A DRUG THERAPY MANAGEMENT AGREEMENT, upon second reading.

Senator Purcell offers Amendment No. 1 which is adopted (49-0).

The Committee Substitute bill No. 2, as amended, passes its second reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill No. 2, as amended, is ordered placed on the Calendar for tomorrow, Wednesday, June 30, upon third reading.

S.B. 251 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE HISTORIC REHABILITATION TAX CREDIT TO BE ALLOCATED BY A PASS-THROUGH ENTITY TO ITS OWNERS.

The Committee Substitute bill passes its second (48-1) and third readings and is ordered sent to the House of Representatives by special message.

S.B. 547 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A TELECOMMUNICATIONS RELAY

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SERVICE TO ASSIST DEAF AND HEARING IMPAIRED PERSONS, INCLUDING THOSE WHO ALSO HAVE VISION IMPAIRMENT.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

S.B. 1025 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE SUPERIOR COURT DIVISION BY EXPANDING THE NUMBER OF JUDICIAL DIVISIONS FROM FOUR TO EIGHT, TO ESTABLISH PILOT PROGRAMS FOR CONSIDERATION OF THE RECOMMENDATIONS OF THE COMMISSION FOR THE FUTURE OF JUSTICE AND THE COURTS IN NORTH CAROLINA CONCERNING ORGANIZATION AND MANAGEMENT OF THE TRIAL COURT, AND TO APPROPRIATE FUNDS TO A RESERVE FOR IMPLEMENTATION OF THOSE PILOT PROGRAMS.

With unanimous consent, upon motion of Senator Clodfelter, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Wednesday, June 30.

S.B. 1026, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE SUPREME COURT WITH AUTHORITY TO REVISE THE RULES OF CIVIL AND CRIMINAL PROCEDURE AND THE RULES OF EVIDENCE, SUBJECT TO AMENDMENT OR VETO BY THE GENERAL ASSEMBLY AND TO APPROPRIATE FUNDS FOR ADVISORY COMMITTEES ON THE ADOPTION AND AMENDMENT OF THOSE RULES.

With unanimous consent, upon motion of Senator Clodfelter, the bill is withdrawn from today’s Calendar and is placed on the Calendar for Wednesday, June 30.

REPORTS OF COMMITTEES (Continued)

By Senator Kerr for the Finance Committee:

S.B. 912, A BILL TO BE ENTITLED AN ACT PERTAINING TO CAPITAL FINANCING FOR THE UNIVERSITY OF NORTH CAROLINA, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill X6691, which changes the title to read S.B. 912 (Committee Substitute), A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE FOR THE FINANCING OF CAPITAL FACILITIES FOR THE UNIVERSITY OF NORTH CAROLINA THROUGH THE ISSUANCE OF STATE OF NORTH CAROLINA UNIVERSITY IMPROVEMENT SECURITY INTEREST BONDS, (2) TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ISSUE SPECIAL OBLIGATION BONDS FOR IMPROVEMENTS TO THE FACILITIES OF THE UNIVERSITY OF NORTH CAROLINA AND FOR THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL, AND OTHER FACILITIES OF THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM, AND (3) TO PROVIDE FOR THE FINANCING OF CAPITAL IMPROVEMENTS FOR COMMUNITY COLLEGES THROUGH THE ISSUANCE OF STATE OF NORTH CAROLINA COMMUNITY COLLEGE SECURITY INTEREST BONDS, is adopted and engrossed.

CALENDAR (Continued)

S.B. 969 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA HEALTH AND WELLNESS TRUST FUND
FOR THE PURPOSE OF RECEIPT AND DISTRIBUTION OF TWENTY-FIVE PERCENT OF THE TOBACCO SETTLEMENT FUNDS IN THE SETTLEMENT RESERVE FUND ESTABLISHED UNDER G.S. 143-16.4 TO DEVELOP A COMPREHENSIVE COMMUNITY-BASED PLAN AND FUND PROGRAMS AND INITIATIVES FOR IMPROVING THE HEALTH AND WELLNESS OF THE PEOPLE OF NORTH CAROLINA WITH A PRIORITY ON PREVENTING, REDUCING, AND REMEDYING THE HEALTH EFFECTS OF TOBACCO USE WITH AN EMPHASIS ON REDUCING YOUTH TOBACCO USE.

The Committee Substitute bill passes its second (47-2) and third readings and is ordered sent to the House of Representatives.

H.B. 290, A BILL TO BE ENTITLED AN ACT TO AMEND THE CRIME VICTIMS' COMPENSATION ACT BY INCREASING THE MEMBERSHIP OF THE CRIME VICTIMS' COMPENSATION COMMISSION, BY INCREASING THE SIZE OF INITIAL CLAIMS THAT MAY BE AWARDED BY THE DIRECTOR OF THE COMMISSION, AND BY PROVIDING THE COMMISSION WITH THE DISCRETION TO PAY CERTAIN CLAIMS PREVIOUSLY DENIED.

The bill passes its second (49-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 302 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT ENFORCEMENT, as amended by committee.

Senator Rand offers Amendment No. 1 which is adopted (49-0).

The Senate Committee Substitute bill, as amended, passes its second reading (48-1).

The Chair grants a leave of absence for the remainder of today's Session to Senator Cooper.

The Senate Committee Substitute bill, as amended, passes its third reading (46-1) and is ordered engrossed and sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

H.B. 958, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT CONFIDENTIAL INFORMATION OBTAINED BY HEALTH MAINTENANCE ORGANIZATIONS OR PROVIDER SPONSORED ORGANIZATIONS MAY BE DISCLOSED PURSUANT TO COURT ORDER FOR CERTAIN PURPOSES.

The bill passes its second (48-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 1025, A BILL TO BE ENTITLED AN ACT TO ALLOW SMALL EMPLOYERS TO CHARGE THE SAME ADMINISTRATIVE FEE UNDER THE STATE GROUP HEALTH CONTINUATION LAW AS LARGER EMPLOYERS CHARGE UNDER THE FEDERAL COBRA GROUP HEALTH CONTINUATION LAW.

The bill passes its second (48-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 1054, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL ACTIVITY BUSES TO STOP AT ALL RAILROAD CROSSINGS.

The bill passes its second (48-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 1187, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT

June 29, 1999
PROGRAM TO PUT COMMUNICATION DEVICES ON SCHOOL BUSES.

The bill passes its second (48-0) and third readings and is ordered enrolled and sent to the Governor.

H.B. 1263, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON BETWEEN SIXTEEN AND EIGHTEEN YEARS OF AGE WITH A DRIVERS LICENSE ISSUED BY THE FEDERAL GOVERNMENT MAY BE ISSUED THE PROPER DRIVERS PERMIT UNDER THE GRADUATED DRIVERS LICENSE PROGRAM.

The bill passes its second (48-0) and third readings and is ordered enrolled and sent to the Governor.

REPORTS OF COMMITTEES (Continued)

By Senator Cooper for the Judiciary I Committee:

S.B. 897, A BILL TO BE ENTITLED AN ACT TO PROVIDE TITLE PROTECTION FOR THE SAFETY PROFESSION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7700 is adopted and engrossed.

Upon motion of Senator Cooper, the Committee Substitute bill is re-referred to the Finance Committee.

CALENDAR (Continued)

S.B. 235 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE "KIDS FIRST" SPECIAL REGISTRATION PLATES, for concurrence in the House Committee Substitute bill, upon second reading.

The Senate concurs in the House Committee Substitute bill on its second reading by roll-call vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill remains on the Calendar for tomorrow, Wednesday, June 30, upon third reading.

S.B. 56 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET REGARDING THE AUTHORITY OF LOCAL GOVERNMENTAL UNITS TO ENTER INTO GUARANTEED ENERGY SAVINGS CONTRACTS FOR LOCAL PUBLIC FACILITIES AND TO EXTEND THE CURRENT MAXIMUM DURATION OF THESE CONTRACTS, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 56 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCLUDE SERVICES IN THE DEFINITION OF ENERGY CONSERVATION MEASURES, TO EXTEND THE MAXIMUM DURATION OF A GUARANTEED ENERGY SAVINGS CONTRACT, AND TO REPEAL THE SUNSET REGARDING THE AUTHORITY OF

June 29, 1999
A LOCAL GOVERNMENTAL UNIT TO ENTER INTO A GUARANTEED ENERGY SAVINGS CONTRACT FOR A LOCAL PUBLIC FACILITY.

The Senate concurs in the House Committee Substitute bill (48-0) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 526 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MODIFICATION AND TERMINATION OF IRREVOCABLE TRUSTS, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (44-4) and the measure is ordered enrolled and sent to the Governor.

S.B. 1009 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE FREE FLOW OF INFORMATION TO THE PEOPLE OF NORTH CAROLINA BY CODIFYING THE JOURNALISTS' TESTIMONIAL PRIVILEGE, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (48-0) and the measure is ordered enrolled and sent to the Governor.

S.J.R. 1139 (House Committee Substitute), A JOINT RESOLUTION DEDICATING PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute joint resolution upon second reading, by a three-fifths majority vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The Senate concurs in the House Committee Substitute joint resolution upon third reading, by a three-fifths majority vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute joint resolution is ordered enrolled.

S.B. 1127, A BILL TO BE ENTITLED AN ACT TO CODIFY THE JOINT RESOLUTION DEDICATING PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE, INCLUDING THE CODIFICATION OF NAME CHANGES OF CERTAIN LANDS PREVIOUSLY ACCEPTED INTO THE STATE NATURE AND HISTORIC PRESERVE; TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE; TO CODIFY THESE REMOVALS; AND TO DELETE CERTAIN LANDS FROM THE STATE PARKS SYSTEM, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 1127 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CODIFY THE JOINT RESOLUTION DEDICATING PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE,

June 29, 1999
INCLUDING THE CODIFICATION OF NAME CHANGES OF CERTAIN LANDS PREVIOUSLY ACCEPTED INTO THE STATE NATURE AND HISTORIC PRESERVE; TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE; TO CODIFY THESE REMOVALS; TO DELETE CERTAIN LANDS FROM THE STATE PARKS SYSTEM; AND TO MAKE A TECHNICAL CORRECTION TO THE STATE CONSTITUTION TO ALLOW THE DEDICATION AND ACCEPTANCE OF PROPERTY INTO THE STATE NATURE AND HISTORIC PRESERVE BY THE GENERAL ASSEMBLY BY A BILL RATHER THAN BY A JOINT RESOLUTION.

The Senate concurs in the House Committee Substitute bill, upon second reading, by a three-fifths majority vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The Senate concurs in the House Committee Substitute bill, upon third reading, by a three-fifths majority vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill is ordered enrolled and sent to the Governor.

CONFERENCE REPORT

H.B. 168

Senator Plyler for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon H.B. 168, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, submits for adoption the following report:

To: The President of the Senate

The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 168, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, Senate Appropriations/Base Budget Committee Substitute, Fifth Edition Engrossed 6/17/99, submit the following report:

The House of Representatives and the Senate agree to the following amendment to the Senate Appropriations/Base Budget Committee Substitute, Fifth Edition Engrossed
6/17/99, and the House concurs in the Senate Appropriations/Base Budget Committee Substitute, Fifth Edition Engrossed 6/17/99, with the following amendment:

Delete the entire Senate Appropriations/Base Budget Committee Substitute, Fifth Edition Engrossed 6/17/99, and substitute the attached Proposed Conference Committee Substitute H168-PCCS7265-LH.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 29, 1999.

S/T. L. Odom  S/Ruth M. Easterling
S/Beverly E. Perdue  S/Thomas C. Hardaway
S/Aaron W. Plyler  S/David Redwine
S/Frank W. Ballance, Jr.  S/Meek
S/Betsy Cochrane  S/Philip A. Baddour, Jr.
S/Roy A. Cooper, III  S/R. Eugene Rogers
S/Walter H. Dalton  S/Flossie Boyd-McIntyre
S/Charlie S. Dannelly  S/Warren C. Oldham
S/James S. Forrester  S/Thomas E. Wright
S/Wib Gulley  S/Margaret M. Jeffus (Maggie)
S/David W. Hoyle  S/William L. Wainwright
Luther Jordan  S/Beverly M. Earle
S/John H. Kerr III  S/Edd Nye
S/Howard N. Lee  S/Theodore Kinney
S/Jeanne Hopkins Lucas  S/William T. Culpepper, III
S/William N. Martin  S/George W. Miller, Jr.
S/R L. Martin  S/Paul R. McCrary
S/Ken Moore  S/Stan Fox
S/Larry Shaw  S/E. Nelson Cole
S/Edward N. Warren  S/W. Pete Cunningham

The Conference Report is ordered placed on the Calendar for tomorrow, Wednesday, June 30, for adoption. (The full text of the Conference Committee Substitute can be found in the 1999 Session Laws – Chapter 237.)

**COMMITTEE REFERRAL RECALL**

**H.B. 304 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CRIMINAL PENALTIES FOR FRAUDULENT MISREPRESENTATION INVOLVING CHILD CARE SUBSIDIES AND TO PROVIDE COUNTIES A FINANCIAL INCENTIVE TO INVESTIGATE AND PURSUE FRAUD IN CHILD CARE MANAGEMENT, AS AMENDED**

June 29, 1999
CARE PAYMENTS, referred to the Appropriations/Base Budget Committee on May 20.

Pursuant to Rule 47(a), Senator Perdue offers a motion that the Committee Substitute bill be withdrawn from the Appropriations/Base Budget Committee and placed on the Calendar for Wednesday, June 30, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Appropriations/Base Budget Committee and places it on the Calendar for Wednesday, June 30.

Upon motion of Senator Ballance, seconded by Senator Shaw of Cumberland, the Senate adjourns at 4:20 P.M., to meet tomorrow, Wednesday, June 30, at 11:00 A.M.

EIGHTY-NINTH DAY

Senate Chamber
Wednesday, June 30, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Gracious Heavenly Father, our spirits are as still and gray as this ashen morning sky, for we have lost another great pioneer. Michael Hooker is dead. While death is never a welcome visitor in our orderly lives, this loss is particularly grievous for us in its suddenness. We give You thanks for the life of this extraordinary educator and administrator and as he emerged in recent months, this courageous warrior.

"The assessments of Michael Hooker’s tenure in Chapel Hill are unanimous in their descriptions of him as a strong, visionary leader. Tireless in his love for the University, he was a passionate enthusiast for higher education. Enthusiast, EN-THEOS, full of God. God of vitality and new life, we give thanks for the part of You which dwelt so dynamically in him.

"We rejoice in the powerful vision Michael Hooker held up for the University of North Carolina at Chapel Hill. We recall his bold and insightful style of leadership as even prophetic in its dimensions. To be a prophet is to see what others cannot yet discern. It means to challenge and to defy, and to cast out fear. And yet, with every painful summons to change, the prophet always brings to his people words of consolation, promise, and hope, bound up with his abiding love for them. We praise You for the life of this visionary, prophetic servant.

"Send Your Spirit of peace to comfort the Hooker family, the University community, and the Members of this General Assembly who have sustained a great loss. Look with love and mercy on all who mourn this day, and set our troubled hearts at rest. We pray in Your Holy Name, Amen."

With unanimous consent, the President Pro Tempore grants leaves of absence for today to Senator Jordan and Senator Warren.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Tuesday, June 29, has been examined and is found to be correct. Upon his motion, the
Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore of the Senate extends courtesies of the floor to Dr. John W. A. Woody from Tryon, North Carolina, who is serving the Senate as Doctor of the Day, and to Cynthia Clark from Elizabethtown, North Carolina, who is serving the Senate as Nurse of the Day.

COMMITTEE REFERRAL RECALL

H.B. 863, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ST. JAMES, referred to the Commerce Committee on June 9.

Pursuant to Rule 47(a), Senator Soles offers a motion that the bill be withdrawn from the Commerce Committee and placed on today's Calendar, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Commerce Committee and places it on today's Calendar.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 56, AN ACT TO INCLUDE SERVICES IN THE DEFINITION OF ENERGY CONSERVATION MEASURES, TO EXTEND THE MAXIMUM DURATION OF A GUARANTEED ENERGY SAVINGS CONTRACT, AND TO REPEAL THE SUNSET REGARDING THE AUTHORITY OF A LOCAL GOVERNMENTAL UNIT TO ENTER INTO A GUARANTEED ENERGY SAVINGS CONTRACT FOR A LOCAL PUBLIC FACILITY.

S.B. 526, AN ACT TO PROVIDE FOR THE MODIFICATION AND TERMINATION OF IRREVOCABLE TRUSTS.

S.B. 1009, AN ACT TO PROMOTE THE FREE FLOW OF INFORMATION TO THE PEOPLE OF NORTH CAROLINA BY CODIFYING THE JOURNALISTS' TESTIMONIAL PRIVILEGE.

S.B. 1127, AN ACT TO CODIFY THE JOINT RESOLUTION DEDICATING PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE, INCLUDING THE CODIFICATION OF NAME CHANGES OF CERTAIN LANDS PREVIOUSLY ACCEPTED INTO THE STATE NATURE AND HISTORIC PRESERVE; TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE; TO CODIFY THESE REMOVALS; TO DELETE CERTAIN LANDS FROM THE STATE PARKS SYSTEM; AND TO MAKE A TECHNICAL CORRECTION TO THE STATE CONSTITUTION TO ALLOW THE DEDICATION AND ACCEPTANCE OF PROPERTY INTO THE STATE NATURE AND HISTORIC PRESERVE BY THE GENERAL ASSEMBLY BY A BILL RATHER THAN BY A JOINT RESOLUTION.

H.B. 290, AN ACT TO AMEND THE CRIME VICTIMS' COMPENSATION ACT BY INCREASING THE MEMBERSHIP OF THE CRIME VICTIMS' COMPENSATION COMMISSION, BY INCREASING THE SIZE OF INITIAL CLAIMS THAT MAY BE AWARDED BY THE DIRECTOR OF THE COMMISSION,

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AND BY PROVIDING THE COMMISSION WITH THE DISCRETION TO PAY CERTAIN CLAIMS PREVIOUSLY DENIED.

H.B. 958, AN ACT TO CLARIFY THAT CONFIDENTIAL INFORMATION OBTAINED BY HEALTH MAINTENANCE ORGANIZATIONS OR PROVIDER SPONSORED ORGANIZATIONS MAY BE DISCLOSED PURSUANT TO COURT ORDER FOR CERTAIN PURPOSES.

H.B. 1025, AN ACT TO ALLOW SMALL EMPLOYERS TO CHARGE THE SAME ADMINISTRATIVE FEE UNDER THE STATE GROUP HEALTH CONTINUATION LAW AS LARGER EMPLOYERS CHARGE UNDER THE FEDERAL COBRA GROUP HEALTH CONTINUATION LAW.

H.B. 1054, AN ACT TO REQUIRE ALL ACTIVITY BUSES TO STOP AT ALL RAILROAD CROSSINGS.

H.B. 1134, AN ACT TO ESTABLISH THE HORACE WILLIAMS CAMPUS TRUST FUND, TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ISSUE REVENUE BONDS FOR THE DEVELOPMENT OF THE HORACE WILLIAMS CAMPUS, TO EXEMPT THE HORACE WILLIAMS CAMPUS FROM THE UMSTEAD ACT, AND TO MAKE VARIOUS CONFORMING CHANGES.

H.B. 1187, AN ACT TO ESTABLISH A PILOT PROGRAM TO PUT COMMUNICATION DEVICES ON SCHOOL BUSES.

H.B. 1263, AN ACT TO PROVIDE THAT A PERSON BETWEEN SIXTEEN AND EIGHTEEN YEARS OF AGE WITH A DRIVERS LICENSE ISSUED BY THE FEDERAL GOVERNMENT MAY BE ISSUED THE PROPER DRIVERS PERMIT UNDER THE GRADUATED DRIVERS LICENSE PROGRAM.

The Enrolling Clerk reports the following bills and resolution duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

H.B. 419, AN ACT CONCERNING SATELLITE ANNEXATION AND REMOVING A CERTAIN TRACT OF PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY.

H.B. 845, AN ACT EXPANDING THE PERMISSIBLE PURPOSES OF THE GREENVILLE UTILITIES COMMISSION AND AUTHORIZING THE COMMISSION TO CHARGE APPROPRIATE FEES FOR EXPANDED SERVICES.

S.J.R. 1139, A JOINT RESOLUTION DEDICATING PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE. (Res. 18)

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

S.B. 867, AN ACT AMENDING CERTAIN PROVISIONS OF THE REAL ESTATE LICENSE LAW. (Became law upon approval of the Governor, June 28, 1999 - S.L. 1999-229.)
H.B. 707, AN ACT AMENDING THE CHARTER OF THE TOWN OF BROADWAY TO ALLOW THE TOWN TO OPERATE UNDER A COUNCIL-MANAGER FORM OF GOVERNMENT. (Became law upon ratification, June 28, 1999 – S.L. 1999-230.)

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Lucas for the Children & Human Resources Committee:

H.B. 1159 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ABILITY OF THE DIVISION OF SOCIAL SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO PROTECT CHILDREN AND YOUTH FROM VIOLENCE-PRONE CAREGIVERS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill A157 is adopted and engrossed.

By Senator Kinnaird for the State and Local Government Committee:

H.B. 842 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF CARRBORO TO CHANGE THE NAME OF THE BOARD OF ALDERMEN, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 3447, which changes the title, upon concurrence, to read H.B. 842 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ELECTORAL DISTRICTS FOR THE BOARD OF COMMISSIONERS OF RANDOLPH COUNTY, is adopted and engrossed.

H.B. 843 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CHAPEL HILL TO ENHANCE AND INCREASE SEDIMENTATION PROTECTION, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 4274, which changes the title, upon concurrence, to read H.B. 843 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ELECTORAL DISTRICTS FOR THE BOARD OF COMMISSIONERS OF MOORE COUNTY, is adopted and engrossed.

By Senator Cooper for the Judiciary I Committee:

H.B. 202 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO PERMIT CERTAIN EMPLOYEE RETIREMENT PLANS TO HOLD SECURITIES AS A LICENSEE AND TO REVISE THE DEFINITION OF A FOREIGN PROFESSIONAL CORPORATION THAT MAY BE AUTHORIZED TO DO BUSINESS IN THIS STATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 7266, which

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changes the title, upon concurrence, to read **H.B. 202** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO PERMIT CERTAIN EMPLOYEE RETIREMENT PLANS TO HOLD SECURITIES AS A LICENSEE AND TO REVISE THE DEFINITION OF A FOREIGN PROFESSIONAL CORPORATION THAT MAY BE AUTHORIZED TO DO BUSINESS IN THIS STATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, TO ALLOW NONLICENSEES TO OWN UP TO FORTY-NINE PERCENT OF THE SHARES OF A PROFESSIONAL CORPORATION RENDERING CERTIFIED PUBLIC ACCOUNTANT SERVICES, AND TO EXEMPT CERTIFIED PUBLIC ACCOUNTANTS WHO ARE MEMBERS OF THE GENERAL ASSEMBLY FROM CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS, is adopted and engrossed.

**H.B. 1279** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF FINANCIAL IDENTITY FRAUD, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill A158, which changes the title, upon concurrence, to read **H.B. 1279** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF FINANCIAL IDENTITY FRAUD AND TO ALLOW FOR THE RECOVERY OF DAMAGES FOR FINANCIAL IDENTITY FRAUD, is adopted and engrossed.

**SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

A special message received in the Office of the Principal Clerk from the House of Representatives transmitting a bill is presented to the Senate, read the first time, and disposed of, as follows:

**H.B. 1479** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NEWSPRINT RECYCLING TAX.

Referred to Finance Committee.

The following special message is received from the House of Representatives:

**H.B. 684**

House of Representatives
June 29, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute to HB 684, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF APEX, CARY, GARNER, AND MORRISVILLE TO ADOPT ORDINANCES REGULATING REMOVAL, REPLACEMENT, AND PRESERVATION OF TREES AND SHRUBS WITHIN THE TOWNS AND THE TOWNS' EXTRATERRITORIAL PLANNING JURISDICTION, and requests conferees. The Speaker has appointed:

Representative Mosley, Chair;
Representative Hensley,
Representative Earle,
on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
S/Denise Weeks
Principal Clerk

REPORTS OF COMMITTEES (Continued)

By Senator Lee for the Education/Higher Education Committee:

H.B. 1150, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF MEMBERS OF SCHOOL IMPROVEMENT TEAMS, with a favorable report.

WITHDRAWAL FROM CALENDAR

H.B. 303 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO COMMERCIAL VEHICLE HIGHWAY SAFETY AND WORK ZONE SAFETY, placed on the Calendar for Thursday, July 1.

Senator Shaw of Cumberland offers a motion that the Senate Committee Substitute bill be withdrawn from the Calendar for Thursday, July 1, and placed on the Calendar for Tuesday, July 6, which motion prevails with unanimous consent.

The Chair orders the Senate Committee Substitute bill withdrawn from the Calendar for Thursday, July 1, and places it on the Calendar for Tuesday, July 6.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

H.B. 168 (Conference Report), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, for adoption.

With unanimous consent, upon motion of Senator Plyler, the Conference Report is taken up out of its regular order of business and is placed before the Senate as the first order of business.

Senator Webster announces a pair vote. If Senator Warren were present, he would vote 'aye'; Senator Webster votes 'no'.

Upon motion of Senator Plyler, the Senate adopts the Conference Report (47-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

(The full text of the Conference Committee Substitute can be found in the 1999 Session Laws – Chapter 237.)

H.B. 863, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ST. JAMES, placed earlier on today's Calendar, upon second reading.

The bill passes its second reading by roll-call vote, ayes 47, noes 1, as follows:

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Voting in the negative: Senator Reeves—1.

The bill is ordered placed on the Calendar for tomorrow, Thursday, July 1, upon third reading.

S.B. 18, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CARTHAGE, for concurrence in the House Committee Substitute bill, upon second reading, which changes the title, upon concurrence, to read S.B. 18 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CARTHAGE AND CONCERNING AN ANNEXATION AGREEMENT BETWEEN THAT TOWN AND THE VILLAGE OF PINEHURST.

The Senate concurs in the House Committee Substitute bill on its second reading by roll-call vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill remains on the Calendar for tomorrow, Thursday, July 1, upon third reading.

S.B. 618 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF MACON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, for concurrence in the House Committee Substitute bill.

The President Pro Tempore rules that the House Committee Substitute bill does not require a call of the roll.

The Senate concurs in the House Committee Substitute bill (48-0) and the measure is ordered enrolled.

H.B. 1095 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA MEDICAL BOARD AND THE BOARD OF PHARMACY TO ADOPT RULES TO APPROVE CLINICAL PHARMACIST PRACTITIONERS TO PRACTICE DRUG THERAPY MANAGEMENT PURSUANT TO A DRUG THERAPY MANAGEMENT AGREEMENT, as amended, upon third reading.

The Committee Substitute bill No. 2 passes its third reading by roll-call vote, ayes 48, noes 0, as follows:

Voting in the negative: None.
The Committee Substitute bill No. 2, as amended, is ordered sent by special message to the House of Representatives, for concurrence in Senate Amendment No. 1.

S.B. 912 (Committee Substitute), A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE FOR THE FINANCING OF CAPITAL FACILITIES FOR THE UNIVERSITY OF NORTH CAROLINA THROUGH THE ISSUANCE OF STATE OF NORTH CAROLINA UNIVERSITY IMPROVEMENT SECURITY INTEREST BONDS, (2) TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ISSUE SPECIAL OBLIGATION BONDS FOR IMPROVEMENTS TO THE FACILITIES OF THE UNIVERSITY OF NORTH CAROLINA AND FOR THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL AND OTHER FACILITIES OF THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM, AND (3) TO PROVIDE FOR THE FINANCING OF CAPITAL IMPROVEMENTS FOR COMMUNITY COLLEGES THROUGH THE ISSUANCE OF STATE OF NORTH CAROLINA COMMUNITY COLLEGE SECURITY INTEREST BONDS, upon second reading.
   Senator Rand offers Amendment No. 1 which is adopted (48-0).
   Senator Plyler offers Amendment No. 2 which is adopted (47-1).
   Senator Horton offers Amendment No. 3.
   Senator Rand offers Amendment No. 4, a substitute to Amendment No. 3.
   Senator Ballance offers Amendment No. 5.
   Substitute Amendment No. 4 is read in its entirety.
   Senator Horton rises to a point of order under Rule 57.1 as to Substitute Amendment No. 4 being germane to the subject matter of Amendment No. 3.
   The Chair rules that Substitute Amendment No. 4 is germane to Amendment No. 3.

The Senate recesses at 12:20 P.M. to reconvene at 12:30 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

CALENDAR (Continued)

S.B. 912 (Committee Substitute), A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE FOR THE FINANCING OF CAPITAL FACILITIES FOR THE UNIVERSITY OF NORTH CAROLINA THROUGH THE ISSUANCE OF STATE OF NORTH CAROLINA UNIVERSITY IMPROVEMENT SECURITY INTEREST BONDS, (2) TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ISSUE SPECIAL OBLIGATION BONDS FOR IMPROVEMENTS TO THE FACILITIES OF THE UNIVERSITY OF NORTH CAROLINA AND FOR THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL AND OTHER FACILITIES OF THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM, AND (3) TO PROVIDE FOR THE FINANCING OF CAPITAL IMPROVEMENTS FOR COMMUNITY COLLEGES THROUGH THE ISSUANCE OF STATE OF NORTH CAROLINA COMMUNITY COLLEGE SECURITY INTEREST BONDS, upon second reading, with Substitute Amendment No. 4 and Amendment No. 5 pending.
   Substitute Amendment No. 4 is adopted (33-15).
   Senator Ballantine offers Amendment No. 6.

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Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.

Amendment No. 6 is adopted (48-0).

Senator Ballantine offers Amendment No. 7, which he subsequently withdraws.

Senator Cochrane offers Amendment No. 5(a), a substitute to Amendment No. 5.

Senator Gulley rises to a point of order under Rule 53 as to whether or not Substitute Amendment No 5(a) is in proper order since it was submitted previously by Senator Horton as Amendment 3.

The Chair rules that Substitute Amendment No. 5(a) is in proper order since a substitute amendment was offered for Amendment 3.

Senator Cochrane calls the previous question on Substitute Amendment 5(a), seconded by Senator Ballantine.

Senator Rand offers a motion that Substitute Amendment No. 5(a) do lie upon the table, seconded by Senator Gulley.

Senator Horton calls for the 'ayes' and "noes" on the motion. The call is sustained.

The motion by Senator Rand that Substitute Amendment No. 5(a) do lie upon the table prevails, ayes 33, noes 15, as follows:


Voting in the negative: Senators Allran, Ballantine, Carpenter, Carrington, Cochrane, East, Forrester, Foxx, Garwood, Hartsell, Horton, Moore, Rucho, Shaw of Guilford, and Webster—15.

Senator Ballance calls the previous question on Amendment No. 5, seconded by Senator Rand. The call is sustained.

Amendment No. 5 is adopted (41-7).

Senator Ballantine offers Amendment No. 7 which is adopted (46-2).

Senator Perdue offers Amendment No. 8 which is adopted (48-0).

Senator Webster announces a pair vote. If Senator Warren were present he would vote "aye"; Senator Webster votes "no".

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 41, noes 6, as follows:


Voting in the negative: Senators East, Forrester, Foxx, Horton, Moore, and Rucho—6.

The Committee Substitute bill, as amended, is ordered placed on the Calendar for tomorrow, Thursday, July 1, upon third reading.

Senator Rand moves that all amendments adopted today on the Committee Substitute bill be engrossed prior to tomorrow’s session, and that the Committee Substitute bill be sent to the House of Representatives by special message after it passes its third reading vote.

Upon motion by Senator Odom, the remarks of the Senators on S.B. 912 are spread upon the Journal, as follows:

Senator Basnight:

"Senator Rand is recognized."
Senator Rand:

"Thank you very much Mr. President, Ladies and Gentlemen of the Senate. I think today we have the opportunity to do something truly significant for the life and future of our State. This is an opportunity to say to the industries of North Carolina and to really the people of this country, that North Carolina truly values its higher education system, that with the coming of the new century and the technology age, that we plan to be a very important part of that, and we plan to offer to our young people the very best facilities and the very best education that can be obtained. North Carolina has a wonderful system of higher education. I think in many ways we’ve done a better job with this than any other state in the country, but our facilities now are badly in need of repair. Our campuses are badly in need of reorganization, reworking, so to meet the challenges that will confront us as to how best to deal with the significant numbers of new students that our Board of Governors tell us will shortly be expected in our universities. We have heard over the last week or so from a number of very prominent and thoughtful North Carolinians about the proposal that has been placed before us and I think that we all owe a debt of gratitude to our President Pro Tempore whose vision and foresight has helped to make this idea come to conclusion here today and tomorrow. But we have heard from the Governor, from our Treasurer Harlan Boyles, from Governor Jim Holshouser, who spoke for himself and Governor Jim Martin, from Governor Bob Scott, from Dr. Friday, a former President of the University, and a number of other people about the essential nature of this proposal and about the good sense that is behind it and that this is something that needs to be done and needs to be done now. This, I believe, is a fiscally responsible way to take care of our problems, to take care of our obligations and allow North Carolina and its higher education policy to begin to think in a linear way, to line projects up, to do them in an orderly fashion and to get the best use for our resources that we can. We have heard on a couple of occasions from Eva Klein who was commissioned by the Board of Governors to conduct this study which the Legislature in its wisdom asked for, and Mrs. Klein and her associates have gone to great lengths to visit every campus, to talk to the people on each campus, to look at the facilities, to talk to the Board of Governors, and then come with a proposal which is balanced and which will allow, we hope, each campus to recognize its potential. The community college part of this was done by a study by the Board of Community Colleges by, I believe GMC who did the study, I don’t remember exactly but by a group that was commissioned, I don’t remember the name of the group that did it, but to study the facility needs of community colleges and the community college part is that study. What we have is a bill which will provide around $2.4 billion for the projects that are listed in the bill on each university campus and for public television, public radio, and the other institutions that are under the Board of Governors. It will allow $300 million in bonds for our community colleges, a significant portion of that, I believe $71 million, is for repairs and renovations, and then it will have as a part of it almost $300 million in bonds which will be used to do projects on the campuses of our university that will be recommended by Mrs. Klein and will be a cooperative venture between the bonds and the campus. In other words, matching funds will be a part of those projects and what Mrs. Klein will do is go back to her studies, go back to each campus and determine those projects which are to be authorized and will recommend the proper matching part for each campus. Some of our campuses are far better able to match a significant portion of the project than others and what this will do is allow projects that can be matched on these campuses to come back before us for funding. I think that this will be a significant new way of doing things. We will be able to bring our campuses kind of up to speed, the kind of things we need. We will be able to convert a lot of buildings to new uses. We’ll be able to do the things to make our campuses more attractive to students because if we are going to be able to handle this influx of students that is predicted, we need to make sure that our campuses are able to recruit new students and that we don’t let just the rich get

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richer, but that our campuses all across our system are able to attract and able to serve the needs of the new students. Mr. President at this time I'd like to send forward an amendment.

Senator Basnight:
"Send forward your amendment and the Clerk will read."

Reading Clerk:
"Senator Rand moves to amend the bill on page one, line sixteen."

Senator Rand:
"I'd like the Clerk to read the amendment."

Senator Basnight:
"The Clerk will read."

Reading Clerk:
"Amend the bill on page one, line sixteen by renumbering Section 1 as Section 1.1 and adding a new Section 1 to read quote 'Section 1 - This Act shall be known as the Michael K. Hooker Higher Education Facility Financing Act.'"

Senator Rand:
"Mr. President, what this would do is name the Act for Chancellor Hooker who passed away. He was a great visionary for our university system. It is a shame we've lost him at a time when we need him so desperately but I think this will be a fitting tribute to him and his vision for North Carolina and I ask for support."

Senator Basnight:
"Further questions and debate? There being none, the question before the Body at this time is the adoption of Amendment No. 1 to Senate Bill 912. All in favor will vote 'aye', all opposed 'no'. Five seconds will be allowed for voting on the question, the clerk will record the vote, Wellons, Kerr. Forty-eight having voted in favor, none in the negative, Amendment No. 1 passes, very appropriately so. Senator Rand, you are recognized to explain the bill, as amended."

Senator Rand:
"Thank you, Mr. President. I believe, ladies and gentlemen, everyone has had a chance to look at this. I think it's been explained several times."

Senator Plyler:
"Mr. President."

Senator Basnight:
"Senator Plyler, for what purpose do you arise?"

Senator Plyler:
"I'd like to ask Senator Rand a question. Senator Rand, I have an amendment. Would it be okay with you if I send this amendment up at this particular time."

Senator Rand:
"Be fine. I've completed my explanation. I'll be happy to answer any questions anyone may have."

Senator Basnight:
"Senator Plyler send forward your amendment, the Clerk will read."

Reading Clerk:
"Copies have been distributed. Senator Plyler moves to amend the bill on page 41, line 32."

Senator Basnight:
"Senator Plyler is recognized to explain the amendment."

Senator Plyler:
"Thank you Mr. President, Members of the Senate. Several of the community colleges across the state have satellites and in the assignment of some of the funds allocated, a lot the monies were allocated to the satellites and not the main campuses. Some of the satellites cannot spend the money that was allocated to them, and what this amendment
does, says that once all expenditures are made at the satellite that is necessary for the satellite college then the money will revert back to the new campus but the North Carolina Board of Community Colleges will look at it and determine that all of the needs have been met at these satellites and then this money can be returned to be used on the main campus or if sometime they need this loan satellite it could be there and that’s what this amendment does and I would appreciate your support.”

**Senator Basnight:**

“Senator Rand.”

**Senator Rand:**

“Mr. President, Thank you. I would say that this is a matter of basic ... and I would ask for your support, also.”

**Senator Basnight:**

“Further discussion and debate. There being none the question before the Body at this time is Amendment 2 to Senate Bill 912. All in favor will vote aye, all opposed, no, five seconds will be allowed for voting on the question. Clerk will record the vote, Reeves. Forty-seven voting in favor, one in the negative, Amendment No. 2 passes. Senator Horton, for what purpose do you arise?”

**Senator Horton:**

“Speak to the bill.”

**Senator Basnight:**

“You have the floor.”

**Senator Horton:**

“Mr. President and Members of the Senate, I especially am grateful for Senator Rand’s amendment with respect to naming the bill after our Chancellor Michael Hooker, who in the few short years he was here made such a difference in our education and especially at Chapel Hill. He was an accessible, open, dynamic person and we will certainly miss him. I do have a concern about this bill and the amendment that is being distributed will, I think, indicate that. The amendment will change the bond issue to a general obligation bond, which under Article V, Section III of our Constitution, will require the approval of the majority of the voters of our State. I would like to indicate that this language in this amendment has already been approved by bond counsel. Mr. President, there are three reasons we ought to make this a general obligation bond. The first is the sheer immensity of the size that we are talking about. We are told that the total needs of our university system are in excess of $7 billion. To put that in context, let me suggest that in the 203 years between 1796 and 1999, expressed in 1999 dollars, this General Assembly has spent $7.4 billion over 203 years. Now they want to equal that to improve the university and I don’t object to bringing our university up to snuff, but I think we ought to realize the immensity, the sheer size of this. The debt service is going to amount to $428.8 million a year which will be added to the $240 million a year we already have in debt service. I want you to consider as members of this Senate how that is going to straightjacket the General Assembly in all the other needs that this State has. When it comes to education, welfare, ... arts, you name it, we are going to have less money available. I think that this is an important consideration because the people ought to be there in cutting down. They ought to give their consent to the straightening of our financial circumstances that will be occasioned by these additional interests, and that’s not all. I talked with the Treasurer this morning. There is no provision in this bill for a sinking fund because these are not that kind of bonds. As the bonds mature and have to be redeemed, we will have to appropriate money to redeem those bonds in addition to the amount we will be paying in interest on an annual basis, and no one can tell us how much that is going to be each year projected into the future because no one knows how many bonds are going to be issued each year. But that’s got to be added in the equation and you can begin to see how we are not going to be able to do the other functions of the State. I think it’s a matter of setting priorities and in

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something as important as this perhaps the people of the State need to be able to set down their priorities as well. Finally, I wonder about our credit rating. You know, Moody’s gives us a Triple A credit rating. One reason is they say all State debt is general obligation debt and the State’s debt ratios are among the lowest in the nation. This is going to change. This is going to change and we are going to have to probably pay more to borrow money. The second reason I think we need to make this a general obligation bond is that this burden involves not just ourselves, but a future generation. They won’t all mature until around 2024 when most of the members of this chamber will be dead and gone, except for possibly our Senator Ballantine and Senator Reeves and the other spring chickens among us...oh, and Senator Soles. I beg your pardon. The point is that if we are going to commit future generations, as this will do, perhaps the parents of those children who are going to be paying this ought to shoulder part of the responsibility for saying to their children, yes, by doing the right thing in getting the university where it should be, we are willing to undertake extra burdens. Finally, by making these general obligation bonds rather than the sort of bond that is proposed, a special instance bond, we will save for the people of this State between $36 and $39.6 million because a general obligation bond can be sold at a lower rate of interest than the kinds of bonds that are being proposed. Now folks, I realize that we are talking about billions of dollars, but $39 million is nothing to sneeze at, and we, as stewards, ought to consider that these should be general obligation bonds, especially since you and I know, that in honor we are not going to let them be defaulted on anyway. I’m aware, Mr. President, that there are those who say that this is too complicated, that the people don’t have enough sense to vote on this issue, that they can’t be shown the right way to do it. I don’t believe that. After all, they were wise enough to elect you and me and I suspect they are wise enough to decide whether they want to undertake a burden of $3 billion and I would hope they would, and I think they will, but they need to be committed to vote. The idea is that the University needs to make its case to those who are going to pay the tab and to those who think that the people are not smart enough, I’d say it’s time for you to trust the people. Trust the citizens of North Carolina to do the right thing. They have never let us down before and I trust them to do the right thing in this case. Mr. President, I see that I have neglected to send forward the amendment itself. I move its adoption. I believe everybody has had a copy distributed.”

Senator Basnight:
“We know what it does. The Clerk can read the amendment, the short version of the amendment.”

Reading Clerk:
“Senator Horton moves to amend the bill just like he told you.”

Senator Basnight:
“Senator Rand, for what purpose do you arise? The amendment is before us at this time.”

Senator Rand:
“To send forth a substitute amendment.”

Senator Basnight:
“Send forward your amendment and the Clerk will read.”

Senator Rand:
“I would ask that copies be made and distributed, they have not been.”

Senator Basnight:
“Copies will be distributed if they have not been. Do members have copies?”

Senator Rand:
“No.”

Senator Basnight:
“Send forward copies. Senator Webster, for what purpose do you arise?”
Senator Webster:
  "In the meantime, may I request that the amendment be read in its entirety, the substitute amendment or whatever it is?"
Senator Basnight:
  "Certainly. It will be read in its entirety."

Reading Clerk:
  "Senator Rand moves to amend the bill on page 43, line 27, by rewriting line 27 on page 43 to read “Section 5, The Board of Governors of The University of North Carolina.”
Senator Basnight:
  "Are copies being distributed at this time?"
Senator Rand:
  "No, copies need to be made. If Mr. President would like to, he can give that to the Sergeant-at-Arms and he can start the copying machine and then bring that back."
Senator Basnight:
  "May we temporarily, Senator Horton, displace your amendment and the amendment, your amendment is before us, the proposed substitute amendment will be prepared and distributed and in the meantime, we have another amendment that we could handle while we are waiting for the copies."
Senator Horton:
  "That’s fine, Mr. President."
Senator Basnight:
  "Senator Ballance, do you have an amendment? Send forward your amendment."
Senator Ballance:
  "The Clerk has it and copies have been distributed."
Reading Clerk:
  "Senator Ballance moves to amend the bill on page 43, line 27 by rewriting that line to read “minority business participation”, etc."
Senator Basnight:
  "We are going to stand at ease so that we don’t get the amendments out of order. We have, Senator Ballance’s is read in. We will just leave it at that state and then come back to it and the Senate will stand at ease. That means don’t go anywhere. Do all members have copies of Amendment No. 4? Amendment No. 3. The substitute amendment. It is Amendment No. 4, the substitute amendment. Senator Foxx, do you need a copy? Will staff distribute the amendment. Anyone else need a copy? The Clerk will read the amendment in its entirety."
Reading Clerk:
  "Senator Rand moves to amend the bill on page 43, line 27 by rewriting that line to read “Section 5. The Board of Governors of The University of North Carolina shall report annually to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Education Oversight Committee, on the condition of all the university capital facilities, including a status report on all repair, renovation and maintenance projects being undertaken and an assessment of need for additional funding to repair, renovate and maintain the facilities. The Board of Governors of The University of North Carolina shall also study the repairs and renovations formula currently utilized with respect to funding or the repairs and renovations reserve account to determine whether it adequately takes into account all the appropriate maintenance needs of each constituent and affiliated institutions, and shall recommend to the Joint Legislative Commission on Governmental Operations and at the Joint Legislation Education Oversight Committee any changes necessary to improve the formula. The Board shall make recommendations on the scope and adequacy of the methodology used in calculating the funding for repairs and renovations as reserved and specified in GS-143-15.2. Section 6. This Act is effective when it becomes law.”

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Senator Basnight:
“Senator Rand is recognized to explain the amendment.”

Senator Rand:
“Thank you, Mr. President. I believe the Reading Clerk has explained it adequately when doing this. This will allow us hopefully to get a continuing handle on what we do about our repairs and renovations, report this to us so that we may be aware of our continuing obligations and respond to it in the most effective, efficient way.”

Senator Basnight:
“Senator Horton, for what purpose do you arise?”

Senator Horton:
“A point of order.”

Senator Basnight:
“State your point of order.”

Senator Horton:
“Mr. President, this is a splendid amendment, I am sure, and I would certainly vote for it if it were properly placed, but it is not germane to the amendment it is claimed to substitute. I suggest that it should be ruled not germane and Senator Rand be permitted to submit it later.”

Senator Basnight:
“The Chair rules that it is a germane amendment.”

Senator Ballantine:
“Mr. President.”

Senator Basnight:
“Senator Ballantine, for what purpose do you arise?”

Senator Ballantine:
“To speak on the substitute amendment.”

Senator Basnight:
“You have the floor.”

Senator Ballantine:
“I agree with my colleague Senator Horton in the fact that it is a good amendment. The splendid amendment is coming from me which does basically the same thing as Senator Rand’s amendment, but a little bit more. So I would urge that you vote against the substitute amendment and I will properly place my amendment at the appropriate time.”

Senator Basnight:
“Further discussion or debate. Senator Foxx, for what purpose do you arise?”

Senator Foxx:
“To speak on the amendment, Mr. President.”

Senator Basnight:
“You have the floor.”

Senator Foxx:
“I think this is almost a cynical response to the amendment that has been offered by Senator Horton. This is not a substitute for giving the people of this State a right to vote on the kind of indebtedness that is about to be encumbered by this Body, and to call this a substitution truly is an indication of the attitude of the majority party toward the people of this State and it is very troubling to me to see that, but I am very grateful for the revelation of that sentiment about the people through the offering of this amendment. But it is in fact no substitute.”

Senator Basnight:
“Further discussion and debate. Senator Webster, for what purpose do you arise?”

Senator Webster:
“To speak on the amendment.”
Senator Basnight:
   "You have the floor."

Senator Webster:
   "The amendment, I think, would do what needs to be done to make this a valid bill. That is, when we start to borrow three-thousand-million dollars from our grandchildren that the people should have a right to vote. A passing legislature who typically considers the long run never past the next election is not, in my opinion, empowered to incur this kind of debt for future generations for legislators, future generations of taxpayers. This amendment offered by Senator Horton was a very, very, serious attempt to rectify a major wrong. I have for the last twenty-four hours spoken to some people who are very close to that great gentleman whom I have a lot in common with, I had a lot in common with. I don't believe, I really cannot believe, that in his heart Michael Hooker would have wanted this borrowing without a vote of the people. He was very close to the people of the State of North Carolina. He was close to the working people, the taxpayers. He was his first generation to go to college (a roughneck on an oil rig, a rodeo rider). I don't believe, if we could ask Chancellor Hooker, he would want to just borrow without a vote of the people. And, this substitute amendment is shameful."

Senator Basnight:
   "Senator Rucho, for what purpose do you arise?"

Senator Rucho:
   "To debate the amendment."

Senator Rucho:
   "I thank Senator Rand for coming forward with an amendment that I thought was very serious and which I felt the bond bill really needed some help with everyone in this room wanting to be sure of the fact that once these facilities were brought up to a standard and then everyone here understands and recognizes that these needs are important for our university to remain, to be one of the crown jewels in the State of North Carolina, but unfortunately, I find that if I support this, which I think is very critical to the success of this bill in the long run, that I am voting against letting the people have an opportunity to speak on this $3 billion debt. This debt as it turns out will ultimately lead with debt service to about $5 billion. This debt will commit the General Assembly of the State of North Carolina to over twenty-five years, approximately three-quarters of a billion dollars in operational costs, which I understand everyone in this Body realizes that this is important in North Carolina. There is also an additional cost of staffing these facilities with quality professors. It isn't just a nice new building that means an important diploma, it's having a good education there. You have to hire the professors which we have all strived to do in the last few years to try to upgrade and make it the best university system in the country, but I can't vote for this because what it ends up doing is refusing the people of the State of North Carolina, who the University System should be out there appealing to so that they will have an opportunity to get the support of the people of North Carolina who we are trying to help. So, therefore, I have to oppose this."

Senator Basnight:
   "Senator Cochrane, for what purpose do you arise?"

Senator Cochrane:
   "To address the amendment."

Senator Basnight:
   "You have the floor."

Senator Cochrane:
   "Ladies and Gentlemen of the Senate, all of us have recognized the needs of the university and we have accepted those and we have accepted the proposition that bonds are a way to go, but to incur the debt that you are talking about for the State of North Carolina and to not allow the people to vote is a surprise to those of us who expect fiscal
responsibility out of all the people in this Body. Now you brought the folks in yesterday from the community colleges and from the universities and I will tell you that in my conversations with some of those who were trying to influence my vote, my understanding is those people did not ask that the bonds be presented the way they are here without a vote of the people. So we can do that. That's a decision that has been made in this Body so we can change our opinion on that. There is an election that takes place this fall. Municipal elections will be taking place in every county that has a city in it. Newspapers and the TV will have election activity taking place so the people will not be uninformed and the members of this Body would be willing to go out and tell the public what is needed at our university facilities and at our community colleges. But just to assume that what has happened here recently in Wake County is going to happen to the bonds for the State is not necessarily a fair assessment. That was information also, but some of it swayed people in the other direction and I think that we can sell this just as you have sold it to this Body. I don't think it's appropriate to try to kill the bond referendum amendment with this tactic when it is something this Body decided to do which means the Chancellors have asked you to, or the community college people have asked you to. It is tradition, it is precedent, to take to the people a vote when you are incurring a debt of the size we are proposing here. I would beseech you to seriously consider that it is an all-right thing to let the people vote, and that we have a way to do that today and I believe you will find the House supportive of your position on this, and the people would appreciate the opportunity to put their stamp of approval on the debt that several generations are going to have to pay for. Please reconsider this and I would hope that Senator Rand would withdraw his amendment and let us vote this thing as it should be.”

Senator Ballantine:
“Mr. President.”

Senator Basnight:
“Senator Ballantine, for what purpose do you arise?”

Senator Ballantine:
“Inquiry of the chair.”

Senator Basnight:
“State your inquiry.”

Senator Ballantine:
“Considering the import of this legislation and the pending amendments, I would request a ten-minute recess.”

Senator Basnight:
“The Senate stands in recess until 12:30.”

Senator Ballantine:
“Thank you.”

Senator Basnight:
“Will the Sergeant-of-Arms get the members back in the gallery, back on the floor. Our doctor of the day is John W. A. Woody from Tryon, North Carolina. Welcome, Doctor. Senator Ballantine, you had the floor when you asked for a recess.”

Senator Ballantine:
“Thank you, Mr. President. I simply wanted to ask for the recess and I yield the floor.”

Senator Basnight:
“Further discussion and debate on Amendment No. 4 at this time. Senator Gulley, for what purpose do you arise?”

Senator Gulley:
“To speak briefly on the amendment.”

Senator Basnight:
“You have the floor.”

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Senator Gulley:

"I think Ladies and Gentlemen that we've heard a lot about this, but I need to hear a lot more. But, there are a couple of points that need to be made that haven't been made. First, there's discussion about if you have general obligation bonds you can save $39 million. The point to consider is that if you follow the larger amendment that would require that election and carry us into next spring before it is elected, you're going to lose a year in moving forward here to try and solve the problems, and I don't hear any argument really that there are severe problems. What will that year cost us? I tell you what that year will cost us. It will cost us approximately $150 million in inflation in construction costs at five percent a year which is a conservative figure in this region. It will cost us as well by the delays to address the deterioration of the existing buildings, and the depreciation of those buildings. At a conservative two percent that's $80 million. You've got $230 million as your cost if you lose one year. If you lose more, of course it is more substantial. Hundreds of millions of dollars makes $39 million small, and that's part of the point. One other point..."

Senator Basnight:

"Senator Horton, for what purpose do you arise?"

Senator Horton:

"Will the gentleman yield to a question?"

Senator Gulley:

"Yes."

Senator Horton:

"Senator Gulley, your $150 million is based, is it not, on the entire $3 billion being issued at one time, whereas, according to the proposal, they would not be issued at one time. They would not be issued until it was time to build the buildings. Have you taken that into consideration?"

Senator Gulley:

"Yes, Sir, because the delay of one year delays everything back, whatever your time table is, it moves it all back a year and it costs you that $150 million or more and that's the problem. So if we're worried about money, let's talk about fiscal responsibility, but number two is we're concerned about the people of the State having a chance to vote on whether they think this is a wise move or not. I guarantee you that they will have that chance a year from this November, because they will look to each of us and they will say have you done well by the university system? Have you stood up to try to keep it strong, to keep it well equipped, to try and do the job of education, or have you taken another course that's much more perilous? They'll have that chance to vote on us when we talk about what we've done and I want us all to be able to stand up and say we did the responsible thing. We moved forward because the situation demanded it. That's why I think that makes sense, Mr. President. I appreciate this opportunity."

Senator Basnight:

"Further discussion and debate. There being none, the question before the Body at this time is Amendment No. 4 to Senate Bill 912. All in favor will vote aye, all opposed no. Five seconds will be allowed for voting on the question. Clerk will record the vote, Metcalf. Thirty-one voting in favor, fifteen in the negative, Amendment No. 4 passes. Question before the Body at this time is Senate Bill 912."

Senator Perdue:

"Mr. President."

Senator Basnight:

"I want to add Senator Ballance and Senator Perdue to the previous vote. Senator Ballantine, you're recognized."

Senator Ballantine:

"Like to send forward an amendment."

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Senator Basnight:
   “Send forward your amendment and the Clerk will read. Do members have copies?”
Senator Ballantine:
   “Yes.”
Senator Basnight:
   “Does this need to be read in its entirety?”
Senator Ballantine:
   “No Sir.”
Senator Basnight:
   “Short reading.”
Principal Clerk:
   “Senator Ballantine moves to amend the bill on page 1, line 16.”
Senator Basnight:
   “Senator Ballantine is recognized to explain the amendment.”
Senator Ballantine:
   “I hope that this technically conforms to the bill as amended. Basically, the concept of this amendment is to admit and recognize, as Eva Klein says in her report, that the deterioration has been caused by decades of neglect and that the state of disrepair is due to our inattention to maintenance, and I believe that is very important to this bond bill that we provide legislative history to show future General Assemblies what we were doing here. You can tell from the dollar amounts and the line items thereto that we care deeply about repairs and renovations and this just hammers home the point. It says basically that there is going to be a policy change. We’re going to reverse a trend and we are going to commit ourselves, the Board of Governors and the General Assembly, to maintain our fine assets, the university buildings. It would require the Board of Governors to report to Joint Gov Ops and to the Joint Ed Oversight Committee and it just makes a finding that it is our intent to assure that adequate oversight funding and accountability be provided to maintain and preserve these capital assets. Thank you.”
Lieutenant Governor Wicker:
   “Further discussion, further debate.”
Senator Rand:
   “Mr. President.”
Lieutenant Governor Wicker:
   “For what purpose does Senator Rand arise?”
Senator Rand:
   “Senator Ballantine and I have talked about this. I think his amendment is well founded. I think it adds to the bill. I support the amendment.”
Lieutenant Governor Wicker:
   “Further discussion, further debate. If not, the question before the Senate is the adoption of the amendment. Those in favor of its adoption will vote aye, those opposed will vote no. Five seconds will be allowed for the voting. The Clerk will record the vote. Kerr, aye. Ballance, aye. Forty-six having voted in the affirmative, none in the negative, the amendment has been adopted.”
Senator Ballantine:
   “Mr. President.”
Lieutenant Governor Wicker:
   “For what purpose does Senator Ballantine arise?”
Senator Ballantine:
   “Send forward an amendment”.  
Lieutenant Governor Wicker:
   “Alright, Senator may send forth his amendment. Senator Ballantine and members of the Senate, Senator Hoyle, what I understand has happened is we have a matter with
Amendment No. 5 that we are trying to work out. I'm trying to decide whether or not we need to entertain any further amendments until we get that straightened out and voted upon. That may impact future amendments. That's why, that's what the discussion is about up here. For what purpose does Senator Ballantine arise?"

**Senator Ballantine:**

"Inquiry of the chair now."

**Lieutenant Governor Wicker:**

"Senator may state his inquiry."

**Senator Ballantine:**

"Mr. President, I had arisen and sought permission to introduce an amendment, permission was granted, and Senator Hoyle then rose and you, I guess, needed to respond to Senator Hoyle, but I had the floor and was offering an amendment that is being distributed."

**Lieutenant Governor Wicker:**

"That's correct Senator. To reiterate, what I am trying to ascertain has nothing to do with this amendment. It has to do with trying to figure out whether I want to proceed with any further amendments until we rectify the situation with Amendment No. 5. The reason to me is fairly obvious because Amendment No. 5 may impact future amendments. I don’t know that. I don’t think so, but I want to make sure. If we can resolve this quickly, I would like to go ahead and dispose of Number 5, come back to you, and give you the floor on this amendment that you just put forward."

**Senator Lucas:**

"Inquiry of the Chair, Mr. President."

**Lieutenant Governor Wicker:**

"Hold on a minute. Senator Ballantine."

**Senator Ballantine:**

"Well, Mr. President, I am a little confused in that the board shows Amendment No. 7."

**Senator Rand:**

"We can change the board."

**Lieutenant Governor Wicker:**

"I’ll get it straightened out. Just give me a minute or two and we will work it through and it will be a fair process. Nobody needs to worry about that. Senator Lucas, did you have an inquiry?"

**Senator Hoyle:**

"Mr. President."

**Lieutenant Governor Wicker:**

"Senator Hoyle, for what purpose do you arise?"

**Senator Hoyle:**

"Make a motion to suspend the rules temporarily at 17G so that somebody might want to get a bite of lunch."

**Lieutenant Governor Wicker:**

"Alright. Without objection, that will be ordered."

**Senator Ballantine:**

"Where are we?"

**Lieutenant Governor Wicker:**

"Just a minute, Senator Ballantine. Give me a minute and I will get it straightened out. Senator Ballantine and members of the Senate, now listen up. Here is the situation, and I was unaware of this, I apologize to the Body, it’s not anybody's fault. Apparently Amendment No. 5 had some glitches that had to be corrected. They have been corrected. It was pending, I suppose, so to speak. What I am going to propose, Senator Ballantine, is the following. Let me let you withdraw your amendment. I'll send it back to you. Let's
dispose of Amendment No. 5. We dispose of Amendment No. 5 and I will come back to you, Senator Ballantine, and you can put forward your amendment which will be Amendment No. 7."

Senator Ballantine:
"What is Amendment No. 6?"

Lieutenant Governor Wicker:
"We just adopted that one."

Senator Ballantine:
"That was my first amendment that I offered."

Lieutenant Governor Wicker:
"That was your first amendment."

Senator Ballantine:
"Okay. Do we need to go back to number 5 now?"

Lieutenant Governor Wicker:
"If we can go back to five, let me let you withdraw Amendment 7."

Senator Ballantine:
"I withdraw Amendment 7."

Lieutenant Governor Wicker:
"Alright. That will be returned to the sponsor and then we will go to Amendment 5 that will be sent forward by Senator Ballance, and I'll come back to you on Amendment 7."

Senator Ballantine:
"Inquiry of the chair."

Lieutenant Governor Wicker:
"State your inquiry."

Senator Ballantine:
"Was not Senator Horton's original amendment, Amendment 5 and then a substitute amendment, Amendment 6? I'm confused as to why we're going back to Amendment 5."

Senator Rand:
"Mr. President, I can tell you which was which."

Lieutenant Governor Wicker:
"Hold on just a minute. Alright, the substitute amendment was Senator Rand's substitute amendment."

Senator Rand:
"That was four."

Lieutenant Governor Wicker:
"Which was four and that was adopted and Senator Ballance is sending up Amendment 5, and I understand that was pending because of some technical difficulties. Those difficulties have been rectified. In the process of all that we apparently went ahead and adopted your Amendment No. 6. Now I would like to go back to No. 5, take that and dispose of it and then come back to you for Amendment 7. It is not complicated I don't think."

Senator Ballantine:
"But Amendment 6 stands?"

Lieutenant Governor Wicker:
"Correct."

Senator Ballantine:
"Thank you."

Lieutenant Governor Wicker:
"Body adopted that, Senator Ballantine. Alright, Senator Ballance sends forth Amendment No. 5. The Clerk will give it a short reading."

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Reading Clerk:
“Senator Ballance moves to amend the bill as amended by Amendment No. 4.”

Lieutenant Governor Wicker:
“Alright, Senator Ballance is recognized to explain the Amendment.”

Senator Ballance:
“Mr. President, and for the Body’s edification, the complication was that Senator Rand’s amendment amended the same page and the same section as my proposed amendment. We have corrected that by saying “as amended by number 4”. Hope that staff will nod their heads that it is all right.”

Senator Ballance:
“Now if I may just explain the amendment.”

Lieutenant Governor Wicker:
“Senator has the floor.”

Senator Ballance:
“This amendment is fairly simple. In 1993 when we did the bonds, we put this amendment on. Many of us, including our counsel, feel that this amendment is already in the statute and already applies. Section143-128 we think would apply but this is out of an abundance of caution. We want to add this minority participation provision into this bill to make sure that it does apply.”

Senator Cochrane:
“Mr. President.”

Lieutenant Governor Wicker:
“For what purpose does Senator Cochrane arise?”

Senator Cochrane:
“I would like to send forward a substitute amendment please.”

Lieutenant Governor Wicker:
“You may send forward your substitute amendment.”

Lieutenant Governor Wicker:
“With the Senate’s permission I’m going to designate this as a Substitute Amendment 5a. Clerk will read.”

Reading Clerk:
“Senator Cochrane moves to amend the bill page 1, lines 2-5, page 1, lines 11-14 and several other places.”

Senator Cochrane:
“Ladies and Gentlemen, you have on your desk an amendment on which there is no name that did not get voted on previously that I bring back to your attention at this time and that is an amendment which makes these obligation bonds and gives the people the right to vote, because we do believe this indebtedness is significant enough and that it should be and I would move that the question on these...”

Lieutenant Governor Wicker:
“Hold on Senator. For what purpose does Senator Gulley...”

Senator Gulley:
“Point of order Mr. President. It’s my belief that under Rule 53, that this substitute amendment is out of order, and I would ask that you rule it such.”

Lieutenant Governor Wicker:
“Alright the Chair is going to respond to the inquiry and Senator Gulley the Chair rules that it is in order. Alright Senator Cochrane had the floor.”

Senator Cochrane:
“Yes Sir, and since we have talked about this and people know what’s in here, I would call the question on the amendment and the substitute that is on that amendment.”

Senator Ballantine:
“Mr. President, second the motion.”
Lieutenant Governor Wicker:
“All right the question before the Body, is the call of the previous question on the
substitute amendment. Those in favor...”

Senator Rand:
“I’m not sure, a number of people here said they do not understand what the substitute
amendment is.”

Lieutenant Governor Wicker:
“Well, Senator, let me just say where it all is right now. The amendment was read in,
the Senator made a motion to call the previous question on it and it was seconded.
And I...”

Senator Rand:
“Mr. President.”

Lieutenant Governor Wicker:
“For what purpose does Senator Rand arise?”

Senator Rand:
“I call for the ‘ayes’ and ‘noes’.”

Lieutenant Governor Wicker:
“For what purpose does Senator Gulley arise?”

Senator Gulley:
“Second that motion.”

Lieutenant Governor Wicker:
“All right. That motion takes precedent. For what purpose does Senator Horton arise?”

Senator Horton:
“Mr. President, I moved for the ‘ayes’ and “noes” and I believe that’s what Senator
Webster was attempting to second.”

Lieutenant Governor Wicker:
“The call for the ‘ayes’ and “noes”, has that been sustained? Alright, now the question
before the Senate is the motion by Senator Rand that the call of the previous question do
lie upon the table.”

Senator Rand:
“That the amendment do lie upon the table.”

Lieutenant Governor Wicker:
“I believe that Senator Rand has made the motion that the amendment do lie upon the
table. For what purpose does Senator Moore arise?”

Senator Moore:
“Mr. President the motion of Senator Rand is the amendment do lie upon the table but
the question is on the substitute amendment at the moment. Either you lie both of them on
the table or you don’t want to just allow the substitute, you put them both on the table.”

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Lieutenant Governor Wicker:

"Is that a question? I'm not sure you asked..."

Senator Moore:

"I'm sorry, that was an inquiry, I said that earlier, Mr. President. It's my understanding of parliamentary procedure that when you have a call of the question as just presented by Senator Rand that both items, the amendment and the substitute amendment, are laid on the table. That is the effect of the motions that have been made so far. Is that not true?"

Lieutenant Governor Wicker:

"It would be the Chair's interpretation that when the motion to lie the amendment on the table, the substitute amendment, that it would require both amendments would be on the table with respect to the substitute."

Senator Rand:

"Mr. President, you've ruled the underlying amendment just a substitute and it does nothing to the original amendment. That was your ruling before. That being the case, the motion would only apply to the substitute amendment."

Lieutenant Governor Wicker:

"That's correct. That is a correct ruling. So to make it clear, Senator Moore, if his motion prevails to lay the substitute amendment upon the table, the original amendment is back before the Body."

Senator Moore:

"Mr. President, are you sure that is in relationship to parliamentary procedure as governed by Robert's Rules of Order or the Rules of this Body?"

Lieutenant Governor Wicker:

"Yes sir, and that is consistent with the way I have always ruled on these substitute amendments, Senator Moore. It's nothing new, that would be the correct ruling."

Senator Ballantine:

"Mr. President."

Lieutenant Governor Wicker:

"For what purpose does Senator Ballantine arise?"

Senator Ballantine:

"Inquiry of the Chair."

Lieutenant Governor Wicker:

"Senator may state his inquiry."

Senator Dannelly:

"Mr. Chairman."

Lieutenant Governor Wicker:

"What purpose does Senator Dannelly arise?"

Senator Dannelly:

"Who has the floor?"

Lieutenant Governor Wicker:

"Right now Senator Ballantine."

Senator Dannelly:

"Is he supposed to be the only one standing."

Lieutenant Governor Wicker:

"No sir. I'm sorry, yes sir, he is."

Senator Webster:

"Excuse me Mr. President, maybe later."

Lieutenant Governor Wicker:

"Senator Ballantine, you have the floor, state your inquiry."

Senator Ballantine:

"If you may, Mr. President, lay out the parliamentary posture if you could, it might

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take you a while to untangle all this but I think the Body would appreciate it.”

**Lieutenant Governor Wicker:**
“Well thank you very much. It’s rather simple. We have a motion by Senator Rand to lay the substitute amendment on the table. If that motion prevails, then we go back to the original Amendment No. 5, Senator Ballance’s amendment. If that motion fails, then we’re back to the previous question called by Senator Cochrane on the amendment, the substitute amendment.”

**Senator Webster:**
“Mr. President.”

**Lieutenant Governor Wicker:**
“For what purpose does Senator Webster arise?”

**Senator Webster:**
“Point of order and inquiry of the Chair.”

**Lieutenant Governor Wicker:**
“Senator may state his inquiry of the Chair.”

**Senator Webster:**
“My recollection is that in a previous attempt to lie upon the table a substitute motion, the Senator was ruled out of order, and I was that Senator. What is different now?”

**Lieutenant Governor Wicker:**
“Would you repeat that again Senator, I’m sorry.”

**Senator Webster:**
“Mr. President, on a previous motion that a substitute amendment do lie upon the table, the Senator was ruled out of order by the same presiding Chair, and I was the Senator.”

**Lieutenant Governor Wicker:**
“And the question is what’s the difference?”

**Senator Webster:**
“What’s different today?”

**Lieutenant Governor Wicker:**
“I think it’s because now I’m the Chair, I’m not sure I was ruling at that time. Is that correct?”

**Senator Webster:**
“Same Chair, Mr. President.”

**Lieutenant Governor Wicker:**
“Well it’s a different day. Alright.”

**Senator Dannelly:**
“Mr. President.”

**Lieutenant Governor Wicker:**
“For what purpose does Senator Dannelly arise?”

**Senator Dannelly:**
“Just a little help on that. I think I recall that the Senator did not get a second in time.”

**Lieutenant Governor Wicker:**
“I don’t recall and it doesn’t matter to me to be honest with you. I’m going to focus on what the ruling is here and now. Any further inquiries? Everyone clear? Alright, the question before the Body is the motion by Senator Rand that the substitute amendment do lie upon the table. Those in favor of that amendment, of that motion, will vote ‘aye’, those opposed will vote ‘no’. Five seconds is allowed for the voting. The Clerk will record the vote.” Thirty-three having voted in the affirmative, fifteen in the negative. The motion prevails. Now, Amendment No. 5 is before us. Senator Ballance had put forward that amendment, Senator Ballance has the floor.”

**Senator Ballance:**
“Call the previous question.”
Senator Rand:
“Second the motion on that motion on that amendment.”

Lieutenant Governor Wicker:
“Question before the Senate is the call of the previous question on Amendment 5.”

Senator Shaw of Guilford:
“Was that Amendment ever read? I didn’t, do we have a copy?”

Lieutenant Governor Wicker:
“Yes sir, the answer is yes to both of those, Senator. Alright, the question before the Senate is the call of the previous question on Amendment No. 5. All in favor say ‘aye’, all opposed ‘no’. ‘Ayes’ have it. Now, the question before the Senate is the adoption…”

Senator Ballantine:
“I was going to get back to Amendment No. 7.”

Lieutenant Governor Wicker:
“I’ve got to vote on this amendment first.”

Senator Ballantine:
“Alright, thank you.”

Lieutenant Governor Wicker:
“Senator Basnight, maybe I should have just stayed away today. Alright, the question before the Senate is the adoption of Amendment No. 5 to S.B. 912. Those in favor of this adoption vote ‘aye’. Those opposed will vote ‘no’. Five seconds is allowed for the voting. The Clerk will record the vote. Rucho, ‘no’. Forty-one having voted in the affirmative, seven in the negative. The amendment’s been adopted. Now, I’m going to go back to you Senator Ballantine and you will send forward Amendment No. 7. We will re-read that.”

Senator Ballantine:
“Yes sir, I believe it’s already been sent forward but not read in.”

Lieutenant Governor Wicker:
“Alright, Clerk will give it a short reading.”

Reading Clerk:
“Senator Ballantine moves to amend the bill, page 1, lines 11-14, and the health care system.”

Lieutenant Governor Wicker:
“Senator Ballantine is recognized to explain the amendment.”

Senator Ballantine:
“Ladies and Gentlemen of the Senate, this is simply a good government provision. It recognizes that the money used to build these projects pursuant to this bond is the people’s money. It’s not the Legislature’s money, and Senator Rand, if they’re going to name a building after me or you, we just have to retire first. And I urge the adoption of the amendment.”

Senator Rand:
“Mr. President.”

Lieutenant Governor Wicker:
“For what purpose does Senator Rand arise?”

Senator Rand:
“Will Senator Ballantine yield to a question?”

Senator Ballantine:
“Yes.”

Senator Rand:
“Senator, would this prevent, I don’t read that it will prevent if they want to name it after both of us.”

Senator Ballantine:
“That would be fine, I’m just going to vote for the amendment. Good lawyering.”

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Lieutenant Governor Wicker:

"Further discussion, further debate. If not, the question before the Senate... For what purpose does Senator Perdue arise?"

Senator Perdue:

"To send forth an amendment, please. Thank you, Mr. President."

Lieutenant Governor Wicker:

"Those in favor of the adoption of the amendment will vote 'aye', those opposed will vote 'no'. Five seconds to allow for voting. The Clerk will record the vote. Garrou, 'aye', Phillips and Kinnaird 'aye', Wellons 'aye', Kerr 'aye'. Wellons wishes to vote 'aye', Plyler 'aye'. Forty-six having voted in the affirmative, two in the negative. The amendment has been adopted. Now, further discussion. Senator Perdue."

Senator Perdue:

"To send forth an amendment please. I believe copies are being handed out."

Lieutenant Governor Wicker:

"Clerk will give it a short reading, if someone will bring up her amendment."

Reading Clerk:

"Senator Perdue moves to amend the bill on page 43, line 27."

Senator Perdue:

"Thank you Mr. President, Members of the Senate. The amendment is one that many of us have, the concepts, have supported for several months and talked about it often in the General Assembly. It requires the Board of Governors to use the recommendations and the capital equity and adequacy study and bring us back some kind of statement and plan for the development of public and private resources in all of this capital construction. Look at the issues specifically of student houses, the partnership for joint development of any of the facilities, and even the establishment of a non-profit corporation to assist the University in building these buildings. We would ask the Board to do that by April 15, 2000, to report it to Ed Oversight. I urge your support."

Lieutenant Governor Wicker:

"Further discussion, further debate. If not the question before the ... Alright Senator Perdue, could you step up and talk to the Principal Clerk about some language on this bill. Senator Wellons, for what purpose do you arise?"

Senator Wellons:

"Make a motion that I be allowed to be recorded as voted on Amendment 4 and 6, I was out of the Chamber and was confused and voted 'aye'."

Lieutenant Governor Wicker:

"You wish to be recorded as voting 'aye' rather than 'no'?"

Senator Wellons:

"No, I wasn't recorded on Amendment 4 or 6. I was in the Chamber."

Lieutenant Governor Wicker:

"Alright, without objection, so ordered. Senator Cooper."

Senator Dalton:

"Mr. President."

Lieutenant Governor Wicker:

"For what purpose does Senator Dalton arise?"

Senator Dalton:

"To make a motion."

Lieutenant Governor Wicker:

"The Senator may state his motion."

Senator Dalton:

"The duplicate motion to Senator Wellons, I was just as confused as he was and I was not recorded also."

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Lieutenant Governor Wicker:
“On Amendments 4 and 6 as I recall.”

Senator Dalton:
“Yes sir.”

Lieutenant Governor Wicker:
“Without objection, that’s so ordered. I don’t think that you two are the only two confused today. I think we’ll let that go by. Alright, are we ready to go Janet? Senator Perdue, are we ready to proceed on that amendment? Alright any further discussion or debate on the amendment? If not the question before the Senate is the adoption of the amendment. Those in favor of this adoption will vote ‘aye’, those opposed will vote ‘no’. Five seconds is allowed for voting. The Clerk will record the vote. Plyler ‘aye’. Forty-eight having voted in the affirmative, none in the negative. The amendment’s been adopted. Further discussion or debate on the bill?”

Senator Foxx:
“Mr. President.”

Lieutenant Governor Wicker:
“For what purpose does Senator Foxx arise?”

Senator Foxx:
“To speak briefly on the bill.”

Lieutenant Governor Wicker:
“The Senator has the floor.”

Senator Foxx:
“Ladies and Gentlemen of the Senate, I have two degrees from UNC-Chapel Hill, one from UNC-Greensboro. I’m on the Board of Visitors of The University of North Carolina at Chapel Hill and very proud of it and involved with the Botanical Gardens. And I support education, have worked in education all my life and support it. But I feel like in the last couple of days that I’ve been rolled over by a giant steamroller. I think, and I’m disappointed because I have a real romantic idea of what the university system is all about, and that is to debate ideas, and to look at all sides of issues and for people to decide right and wrong based on a lot of debate. The problem with this bill is that we’ve not had the opportunity to have a lot of debate. Yesterday in Finance Committee, four minutes were given to those people who wanted to raise points about this bill but no time limit at all was given to the people who were allowed to speak on the bill. The amendment just offered by Senator Perdue, I think is a good amendment in the sense that it asks the Board of Governors to look for alternatives for how to do things on the university campus. Should we privatize housing, should we privatize cafeterias, maybe even student union facilities. But opposed to the spirit of liberal education we have not allowed any kind of discussion to alternatives, and that goes against the grain of everything that the university system stands for in my opinion and that bothers me tremendously. We were told that we had to do these things because we’re going to have an increased enrollment of 48,000 students. Suddenly that number jumped to 50,000 students yesterday and I think the exaggeration was there over and over and over again. There is an argument that we have to do this this way, we can’t give this to a vote of the people because they’re not smart enough to vote to pass these bonds. I disagree with that. I think that’s an arrogance again that I hope will come back to haunt people who have said those things and who by their voting today show that. We’re saying that you’re not smart enough folks to pass these bonds. That reminds me of 1994 when I think this General Assembly did some very arrogant things. We’ve said that its got to have flexibility and that’s why we have to do these funny named bonds but on page 7 it says that everything has, nothing can change other than what’s in this bill now so we take away the flexibility that we say we’re creating by not calling them general obligation bonds in the body of this bill. I call your attention to page 7, line 27 and line 29, ‘the proceeds of University improvement, security interest bonds shall not be

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expend to pay the cost of any capital facilities other than those set forth in this legislation.' I think we are talking out of both sides of our mouths when it is expedient to do so. We've just given Charlotte-Mecklenburg special dispensation to deal with capital needs because they say they cannot get people to bid on construction projects in Mecklenburg County. Now I voted against that but this Body gave them that prerogative. What in the world is going to happen when this money is out on the street? It is going to exacerbate that problem in terms of the building costs. We need to take care of the universities. We do have a dismal situation. I think the historically black universities should have been raising cane a long time ago about the situations that they find themselves in and I am perfectly willing to support the kinds of needs that are there and the kinds of needs that are out there in terms of fixing roofs and windows and awful chemistry labs, those sorts of things. But this is not right. We have too much pork barrel in this project. We don't have enough scrutiny over what's being done and we are going to rue the day, I think, that we say to the people of this State, 'We have no faith in you. We don't think that you have the sense to vote on these bills', because that is what you all are telling us. Over and over again, you've defeated the opportunity for the people of the State to vote on this and to give the universities the support that they deserve. I have a lot of respect for Eva Klein. I've known her for a long time. I think she's a good consultant. But I think the very thing that we've been told that we're trying to stop, which is meddling by the university by creating a long term plan, has been negated by what's happening here. And I will tell you I support the university. I support education. I think community colleges are sort of an afterthought here. I think they were put in here as an afterthought just to say, let's do a little something for the community colleges and let the people think we're doing something for them. We need to be doing it differently, ladies and gentlemen, and I'm sorry because I tell students all the time when I speak to them we get good legislation primarily out of the General Assembly because we have a lot of debate. But bad legislation comes when it is rolled over us in a hurry, and I think you see all these perfecting amendments as a good example of that. This is going too fast and we should take time to debate and think about what we are doing, look for alternatives and not put this kind of burden on the people of this State with more thought that has been given to it in this Body. Thank you.”

Senator Shaw of Guilford:

"Mr. President."

Lieutenant Governor Wicker:

"For what purpose does Senator Shaw arise?"

Senator Shaw of Guilford:

"To speak on the bill."

Senator Shaw of Guilford:

"I've done a lot of thinking on this Ladies and Gentlemen of the Senate, and if I would had my druthers I would have rather have seen a vote on it by the people. But it didn't happen. But I'm solid in support of this legislation. I went to Chapel Hill after World War II and I went because of one thing, the GI Bill of Rights, which I think was the greatest piece of legislation ever passed in the United States. It allowed kids that came from cotton mills and farms all over this State to attend schools, and not just the universities but places like Wingate and Campbell and Lenoir-Rhyne and Davidson and all the private schools, and they were running over with people. You talk about buildings and some of them luxurious, which they're not, but that's some of the terms I've heard used. I lived in a kwanza hut at Carolina at Chapel Hill, and the study hut was a kwanza hut. Not only was that the study hut, that's where they played poker all night, some of the other people - well once in a while. But it was a little tough, but we had it easy in that kwanza hut compared to some of the kids that stayed in farmhouses out and had to hitch-hike back and forth in the rain and whatever the weather was. And compared to the veterans who

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were married and had children and they lived in those pre-fab units, thin plywood called Vetville and Victor Village and they were all over the State. And it was tough doing it. The library was jammed all the time. Lenoir Hall was jammed, the food wasn’t that good, it was better than chow but it wasn’t bad. But think about what that generation has accomplished. Think of what they’ve accomplished. They have brought this State to where it is. And many people on the Board of Governors and many of those people on the Board of Governors are children, sons and daughters, of people who went through the University at that time. We put those people on the Board of Governors. We’re responsible, and we like to think we choose excellent people and I think we do. In fact I would stack them maybe 60/40 against the legislature so far as their experience and their expertise and education and whatever. So I trust those people a great deal, not completely, but a great deal. And I don’t think the people that went through the hardships of post World War II and the universities and the colleges and the schools around the State would want their children or their grandchildren to go through the same thing they did. Because sometimes I don’t pretend to speak for the Lord, He knows what He is doing, but I think that the intent was to make every generation a little better for the next generation. And I think we have to look at our children and grandchildren and what we want them to have. I don’t want mine to live in the conditions I did and to be as broke as I was. But maybe we have to face up sometimes and say, you know it’s not just exactly the way I wanted but I want it bad enough to go ahead and vote for it, with or without it. Thank you.”

**Senator Shaw of Cumberland:**

“Mr. President.”

**Lieutenant Governor Wicker:**

“For what purpose does the Senator of Cumberland arise?”

**Senator Shaw of Cumberland:**

“I’d like to comment on the bill.”

**Lieutenant Governor Wicker:**

“Senator has the floor.”

**Senator Shaw of Cumberland:**

“Thank you Mr. President. Ladies and Gentlemen of the Senate, we’ve had a very enlightening discussion here this morning and I think most of you know the reason that I stand today, so I won’t burden you with my concerns. But I would like to say that this is a very courageous day for the political leadership of North Carolina to bite off a half of a side of a cow. This is major, this is a major, very progressive undertaking. A lot of work has gone into it. I don’t agree with all the analysis, but this is very good for our State and I think this would serve us greatly down the road. I know the situation for the community that I represent was somewhat probably an oversight. And because I know that this a work in progress, because we had a referendum and had gone to the people for what we see on paper will have to be bound by law forever. But we can’t make changes with this bill as it’s presented today. And I’m looking forward to getting the kinds of corrections that reflect Cumberland County as the fourth largest population in the State. The taxpayers of that area deserve to share in the resources equally and more importantly our young people, we need to have the kind of universities that are going to be first rate across the board. And when you’re making these kinds of investments, you can do an awful lot of good things in correcting inadequacies and deficiencies within the systems. And I thank you for the opportunity to support this bill.”

**Senator Perdue:**

“Mr. President.”

**Lieutenant Governor Wicker:**

“For what purpose does Senator Perdue arise?”

**Senator Perdue:**

“To speak very briefly on the bill please.”

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Lieutenant Governor Wicker:
“Senator has the floor.”

Senator Perdue:
“Mr. President, yesterday we happened to be given this book. I don’t know if you’ve gotten it yet or had time to look through it, Reorganizing Higher Education in North Carolina. It’s the newest document by the Center for Public Policy Research, which so many of us rely on. And I had an opportunity last night to look through the history of higher education in this State. Nearly twenty-five years ago, as history would have it, people were sitting around these same tables in the Senate and the House talking about the future of higher education then. Governor Bob Scott was in charge of the discussion, and he found himself in an alliance with North Carolina’s leading business people and educational movers and shakers in a battle opposing the leadership at the North Carolina Universities. The six campuses that existed then were very, very opposed to this 1971 discussion about what we wanted as a State in terms of our public education system, how university structure was governed. Where the power was going to be. Where the money was going to be. And in this document I found it very interesting, the whole premise of the book, was that if you can look at your history, you can always predict your future. The book talked about the five issues that were pre-eminent in the discussions in 1971. Listen very quickly, to them and see if they sound familiar to you. The first important issue was (1) How to distribute the state resources fairly among a large and diverse group of state institutions. Then there were six (6), today there are sixteen (16), but isn’t that what these bonds are about. (2) How to best protect the whole university system from harmful political influence. Have we not had that discussion in the last two weeks? (3) Even in 1971, Senator Ballance, the role of our historically black universities and the funding inequities among those campuses. (4) And have we heard this, the rapid increase in enrollment throughout the university system. At the very birth of the university system, the way we know it today, people from all over this State came to this Body and supported Governor Scott and the leading members of the Senate and the House urging the citizens of this State to understand that an investment in public education was an investment in the future of North Carolina. We have the wonderful recognition of being the first State in America to have funded a public university. We have taken up the weight every time it was needed to do what we had to do for our universities, our community colleges, and our public schools. In 1971, there were those who said let's don't do it, let's leave it alone, let's not worry about enrollment. Let's not worry about our historically black universities, let's just talk about it for four or five more years. You had bold, courageous people who saw a problem that was very, very apparent. They knew that the future was dependent upon their decisions today. They voted to reorganize, over the objections of everybody around the university system, and today we find ourselves in the same place. We know the problems. We know the problems are absolutely critical. We know what we have to do and that's what this vote on the bond bill today is about.”

Senator Garwood:
“Mr. President.”

Lieutenant Governor:
“For what purpose does Senator Garwood arise?”

Senator Garwood:
“Mr. President, and members of the Senate, you know that it is very seldom that I stand on this floor and speak, but there comes a time when I feel like one has to be counted, and this time has come for me. I endorse these bonds for the future of our State wholeheartedly and I intended to make my comments brief and that's what I've done. I echo the comments, particularly of our Senator from Guilford County, and I recommend the bonds to you for the future of our people. Thank you very much.”

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Senator Cochrane:
“Mr. President.”

Lieutenant Governor Wicker:
“For what purpose does Senator Cochrane arise?”

Senator Cochrane:
“To debate the bill.”

Lieutenant Governor Wicker:
“The Senator has the floor.”

Senator Cochrane:
“Ladies and gentlemen of the Senate, all of us agree with the need, so I take a little exception that some things get said here that indicate we're not willing to bite the bullet, we're not willing to show vision, we're not willing to step forward. That is not the concern that some of us have. We have the concern that some of the things have been put in a critical category that I think would be difficult to justify as critical. I think all of us who took the time and went through the priority list, and I went through the whole thing and I highlighted on the first page of what ended up being the cuts that Ms. Klein put in as the priorities. We all can question some things that are being said as critical. But the key problem for us on the back row today are two (2) features - the size of this debt and the people not getting to vote on it. When we are taking under ourselves and our own decisions in this Body, a debt bigger than any that has ever been put out for a vote before, and we've heard this brought up where last year a $1 billion bond did not have the support of the treasurer, now here we are coming with a $3 billion bond. It is that that is our problem, to not to help the universities, but to assume the kind of debt that could mean in four or five years there is no money in this Body for anything else except systems that are in place, programs that are in place. And this indebtedness gives us some concerns. Some of us won't be here four, five, six years from now, except for R. C. And R. C. I hope you will remember that was the point. Not to help the universities. We want to help the universities. But I also must ask you all when you were saying yesterday and some other instances, that we have neglected the universities. Who has neglected the universities? It certainly was not us on the back row. We don't have that authority to make those decisions. People, please understand if the debt were not the size that it was, and the people who must pay this, because even the treasurer said, the debt service would come from the appropriated process of this General Assembly--that means us. We will be responsible for that debt service. That money comes from the taxpayers. They should have a say when we are laying upon them and their children this kind of a responsibility so that if we reach a point where there is no money for anything else and we can't pay the debt service, the taxes might increase because we had to. People who would have to provide those taxes have a right to decide they want that kind of a debt placed upon them.”

Senator Lee:
“Mr. President.”

Lieutenant Governor Wicker:
“For what purpose does Senator Lee arise?”

Senator Lee:
“To speak on the bill.”

Lieutenant Governor Wicker:
“The Senator has the floor.”

Senator Lee:
“Mr. President, members of the Senate, I have listened with great intensity and certainly interest in the many expressions which have been made. And as they were being made I recall a commercial that was out many years ago which, in a sense, said pay me now or pay me later. However else we cut it, we have to pay for the fact that North Carolina is a growing State. As a result, there will be many more students who will be
looking for an opportunity to become educated in our public schools and our community colleges and our university system. I think it is unfortunate that we sit here and try to divide ourselves in ways that are not pertinent to the challenge that is before us. I have been given the privilege of serving as Co-chair of Education and a member of the Advisory Budget Commission, and as such, I have had an opportunity to visit Appalachian State University and to speak with the Chancellor and to see the needs on that campus. I have visited Western Carolina University and have seen the chancellor tear down a wooden wall and expose us to sections of a building that has not been used for years. I have been on the campus of North Carolina Central, and I would urge members if you would go out and visit your college and university campuses and your community colleges, it would not take long to see the need. I think it is time for us, however else we feel about it, to put aside differences and show the courage and leadership, not for us, but for these young pages who are sitting around this wall who watch us today debate their future, because what we do today will either enhance or impede. When we vote on this bond bill today, I think you can take some solace in the fact that it may not enhance our electability in the next election, but it sure will enhance the opportunities for the next generation, and I hope we'll join together and make that commitment.”

**Senator Rand:**

“Mr. President.”

**Lieutenant Governor Wicker:**

“For what purpose does Senator Rand arise?”

**Senator Rand:**

“To speak on the bill.”

**Lieutenant Governor Wicker:**

“The Senator has the floor.”

**Senator Rand:**

“Ladies and gentlemen of the Senate, I feel I must respond to a few things Senator Foxx had to say. When she says she's been rolled over, there's been no debate and all that, I would simply say that if she's been rolled over, I don't know who rolled it, and if there hadn't been any debate, it's her fault because she doesn't want to. We've had two meetings yesterday that lasted for about three hours. Everybody, any questions, anybody got anything to say. There were a few people who wanted to speak whose time was limited. They had press releases. It was mostly a press show. But we also had a meeting last week where Ms. Klein came and explained everything and everybody was asked questions, get all the information they could. Nobody has called the question on this bill today. Everybody has been free to debate all they wanted to, say all these things. And people talk about, oh, well, you know I'm for this and I'm for that but—and there's a reason I can't do this, you know, what we ought to do and we should have done. We have the opportunity today to do this. I don't think there's any question about the need. Now some of the things in here, people talk about pork barrel, I, this is, we have been very careful in this to go by Ms. Klein's report. I called every Chancellor in the system myself and said 'Is this your list, does this reflect your priorities? Yes it is.' I would remind you that the campus getting the least of this is Fayetteville State University. That's Senator Shaw and me. If there is pork barrel in here, somebody better come and explain to me where I've gone wrong. Community college is an afterthought? The community college list is a study which we directed the Board of Community Colleges to do on facility needs and we have put in here what the Board of Community Colleges recommended. An afterthought? I would argue to you good public policy and we didn't change the list. It is their list. This is Eva Klein's list. We didn't change the list because we didn't want, as a member of the House, Republican member of the House said 'This is a legislation protection act.' It protects us from messing with it, and that's exactly what it is. Now, Senator Foxx also said we said the people are too dumb. I hadn't heard anybody say that. I certainly didn't
hear Governor Martin and Governor Holshouser say that when they supported this package in the committee yesterday. This is a nonpartisan thing as you've heard here today. What has been said, the State Treasurer in all of his comments said, when you talk about debt, it depends on what you're buying. I can probably afford a whole lot more than I ought to have. I think that's true of a lot of people in here. The question is when you're borrowing money, what are you borrowing it for and what it means to your future. That's why Senator Shaw talks about the plan where everybody went to college. That is probably the best thing. The next best thing was the FHA and all that allowed people who went to college then to buy a little house, to have the pride of home ownership. This will allow our university system to join the 20th century. It always gets me when the Governor of Tennessee was asked if he could have one industry in North Carolina, which one would he want and he said The University of North Carolina. It is the same ...

Senator Foxx:
"Mr. President."

Lieutenant Governor Wicker:
"For what purpose does Senator Foxx arise?"

Senator Foxx:
"To ask Senator Rand a question."

Senator Rand:
"No, I'm going pretty good here. I don't want to quit. When asked if he could have one industry..."

Lieutenant Governor Wicker:
"For what purpose does Senator Webster arise?"

Senator Webster:
"Would Senator Rand yield for a question?"

Senator Rand:
"No sir. Not right now. I will in a bit."

Lieutenant Governor Wicker:
"Let there be, the word go forth, he's on a roll and he's not gonna yield."

Senator Rand:
"If he could have any North Carolina industry, which one would he want and he said The University of North Carolina. And the reason he said that is because The University of North Carolina is known across this nation as the one thing that has separated us from the rest of the south, the one thing that has been a beacon, the one thing that has provided our people with the education and the ability to compete. And it is the thing that we're gonna need as we join the information century that is coming upon us. We could do this differently perhaps, and to do so would cost us a whole lot of money. There is no excuse for waiting. We've got roofs that are leaking, we've got lavatories that are not adequate, we've got schools that are gonna have to accept students that are not able to do so today. If we want to help our State, if we want to help our people, the one thing that will help you more than anything else is education, and if we don't do it, history will judge us very poorly. Needless to say, I ask for your support. I'll yield now."

Senator Foxx:
"Mr. President."

Lieutenant Governor Wicker:
"For what purpose does Senator Foxx arise?"

Senator Foxx:
"To ask Senator Rand a question."

Senator Rand:
"Yes sir, I yield."

Senator Foxx:
"Senator Rand, you've made a very eloquent speech on behalf of the university and I
think there are many people who would join you in that. (Senator Rand: "I hope so."). I really believe we have the finest university in the country. I don't disagree with you at all, but tell me why it is you are so adamant about not putting this to a vote of the people, because if you feel that the people of this State believe so strongly in education, as I think they do, why have you defeated all of our amendments, why are you so adamant about not putting it to a vote of the people?"

Senator Rand:
"I'm not adamant at all, Senator Foxx. I listened yesterday to Governor Holshouser who, as he said, is a mountain conservative. Every governor that has served this State since 1972, Republican and Democrat, we've had two to one, seemed like, no we've had two of the other. We've had one that keeps coming back. He's still there. We've had two of each. And all four of them said that this is the thing to do. The people expressly authorized this to happen. That to delay this now only costs more money, that this is a prudent use of the legislative process as they know it. And they say to us, this is what we ought to do. I listened carefully when they say that. I don't think we need to wait because we all admit the need is there. Everybody says oh yeah the need is there, but we, sure, we can do it differently. But don't oppose it. My favorite story is about the guy who goes to his next door neighbor. And he goes over and says, 'Let me borrow your axe.' and the fellow said 'I'm sorry, I can't let you have it.' and he said, 'Why not?' and he said, 'Well, I'm stirring my coffee with it.' he said 'You ain't stirring your coffee with an axe.' he said, 'Look, if I ain't gonna let you use it, one excuse is as good as another.' If you ain't gonna vote for the bill, one excuse is as good as another. So I don't have any problem with that, but I think we need to get on with it. It will cost us a lot of money to wait. Building costs are rising every day. The need is there everyday. It is time for us to get on with it. One thing we like to do around here is study everything. We like to study until it just lies down on the floor and rolls over. Let's put everything off. I say let's get on with it. We need to."

Senator Webster:
"Mr. President."

Lieutenant Governor Wicker:
"For what purpose does Senator Webster arise?"

Senator Webster:
"When the preaching is over I'd like to make an announcement."

Senator Rand:
"We'll take up collection, Mr. President."

Lieutenant Governor Wicker:
"Hold on. Uh, Senator Webster, unfortunately it is not a proper time to make an announcement, unless it is a pair. Is that what you were going to announce."

Senator Webster:
"Yes sir."

Lieutenant Governor Wicker:
"The Senator may announce his pair."

Senator Webster:
"If Senator Warren were present, my good friend Senator Warren, he would vote 'aye' on Senate Bill 912, University Bond Bill. I would vote 'no'."

Lieutenant Governor Wicker:
"Noted. I believe, Senator Webster, you've got a form you will be forwarding up on that pair. Do you have a form on that? All right, if you would send that forward, we'll note that in the record. Further discussion or debate on the bill. For what purpose does Senator Basnight arise?"

Senator Basnight:
"To speak on the bill."
Lieutenant Governor Wicker:
“The Senator has the floor.”

Senator Basnight:
“Thank you Mr. President, members of the Assembly. I don't have a degree and you well know that, from UNC-G, or two of them from UNC-Chapel Hill, or one of them from any community college. I don't have anything but myself here today, and I come from a place that offered very little education when I grew up. We had the College of Albemarle in Elizabeth City and I believe it had just started, and I believe it still represents today seven counties. But of all the children that we had in my graduating class, all 50 of us, I was at the lower end of that, I presume. But I saw so many bright people, so many people full of energy and life that should have gone to college and didn't go to college. The colleges weren't around. They really weren't to be found. Frankly, we were at a time in our history, sad to say, that we were segregated, and we were separated. My dad never believed in that. He never would practice such foolishness. Neither did I. He taught me that we were all the same as a people, and we grew together as a people in that small community, even though we had very few people of different color on the outer banks in Dare County. But we all saw the need to grow and learn. But I didn't fully understand that you should go to college and get a degree. I went to work. But boy, have I learned from that. I have read everything I could pick up. But I don't want, Senator Shaw, to just learn to play a game of cards, of which I did, wrongly so, in some chapter of my life. But I realize today that everyone should learn and should educate themselves to the extent that that they can for as long and as far as they can go in our system of education that we have so that they can better the stock of life of all of us. And I don't believe there is anyone in this Chamber that feels contrary to that. I believe we all do. But I believe it is a matter of haste that I didn’t recognize as I grew up. A matter of haste today to move as quickly as we possibly can to get these facilities built that we should have started building years ago, and we're a bit remiss in not doing that. But we all realize those complications as we paid attention to other matters and other needs and concerns that we saw develop where we came from and the people we would represent. And as a government as a whole we never made the corrections that were necessary in the institutions that we had. And when I spoke of one of color, it was Elizabeth City State that we had. And that's not one that was recognized for everyone to attend, sad to say. And again, if that chapter of our history could be erased, I would erase it today, just as you. I walked Roanoke Sound with Michael Hooker and I heard his name earlier today. Never did he say to me that this should be a vote or we should do it some other way. What I heard from him was to do it as quickly as you possibly can before there is damage done to the institutions that we love and we care so very much about. He didn't tell me that we needed to vote or not vote. I can't honestly stand before you and say that, but he did teach me and preach to me in those moments that we were together that it is through this educational system that we have that separates us from other states. That separation won't be as great or as effective as we believe it should be unless we start building facilities that we have to have on our campuses. And one of those statements of me was not pertaining to UNC-Chapel Hill, Howard, it was pertaining to the other institutions. The older institutions that have not been given the privileges that they should have been in the name of facilities that we have to have and what we speak to today. If you go to UNC-Greensboro, and I'm sure everybody in here has been and has seen the chemistry building on campus there. Haven't you all been? Are there any of you who have not seen the facility? It was built sometime in the ‘30s, I understand, and I believe the headlines in the paper at that time said that it was inadequate then, when it was built when they opened it, and boy is it inadequate today. This is an example of what we find on campuses, and you don't have to go but a few miles east of there and you get on Central. And you get on that campus where over 40 or close to $40,000,000 in needs are found today of noncompliance on the university that.

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we own. Now why in God's name do we allow it to happen? Senator Cochrane, I guess you could say we're to blame for everything that has happened in this State, and that back row and front row, we're wrong and you're right. I disagree with that. I think we all can be right and have disagreements and not be disagreeable. But some of the slander or some of the statements today of saying that you're doing things, you're bringing the community college in it as an afterthought, when this is the greatest budget the community college has seen this year. Now is that our fault or is that your credit? Why in God's name we have to be so political, I don't understand. The people of this State have given us a responsibility to make decisions on the behalf of the future and the goodness of what's right and what's wrong. And there's nothing wrong with this project, this program, and this bond package that is presented to us today, and there is a sense of urgency as we debate it. And we all know how we're going to vote. And I hope that vote recognizes the true belief of what's right and what's wrong. Thank you."

S.B. 25 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ATTORNEY REPRESENTATION OF CHILDREN REPRESENTED BY GUARDIAN AD LITEM PROGRAM THROUGHOUT PROCEEDINGS OF THE CASE.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

The Senate recesses at 1:55 P.M. to reconvene at 2:30 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.B. 168 House of Representatives June 30, 1999

Mr. President:

Pursuant to your message that you have adopted the report of the Conferees on HB 168, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, it is ordered that a message be sent your Honorable Body with the information that the House of Representatives has adopted the report of the Conferees and the bill is ordered enrolled.

Respectfully,
S/Denise Weeks
Principal Clerk

COMMITTEE REFERRAL RECALL

H.B. 570, A BILL TO BE ENTITLED AN ACT TO REMOVE THE TOWN OF

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CAROLINA SHORES FROM THE 201 PLANNING AREA IN BRUNSWICK COUNTY, referred to the Commerce Committee on June 21.

Pursuant to Rule 47(a), Senator Soles offers a motion that the bill be withdrawn from the Commerce Committee and placed on today’s, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Commerce Committee and places it on today’s Calendar.

S.B. 24, A BILL TO BE ENTITLED AN ACT TO REQUIRE INSURERS TO PROVIDE INFORMATION PRIOR TO LITIGATION REGARDING POLICY PROVISIONS AND POLICY LIMITS UPON WRITTEN REQUEST AND TO GIVE AN INSURER WHO PROVIDES SUCH INFORMATION THE OPTION OF INITIATING MEDIATION WITH THE PERSON WHO SOUGHT THE INFORMATION, referred to the Judiciary II Committee on February 3.

Pursuant to Rule 47(a), Senator Miller offers a motion that the bill be withdrawn from the Judiciary II Committee and re-referred to the Rules and Operations of the Senate Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Judiciary II Committee and re-refers the measure to the Rules and Operations of the Senate Committee.

CALENDAR (Continued)

S.B. 1025 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE SUPERIOR COURT DIVISION BY EXPANDING THE NUMBER OF JUDICIAL DIVISIONS FROM FOUR TO EIGHT, TO ESTABLISH PILOT PROGRAMS FOR CONSIDERATION OF THE RECOMMENDATIONS OF THE COMMISSION FOR THE FUTURE OF JUSTICE AND THE COURTS IN NORTH CAROLINA CONCERNING ORGANIZATION AND MANAGEMENT OF THE TRIAL COURT, AND TO APPROPRIATE FUNDS TO A RESERVE FOR IMPLEMENTATION OF THOSE PILOT PROGRAMS.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Senator Clodfelter offers Amendment No. 1 which is adopted (46-0).

Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.

The Committee Substitute bill, as amended, passes its second (48-0) and third readings and is ordered engrossed and sent to the House of Representatives.

ENROLLED BILLS

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

H.B. 168, AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

The Enrolling Clerk reports the following bill duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.B. 618, AN ACT TO ENABLE THE COUNTY OF MACON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT

June 30, 1999
FACILITIES IN THE COUNTY.

S.B. 271, AN ACT TO ANNEX TO THE EXISTING CITY LIMITS OF THE TOWN OF HUNTERSVILLE CERTAIN AREAS SURROUNDED BY EXISTING CITY LIMITS OF THE TOWN OF HUNTERSVILLE.

REPORTS OF COMMITTEES (Continued)

By Senator Perdue for the Appropriations/Base Budget Committee:

S.B. 1134, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES LAW PERTAINING TO THE MEDICAID STANDARD OF NEED, PAY-AFTER-PERFORMANCE FOR TWO-PARENT FAMILIES, TIME LIMITATIONS ON ASSISTANCE, AND OTHER AREAS OF WELFARE REFORM, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill A158, which changes the title to read S.B. 1134 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE WORK FIRST LAW PERTAINING TO MAINTENANCE OF EFFORT, SUPPORT SERVICES, PAY-FOR-PERFORMANCE FOR TWO-PARENT FAMILIES, AND OTHER AREAS OF WELFARE REFORM, is adopted and engrossed.

With unanimous consent, upon motion of Senator Perdue, the Committee Substitute bill is placed on the Calendar for Tuesday, July 6.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

CALENDAR (Continued)

S.B. 1026, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE SUPREME COURT WITH AUTHORITY TO REVISE THE RULES OF CIVIL AND CRIMINAL PROCEDURE AND THE RULES OF EVIDENCE, SUBJECT TO AMENDMENT OR VETO BY THE GENERAL ASSEMBLY AND TO APPROPRIATE FUNDS FOR ADVISORY COMMITTEES ON THE ADOPTION AND AMENDMENT OF THOSE RULES.

Senator Clodfelter offers Amendment No. 1 which is adopted (48-0).

The Chair grants a leave of absence for the remainder of today’s Session to Senator Garrou.

The bill, as amended, passes its second reading (34-12).

Senator Ballance objects to third reading of the measure. Pursuant to Rule 50, the President Pro Tempore orders the measure placed on the Calendar for tomorrow, Thursday, July 1, upon third reading.

H.B. 570, A BILL TO BE ENTITLED AN ACT TO REMOVE THE TOWN OF CAROLINA SHORES FROM THE 201 PLANNING AREA IN BRUNSWICK COUNTY, placed earlier on today’s Calendar.

The bill passes its second (46-0) and third readings and is ordered enrolled.

The Chair extends courtesies of the gallery to the Mayor, Town Council, and citizens of St. James, North Carolina.

June 30, 1999
CALENDAR (Continued)

H.B. 304 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CRIMINAL PENALTIES FOR FRAUDULENT MISREPRESENTATION INVOLVING CHILD CARE SUBSIDIES AND TO PROVIDE COUNTIES A FINANCIAL INCENTIVE TO INVESTIGATE AND PURSUE FRAUD IN CHILD CARE PAYMENTS.

The Committee Substitute bill passes its second (46-0) and third readings and is ordered enrolled and sent to the Governor by special message.

H.B. 331 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDESIGNATE THE COMMUNITY PENALTIES PROGRAM AS THE SENTENCING SERVICES PROGRAM, TO CLARIFY THAT THE WORK PRODUCT OF THESE PROGRAMS IS ALWAYS PRESENTED TO THE COURTS, AND TO MAKE OTHER CLARIFYING CHANGES.

The Senate Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

H.B. 1022 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE UNLAWFUL USE OF A DRIVERS LICENSE, A LEARNER’S PERMIT, OR A SPECIAL IDENTIFICATION CARD ISSUED BY THE DIVISION OF MOTOR VEHICLES.

Upon the appearance of Senator Garrou, the leave of absence granted previously is withdrawn.

The Senate Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

S.B. 235 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE "KIDS FIRST" SPECIAL REGISTRATION PLATES, for concurrence in the House Committee Substitute bill, upon third reading.

The Senate concurs in the House Committee Substitute bill on its third reading by roll-call vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

S.B. 654 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTORE THE PRE-1995 LAW ON DISPOSAL OF PROPERTY AND LIENS RELATING TO MANUFACTURED HOUSING, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (48-0) and the measure is ordered enrolled and sent to the Governor by special message.
The President recognizes the following pages serving in the Senate this week:

Melisa N. Atkinson, Tarboro; Christina M. Ballance, Hatteras; Winifred Paige Bridgewater, Nags Head; Lindsay Burrus, Manteo; Jennie Rhyne Currin, Gibsonville; John Plyler Faulk, Monroe; Stephen Cagney Gentry, Wilkesboro; Keri Maria Hall, Fayetteville; Jarrett R. Hodson, Goldsboro; Charles E. Jones, Durham; Cameron Burton Keziah, Monroe; Jennifer Robyn Martin, Gastonia; Kimberly McKay, Hendersonville; Eric Middleton, Raleigh; Phillip Montague, Knightdale; Shannon Renee Munson, Denver; Hattie Anne Plexico, Raleigh; Kristen Pone, Parkton; Paris Robinson, Gastonia; Harris M. Shovelin, Gastonia; Julianna Tabor, Chapel Hill; Paul Walters, Vass; Gabrielle Nicole Willis, Manteo; and Caroline Rose Worf, Winston-Salem.

CONFERENCE REPORT

H.B. 900

Senator Ballance, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon H.B. 900, A BILL TO BE ENTITLED AN ACT ALLOWING GATES COUNTY TO IMPOSE FEES FOR FIRE PROTECTION SERVICES, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 900, A BILL TO BE ENTITLED AN ACT ALLOWING GATES COUNTY TO IMPOSE FEES FOR FIRE PROTECTION SERVICES, First Edition, submit the following report:

The House concurs in Senate Amendment #1, as amended below.
On page 1, line 14 through page 3, line 4 by rewriting the lines to read:

(1) A single family dwelling having a fair market value under fifty thousand dollars ($50,000) and surrounding land. The fee on this class of property may not exceed forty dollars ($40.00) per site per year.

(2) A single-family dwelling having a fair market value equal to or greater than fifty thousand dollars ($50,000); and appurtenant structures, plus up to five acres of surrounding land. The fee on this class of property may not exceed fifty dollars ($50.00) per site per year.

(3) A multiple-family dwelling. The fee on this class of property may not exceed sixty dollars ($60.00) per building per year.

(4) A commercial facility. The fee on this class of property may not exceed seventy-five dollars ($75.00) per site per year.

The Senate agrees to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 30, 1999.

S/Frank Ballance, Jr. S/Howard Hunter, Jr.
Luther Jordan S/W. F. Mitchell
Upon motion of Senator Ballance, the rules are suspended and the Conference Report is placed before the Senate for immediate consideration.

The Conference Report is adopted (46-0), and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

APPOINTMENT OF CONFERENCE COMMITTEE

H.B. 684 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF APEX, CARY, GARNER, AND MORRISVILLE TO ADOPT ORDINANCES REGULATING REMOVAL, REPLACEMENT, AND PRESERVATION OF TREES AND SHRUBS WITHIN THE TOWNS AND THE TOWNS' EXTRATERRITORIAL PLANNING JURISDICTION.

Pursuant to a message received earlier today from the House of Representatives that the House fails to concur in the Senate Committee Substitute bill and requests conferees, Senator Basnight, President Pro Tempore appoints Senator Odom, Chairman, and Senator Clodfelter and Senator Dannelly as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

Upon motion of Senator Basnight, seconded by Senator Horton, the Senate adjourns at 3:30 P.M. to meet tomorrow, Thursday, July 1, at 11:00 A.M.

NINETIETH DAY
Senator Chamber
Thursday, July 1, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Constant and Eternal God, since we first gathered in January, we have lifted up to You a fair number of requests. We are proficient at asking for all kinds of things, wisdom, patience, strength. Today we would simply thank You for all You have graciously done in response to our voluminous petitions. The Governor's signature on our $13.5 million budget seems like a good place to start.

"Our first instinct is to leap out of our seats shouting, 'We did it', and thump our closest colleague joyfully on the back. However, in our justifiable celebration over this substantial achievement, let us not forget that the 'We' in 'We did it' includes You.

"When Noah disembarked from the ark after enduring the long season of flood and desolation, his very first act upon setting foot upon dry land was to build an altar and offer You thanks for Your mighty deliverance. He had not made that journey alone.

"We may actually enjoy a few weeks of vacation this summer. And for that, we thank You for journeying with us every step of the way. In humility and gratitude we make our prayer. Amen."

July 1, 1999
With unanimous consent, the President grants leaves of absence for today to Senator Ballantine, Senator Garwood, Senator Jordan, Senator Reeves, and Senator Warren.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Wednesday, June 30, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

**S.B. 235**, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE "KIDS FIRST" SPECIAL REGISTRATION PLATES.

**S.B. 654**, AN ACT TO RESTORE THE PRE-1995 LAW ON DISPOSAL OF PROPERTY AND LIENS RELATING TO MANUFACTURED HOUSING.

**S.B. 998**, AN ACT TO PROVIDE THAT MEMBERS APPOINTED TO THE CANCER CONTROL ADVISORY COMMITTEE FOR INITIAL TWO-YEAR TERMS MAY EACH BE REAPPOINTED FOR ONE ADDITIONAL FOUR-YEAR TERM.

**H.B. 304**, AN ACT TO PROVIDE CRIMINAL PENALTIES FOR FRAUDULENT MISREPRESENTATION INVOLVING CHILD CARE SUBSIDIES AND TO PROVIDE COUNTIES A FINANCIAL INCENTIVE TO INVESTIGATE AND PURSUE FRAUD IN CHILD CARE PAYMENTS.

**H.B. 1030**, AN ACT TO CHANGE THE LIGHTING REQUIREMENTS FOR LIGHT TRAILERS AND EXEMPT CERTAIN ADDITIONAL FARM TRAILERS FROM THE REGISTRATION REQUIREMENTS.

The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

**H.B. 570**, AN ACT TO REMOVE THE TOWN OF CAROLINA SHORES FROM THE 201 PLANNING AREA IN BRUNSWICK COUNTY.

**H.B. 900**, AN ACT ALLOWING GATES COUNTY TO IMPOSE FEES FOR FIRE PROTECTION SERVICES.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

**S.B. 90**, AN ACT TO ENSURE THAT INSURERS THAT PROVIDE HEALTH INSURANCE COVERAGE FOR PRESCRIPTION DRUGS OR OUTPATIENT SERVICES PROVIDE COVERAGE FOR PRESCRIBED CONTRACEPTIVE DRUGS AND DEVICES OR OUTPATIENT CONTRACEPTIVE SERVICES. (Became law upon approval of the Governor, June 30, 1999 – S.L. 1999-231.)

**H.B. 419**, AN ACT CONCERNING SATELLITE ANNEXATION AND


**H.B. 1134**, AN ACT TO ESTABLISH THE HORACE WILLIAMS CAMPUS TRUST FUND, TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ISSUE REVENUE BONDS FOR THE DEVELOPMENT OF THE HORACE WILLIAMS CAMPUS, TO EXEMPT THE HORACE WILLIAMS CAMPUS FROM THE UMSTEAD ACT, AND TO MAKE VARIOUS CONFORMING CHANGES. (Became law upon approval of the Governor, June 30, 1999 – S.L. 1999-234.)

**S.B. 56**, AN ACT TO INCLUDE SERVICES IN THE DEFINITION OF ENERGY CONSERVATION MEASURES, TO EXTEND THE MAXIMUM DURATION OF A GUARANTEED ENERGY SAVINGS CONTRACT, AND TO REPEAL THE SUNSET REGARDING THE AUTHORITY OF A LOCAL GOVERNMENTAL UNIT TO ENTER INTO A GUARANTEED ENERGY SAVINGS CONTRACT FOR A LOCAL PUBLIC FACILITY. (Became law upon approval of the Governor, June 30, 1999 – S.L. 1999-235.)

**S.B. 271**, AN ACT TO ANNEX TO THE EXISTING CITY LIMITS OF THE TOWN OF HUNTERSVILLE CERTAIN AREAS SURROUNDED BY EXISTING CITY LIMITS OF THE TOWN OF HUNTERSVILLE. (Became law upon ratification, June 30, 1999 – S.L. 1999-236.)

**H.B. 168**, AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES. (Became law upon approval of the Governor, June 30, 1999 – S.L. 1999-237.)

**S.B. 618**, AN ACT TO ENABLE THE COUNTY OF MACON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY. (Became law upon ratification, June 30, 1999 – S.L. 1999-238.)

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

A message and a special message received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

**S.B. 594** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAWS ON TITLE INSURANCE RATE MAKING, COMMERCIAL GENERAL LIABILITY POLICY EXTENDED REPORTING, AND INSURANCE FRAUD; TO MAKE A TECHNICAL CORRECTION IN THE LITTERING LAW; TO PROVIDE FOR UNIFORM APPLICATION OF NEW LAWS TO HEALTH BENEFIT PLANS; TO AMEND THE LAW GOVERNING CEASE AND DESIST ORDERS FOR UNAUTHORIZED INSURERS; TO ALLOW LICENSING OF A FOREIGN OR ALIEN

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INSURER TO BE DELAYED UNDER CERTAIN CIRCUMSTANCES; TO AMEND THE LAW GOVERNING AN INSURER'S ACKNOWLEDGMENT OF A CLAIM; TO PROVIDE THAT POLICIES WRITTEN BY SURETY BONDSMEN ARE SUBJECT TO THE LAW GOVERNING THE USE OF DEPOSITS FOR UNPAID LIABILITIES; TO DELAY THE EFFECTIVE DATE FOR THE REGULATION OF THIRD-PARTY ADMINISTRATORS FOR SELF-INSURED WORKERS' COMPENSATION; TO AMEND THE LAW ON COVERAGE FOR NONFORMULARY DRUGS; AND TO MAKE VARIOUS TECHNICAL CHANGES, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for Monday, July 5.

H.B. 623 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF PLEASANT GARDEN.
Referred to Finance Committee.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.B. 900

House of Representatives
June 30, 1999

Mr. President:

Pursuant to your message that you have adopted the report of the Conferees on HB 900, A BILL TO BE ENTITLED AN ACT ALLOWING GATES COUNTY TO IMPOSE FEES FOR FIRE PROTECTION SERVICES it is ordered that a message be sent your Honorable Body with the information that the House of Representatives has adopted the report of the Conferees and the bill is ordered enrolled.

Respectfully,
S/Denise Weeks
Principal Clerk

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

H.B. 863, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ST. JAMES, upon third reading.

The bill passes its third reading by roll-call vote, ayes 43, noes 0, as follows:


Voting in the negative: None.

The bill is ordered enrolled.

H.B. 842 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ELECTORAL DISTRICTS FOR THE BOARD OF COMMISSIONERS OF RANDOLPH COUNTY, which title changes upon concurrence.
With unanimous consent, upon motion of Senator Lee, the Senate Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Tuesday, July 6.

H.B. 843 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ELECTORAL DISTRICTS FOR THE BOARD OF COMMISSIONERS OF MOORE COUNTY, which title changes upon concurrence.

With unanimous consent, upon motion of Senator Lee, the Senate Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Tuesday, July 6.

CONFERENCE REPORT

H.B. 517

Senator Dalton, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives H.B. 517 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT INCREASING THE CRIMINAL PENALTY FOR MAKING A BOMB THREAT OR PERPETRATING A HOAX BY PLACING A FALSE BOMB AT SCHOOL AND FOR BRINGING EXPLOSIVE DEVICES ON SCHOOL PROPERTY, MAKING PARENTS CIVILLY LIABLE FOR CHILDREN WHO MAKE THESE THREATS OR PERPETRATE THESE HOAXES, REQUIRING SCHOOLS TO SUSPEND FOR THREE HUNDRED SIXTY-FIVE DAYS STUDENTS WHO MAKE THESE THREATS OR PERPETRATE THESE HOAXES, PROVIDING FOR LOSS OF DRIVERS LICENSE PRIVILEGES BY CERTAIN PERSONS UNDER THE AGE OF EIGHTEEN FOR COMMITTING DESIGNATED ACTS, DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF STUDENTS WHO MAKE OR CARRY OUT THREATS OF VIOLENCE DIRECTED AT SCHOOLS OR THE PERSONS IN THE SCHOOLS, AND DIRECTING THE STATE BOARD OF EDUCATION TO STUDY THE COMPUTATION OF DROPOUT RATES FOR THE ABCs PROGRAM, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 517, AN ACT INCREASING THE CRIMINAL PENALTY FOR MAKING A BOMB THREAT OR PERPETRATING A HOAX BY PLACING A FALSE BOMB AT SCHOOL AND FOR BRINGING EXPLOSIVE DEVICES ON SCHOOL PROPERTY, MAKING PARENTS CIVILLY LIABLE FOR CHILDREN WHO MAKE THESE THREATS OR PERPETRATE THESE HOAXES, REQUIRING SCHOOLS TO SUSPEND FOR THREE HUNDRED SIXTY-FIVE DAYS STUDENTS WHO MAKE THESE THREATS OR PERPETRATE THESE HOAXES, PROVIDING FOR LOSS OF DRIVERS LICENSE PRIVILEGES BY CERTAIN PERSONS UNDER THE AGE OF EIGHTEEN FOR COMMITTING DESIGNATED ACTS, DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF STUDENTS WHO MAKE OR CARRY OUT THREATS OF VIOLENCE DIRECTED AT SCHOOLS OR THE PERSONS IN THE SCHOOLS, AND DIRECTING THE STATE BOARD OF EDUCATION TO STUDY THE COMPUTATION OF DROPOUT RATES FOR THE ABCs PROGRAM,
Senate Judiciary I Committee Substitute No. 3 Adopted 5/24/99, submit the following report:

The House of Representatives and the Senate agree to the following amendment to the Senate Judiciary I Committee Substitute No. 3 Adopted 5/24/99:

Delete the entire Senate Judiciary I Committee Substitute No. 3 Adopted 5/24/99, and substitute the attached Proposed Conference Committee Substitute H517-PCCS1300-SA.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 30, 1999.

S/Walter Dalton S/Richard L. Moore
S/Betsy Cochrane S/Joel Hackney
S/Kay R. Hagan S/Alex Warner
S/Howard N. Lee S/Wilma M. Sherrill

Conferees for the Senate Conferees for the
House of Representatives

The text of the attached Proposed Conference Committee Substitute H517-PCCS1300-SA is as follows:

A BILL TO BE ENTITLED
AN ACT INCREASING THE CRIMINAL PENALTY FOR A SECOND OR SUBSEQUENT OFFENSE OF MAKING A BOMB THREAT OR PERPETRATING A HOAX BY PLACING A FALSE BOMB AT A PUBLIC BUILDING, PROVIDING FOR RESTITUTION OF CONSEQUENTIAL DAMAGES RESULTING FROM BOMB THREATS OR HOAXES, INCREASING THE PENALTY FOR BRINGING CERTAIN WEAPONS ON SCHOOL PROPERTY, INCREASING THE PENALTY FOR BOMB THREATS OR HOAXES, BRINGING A BOMB ON SCHOOL PROPERTY, OR ACTUAL DETONATION OF A BOMB BY REQUIRING THE DIVISION OF MOTOR VEHICLES TO REVOKE FOR ONE YEAR THE DRIVERS LICENSE OF ANY PERSON CONVICTED OF SUCH AN OFFENSE, MAKING PARENTS CIVILLY LIABLE FOR CHILDREN WHO MAKE BOMB THREATS OR PERPETRATE BOMB HOAXES ON SCHOOLS, OR BRING CERTAIN WEAPONS ONTO SCHOOL PROPERTY, REQUIRING SCHOOLS TO SUSPEND FOR THREE HUNDRED SIXTY-FIVE DAYS STUDENTS WHO MAKE BOMB THREATS OR PERPETRATE BOMB HOAXES ON SCHOOLS, DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF STUDENTS WHO MAKE OR CARRY OUT THREATS OF VIOLENCE DIRECTED AT SCHOOLS OR THE PERSONS IN THE SCHOOLS, AND DIRECTING THE STATE BOARD OF EDUCATION TO STUDY THE COMPUTATION OF DROPOUT RATES FOR THE ABCs PROGRAM.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-69.1 reads as rewritten:

"§ 14-69.1. Making a false report concerning destructive device.

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(a) Except as provided in subsection (c) of this section, any person shall, who, by any means of communication to any person or group of persons, makes a report, knowing or having reason to know the same to be false, that there is located in any building, house or other structure whatsoever or any vehicle, aircraft, vessel or boat any device designed to destroy or damage the building, house or structure or vehicle, aircraft, vessel or boat by explosion, blasting or burning, he shall be guilty of a Class H felony.

(b) Repealed by S.L. 1997-443, s. 19.25(cc).

c) Any person who, by any means of communication to any person or groups of persons, makes a report, knowing or having reason to know the report is false, that there is located in any public building any device designed to destroy or damage the public building by explosion, blasting, or burning, is guilty of a Class H felony. Any person who receives a second conviction for a violation of this subsection within five years of the first conviction for violation of this subsection is guilty of a Class G felony. For purposes of this subsection, 'public building' means educational property as defined in G.S. 14-269.2(a)(1), a hospital as defined in G.S. 131E-76(3), a building housing only State, federal, or local government offices, or the offices of State, federal, or local government located in a building that is not exclusively occupied by the State, federal, or local government.

(d) The court may order a person convicted under this section to pay restitution, including costs and consequential damages resulting from the disruption of the normal activity that would have otherwise occurred on the premises but for the false report, pursuant to Article 81C of Chapter 15A of the General Statutes.

e) For purposes of this section, the term 'report' shall include making accessible to another person by computer.

Section 2. G.S. 14-69.2 reads as rewritten:

"§ 14-69.2. Perpetrating hoax by use of false bomb or other device.
(a) Except as provided in subsection (c) of this section, any person who, with intent to perpetrate a hoax, shall deposit, place or display conceal, places, or displays any device, machine, instrument or artifact, so as to cause any person reasonably to believe the same to be a bomb or other device capable of causing injury to persons or property, he shall be guilty of a Class H felony.

(b) Repealed by S.L. 1997-443, s. 19.25(dd).

c) Any person who, with intent to perpetrate a hoax, conceals, places, or displays in or at a public building any device, machine, instrument, or artifact, so as to cause any person reasonably to believe the same to be a bomb or other device capable of causing injury to persons or property is guilty of a Class H felony. Any person who receives a second conviction for a violation of this subsection within five years of the first conviction for violation of this subsection is guilty of a Class G felony. For purposes of this subsection 'public building' means educational property as defined in G.S. 14-269.2(a)(1), a hospital as defined in G.S. 131E-76(3), a building housing only State, federal, or local government offices, or the offices of State, federal, or local government located in a building that is not exclusively occupied by the State, federal, or local government.

(d) The court may order a person convicted under this section to pay restitution, including costs and consequential damages resulting from the disruption of the normal activity that would have otherwise occurred on the premises but for the hoax, pursuant to Article 81C of Chapter 15A of the General Statutes."

Section 3. G.S. 14-269.2 reads as rewritten:

"§ 14-269.2. Weapons on campus or other educational property.
(a) The following definitions apply to this section:
(1) Educational property.-- Any public or private school building or bus, public or private school campus, grounds, recreational area, athletic
field, or other property owned, used, or operated by any board of education, school, college, or university board of trustees, or directors for the administration of any public or private educational institution.

(2) Student. -- A person enrolled in a public or private school, college or university, or a person who has been suspended or expelled within the last five years from a public or private school, college or university, whether the person is an adult or a minor.

(3) Switchblade knife. -- A knife containing a blade that opens automatically by the release of a spring or a similar contrivance.

(4) Weapon. -- Any device enumerated in subsection (b), (b1), or (d) of this section.

(b) It shall be a Class I felony for any person to possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind, or any dynamite cartridge, bomb, grenade, mine, or powerful explosive as defined in G.S. 14-284.1, on educational property. However, this subsection does not apply to a BB gun, stun gun, air rifle, or air pistol.

(b1) It shall be a Class G felony for any person to possess or carry, whether openly or concealed, any dynamite cartridge, bomb, grenade, mine, or powerful explosive as defined in G.S. 14-284.1, on educational property. This subsection does not apply to fireworks.

(c) It shall be a Class I felony for any person to cause, encourage, or aid a minor who is less than 18 years old to possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind, or any dynamite cartridge, bomb, grenade, mine, or powerful explosive as defined in G.S. 14-284.1, on educational property. However, this subsection does not apply to a BB gun, stun gun, air rifle, or air pistol.

(c1) It shall be a Class G felony for any person to cause, encourage, or aid a minor who is less than 18 years old to possess or carry, whether openly or concealed, any dynamite cartridge, bomb, grenade, mine, or powerful explosive as defined in G.S. 14-284.1 on educational property. This subsection does not apply to fireworks.

(d) It shall be a Class I misdemeanor for any person to possess or carry, whether openly or concealed, any BB gun, stun gun, air rifle, air pistol, bowie knife, dirk, dagger, slungshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades (except solely for personal shaving), and firework, or any sharp-pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance, on educational property.

(e) It shall be a Class I misdemeanor for any person to cause, encourage, or aid a minor who is less than 18 years old to possess or carry, whether openly or concealed, any BB gun, stun gun, air rifle, air pistol, bowie knife, dirk, dagger, slungshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades (except solely for personal shaving), and firework, or any sharp-pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance, on educational property.

(f) Notwithstanding subsection (b) of this section it shall be a Class I misdemeanor rather than a Class I felony for any person to possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind, on educational property if:

1. The person is not a student attending school on the educational property;
2. The firearm is not concealed within the meaning of G.S. 14-269;
3. The firearm is not loaded and is in a locked container, a locked vehicle, or a locked firearm rack which is on a motor vehicle; and
4. The person does not brandish, exhibit, or display the firearm in any careless, angry, or threatening manner.

(g) This section shall not apply to:

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A weapon used solely for educational or school-sanctioned ceremonial purposes, or used in a school-approved program conducted under the supervision of an adult whose supervision has been approved by the school authority;

(1a) A person exempted by the provisions of G.S. 14-269(b);

(2) Firefighters, emergency service personnel, North Carolina Forest Service personnel, and any private police employed by an educational institution, when acting in the discharge of their official duties; or

(3) Home schools as defined in G.S. 115C-563(a).

Section 3.1. If Senate Bill 1096, 1999 Regular Session, becomes law, then G.S. 14-269.2(b1), as enacted by Section 3 of this act, reads as rewritten:

"(b1) It shall be a Class G felony for any person to possess or carry, whether openly or concealed, any dynamite cartridge, bomb, grenade, mine, or powerful explosive as defined in G.S. 14-284.1, on educational property or to a curricular or extracurricular activity sponsored by a school. This subsection shall not apply to fireworks."

Section 4. G.S. 20-13.2 is amended by adding a new subsection to read:

"(c2) The Division must revoke the permit or license of a person under the age of 18 upon receiving a record of the person's conviction for malicious use of an explosive or incendiary device to damage property (G.S. 14-49(b) and (b1)); conspiracy to injure or damage by use of an explosive or incendiary device (G.S. 14-50); making a false report concerning a destructive device in a public building (G.S. 14-69.1(c)); perpetrating a hoax concerning a destructive device in a public building (G.S. 14-69.2(c)); possessing or carrying a dynamite cartridge, bomb, grenade, mine, or powerful explosive on educational property (G.S. 14-269.2(b1)); or causing, encouraging, or aiding a minor to possess or carry a dynamite cartridge, bomb, grenade, mine, or powerful explosive on educational property (G.S. 14-269.2(c1))."

Section 4.1. G.S. 20-17(a) is amended by adding a new subdivision to read:

"§ 20-17. Mandatory revocation of license by Division.

(a) The Division shall forthwith revoke the license of any driver upon receiving a record of the driver's conviction for any of the following offenses:

(1) Manslaughter (or negligent homicide) resulting from the operation of a motor vehicle.

(2) Either of the following impaired driving offenses:
   b. Impaired driving under G.S. 20-138.2.

(3) Any felony in the commission of which a motor vehicle is used.

(4) Failure to stop and render aid in violation of G.S. 20-166(a) or (b).

(5) Perjury or the making of a false affidavit or statement under oath to the Division under this Article or under any other law relating to the ownership of motor vehicles.

(6) Conviction upon two charges of reckless driving committed within a period of 12 months.

(7) Conviction upon one charge of reckless driving while engaged in the illegal transportation of intoxicants for the purpose of sale.

(8) Conviction of using a false or fictitious name or giving a false or fictitious address in any application for a drivers license, or learner's permit, or any renewal or duplicate thereof, or knowingly making a false statement or knowingly concealing a material fact or otherwise committing a fraud in any such application or procuring or knowingly permitting or allowing another to commit any of the foregoing acts.

(9) Death by vehicle as defined in G.S. 20-141.4.
Repealed by Session Laws 1997-443, s. 19.26(b).

Conviction of assault with a motor vehicle.

A second or subsequent conviction of transporting an open container of alcoholic beverage under G.S. 20-138.7.

A second or subsequent conviction, as defined in G.S. 20-138.2A(d), of driving a commercial motor vehicle after consuming alcohol under G.S. 20-138.2A.

A conviction of driving a school bus, school activity bus, or child care vehicle after consuming alcohol under G.S. 20-138.2B.

A conviction of malicious use of an explosive or incendiary device to damage property (G.S. 14-49(b) and (b1)); conspiracy to injure or damage by use of an explosive or incendiary device (G.S. 14-50); making a false report concerning a destructive device in a public building (G.S. 14-69.1(c)); perpetrating a hoax concerning a destructive device in a public building (G.S. 14-69.2(c)); possessing or carrying a dynamite cartridge, bomb, grenade, mine, or powerful explosive on educational property (G.S. 14-269.2(b1)); or causing, encouraging, or aiding a minor to possess or carry a dynamite cartridge, bomb, grenade, mine, or powerful explosive on educational property (G.S. 14-269.2(c1))."

Section 5. Article 43 of Chapter 1 of the General Statutes is amended by adding the following new section to read:

"§ 1-538.3. Negligent supervision of minor.

(a) The parent or individual legal guardian who has the care, custody, and control of an unemancipated minor may be held civilly liable to an educational entity for the negligent supervision of that minor if the educational entity proves by clear, cogent, and convincing evidence that:

(1) The minor:

a. Violated the provisions of G.S. 14-49, 14-49.1, 14-50, 14-69.1(c), 14-69.2(c), 14-269.2(b1), 14-269.2(c1), or committed a felony offense involving injury to persons or property through use of a gun, rifle, pistol, or other firearm of any kind as defined in G.S. 14-269.2(b); and

b. The offense occurred on educational property; and

(2) The parent or individual legal guardian who has the care, custody, and control of the minor:

a. Knew or reasonably should have known of the minor's likelihood to commit such an act;

b. Had the opportunity and ability to control the minor; and

c. Made no reasonable effort to correct, restrain, or properly supervise the minor.

(b) In an action brought against the parent or legal guardian under this section for a false report, hoax, or possession of a bomb or other explosive device on educational property, the educational entity is entitled to recover the actual compensatory and consequential damages resulting from the disruption or dismissal of school or the school-sponsored activity arising from the false report, the hoax, the bringing or possession of a bomb or other explosive device onto educational property or to a school-sponsored activity. The total amount of compensatory and consequential damages awarded to a plaintiff against the parent or legal guardian pursuant to this subsection shall not exceed twenty-five thousand dollars ($25,000).

(c) In an action brought against the parent or legal guardian under this section, the educational entity is entitled to recover the actual compensatory and consequential
damages to educational property that is the result of the discharge of the firearm or the
detonation or explosion of the bomb or other explosive device. The total amount of
compensatory and consequential damages awarded to a plaintiff against the parent or legal
guardian pursuant to this subsection shall not exceed fifty thousand dollars ($50,000).

(d) For purposes of this section, the term 'educational property' has the same
definition as in G.S. 14-269.2(a)(l), and the term 'educational entity' means the board of
education or other entity that administers and controls the educational property or the
school-sponsored activity.

(e) Nothing contained in this section shall prohibit recovery upon any other theory in
the law."

Section 6. G.S. 115C-391(d1) reads as rewritten:

"(d1) A local board of education or superintendent shall suspend for 365 calendar
days any student who brings a weapon, as defined in G.S. 14-269.2(b) G.S. 14-269.2(b),
14-269.2(b1), and G.S. 14-269.2(g), onto school educational property. The local board of
education upon recommendation by the superintendent may modify this suspension
requirement on a case-by-case basis that includes, but is not limited to, the procedures
established for the discipline of students with disabilities and may also provide, or contract
for the provision of, educational services to any student suspended pursuant to this
subsection in an alternative school setting or in another setting that provides educational
and other services."

Section 7. G.S. 115C-391 is amended by adding the following new subsection
to read:

"(d3) A local board of education shall suspend for 365 calendar days any student who,
by any means of communication to any person or group of persons, makes a report,
knowing or having reason to know the report is false, that there is located on educational
property or at a school-sponsored activity off educational property any device designed to
destroy or damage property by explosion, blasting, or burning, or who, with intent to
perpetrate a hoax, conceals, places, or displays any device, machine, instrument, or artifact
on educational property or at a school-related activity on or off educational property, so as
to cause any person reasonably to believe the same to be a bomb or other device capable
of causing injury to persons or property. The local board upon recommendation by the
superintendent may modify either suspension requirement on a case-by-case basis that
includes, but is not limited to, the procedures established for the discipline of students with
disabilities and may also provide, or contract for the provision of, educational services to
any student suspended under this subsection in an alternative school setting or in another
setting that provides educational and other services. For purposes of this subsection and
subsection (d1) of this section, the term 'educational property' has the same definition as
in G.S. 14-269.2(a)(l)."

Section 8. G.S. 115C-391(e) reads as rewritten:

"(e) A decision of a superintendent under subsection (c), (d1), or (d2) (d2), or (d3)
of this section may be appealed to the local board of education. A decision of the local board
upon this appeal or of the local board under subsection (d) or (d1) of this section is final
and, except as provided in this subsection, is subject to judicial review in accordance with
Article 4 of Chapter 150B of the General Statutes. A person seeking judicial review shall
file a petition in the superior court of the county where the local board made its decision."

Section 9. The Joint Legislative Education Oversight Committee, in
consultation with the State Board of Education, the Office of Juvenile Justice, the Center
for the Prevention of School Violence, local boards of education, and the North Carolina
Congress of Parents and Teachers, shall examine the issue of students who threaten to
commit or who carry out acts of violence directed at schools and the persons who are
present in the schools. As part of this study, the Committee shall: (i) evaluate current laws
governing the discipline, suspension, and expulsion of these students; (ii) assess the

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availability of psychological evaluations and counseling services for these students; (iii) evaluate current criminal and juvenile laws to make sure local authorities are authorized to take immediate action and to ensure the consequences for these acts and threats are taken seriously; (iv) review how other states are approaching this issue; (v) identify effective education practices to prevent these threats or acts of violence; (vi) examine the accessibility of guns and explosive devices to minors; and (vii) consider any other issue it considers appropriate. The Committee may make recommendations, including necessary appropriations, to the 2000 Regular Session of the 1999 General Assembly.

Section 10. The State Board of Education, in consultation with the Office of Juvenile Justice, the Department of Correction, and the Community Colleges System Office, shall study the method for computing dropout rates for the School-Based Management and Accountability Program (ABCs). The State Board of Education shall recommend whether the computation used to set the dropout rate for this purpose should include students who (i) transfer to a community college; (ii) are placed by the courts in a setting which provides educational opportunities; (iii) are expelled from school; (iv) do not return to school after a long-term suspension in accordance with a safe school plan; or (v) have been counted previously as dropouts. As a part of this study, the State Board of Education shall report, from data for the 1998-99 school year, the number of students in each of these categories. The State Board of Education shall examine whether it should continue to use other methods of computing the dropout rate for other purposes.

Section 11. The State Board of Education shall report to the Joint Legislative Education Oversight Committee by December 15, 1999, regarding its recommendations as to the computation of the dropout rates for the ABCs accountability program. This report shall include the number of dropouts for the 1998-99 school year based on categories (i) and (iii) through (v) in subsection (a) of this section. The report also shall include the number of dropouts for the 1998-99 school year based on category (ii) in subsection (a) of this section if this information is available.

Section 12. Sections 6, 7, 8, 9, 10, and 11 of this act are effective when this act becomes law, and Section 6 applies to offenses committed on or after that date. Sections 1, 2, 3, and 5 of this act are effective on September 1, 1999, and apply to offenses committed on or after that date. Sections 4 and 4.1 of this act are effective September 1, 1999, and apply to causes of action arising on or after that date. Section 3.1 is effective December 1, 1999, and applies to offenses committed on or after that date.

The Conference Report is ordered placed on the Calendar for Tuesday, July 6, for adoption.

**CALENDAR (Continued)**

**S.B. 18, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CARTHAGE, for concurrence in the House Committee Substitute bill, upon third reading, which changes the title, upon concurrence, to read S.B. 18 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CARTHAGE, AND CONCERNING AN ANNEXATION AGREEMENT BETWEEN THAT TOWN AND THE VILLAGE OF PINEHURST.**

The Senate concurs in the House Committee Substitute bill on its third reading by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, East, Forrester, Foxx, Garrou, Gulley, Hagan, Harris, Hartsell, Horton, Hoyle, Kerr, Kinnaird, Lee, Lucas, Martin of Pitt, Martin of Guilford, Metcalf, Miller, Moore, Odom, Perdue, Phillips, Plyler,
Purcell, Rand, Robinson, Rucho, Shaw of Cumberland, Shaw of Guilford, Soles, Webster, Weinstein, and Wellons—45.

Voting in the negative: None.
The House Committee Substitute bill is ordered enrolled.

S.B. 912 (Committee Substitute), A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE FOR THE FINANCING OF CAPITAL FACILITIES FOR THE UNIVERSITY OF NORTH CAROLINA THROUGH THE ISSUANCE OF STATE OF NORTH CAROLINA UNIVERSITY IMPROVEMENT SECURITY INTEREST BONDS, (2) TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ISSUE SPECIAL OBLIGATION BONDS FOR IMPROVEMENTS TO THE FACILITIES OF THE UNIVERSITY OF NORTH CAROLINA AND FOR THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL AND OTHER FACILITIES OF THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM, (3) TO PROVIDE FOR THE FINANCING OF CAPITAL IMPROVEMENTS FOR COMMUNITY COLLEGES THROUGH THE ISSUANCE OF STATE OF NORTH CAROLINA COMMUNITY COLLEGE SECURITY INTEREST BONDS, AND (4) RESTRICT THE NAMING OF STATE CONSTRUCTION PROJECTS FOR SITTING MEMBERS OF THE GENERAL ASSEMBLY AND THE COUNCIL OF STATE, upon third reading, as amended on second reading

The President orders, without objection, the Committee Substitute bill temporarily displaced.

H.B. 202 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO PERMIT CERTAIN EMPLOYEE RETIREMENT PLANS TO HOLD SECURITIES AS A LICENSEE AND TO REVISE THE DEFINITION OF A FOREIGN PROFESSIONAL CORPORATION THAT MAY BE AUTHORIZED TO DO BUSINESS IN THIS STATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, TO ALLOW NONLICENSEES TO OWN UP TO FORTY-NINE PERCENT OF THE SHARES OF A PROFESSIONAL CORPORATION RENDERING CERTIFIED PUBLIC ACCOUNTANT SERVICES, AND TO EXEMPT CERTIFIED PUBLIC ACCOUNTANTS WHO ARE MEMBERS OF THE GENERAL ASSEMBLY FROM CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS, which title changes upon concurrence.

Without objection, Senator Harris and Senator Webster request to be excused from voting on the Senate Committee Substitute bill due to a conflict of interest.
The Senate Committee Substitute bill passes its second (43-0) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

H.B. 1150, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF MEMBERS OF SCHOOL IMPROVEMENT TEAMS.

The bill passes its second (45-0) and third readings and is ordered enrolled and sent to the Governor by special message.

H.B. 1159 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ABILITY OF THE DIVISION OF SOCIAL SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO PROTECT CHILDREN AND YOUTH FROM VIOLENCE-PRONE CAREGIVERS.

Senator Metcalf offers Amendment No. 1 which is adopted (45-0).
The Senate Committee Substitute bill, as amended, passes its second (45-0) and third readings and is ordered engrossed and sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

**H.B. 1279** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF FINANCIAL IDENTITY FRAUD AND TO ALLOW FOR THE RECOVERY OF DAMAGES FOR FINANCIAL IDENTITY FRAUD, which title changes upon concurrence.

The Senate Committee Substitute bill passes its second (44-1) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

**S.B. 1026**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE SUPREME COURT WITH AUTHORITY TO REVISE THE RULES OF CIVIL AND CRIMINAL PROCEDURE AND THE RULES OF EVIDENCE, SUBJECT TO AMENDMENT OR VETO BY THE GENERAL ASSEMBLY AND TO APPROPRIATE FUNDS FOR ADVISORY COMMITTEES ON THE ADOPTION AND AMENDMENT OF THOSE RULES.

The bill, as amended, passes its third reading (42-3) and is ordered engrossed and sent to the House of Representatives.

**S.B. 912** (Committee Substitute), A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE FOR THE FINANCING OF CAPITAL FACILITIES FOR THE UNIVERSITY OF NORTH CAROLINA THROUGH THE ISSUANCE OF STATE OF NORTH CAROLINA UNIVERSITY IMPROVEMENT SECURITY INTEREST BONDS, (2) TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ISSUE SPECIAL OBLIGATION BONDS FOR IMPROVEMENTS TO THE FACILITIES OF THE UNIVERSITY OF NORTH CAROLINA AND FOR THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL AND OTHER FACILITIES OF THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM, (3) TO PROVIDE FOR THE FINANCING OF CAPITAL IMPROVEMENTS FOR COMMUNITY COLLEGES THROUGH THE ISSUANCE OF STATE OF NORTH CAROLINA COMMUNITY COLLEGE SECURITY INTEREST BONDS, AND (4) RESTRICT THE NAMING OF STATE CONSTRUCTION PROJECTS FOR SITTING MEMBERS OF THE GENERAL ASSEMBLY AND THE COUNCIL OF STATE, as amended on second reading and temporarily displaced earlier, upon third reading.

Senator Kerr offers Amendment No. 9 which is adopted (45-0).

Senator Cochrane offers a motion that Substitute Amendment No. 5(a) which was tabled on June 30, be removed from the table, and further calls for the "ayes" and "noes" on the motion.

Senator Rand offers a motion that the previous motion by Senator Cochrane that Substitute Amendment No. 5(a) be removed from the table, do lie upon the table, seconded by Senator Cooper.

Senator Horton calls for the "ayes" and "noes" on the question. The call is sustained.

The motion of Senator Rand that the previous motion made by Senator Cochrane that Substitute Amendment No. 5(a) be removed from the table, do lie upon the table, prevails ayes 32, noes 13, as follows:

Voting in the negative: Senators Allran, Carpenter, Carrington, Cochrane, East, Forrester, Foxx, Hartsell, Horton, Moore, Rucho, Shaw of Guilford, and Webster—13.

Senator Rand calls the previous question on the third reading of the Committee Substitute bill, as amended, seconded by Senator Gulley. The call is sustained.

Senator Horton announces a pair vote. If Senator Garwood were present, he would vote 'aye'; Senator Horton votes 'no'.

Senator Webster announces a pair vote. If Senator Warren were present, he would vote 'aye'; Senator Webster votes 'no'.

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 38, noes 5, as follows:


Voting in the negative: Senators East, Forrester, Foxx, Moore, and Rucho—5.

The Committee Substitute bill, as amended, is ordered engrossed and sent by special message to the House of Representatives.

**RECONSIDERATION**

**H.B. 1279** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF FINANCIAL IDENTITY FRAUD AND TO ALLOW FOR THE RECOVERY OF DAMAGES FOR FINANCIAL IDENTITY FRAUD.

Having voted in the majority, Senator Gulley offers a motion that the vote by which the Senate Committee Substitute bill passed its third reading earlier today be reconsidered, which motion prevails, and the question becomes the passage of the Senate Committee Substitute bill, upon third reading.

Senator Gulley offers Amendment No. 1, which is adopted (44-0).

The Senate Committee Substitute bill, as amended, passes its third reading (43-1) and is ordered engrossed and sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

**REPORTS OF COMMITTEES**

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Wellons for the Insurance Committee:

**H.B. 276** (Committee Substitute), A BILL TO BE ENTITLED AN ACT MAKING VARIOUS CHANGES TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 1309 is adopted and engrossed.

With unanimous consent, upon motion of Senator Wellons, the Senate Committee Substitute bill is placed on the Calendar for Tuesday, July 6.

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

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S.B. 1128, A BILL TO BE ENTITLED AN ACT TO AMEND THE
SEDIMENTATION POLLUTION CONTROL ACT OF 1973, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6692, which changes the title to read S.B. 1128 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973 AND TO REQUIRE THAT THE EXAMINATION FOR A GENERAL CONTRACTOR'S LICENSE INCLUDE QUESTIONS THAT TEST AN APPLICANT'S KNOWLEDGE OF THE REQUIREMENTS OF THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, is adopted and engrossed.

Upon motion of Senator Albertson, the Committee Substitute bill is re-referred to the Finance Committee.

**COMMITTEE REFERRAL RECALL**

H.B. 1184 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MEMBERS OF A HOSPITAL AUTHORITY BOARD ARE A PUBLIC BODY AND HAVE THE RIGHT TO SUE AND BE SUED, referred to the Judiciary I Committee on April 28.

Pursuant to Rule 47(a), Senator Cooper offers a motion that the Committee Substitute bill be withdrawn from the Judiciary I Committee and re-referred to the Finance Committee, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Judiciary I Committee and re-refers the measure to the Finance Committee.

**REPORTS OF COMMITTEES (Continued)**

By Senator Kerr for the Finance Committee:

H.B. 764 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MOORESVILLE TO LEVY AN ADDITIONAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report.

With unanimous consent, upon motion of Senator Kerr, the Committee Substitute bill is placed on the Calendar for Tuesday, July 6.

H.B. 855, A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF KING'S MOUNTAIN WITH THE APPROVAL OF THE CLEVELAND AND GASTON COUNTY BOARDS OF COMMISSIONERS TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM THE TOWN'S CORPORATE LIMITS, with a favorable report.

With unanimous consent, upon motion of Senator Kerr, the bill is placed on the Calendar for Tuesday, July 6.

H.B. 1069 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RECLASSIFYING CERTIFIED CLINICAL SOCIAL WORKERS AS LICENSED CLINICAL SOCIAL WORKERS AND REVISING THE FEES AND QUALIFICATIONS FOR CERTIFICATION AND LICENSURE OF SOCIAL WORKERS, with a favorable report.

With unanimous consent, upon motion of Senator Kerr, the Committee Substitute bill is placed on the Calendar for Tuesday, July 6.

H.B. 1090 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO
AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE AN INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS SPECIAL REGISTRATION PLATE, with a favorable report.

With unanimous consent, upon motion of Senator Kerr, the Committee Substitute bill is placed on the Calendar for Tuesday, July 6.

H.B. 1237, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF LANDSCAPE ARCHITECTS TO CHARGE APPLICANTS FOR LICENSURE THE ACTUAL COST OF EXAMINATION SERVICES, with a favorable report.

With unanimous consent, upon motion of Senator Kerr, the Committee Substitute bill is placed on the Calendar for Tuesday, July 6.

S.B. 1076, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROPERTY TAX ON CERTAIN VEHICLES LEASED OR RENTED UNDER A SHORT-TERM LEASE OR RENTAL AND TO REPLACE THE TAX REVENUE WITH A LOCAL OPTION PRIVILEGE LICENSE TAX ON GROSS RECEIPTS DERIVED FROM CERTAIN SHORT-TERM CAR RENTALS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3850, which changes the title to read S.B. 1076 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROPERTY TAX ON CERTAIN VEHICLES LEASED OR RENTED UNDER RETAIL SHORT-TERM LEASES OR RENTALS AND TO REPLACE THE TAX REVENUE WITH A LOCAL TAX ON GROSS RECEIPTS DERIVED FROM RETAIL SHORT-TERM LEASES OR RENTALS, is adopted and engrossed.

With unanimous consent, upon motion of Senator Kerr, the Committee Substitute bill is placed on the Calendar for Tuesday, July 6.

H.B. 278 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO PROVIDE THAT THE ONE HUNDRED-DAY NONCHARGE PERIOD EXTENDS TO CERTAIN RECIPIENTS OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES SEPARATED FOR A BONA FIDE INABILITY TO WORK, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 1302, which changes the title, upon concurrence, to read H.B. 278 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO PROVIDE THAT THE ONE HUNDRED-DAY NONCHARGE PERIOD EXTENDS TO CERTAIN RECIPIENTS OF THE STATE'S WORK FIRST PROGRAM SEPARATED FOR A BONA FIDE INABILITY TO WORK, is adopted and engrossed.

With unanimous consent, upon motion of Senator Kerr, the Senate Committee Substitute bill is placed on the Calendar for Tuesday, July 6.

H.B. 738, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE CITY OF GREENVILLE, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill A159, which changes the title, upon concurrence, to read H.B. 738 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE CITY OF GREENVILLE, AND

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AUTHORIZING THE TOWN OF CATAWBA TO ANNEX PROPERTY ENCLOSED
BY THE CORPORATE BOUNDARIES OF THE TOWN, is adopted and engrossed.

With unanimous consent, upon motion of Senator Kerr, the Senate Committee
Substitute bill is placed on the Calendar for Tuesday, July 6.

PERSONAL PRIVILEGE

Upon motion of Senator Foxx, the remarks of Senator Horton commemorating July 4,
Independence Day, are spread upon the Journal, as follows:

Senator Horton:

“This is, of course, the Fourth of July weekend, and since the truth of the matter is that
the history is written by the victors and in the case of American history most of it is written
by people who studied at Harvard and did their research at the Boston Historical Society, not
much is known about the contributions of the South and of North Carolina in particular
through the independent movement. But I do think it worth recalling that the first group of
people to protest the infamous tax on tea was not in Boston. It was in Edenton, North
Carolina, in Senator Basnight’s district. It was thoroughly reported in the English press long
before they thought about anything like that in Boston. I think we ought to mention too, that
the first formal resolution directing their Representatives to the Congress to vote for
independence was the Halifax Resolves, another first for North Carolina. After the Treaty of
Paris was signed, I believe it was 1789, Governor Martin sent out a Proclamation to the
people of North Carolina that they should celebrate the Fourth of July. And history
records that the first Fourth of July celebration in the United States was in Salem, North
Carolina where they prepared a special cantata, preformed it on symphonic instruments,
and this is a ceremony that is reenacted in Salem to this day. So let’s remember the
contributions of our own State and let me in passing mention that none of these things that
I have mentioned will you learn anything about in our so called Museum of History.”

PERSONAL PRIVILEGE

Senator Basnight rises to a point of personal privilege, and acknowledges the fifty years of
service in public office by Senator Martin of Pitt. Upon motion of Senator Dannelly, the
remarks of Senator Basnight and Senator Martin of Pitt are spread upon the Journal, as follows:

Senator Basnight:

“To Members of the Senate, I believe it will be this coming Monday, and I know some
of us won’t be here, that Senator Bob Martin, one of our own, will have served fifty years
continuously in an elected office. That obviously is longer than anyone living. Maybe
Thad Eure had that record beaten, I’m not sure for his tenure. But Bob has represented his
people in this State very, very well and, Bob, we give you a much appreciated salute for
your public office contributions.”

Senator Martin of Pitt:

“Thank you, may I, Mr. President? Thank you Senator, President Pro Tempore. I let
Marc keep up with my history, I forget a lot of it, but it has been a good trip. I had a little
rocky places along the way but all over it has been real nice, real good. I have learned one
lesson in life and that is people are real but you have to get out on the streets to find the
real people. Basically, you don’t find it in the towers or in the office or what have you.
You might go to the tower to look for your money but you need something besides money
to get elected. One fellow said of me, one time, said that he knew I thought I was foolish
when they redistricted me and put me in a district that I didn’t have any political base
whatever. He said ‘but I knew one thing, that if they gave you long enough to be on the street long enough you’d win the election anyway.’ He said ‘but I thought you were a fool when you did it.’ I think that was the greatest compliment I could have. Along the way, speaking about things that have been, I meant to say it yesterday but we got through the budget real early and I didn’t have an opportunity to do it and that was you know we’ve spoken about having a budget for the State Government for the first time in twenty years. And I wanted to say to the Chairs they helped create that because they gave us reign to go ahead and put together a budget and bring it back to them, which we did. But I was thinking about my staff we have in the NER and that is three young ladies. 1979, Jennifer Herrera, she was in diapers, Jennifer Hoffman, was about seven or eight years old and Mona Moon, we can’t get her age straight. She was either thirty in 1979 or she hadn’t been born. We can’t find out about Mona Moon. But other than that Mr. President, I mean Mr. President Pro Tempore, time flies and gets away from us before we know it. It all seems like three months ago but it’s a great trip and I appreciate you. I appreciate this Body and I must say it’s one of the finest Bodies I’ve ever worked with in my life. And I’ve served for twenty years with a bunch of county commissioners, I thought that was good but I find this to be much better. I appreciate you for your genuine friendship. I even get along with the people on the other side, Marc, real good. I love some of ‘em. I even asked that Betsy Cochrane get on a committee ‘cause she keeps things going, makes you think, and stay awake. So, it’s been great and I appreciate your bringing that to my attention. Thank you, Mr. President.’

Upon motion of Senator Basnight, seconded by Senator Martin of Pitt, the Senate adjourns subject to ratification of bills and the receipt of messages from the House to meet Monday, July 5, at 7:00 P.M.

ENROLLED BILLS

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

H.B. 1150, AN ACT TO PROVIDE FOR THE ELECTION OF MEMBERS OF SCHOOL IMPROVEMENT TEAMS.

The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.B. 18, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CARTHAGE AND CONCERNING AN ANNEXATION AGREEMENT BETWEEN THAT TOWN AND THE VILLAGE OF PINEHURST.

H.B. 863, AN ACT TO INCORPORATE THE TOWN OF ST. JAMES.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages and special messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 915 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A TOBACCO RESERVE FUND FOR TOBACCO PRODUCT MANUFACTURERS NOT PARTICIPATING IN THE MASTER SETTLEMENT

July 1, 1999
AGREEMENT WITH THE STATE OF NORTH CAROLINA, for concurrence in the House Committee Substitute, which is placed on the Calendar for Monday, July 5.

S.B. 1074 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT LIMITING LIABILITY FROM YEAR 2000 FAILURES BY PROVIDING CERTAIN PARTIES THE RIGHT TO ASSERT AN AFFIRMATIVE DEFENSE BASED ON A YEAR 2000 PROBLEM, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for Monday, July 5.

H.B. 867 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT EXEMPTING THE CITY OF WILSON FROM CERTAIN SATELLITE ANNEXATION REQUIREMENTS.
Referral to Finance Committee.

H.B. 1082 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH PENALTIES FOR SELLING CARS IN VIOLATION OF THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, TO ESTABLISH EDUCATIONAL REQUIREMENTS REQUIRED FOR ISSUANCE AND RENEWAL OF LICENSURE FOR USED MOTOR VEHICLE DEALERS, AND TO INCREASE FEES.
Pursuant to Rule 43, the Committee Substitute bill No. 2 is ordered held in the Office of the Principal Clerk pending referral.

H.B. 1246 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES TO ANIMAL LOVERS TO PROMOTE SPAYING AND NEUTERING OF DOGS AND CATS.
Referral to Finance Committee.

H.B. 1433 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR INDIVIDUALS TO PAY THEIR ANNUAL USE TAX WITH THEIR INCOME TAX FORMS, TO PROMOTE ELECTRONIC FILING, AND TO IMPROVE TAX COLLECTION.
Referral to Finance Committee.

Pursuant to Senator Basnight’s motion to adjourn having prevailed, the Senate adjourns at 4:49 P.M.

NINETY-FIRST DAY

Senate Chamber
Monday, July 5, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Gracious Lord God, we thank You for the refreshment of this holiday weekend with
all this familiar props and rituals, cookouts, watermelons, family reunions, fireworks, flags and parades.

"Thank You, also, for the opportunity once again to contemplate and celebrate the gifts of our freedom and independence. Over the weekend we may have been reminded by a newscaster or speech maker of the freedoms we so often take for granted, freedom from bondage and oppression, freedom from censorship, freedom from intrusion by a coercive government.

"By studying our country’s historic documents, we know well the evils we have been freed from. But let us not fail to also consider the good we have been freed for. God of compassion, through Your unfailing Grace, You have freed us from the greatest oppressor of all, the power of sin and death, and freed us for a life of hope.

“We pray that we might use our spiritual freedoms which You have won for us at a considerable price, just as creatively and joyfully as we do our political freedoms. In Your Holy Name we pray, Amen.”

With unanimous consent, the President Pro Tempore grants leaves of absence for tonight to Senators Allran, Ballance, Ballantine, Carpenter, Carrington, Carter, Clodfelter, Cooper, Dalton, Dannelly, East, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Jordan, Kinnaird, Lee, Lucas, Martin of Pitt, Metcalf, Moore, Odom, Perdue, Phillips, Plyler, Reeves, Rucho, Shaw of Cumberland, Shaw of Guilford, Soles, Webster, Weinstein, and Wellons.

Senator Robinson announces the Journal of Thursday, July 1, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore of the Senate extends courtesies of the floor to Dr. Nanda M. Shah from Cary, North Carolina, who is serving the Senate as Doctor of the Day.

ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

H.B. 1095, AN ACT AUTHORIZING THE NORTH CAROLINA MEDICAL BOARD AND THE BOARD OF PHARMACY TO ADOPT RULES TO APPROVE CLINICAL PHARMACIST PRACTITIONERS TO PRACTICE DRUG THERAPY MANAGEMENT PURSUANT TO A DRUG THERAPY MANAGEMENT AGREEMENT.

CHAPTERD BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

S.B. 18, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CARTERIDGE, AND CONCERNING AN ANNEXATION AGREEMENT BETWEEN THAT TOWN AND THE VILLAGE OF PINEHURST. (Became law upon ratification, July 1, 1999 – S.L. 1999-239.)

H.B. 570, AN ACT TO REMOVE THE TOWN OF CAROLINA SHORES FROM THE 201 PLANNING AREA IN BRUNSWICK COUNTY. (Became law upon ratification, July 1, 1999 – S.L. 1999-240.)
H.B. 863, AN ACT TO INCORPORATE THE TOWN OF ST. JAMES. (Became law upon ratification, July 1, 1999 – S.L. 1999-241.)

H.B. 900, AN ACT ALLOWING GATES COUNTY TO IMPOSE FEES FOR FIRE PROTECTION SERVICES. (Became law upon ratification, July 1, 1999 – S.L. 1999-242.)

S.B. 57, AN ACT PROVIDING FOR LOSS OF DRIVERS LICENSE PRIVILEGES BY CERTAIN PERSONS UNDER THE AGE OF EIGHTEEN FOR COMMITTING DESIGNATED ACTS. (Became law upon approval of the Governor, July 1, 1999 – S.L. 1999-243.)

S.B. 766, AN ACT TO MAKE CERTAIN PROVISIONS IN THE INSURANCE LAW APPLICABLE TO HOSPITAL, MEDICAL, AND DENTAL SERVICE CORPORATIONS AND TO HEALTH MAINTENANCE ORGANIZATIONS. (Became law upon approval of the Governor, July 2, 1999 – S.L. 1999-244.)

S.B. 194, AN ACT TO CREATE THE NURSE LICENSURE COMPACT. (Became law upon approval of the Governor, July 2, 1999 – S.L. 1999-245.)

S.B. 59, AN ACT TO AMEND THE PHARMACY PRACTICE ACT TO PERMIT CERTAIN NONPROFIT CORPORATIONS TO OPERATE MOBILE PHARMACIES AND TO ALLOW SUCH PHARMACIES TO REGISTER ANNUALLY WITH THE BOARD OF PHARMACY. (Became law upon approval of the Governor, July 2, 1999 – S.L. 1999-246.)

H.B. 957, AN ACT TO PROVIDE THAT AN ELECTRONIC OR FACSIMILE SIGNATURE OF A PHYSICIAN PROVIDING MEDICAL CERTIFICATION OF DEATH IS ACCEPTABLE IF APPROVED BY THE STATE REGISTRAR OF VITAL STATISTICS, TO AUTHORIZE ELECTRONIC MEDICAL RECORDS, AND TO CLARIFY WHICH ESTABLISHMENTS ARE SUBJECT TO REGULATION AS FOOD AND LODGING FACILITIES UNDER CHAPTER 130A OF THE GENERAL STATUTES. (Became law upon approval of the Governor, July 2, 1999 – S.L. 1999-247.)

H.B. 237, AN ACT TO INCREASE THE FEE PAID TO AGENTS OF THE WILDLIFE RESOURCES COMMISSION TO AWARD CERTIFICATES OF BOAT NUMBER OR OTHER VESSEL TRANSACTION AND TO AMEND THE DUTIES OF THE WILDLIFE RESOURCES COMMISSION WITH REGARD TO THE APPOINTMENT OF AGENTS FOR THE ISSUANCE OF BOAT NUMBERS, TO RAISE THE REPORTING REQUIREMENT FOR BOATING ACCIDENTS TO DAMAGES IN EXCESS OF FIVE HUNDRED DOLLARS, AND TO REPEAL THE LAW REQUIRING PERMITS FROM THE WILDLIFE RESOURCES COMMISSION TO HOLD REGATTAS AND OTHER EVENTS. (Became law upon approval of the Governor, July 2, 1999 – S.L. 1999-248.)

S.B. 172, AN ACT TO CLARIFY WHEN THE POSSESSION OF BLUE LIGHTS IS ILLEGAL. (Became law upon approval of the Governor, July 2, 1999 – S.L. 1999-249.)

H.B. 228, AN ACT RELATING TO THE STATE EMPLOYEES COMBINED CAMPAIGN. (Became law upon approval of the Governor, July 2, 1999 – S.L. 1999-250.)
H.B. 283, AN ACT TO AMEND THE STATE TREASURER’S INVESTMENT AUTHORITY. (Became law upon approval of the Governor, July 2, 1999 – S.L. 1999-251.)

H.B. 985, AN ACT TO INCREASE THE BENCHMARK AT WHICH THE DEPARTMENT OF ADMINISTRATION IS REQUIRED TO ADVERTISE FOR PROPOSALS FOR LEASES BY THE STATE, TO CLARIFY WHEN THE DEPARTMENT MAY TRANSFER PROPERTY TO NONPROFIT ORGANIZATIONS AT LESS THAN FAIR-MARKET VALUE, TO SIMPLIFY THE LAW REGARDING STATE LEASES OF PROPERTY IN UNIQUE LOCATIONS, AND TO PROVIDE THAT ACQUISITIONS AND DISPOSITIONS OF REAL PROPERTY INTERESTS FOR THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM AND THE MEDICAL FACULTY PRACTICE PLAN OF THE SCHOOL OF MEDICINE OF EAST CAROLINA UNIVERSITY ARE SUBJECT TO RULES ADOPTED BY THE BOARD OF DIRECTORS OF THE HEALTH CARE SYSTEM AND THE BOARD OF TRUSTEES OF EAST CAROLINA UNIVERSITY RESPECTIVELY IN LIEU OF CERTAIN STATUTORY PROVISIONS GOVERNING STATE ACQUISITIONS AND DISPOSITIONS OF REAL PROPERTY. (Became law upon approval of the Governor, July 2, 1999 – S.L. 1999-252.)

H.B. 1104, AN ACT CLARIFYING THE DESIGNATION OF EXEMPT POSITIONS IN STATE GOVERNMENT EMPLOYMENT. (Became law upon approval of the Governor, July 2, 1999 – S.L. 1999-253.)

S.B. 843, AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF NURSING TO INCREASE THE ANNUAL FEE CHARGED NURSES AIDES II. (Became law upon approval of the Governor, July 2, 1999 – S.L. 1999-254.)

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Kerr for the Finance Committee:

H.B. 74 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPOINTMENT BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE OF MEMBERS OF THE BOARD OF DIRECTORS OF THE CERTIFICATION ENTITY FOR THE PHASE II SETTLEMENT FUNDS, TO PROVIDE THE MEMBERS OF THE BOARD OF DIRECTORS LIMITED IMMUNITY FROM CIVIL LIABILITY, AND TO PROVIDE AN EXEMPTION FROM STATE INCOME TAX FOR INTEREST, INVESTMENT EARNINGS, AND GAINS OF CERTAIN TRUST FUNDS, with an unfavorable report as to Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 1310, which changes the title, upon concurrence, to read H.B. 74 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPOINTMENT BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE OF MEMBERS OF THE BOARD OF DIRECTORS OF THE CERTIFICATION ENTITY FOR THE PHASE II SETTLEMENT FUNDS, TO
provide the members of the board of directors limited immunity from civil liability, to provide an exemption from state income tax for interest, investment earnings, and gains of certain trust funds, to provide a corporate income tax credit for manufacturers producing cigarettes for exportation to a foreign country, and to prohibit the sale of certain packages of cigarettes, is adopted and engrossed.

messages from the house of representatives

messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 812 (Committee Substitute), a bill to be entitled an act to require that a food or retail business that holds an ABC permit and is located in an urban redevelopment area shall not have alcoholic beverage sales in excess of fifty percent of the business's total annual sales, for concurrence in House Amendment No. 1, which is placed on the Calendar for tomorrow, Tuesday, July 6.

S.B. 1005 (House Committee Substitute), a bill to be entitled an act to establish certain limitations regarding potential liability of North Carolina's businesses arising from Year 2000 problems, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, July 6.

Upon motion of Senator Rand, seconded by Senator Purcell, the Senate adjourns at 7:20 P.M. in honor of the fifty-six signers of our Declaration of Independence, to meet tomorrow, Tuesday, July 6, at 2:30 P.M.

NINETY-SECOND DAY

Senate Chamber
Tuesday, July 6, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Eternal God, we may have engraved name plaques on our office doors, and assigned seats on this floor, but we confess that we come to You often not knowing who we really are. You know how we can strut our stuff sometimes, trying to impress others with our self-confidence and control. In the process of this highly evolved chest thumping, we hope desperately to become what we pretend to be.

"Save us, dear Lord, from this pretense, and deal gently with us. For if the truth be known, we are not so much confident as we are fearful, fearful of confronting our inadequacies and shortcomings.

July 6, 1999
“May we trust You this day, Oh God, to do what You do best, to love us unconditionally into who we truly are, which will be, by Your Grace, more than we could have ever imagined. This we pray in Your Holy Name, Amen.”

With unanimous consent, the President Pro Tempore grants leaves of absence for today to Senator Carrington, Senator Jordan, and Senator Shaw of Cumberland.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Monday, July 5, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore of the Senate extends courtesies of the floor to Dr. Laura Iris Gerald from Lumberton, North Carolina, who is serving the Senate as Doctor of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 160, AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF NURSING TO ESTABLISH PROGRAMS TO AID THE REHABILITATION AND MONITORING OF NURSES WHO EXPERIENCE CERTAIN ADDICTIONS AND DISABILITIES.

S.B. 793, AN ACT AMENDING THE PSYCHOLOGY PRACTICE ACT TO INCLUDE WITHIN THE SCOPE OF PRACTICE THE DIAGNOSIS AND TREATMENT OF NEUROPSYCHOLOGICAL ASPECTS OF PHYSICAL ILLNESS, ACCIDENT, INJURY, OR DISABILITY AND TO DEFINE THE TERM NEUROPSYCHOLOGICAL.

H.B. 302, AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT ENFORCEMENT.

The Enrolling Clerk reports the following bill duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

H.B. 841, AN ACT TO AMEND THE CARRBORO TOWN CHARTER TO AUTHORIZE THE GOVERNING BODY TO OFFER INCENTIVES TO ENCOURAGE MORE AFFORDABLE HOUSING UNITS AND TO CHANGE THE NAME OF THE CARRBORO BOARD OF ALDERMEN, AND TO AUTHORIZE THE TOWN OF CHAPEL HILL TO ENHANCE AND INCREASE SEDIMENTATION PROTECTION AND TO AMEND THE CHAPEL HILL CHARTER TO ALLOW THE TOWN COUNCIL TO REQUIRE CANDIDATES FOR ELECTIVE TOWN OFFICE TO DISCLOSE THE NAMES OF CAMPAIGN CONTRIBUTORS AND TO LIMIT BY ORDINANCE THE AMOUNT THAT PERSONS MAY CONTRIBUTE TO A CANDIDATE OR THEIR POLITICAL COMMITTEE AND TO ALLOW THE REGULATION OF OPEN BURNING, AND TO ALLOW HALF-DAY SHIFTS FOR ELECTION JUDGES IN ORANGE COUNTY.

July 6, 1999
MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages and special messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 34 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE TEMPORARY WAIVER OF CERTAIN RULES FOR CERTAIN LICENSED HEALTH CARE FACILITIES THAT PROVIDE TEMPORARY SHELTER OR SERVICES DURING DISASTERS AND EMERGENCIES, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, July 7.

S.B. 120 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES RELATED TO UNDERAGE DRINKING, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, July 7.

S.B. 310 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TIME FOR GIVING NOTICE OF APPEAL IN CASES OF TERMINATION OF PARENTAL RIGHTS AND EMANCIPATION AND IN HEARINGS TO TRANSFER A JUVENILE TO SUPERIOR COURT SHALL BE TEN DAYS AFTER ENTRY OF THE ORDER RATHER THAN TEN DAYS AFTER THE DATE OF THE HEARING, for concurrence in House Committee Substitute bill No. 2, which is placed on the Calendar for tomorrow, Wednesday, July 7.

S.B. 527 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL AUTHORITIES TO PREEMPT TRAFFIC SIGNALS ON CITY STREETS AND STATE HIGHWAYS IN EMERGENCY SITUATIONS, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, July 7.

S.B. 1143 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTINUITY OF CONTRACTS UNDER THE MONETARY UNION IN MEMBER STATES OF THE EUROPEAN UNION, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for Wednesday, July 7.

H.B. 507 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATIONS BY THE TOWNS OF CAPE CARTERET AND BOGUE.

Referred to Finance Committee.

H.B. 1098 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973 AND TO REQUIRE THAT THE EXAMINATION FOR A GENERAL CONTRACTOR'S LICENSE INCLUDE QUESTIONS THAT TEST AN APPLICANT'S KNOWLEDGE OF THE REQUIREMENTS OF THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973.

Referred to Agriculture/Environment/Natural Resources Committee and upon a favorable report, re-referred to the Finance Committee.

July 6, 1999
H.B. 1120 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO ENGAGE IN INSTALLMENT PURCHASE FINANCING AND TO ISSUE REVENUE ANTICIPATION NOTES. 
Referred to Finance Committee.

H.B. 1290 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE SPECIAL TAX TREATMENT FOR EQUIPMENT AND FACILITIES FOR RECYCLING, WASTE REDUCTION, OR RESOURCE RECOVERY WHEN ACQUIRED MORE THAN TWO YEARS PRIOR TO THE DATE OF APPLICATION FOR CERTIFICATION BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND TO LIMIT TO THREE YEARS THE CERTIFICATION FOR SPECIAL TAX TREATMENT FOR REAL PROPERTY USED FOR RECYCLING, WASTE REDUCTION, OR RESOURCE RECOVERY. 
Referred to Finance Committee.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.B. 517                      House of Representatives
                             July 6, 1999

Mr. President:

It is ordered that a message be sent your honorable Body with the information that the House has adopted the report of the Conferees on Senate Committee Substitute for H.B. 517, A BILL TO BE ENTITLED AN ACT INCREASING THE CRIMINAL PENALTY FOR A SECOND OR SUBSEQUENT OFFENSE OF MAKING A BOMB THREAT OR PERPETRATING A HOAX BY PLACING A FALSE BOMB AT A PUBLIC BUILDING, PROVIDING FOR RESTITUTION OF CONSEQUENTIAL DAMAGES RESULTING FROM BOMB THREATS OR HOAXES, INCREASING THE PENALTY FOR BRINGING CERTAIN WEAPONS ON SCHOOL PROPERTY, INCREASING THE PENALTY FOR BOMB THREATS OR HOAXES, BRINGING A BOMB ON SCHOOL PROPERTY, OR ACTUAL DETONATION OF A BOMB BY REQUIRING THE DIVISION OF MOTOR VEHICLES TO REVOKE FOR ONE YEAR THE DRIVERS LICENSE OF ANY PERSON CONVICTED OF SUCH AN OFFENSE, MAKING PARENTS CIVILLY LIABLE FOR CHILDREN WHO MAKE BOMB THREATS OR PERPETRATE BOMB HOAXES ON SCHOOLS, OR BRING CERTAIN WEAPONS ONTO SCHOOL PROPERTY, REQUIRING SCHOOLS TO SUSPEND FOR THREE HUNDRED SIXTY-FIVE DAYS STUDENTS WHO MAKE BOMB THREATS OR PERPETRATE BOMB HOAXES ON SCHOOLS, DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF STUDENTS WHO MAKE OR CARRY OUT THREATS OF VIOLENCE DIRECTED AT SCHOOLS OR THE PERSONS IN THE SCHOOLS, AND DIRECTING THE STATE BOARD OF EDUCATION TO STUDY THE COMPUTATION OF DROPOUT RATES FOR THE ABCs PROGRAM, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
S/Denise Weeks
Principal Clerk

July 6, 1999
CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

H.B. 303 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO COMMERCIAL VEHICLE HIGHWAY SAFETY AND WORK ZONE SAFETY.

With unanimous consent, upon motion of Senator Metcalf, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, July 7.

H.B. 843 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ELECTORAL DISTRICTS FOR THE BOARD OF COMMISSIONERS OF MOORE COUNTY, which title changes upon concurrence.

With unanimous consent, upon motion of Senator Lee, the Senate Committee Substitute bill is taken up out of its regular order of business, and upon his further motion, is placed on the Calendar preceding H.B. 842.

H.B. 738 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE CITY OF GREENVILLE, AND AUTHORIZING THE TOWN OF CATAWBA TO ANNEX PROPERTY ENCLOSED BY THE CORPORATE BOUNDARIES OF THE TOWN, upon second reading, which title changes upon concurrence.

The Senate Committee Substitute bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:


Voting in the negative: None.

The Senate Committee Substitute bill is ordered placed on the Calendar for tomorrow, Wednesday, July 7, upon third reading.

H.B. 764 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MOORESVILLE TO LEVY AN ADDITIONAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 35, noes 8, as follows:


Voting in the negative: Senators Ballance, Carpenter, Cochrane, East, Forrester, Foxx, Moore, and Webster—8.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Wednesday, July 7, upon third reading.

H.B. 855, A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF KINGS MOUNTAIN WITH THE APPROVAL OF THE CLEVELAND AND GASTON
COUNTY BOARDS OF COMMISSIONERS TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM THE TOWN'S CORPORATE LIMITS, upon second reading.

The bill passes its second reading by roll-call vote, ayes 44, noes 0, as follows:


Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Wednesday, July 7, upon third reading.

*The Chair grants a leave of absence until further notice to Senator Jordan.*

**H.B. 843** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ELECTORAL DISTRICTS FOR THE BOARD OF COMMISSIONERS OF MOORE COUNTY, which title changes upon concurrence.

The Senate Committee Substitute bill passes its second (35-10) and third readings and is ordered sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

*Senator Rand offers a motion that for the remainder of the 1999 Regular Session all bills be sent to the House of Representatives by special message, which motion prevails.*

**H.B. 74** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPOINTMENT BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE OF MEMBERS OF THE BOARD OF DIRECTORS OF THE CERTIFICATION ENTITY FOR THE PHASE II SETTLEMENT FUNDS, TO PROVIDE THE MEMBERS OF THE BOARD OF DIRECTORS LIMITED IMMUNITY FROM CIVIL LIABILITY, TO PROVIDE AN EXEMPTION FROM STATE INCOME TAX FOR INTEREST, INVESTMENT EARNINGS, AND GAINS OF CERTAIN TRUST FUNDS, TO PROVIDE A CORPORATE INCOME TAX CREDIT FOR MANUFACTURERS PRODUCING CIGARETTES FOR EXPORTATION TO A FOREIGN COUNTRY, AND TO PROHIBIT THE SALE OF CERTAIN PACKAGES OF CIGARETTES, which title changes upon concurrence.

With unanimous consent, upon motion of Senator Garrou, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, July 7.

**H.B. 842** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ELECTORAL DISTRICTS FOR THE BOARD OF COMMISSIONERS OF RANDOLPH COUNTY, which title changes upon concurrence.

The President Pro Tempore orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**S.B. 1076** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROPERTY TAX ON CERTAIN VEHICLES LEASED OR RENTED UNDER RETAIL SHORT-TERM LEASES OR RENTALS AND TO REPLACE THE
TAX REVENUE WITH A LOCAL TAX ON GROSS RECEIPTS DERIVED FROM RETAIL SHORT-TERM LEASES OR RENTALS, upon second reading.

Senator Cooper offers Amendment No. 1 which is adopted (46-0).

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 34, noes 13, as follows:


Voting in the negative: Senators Cochrane, East, Forrester, Foxx, Garwood, Gulley, Horton, Kinnaird, Moore, Odom, Rucho, Shaw of Guilford, and Webster—13.

The Committee Substitute bill, as amended, is ordered placed on the Calendar for tomorrow, Wednesday, July 7, upon third reading.

H.B. 842 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ELECTORAL DISTRICTS FOR THE BOARD OF COMMISSIONERS OF RANDOLPH COUNTY, temporarily displaced earlier, which title changes upon concurrence.

With unanimous consent, upon motion of Senator Kinnaird, the Senate Committee Substitute bill is withdrawn from today’s Calendar and is re-referred to the State and Local Government Committee.

H.B. 1069 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RECLASSIFYING CERTIFIED CLINICAL SOCIAL WORKERS AS LICENSED CLINICAL SOCIAL WORKERS AND REVISING THE FEES AND QUALIFICATIONS FOR CERTIFICATION AND LICENSURE OF SOCIAL WORKERS, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 43, noes 3, as follows:


Voting in the negative: Senators East, Horton, and Webster—3.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Wednesday, July 7, upon third reading.

H.B. 1090 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE AN INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS SPECIAL REGISTRATION PLATE, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 45, noes 0, as follows:


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Voting in the negative: None.
The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Wednesday, July 7, upon third reading.

H.B. 1237, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF LANDSCAPE ARCHITECTS TO CHARGE APPLICANTS FOR LICENSURE THE ACTUAL COST OF EXAMINATION SERVICES, upon second reading.
The bill passes its second reading by roll-call vote, ayes 44, noes 2, as follows:
Voting in the negative: Senators Ballance and Webster—2.
The bill is ordered placed on the Calendar for tomorrow, Wednesday, July 7, upon third reading.

H.B. 278 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO PROVIDE THAT THE ONE HUNDRED-DAY NONCHARGE PERIOD EXTENDS TO CERTAIN RECIPIENTS OF THE STATE'S WORK FIRST PROGRAM SEPARATED FOR A BONA FIDE INABILITY TO WORK, which title changes upon concurrence.
With unanimous consent, upon motion of Senator Kerr, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, July 7.

S.B. 1134 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE WORK FIRST LAW PERTAINING TO MAINTENANCE OF EFFORT, SUPPORT SERVICES, PAY-FOR-PERFORMANCE FOR TWO-PARENT FAMILIES, AND OTHER AREAS OF WELFARE REFORM.
The Chair grants a leave of absence for the remainder of today's Session to Senator Albertson.
Senator Martin of Guilford offers Amendment No. 1 which is adopted (46-0).
The Chair grants a leave of absence for the remainder of today's Session to Senator Kerr.
Senator Martin of Guilford calls the previous question on the Committee Substitute bill, as amended, seconded by Senator Dannelly. The call is sustained (32-13).
Senator Hartsell announces a pair vote. If Senator Kerr were present, he would vote "aye"; Senator Hartsell votes "no".
The Committee Substitute bill, as amended, passes its second reading (31-13).
Senator Dalton objects to third reading of the measure. Pursuant to Rule 50, the President Pro Tempore orders the measure placed on the Calendar for tomorrow, Wednesday, July 7.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES
A special message is received from the House of Representatives transmitting a bill which is read the first time and disposed of, as follows:

S.B. 1115 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO
PROVIDE FOR WIDELY SHARED PROSPERITY BY AMENDING THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, BY PROVIDING ADDITIONAL TAX INCENTIVES FOR VARIOUS BUSINESSES, AND BY MAKING RELATED CHANGES, for concurrence in the House Committee Substitute bill.

Pursuant to Rule 43, the House Committee Substitute bill is ordered held in the Office of the Principal Clerk pending referral.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hoyle for the Finance Committee:

H.B. 1472 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND MODERNIZE TAX CREDITS FOR INVESTING IN RENEWABLE ENERGY SOURCES, with a favorable report.

S.B. 876, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE USE OF NATURAL GAS EXPANSION FUNDS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1776 is adopted and engrossed.

H.B. 293 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF COMMUNITY COLLEGES TO ASSESS MONETARY PENALTIES AGAINST PROPRIETARY SCHOOLS THAT OPERATE WITHOUT A LICENSE OR OPERATE OUTSIDE THE SCOPE OF THEIR LICENSE, with a favorable report.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the Judiciary I Committee.

CONFERENCE REPORT

H.B. 275

Senator Hoyle, for the Conferences appointed to consider the differences arising between the Senate and the House of Representatives upon H.B. 275, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR MORE EMPLOYERS WITH POSITIVE EXPERIENCE RATINGS, AND TO TEMPORARILY REDUCE THE UNEMPLOYMENT INSURANCE TAX BY TWENTY PERCENT FOR MOST EMPLOYERS AND SUBSTITUTE AN EQUIVALENT CONTRIBUTION TO FUND ENHANCED EMPLOYMENT SERVICES AND WORKER TRAINING PROGRAMS, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 275, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR MORE
EMPLOYERS WITH POSITIVE EXPERIENCE RATINGS, AND TO TEMPORARILY REDUCE THE UNEMPLOYMENT INSURANCE TAX BY TWENTY PERCENT FOR MOST EMPLOYERS AND SUBSTITUTE AN EQUIVALENT CONTRIBUTION TO FUND ENHANCED EMPLOYMENT SERVICES AND WORKER TRAINING PROGRAMS, Third Edition, Senate Finance Committee Substitute Adopted 5/26/99, submit the following report:

The House of Representatives and the Senate agree to the following amendments to the Senate Finance Committee Substitute and the House concurs in the Senate Finance Committee Substitute as amended:

on page 3, lines 4-6,
by rewriting the lines to read:
“(a) Contribution. -- A mandatory training and reemployment contribution is levied upon employers at a percentage rate of the amount of the employer’s unemployment insurance contributions due under G.S. 96-9. The rate is the lesser of (i) twenty percent (20%) or (ii) a percentage of the unemployment insurance contributions that yields an amount that, when added to the amount of the employer’s unemployment insurance contributions due for the taxable period, is no greater than five and seven-tenths percent (5.7%) of wages for employment for the taxable period. The purpose of the training and”;

and on page 7, lines 21-22,
by rewriting the lines to read:
“Section 7. Section 9.11(a) and (b) of S.L. 1999-237 read as rewritten:
‘Section 9.11(a) Contingent upon enactment of House Bill 275, 1999 General Assembly, there is appropriated from the Employment Security Commission Training and Employment Account created in G.S. 96-6.1, as enacted by House Bill 275, 1999 General Assembly, 96-6.1 to the Community Colleges System Office the sum of twenty-two eighteen million dollars ($22,000,000) ($18,000,000) for the 1999-2000 fiscal year and the sum of fifty-six forty-eight million five hundred thousand dollars ($56,500,000) ($48,500,000) for the 2000-2001 fiscal year. If House Bill 275, 1999 Session, provides an expenditure schedule or source of funds different from that provided in this section, then House Bill 275, 1999 Session, prevails to the extent of the conflict. These funds shall be used as follows:

1. Nonreverting Equipment, Technology, and MIS Reserve $10,000,000 $38,000,000
2. Nonreverting Start-Up Fund for Regional and Cooperative Initiatives $3,000,000 $3,000,000
3. New and Expanding Industry Training Program $4,000,000 $5,500,000
4. Enhanced Focused Industrial Training Programs $1,000,000 $2,000,000

TOTAL: $18,000,000 $48,500,000

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Funds allocated for the Nonreverting Start-Up Fund for Regional and Cooperative Initiatives shall be used for community college projects that foster regional cooperation among community colleges, between public schools and community colleges, and between universities and community colleges.

Section 9.11.(b) Contingent upon enactment of House Bill 275, 1999 General Assembly, there is appropriated from the Employment Security Commission Training and Employment Account created in G.S. 96-6.1, as enacted by House Bill 275, 1999 General Assembly, 96-6.1 to the Employment Security Commission the sum of four million five hundred thousand dollars ($4,500,000) for the 1999-2000 fiscal year and the sum of fourteen million twelve thousand dollars ($14,120,000) for the 2000-2001 fiscal year for the costs of collecting and administering the new training and reemployment contribution and for enhanced reemployment services.

Section 8. Section 1 of this act is effective with respect to calendar quarters beginning on or after April 1, 1999. Section 7 of this act becomes effective July 1, 1999. The remainder of this act is effective".

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 5, 1999.

S/John H. Kerr III
S/David Hoyle
S/T. L. Odom
S/B. Perdue
S/Aaron W. Plyler
S/Howard N. Lee

S/David Redwine
S/Philip A. Baddour, Jr.
S/George W. Miller, Jr.
S/Warren C. Oldham
Representative Pope
S/Walter Dalton

Conferees for the Senate
Conferees for the House of Representatives

The Conference Report is ordered placed on the Calendar for tomorrow, Wednesday, July 7, for adoption upon second reading.

REPORTS OF COMMITTEES (Continued)

By Senator Cooper for the Judiciary I Committee:

H.B. 1072 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE FOLLOWING TECHNICAL CORRECTIONS IN THE ELECTION LAWS: TO CLARIFY THE ROLE OF THE STATE BOARD OF ELECTIONS IN THE PROCESS OF ORDERING NEW ELECTIONS; TO CLARIFY THE APPEAL PROCESS IN CONTESTED ELECTIONS; TO REENACT AND RECODIFY PROVISIONS OF THE PRE-1995 VOTER REGISTRATION LAWS THAT WERE INADVERTENTLY DROPPED IN THE ENACTMENT OF ARTICLE 7A IN CHAPTER 163; TO CLARIFY THE STATUTES CONCERNING CANDIDATE VACANCIES IN THE NONPARTISAN ELECTION OF JUDGES; TO CONFORM THE PETITION STATUTES TO COURT RULINGS AND MAKE OTHER TECHNICAL CHANGES; AND TO CORRECT MISCELLANEOUS MISCITATIONS AND ERRORS IN THE ELECTION STATUTES, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

July 6, 1999
Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill A161, which changes the title, upon concurrence, to read H.B. 1072 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE FOLLOWING TECHNICAL CORRECTIONS IN THE ELECTION LAWS; TO CLARIFY THE ROLE OF THE STATE BOARD OF ELECTIONS IN THE PROCESS OF ORDERING NEW ELECTIONS; TO CLARIFY THE APPEAL PROCESS IN CONTESTED ELECTIONS; TO REENACT AND RECODIFY PROVISIONS OF THE PRE-1995 VOTER REGISTRATION LAWS THAT WERE INADVERTENTLY DROPPED IN THE ENACTMENT OF ARTICLE 7A IN CHAPTER 163; TO CLARIFY THE STATUTES CONCERNING CANDIDATE VACANCIES IN THE NONPARTISAN ELECTION OF JUDGES; TO MAKE CLEANUP CHANGES AS A RESULT OF SESSION LAW 1999-31; TO CONFORM THE PETITION STATUTES TO COURT RULINGS AND MAKE OTHER TECHNICAL CHANGES; AND TO CORRECT MISCELLANEOUS MISCITATIONS AND ERRORS IN THE ELECTION STATUTES, is adopted and engrossed.

**CALENDAR (Continued)**

**H.B. 276** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT MAKING VARIOUS CHANGES TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA.

The Senate Committee Substitute bill passes its second reading (38-7).

Senator Webster objects to third reading of the measure. Pursuant to Rule 50, the President Pro Tempore orders the measure placed on the Calendar for tomorrow, Wednesday, July 7, upon third reading.

**S.B. 594** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAWS ON TITLE INSURANCE RATE MAKING, COMMERCIAL GENERAL LIABILITY POLICY EXTENDED REPORTING, AND INSURANCE FRAUD; TO MAKE A TECHNICAL CORRECTION IN THE LITTERING LAW; TO PROVIDE FOR UNIFORM APPLICATION OF NEW LAWS TO HEALTH BENEFIT PLANS; TO AMEND THE LAW GOVERNING CEASE AND DESIST ORDERS FOR UNAUTHORIZED INSURERS; TO ALLOW LICENSING OF A FOREIGN OR ALIEN INSURER TO BE DELAYED UNDER CERTAIN CIRCUMSTANCES; TO AMEND THE LAW GOVERNING AN INSURER'S ACKNOWLEDGMENT OF A CLAIM; TO PROVIDE THAT POLICIES WRITTEN BY SURETY BONDSMEN ARE SUBJECT TO THE LAW GOVERNING THE USE OF DEPOSITS FOR UNPAID LIABILITIES; TO DELAY THE EFFECTIVE DATE FOR THE REGULATION OF THIRD-PARTY ADMINISTRATORS FOR SELF-INSURED WORKERS' COMPENSATION; TO AMEND THE LAW ON COVERAGE FOR NONFORMULARY DRUGS; AND TO MAKE VARIOUS TECHNICAL CHANGES, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (45-0) and the measure is ordered enrolled and sent to the Governor by special message.

**S.B. 812** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A FOOD OR RETAIL BUSINESS THAT HOLDS AN ABC PERMIT AND IS LOCATED IN AN URBAN REDEVELOPMENT AREA SHALL NOT HAVE ALCOHOLIC BEVERAGE SALES IN EXCESS OF FIFTY PERCENT OF THE BUSINESS'S TOTAL ANNUAL SALES, for concurrence in House Amendment No. 1.

The Senate concurs in House Amendment No. 1 (44-1) and the measure is ordered enrolled and sent to the Governor by special message.

July 6, 1999
S.B. 915 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A TOBACCO RESERVE FUND FOR TOBACCO PRODUCT MANUFACTURERS NOT PARTICIPATING IN THE MASTER SETTLEMENT AGREEMENT WITH THE STATE OF NORTH CAROLINA, for concurrence in the House Committee Substitute bill.

With unanimous consent, upon motion of Senator Rand, the House Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, July 7.

S.B. 1005 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CERTAIN LIMITATIONS REGARDING POTENTIAL LIABILITY OF NORTH CAROLINA'S BUSINESSES ARISING FROM YEAR 2000 PROBLEMS, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (44-1) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 1074 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT LIMITING LIABILITY FROM YEAR 2000 FAILURES BY PROVIDING CERTAIN PARTIES THE RIGHT TO ASSERT AN AFFIRMATIVE DEFENSE BASED ON A YEAR 2000 PROBLEM, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (45-0) and the measure is ordered enrolled and sent to the Governor by special message.

H.B. 517 (Conference Report), A BILL TO BE ENTITLED AN ACT INCREASING THE CRIMINAL PENALTY FOR A SECOND OR SUBSEQUENT OFFENSE OF MAKING A BOMB THREAT OR PERPETRATING A HOAX BY PLACING A FALSE BOMB AT A PUBLIC BUILDING, PROVIDING FOR RESTITUTION OF CONSEQUENTIAL DAMAGES RESULTING FROM BOMB THREATS OR HOAXES, INCREASING THE PENALTY FOR BRINGING CERTAIN WEAPONS ON SCHOOL PROPERTY, INCREASING THE PENALTY FOR BOMB THREATS OR HOAXES, BRINGING A BOMB ON SCHOOL PROPERTY, OR ACTUAL DETONATION OF A BOMB BY REQUIRING THE DIVISION OF MOTOR VEHICLES TO REVOKE FOR ONE YEAR THE DRIVERS LICENSE OF ANY PERSON CONVICTED OF SUCH AN OFFENSE, MAKING PARENTS CIVILLY LIABLE FOR CHILDREN WHO MAKE BOMB THREATS OR PERPETRATE BOMB HOAXES ON SCHOOLS, OR BRING CERTAIN WEAPONS ONTO SCHOOL PROPERTY, REQUIRING SCHOOLS TO SUSPEND FOR THREE HUNDRED SIXTY-FIVE DAYS STUDENTS WHO MAKE BOMB THREATS OR PERPETRATE BOMB HOAXES ON SCHOOLS, DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF STUDENTS WHO MAKE OR CARRY OUT THREATS OF VIOLENCE DIRECTED AT SCHOOLS OR THE PERSONS IN THE SCHOOLS, AND DIRECTING THE STATE BOARD OF EDUCATION TO STUDY THE COMPUTATION OF DROP OUT RATES FOR THE ABCs PROGRAM, for adoption.

Upon motion of Senator Dalton, the Senate adopts the Conference Report (44-1).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

Upon motion of Senator Ballance, seconded by Senator Rucho, the Senate adjourns at 5:12 P.M. to meet tomorrow, Wednesday, July 7, at 3:00 P.M.

July 6, 1999
The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend Tom Southern, Mayor, Walkertown, North Carolina, as follows:

"Whisper a prayer in the morning, whisper a prayer at noon. Whisper a prayer in the evening, to keep your heart in tune.

"Lord, we must confess sometimes we need a tune-up. Remind us in all our busy activities to not neglect our time with you.

"Bless and grant wisdom to each Senator today, and may their decisions be what is best for our communities, our state, and our Nation. In Christ’s Name, Amen."

With unanimous consent, the President Pro Tempore grants a leave of absence for today to Senator Jordan.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Tuesday, July 6, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore of the Senate extends courtesies of the floor to Dr. Lynn Allen Hughes from Concord, North Carolina, who is serving the Senate as Doctor of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 176, AN ACT TO AMEND THE LAW RELATING TO THE FORFEITURE OF PROPERTY RIGHTS BY SLAYERS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

S.B. 594, AN ACT TO CLARIFY THE LAWS ON TITLE INSURANCE RATE MAKING, COMMERCIAL GENERAL LIABILITY POLICY EXTENDED REPORTING, AND INSURANCE FRAUD; TO MAKE A TECHNICAL CORRECTION IN THE LITTERING LAW; TO PROVIDE FOR UNIFORM APPLICATION OF NEW LAWS TO HEALTH BENEFIT PLANS; TO AMEND THE LAW GOVERNING CEASE AND DESIST ORDERS FOR UNAUTHORIZED INSURERS; TO ALLOW LICENSING OF A FOREIGN OR ALIEN INSURER TO BE DELAYED UNDER CERTAIN CIRCUMSTANCES; TO AMEND THE LAW GOVERNING AN INSURER'S ACKNOWLEDGMENT OF A CLAIM; TO PROVIDE THAT POLICIES WRITTEN BY SURETY BONDSMEN ARE SUBJECT TO THE LAW GOVERNING THE USE OF DEPOSITS FOR UNPAID LIABILITIES; TO
DELAY THE EFFECTIVE DATE FOR THE REGULATION OF THIRD-PARTY ADMINISTRATORS FOR SELF-INSURED WORKERS' COMPENSATION; TO AMEND THE LAW ON COVERAGE FOR NONFORMULARY DRUGS; AND TO MAKE VARIOUS TECHNICAL CHANGES.

S.B. 812, AN ACT TO REQUIRE THAT A FOOD OR RETAIL BUSINESS THAT HOLDS AN ABC PERMIT AND IS LOCATED IN AN URBAN REDEVELOPMENT AREA SHALL NOT HAVE ALCOHOLIC BEVERAGE SALES IN EXCESS OF FIFTY PERCENT OF THE BUSINESS'S TOTAL ANNUAL SALES.

S.B. 817, AN ACT TO PROVIDE AN EXCEPTION TO THE LATE LISTING PENALTY FOR CERTAIN REAL PROPERTY IN COUNTIES THAT HAVE NOT ADOPTED PERMANENT LISTING AND TO PHASE IN PERMANENT LISTING IN ALL COUNTIES.

S.B. 852, AN ACT TO MAKE DEFENDANTS WHO ARE ELIGIBLE FOR A DRUG TREATMENT COURT PROGRAM ELIGIBLE FOR DEFERRED PROSECUTION, AND TO AUTHORIZE PARTICIPATION IN A DRUG TREATMENT COURT PROGRAM AS A SPECIAL CONDITION OF PROBATION FOR CONVICTED DEFENDANTS.

S.B. 1005, AN ACT TO ESTABLISH CERTAIN LIMITATIONS REGARDING POTENTIAL LIABILITY OF NORTH CAROLINA'S BUSINESSES ARISING FROM YEAR 2000 PROBLEMS.

S.B. 1074, AN ACT LIMITING LIABILITY FROM YEAR 2000 FAILURES BY PROVIDING CERTAIN PARTIES THE RIGHT TO ASSERT AN AFFIRMATIVE DEFENSE BASED ON A YEAR 2000 PROBLEM.

H.B. 331, AN ACT TO REDESIGNATE THE COMMUNITY PENALTIES PROGRAM AS THE SENTENCING SERVICES PROGRAM, TO CLARIFY THAT THE WORK PRODUCT OF THESE PROGRAMS IS ALWAYS PRESENTED TO THE COURTS, AND TO MAKE OTHER CLARIFYING CHANGES.

H.B. 517, AN ACT INCREASING THE CRIMINAL PENALTY FOR A SECOND OR SUBSEQUENT OFFENSE OF MAKING A BOMB THREAT OR PERPETRATING A HOAX BY PLACING A FALSE BOMB AT A PUBLIC BUILDING, PROVIDING FOR RESTITUTION OF CONSEQUENTIAL DAMAGES RESULTING FROM BOMB THREATS OR HOAXES, INCREASING THE PENALTY FOR BRINGING CERTAIN WEAPONS ON SCHOOL PROPERTY, INCREASING THE PENALTY FOR BOMB THREATS OR HOAXES, BRINGING A BOMB ON SCHOOL PROPERTY, OR ACTUAL DETONATION OF A BOMB BY REQUIRING THE DIVISION OF MOTOR VEHICLES TO REVOKE FOR ONE YEAR THE DRIVERS LICENSE OF ANY PERSON CONVICTED OF SUCH AN OFFENSE, MAKING PARENTS CIVILLY LIABLE FOR CHILDREN WHO MAKE BOMB THREATS OR PERPETRATE BOMB HOAXES ON SCHOOLS, OR BRING CERTAIN WEAPONS ONTO SCHOOL PROPERTY, REQUIRING SCHOOLS TO SUSPEND FOR THREE HUNDRED SIXTY-FIVE DAYS STUDENTS WHO MAKE BOMB THREATS OR PERPETRATE BOMB HOAXES ON SCHOOLS, DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF STUDENTS WHO MAKE OR CARRY OUT THREATS OF VIOLENCE DIRECTED AT SCHOOLS.

July 7, 1999
The Enrolling Clerk reports the following bill duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

**S.B. 625, AN ACT TO REPEAL AN OBSOLETE SECTION OF THE CHARTER OF THE CITY OF DURHAM REGARDING THE PRIVILEGE LICENSE TAX YEAR.**

**CHAPTERED BILL**

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

**H.B. 841, AN ACT TO AMEND THE CARRBORO TOWN CHARTER TO AUTHORIZE THE GOVERNING BODY TO OFFER INCENTIVES TO ENCOURAGE MORE AFFORDABLE HOUSING UNITS AND TO CHANGE THE NAME OF THE CARRBORO BOARD OF ALDERMEN, AND TO AUTHORIZE THE TOWN OF CHAPEL HILL TO ENHANCE AND INCREASE SEDIMENTATION PROTECTION AND TO AMEND THE CHAPEL HILL CHARTER TO ALLOW THE TOWN COUNCIL TO REQUIRE CANDIDATES FOR ELECTIVE TOWN OFFICE TO DISCLOSE THE NAMES OF CAMPAIGN CONTRIBUTORS AND TO LIMIT BY ORDINANCE THE AMOUNT THAT PERSONS MAY CONTRIBUTE TO A CANDIDATE OR THEIR POLITICAL COMMITTEE AND TO ALLOW THE REGULATION OF OPEN BURNING, AND TO ALLOW HALF-DAY SHIFTS FOR ELECTION JUDGES IN ORANGE COUNTY.** (Became law upon ratification, July 6, 1999 – S.L. 1999-255.)

**REPORTS OF COMMITTEES**

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Wellons for the Insurance Committee:

**H.B. 294 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING THE APPLICABILITY OF PREEXISTING CONDITION LIMITATIONS TO CERTAIN TYPES OF HEALTH INSURANCE POLICIES; TO PRESCRIBE STANDARDS FOR DISABILITY INCOME INSURANCE; TO CONFORM NORTH CAROLINA'S 1997 POSTMASTECTOMY RECONSTRUCTIVE SURGERY LAWS TO THE FEDERAL WOMEN'S HEALTH AND CANCER RIGHTS ACT OF 1998; TO UPDATE THE LAW ON VIATICAL SETTLEMENTS; AND TO AUTHORIZE THE WRITING OF FAMILY LEAVE CREDIT INSURANCE, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.**

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 1313 which
changes the title, upon concurrence, to read H.B. 294 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING THE APPLICABILITY OF PREEXISTING CONDITION LIMITATIONS TO CERTAIN TYPES OF HEALTH INSURANCE POLICIES; TO PRESCRIBE STANDARDS FOR DISABILITY INCOME INSURANCE; TO CONFORM NORTH CAROLINA'S 1997 POSTMASTECTOMY RECONSTRUCTIVE SURGERY LAWS TO THE FEDERAL WOMEN'S HEALTH AND CANCER RIGHTS ACT OF 1998; TO UPDATE THE LAW ON VIATICAL SETTLEMENTS; TO AUTHORIZE THE WRITING OF FAMILY LEAVE CREDIT INSURANCE; TO CLARIFY THAT LOCAL GOVERNMENT INSURANCE RISK POOLS ARE SUBJECT TO INSURANCE LAWS IN CHAPTER 58 ONLY WHEN SPECIFICALLY REFERRED TO IN THOSE LAWS; TO MAKE CONFORMING CHANGES IN THE STATE HEALTH PLAN REIMBURSEMENT FOR PASTORAL COUNSELORS; AND TO MAKE A TECHNICAL CHANGE CONCERNING THE CLAIMS ACKNOWLEDGMENT STATUTE, is adopted and engrossed.

By Senator Purcell for the Health Care Committee:

H.B. 1470 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS TO ENTER INTO AGREEMENTS WITH SPECIAL IMPAIRED DENTIST PEER REVIEW ORGANIZATIONS TO INCLUDE PROGRAMS FOR IMPAIRED DENTAL HYGIENISTS, TO COLLECT FEES TO FUND SUCH PROGRAMS, AND TO PROVIDE FOR REPRESENTATION FOR DENTAL HYGIENISTS ON THE STATEWIDE SUPERVISORY COMMITTEE, with a favorable report.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Finance Committee.

By Senator Miller for the Judiciary II Committee:

H.B. 1074 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A SIGNED VOTER REGISTRATION FORM BE DELIVERED TO THE BOARD OF ELECTIONS BY ANYONE DELEGATED THAT RESPONSIBILITY AND MAKE VIOLATION A CLASS 2 MISDEMEANOR; TO ESTABLISH THE CLASS 2 MISDEMEANOR OF AN ELECTION OFFICIAL OR EMPLOYEE ALTERING VOTER REGISTRATION RECORDS WITHOUT WRITTEN AUTHORIZATION; AND TO ALLOW COUNTIES TO USE A VOTING PLACE OUTSIDE THE PRECINCT, WITH APPROVAL BY THE STATE BOARD OF ELECTIONS, with an unfavorable report as to Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 7272, which changes the title, upon concurrence, to read H.B. 1074 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A SIGNED VOTER REGISTRATION FORM BE DELIVERED TO THE BOARD OF ELECTIONS BY ANYONE DELEGATED THAT RESPONSIBILITY AND TO MAKE VIOLATION A CLASS 2 MISDEMEANOR; TO ESTABLISH THE CLASS 2 MISDEMEANOR OF AN ELECTION OFFICIAL OR EMPLOYEE ALTERING VOTER REGISTRATION RECORDS WITHOUT WRITTEN AUTHORIZATION; TO ALLOW COUNTIES TO USE A VOTING PLACE OUTSIDE THE PRECINCT; TO CREATE A PILOT PROGRAM TO ALLOW THE TEMPORARY USE OF TWO VOTING PLACES FOR THE SAME PRECINCT; TO ALLOW COUNTIES TO REQUIRE THAT ADEQUATE
PARKING BE PROVIDED AT VOTING PLACES THAT ARE PUBLIC BUILDINGS; TO PROVIDE FOR SUPERVISION, ASSISTANCE, AND TRAINING BY THE STATE BOARD OF ELECTIONS FOR MUNICIPAL BOARDS OF ELECTIONS AND TO PROVIDE FOR REMEDIES; TO INCREASE MINIMUM COMPENSATION FOR COUNTY ELECTIONS DIRECTORS; TO LOWER THE THRESHOLD FOR A FULL-TIME ELECTIONS OFFICE; TO PROVIDE FOR CERTAIN DONATIONS TO POLITICAL PARTY HEADQUARTERS BUILDING FUNDS; AND TO CHANGE THE STATUTE CONCERNING A CANDIDATE'S SIGNATURE ON A FINANCE REPORT TO REFLECT TRADITIONAL PRACTICE, is adopted and engrossed.

APPOINTMENT OF CONFERENCE COMMITTEE

H.B. 253 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DUTIES OF THE INFORMATION RESOURCE MANAGEMENT COMMISSION AND TO REQUIRE THAT CERTAIN STATE AGENCY INFORMATION TECHNOLOGY PROJECTS MUST BE CERTIFIED BY THE COMMISSION.

Pursuant to a message received from the House of Representatives on June 24 that the House fails to concur in the Senate Committee Substitute bill and requests conference, Senator Rand announces the appointment by the President Pro Tempore of Senator Reeves, Chairman, and Senator Horton and Senator Rand as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

REPORTS OF COMMITTEES (Continued)

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

H.B. 1160, A BILL TO BE ENTITLED AN ACT TO EXTEND THE PILOT PROGRAM UNDER WHICH THE DIVISION OF SOIL AND WATER CONSERVATION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES CONDUCTS ALL INSPECTIONS OF ANIMAL WASTE MANAGEMENT SYSTEMS IN CERTAIN COUNTIES, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 4277, which changes the title, upon concurrence, to read H.B. 1160 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE CLEAN WATER ACT OF 1999, is adopted and engrossed.

By Senator Kinnaird for the State and Local Government Committee:

H.B. 531 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING IN LEE COUNTY, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 7271, which changes the title, upon concurrence, to read H.B. 531 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONFIRM THAT LEE COUNTY MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS A DIVISION OF MOTOR VEHICLES AND HIGHWAY PATROL FACILITY, is adopted and engrossed.

The President Pro Tempore extends the courtesies of the gallery to Leslie Nicole

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SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 515 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF PAID MEMBERS A FIRE DEPARTMENT MAY HAVE AND REMAIN ELIGIBLE TO RECEIVE GRANTS FROM THE VOLUNTEER FIRE DEPARTMENT FUND AND TO INCREASE THE NUMBER OF PAID MEMBERS A RESCUE OR RESCUE/EMS UNIT MAY HAVE AND REMAIN ELIGIBLE TO RECEIVE GRANTS FROM THE VOLUNTEER RESCUE/EMS FUND, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, July 8.

S.B. 951 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT PATIENTS' RIGHTS BY REQUIRING NAME BADGES OR OTHER IDENTIFICATION FOR HEALTH CARE PRACTITIONERS, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, July 8.

H.B. 133 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM PROPERTY TAX MODIFIED MOTOR VEHICLES OWNED BY DISABLED VETERANS WHO ARE ELIGIBLE FOR FEDERAL SPECIAL EQUIPMENT ALLOWANCES.

Referred to Finance Committee.

H.B. 1434 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COASTAL RECREATIONAL FISHING LICENSE.

Referred to Agriculture/Environment/Natural Resources Committee and upon a favorable report, re-referred to the Finance Committee.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

H.B. 738 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE CITY OF GREENVILLE, AND AUTHORIZING THE TOWN OF CATAWBA TO ANNEX PROPERTY ENCLOSED BY THE CORPORATE BOUNDARIES OF THE TOWN, upon third reading, which title changes upon concurrence.

The Senate Committee Substitute bill passes its third reading by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, East, Forrester, Foxx, Garrou, Garwood, Hagan, Harris, Hartsell, Horton, Hoyle, Kinnaird, Lee, Lucas, Martin of Pitt, Martin of Guilford, Metcalf, Miller, Moore, Odom, Phillips, Plyler,
Purcell, Rand, Robinson, Rucho, Shaw of Cumberland, Shaw of Guilford, Soles, Warren, Webster, Weinstein, and Wellons—44.

Voting in the negative: None.

The Senate Committee Substitute bill is ordered sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

**H.B. 764 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MOORESVILLE TO LEVY AN ADDITIONAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, upon third reading.**

With unanimous consent, upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Thursday, July 8.

**H.B. 855, A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF KINGS MOUNTAIN WITH THE APPROVAL OF THE CLEVELAND AND GASTON COUNTY BOARDS OF COMMISSIONERS TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM THE TOWN’S CORPORATE LIMITS, upon third reading.**

The bill passes its third reading by roll-call vote, ayes 41, noes 3, as follows:


Voting in the negative: Senators Basnight, Hartsell, and Odom—3.

The bill is ordered enrolled.

**S.B. 1076 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROPERTY TAX ON CERTAIN VEHICLES LEASED OR RENTED UNDER RETAIL SHORT-TERM LEASES OR RENTALS AND TO REPLACE THE TAX REVENUE WITH A LOCAL TAX ON GROSS RECEIPTS DERIVED FROM RETAIL SHORT-TERM LEASES OR RENTALS, as amended on second reading, upon third reading.**

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 42, noes 7, as follows:


Voting in the negative: Senators Dannelly, East, Garrou, Horton, Odom, Shaw of Guilford, and Webster—7.

The Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives, by special message.

**COMMITTEE REFERRAL RECALL**

**H.B. 319, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF STATE TO APPLY FOR AND ACCEPT GRANT FUNDS, referred to the Rules and Operations of the Senate Committee on May 6.**

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from

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the Rules and Operations of the Senate Committee and placed on the Calendar for Thursday, July 8, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and places it on the Calendar for Thursday, July 8.

REPORTS OF COMMITTEES (Continued)

By Senator Kerr for the Finance Committee:

H.B. 812 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON A REQUIREMENT THAT PART OF CERTAIN CRAVEN COUNTY PROCEEDS BE USED FOR A CONVENTION CENTER AND A TOURIST CENTER, with a favorable report.

H.B. 1433 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR INDIVIDUALS TO PAY THEIR ANNUAL USE TAX WITH THEIR INCOME TAX FORMS, TO PROMOTE ELECTRONIC FILING, AND TO IMPROVE TAX COLLECTION, with a favorable report.

H.B. 315 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MOTOR VEHICLE'S PROPERTY TAX VALUE IS DETERMINED AS OF JANUARY 1 PRECEDING THE DUE DATE OF THE TAX, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 8153, which changes the title, upon concurrence, to read H.B. 315 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MOTOR VEHICLE'S PROPERTY TAX VALUE IS DETERMINED AS OF JANUARY 1 PRECEDING THE DUE DATE OF THE TAX AND TO AUTHORIZE THE STOKES BOARD OF EQUALIZATION AND REVIEW TO MEET AFTER ITS FORMAL ADJOURNMENT, is adopted and engrossed.

H.B. 1476 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS AND TO CONFORM TO THE FEDERAL STATUTE OF LIMITATIONS FOR WILLFUL FAILURE TO COMPLY WITH STATE TAX LAWS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 3456, which changes the title, upon concurrence to read H.B. 1476 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, TO EARMARK PART OF THE RESULTING REVENUE GAIN FOR TAX RESEARCH, AND TO CONFORM TO THE FEDERAL STATUTE OF LIMITATIONS FOR WILLFUL FAILURE TO COMPLY WITH STATE TAX LAWS, is adopted and engrossed.

With unanimous consent, upon motion of Senator Kerr, the rules are suspended and the Senate Committee Substitute bill is placed on today’s Calendar.

CALENDAR (Continued)

H.B. 74 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO

With unanimous consent, upon motion of Senator Kerr, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Thursday, July 8.

COMMITTEE REFERRAL RECALL

S.B. 743, A BILL TO BE ENTITLED AN ACT TO REDUCE THE COUNTY SHARE OF FUNDS FOR STATE-COUNTY SPECIAL ASSISTANCE, referred to Appropriations/Base Budget Committee on April 5.

Pursuant to Rule 47(a), Senator Plyler offers a motion that the bill be withdrawn from the Appropriations/Base Budget Committee and re-referred to the Rules and Operations of the Senate Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Appropriations/Base Budget Committee and re-refers the measure to the Rules and Operations of the Senate Committee.

S.B. 1046 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN EMPLOYEES OF STATE LICENSING AND EXAMINING BOARDS MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, referred to the Appropriations/Base Budget Committee on June 24.

Pursuant to Rule 47(a), Senator Odom offers a motion that the Committee Substitute bill be withdrawn from the Appropriations/Base Budget Committee and placed on the Calendar for Thursday, July 8, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Appropriations/Base Budget Committee and places it on the Calendar for Thursday, July 8.

REPORTS OF COMMITTEES (Continued)

By Senator Hoyle for the Finance Committee:

H.B. 937 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE REGIONAL TRANSPORTATION AUTHORITY ACT CONCERNING JURISDICTION OF THE ENTIRE AREA OF THE COUNTY IN CERTAIN CIRCUMSTANCES AND MEMBERSHIP OF THE AUTHORITY, with an unfavorable report as to Senate Committee Substitute bill No. 1, but favorable as to Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, X4278, which changes the title, upon concurrence, to read H.B. 937 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE REGIONAL TRANSPORTATION AUTHORITY ACT CONCERNING JURISDICTION OF THE
ENTIRE AREA OF THE COUNTY IN CERTAIN CIRCUMSTANCES AND MEMBERSHIP OF THE AUTHORITY, AND TO AUTHORIZE THE AUTHORITY TO CREATE SPECIAL TAX DISTRICTS WITHIN ITS JURISDICTION, is adopted and engrossed.

By Senator Dalton for the Education/Higher Education Committee:

H.B. 848 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SUSPEND THE CHARTER SCHOOL APPLICATION DEADLINES FOR THE ROCKINGHAM COUNTY CONSOLIDATED SCHOOLS FOR THE 1999-2000 SCHOOL YEAR, with a favorable report.

H.B. 274 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING CERTIFICATION AND EMPLOYMENT OF ASSISTANT PRINCIPALS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 3457 is adopted and engrossed.

CONFERENCE REPORT

S.B. 742

Senator Dalton, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon S.B. 742, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR SCHOOL PERSONNEL TO ENGAGE IN SEXUAL ACTS WITH A STUDENT, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on upon Senate Bill 742, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR SCHOOL PERSONNEL TO ENGAGE IN SEXUAL ACTS WITH A STUDENT, House Committee Substitute, favorable 6/7/99, submit the following report:

The Senate and House agree to the following amendment to the House Committee Substitute, House Committee Substitute Favorable 6/7/99, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute and substitute the attached Proposed Conference Committee Substitute S742-CCSRO-002.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 7, 1999.

S/Walter H. Dalton       S/Wayne Goodwin
S/Linda Garrou          S/Richard Moore

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The text of the attached Proposed Conference Committee Substitute S742-CCSRO-002 is as follows:

A BILL TO BE ENTITLED
AN ACT TO MAKE IT UNLAWFUL FOR SCHOOL PERSONNEL TO ENGAGE IN SEXUAL ACTS WITH A STUDENT.

The General Assembly of North Carolina enacts:

Section 1. Article 26 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-202.4. Taking indecent liberties with a student.
(a) If a defendant, who is a teacher, school administrator, student teacher, or coach, at any age, or who is other school personnel and is at least four years older than the victim, takes indecent liberties with a victim who is a student, at any time during or after the time the defendant and victim were present together in the same school but before the victim ceases to be a student, the defendant is guilty of a Class I felony, unless the conduct is covered under some other provision of law providing for greater punishment. The term "same school" means a school at which the student is enrolled and the school personnel is employed or volunteers. A person is not guilty of taking indecent liberties with a student if the person is lawfully married to the student.
(b) If a defendant, who is school personnel, other than a teacher, school administrator, student teacher, or coach, and who is less than four years older than the victim, takes indecent liberties with a student as provided in subsection (a) of this section, the defendant is guilty of a Class A1 misdemeanor.
(c) Consent is not a defense to a charge under this section.
(d) For purposes of this section, the following definitions apply:
(1) "Indecent liberties" means:
   a. Willfully taking or attempting to take any immoral, improper, or indecent liberties with a student for the purpose of arousing or gratifying sexual desire; or
   b. Willfully committing or attempting to commit any lewd or lascivious act upon or with the body or any part or member of the body of a student.

For purposes of this section, the term indecent liberties does not include vaginal intercourse or a sexual act as defined by G.S. 14-27.1.

(2) "School" means any public school, charter school, or nonpublic school under Parts 1 and 2 of Article 39 of Chapter 115C of the General Statutes.

(3) "School personnel" means any person included in the definition contained in G.S. 115C-332(a)(2), and any person who volunteers at a school or a school-sponsored activity.

(4) "Student" means a person enrolled in kindergarten, or in grade one through grade 12 in any school."

Section 2. G.S. 14-27.7 reads as rewritten:

"§ 14-27.7. Intercourse and sexual offenses with certain victims; consent no defense.

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(a) If a defendant who has assumed the position of a parent in the home of a minor victim engages in vaginal intercourse or a sexual act with a victim who is a minor residing in the home, or if a person having custody of a victim of any age or a person who is an agent or employee of any person, or institution, whether such institution is private, charitable, or governmental, having custody of a victim of any age engages in vaginal intercourse or a sexual act with such victim, the defendant is guilty of a Class E felony. Consent is not a defense to a charge under this section.

(b) If a defendant, who is a teacher, school administrator, student teacher, or coach, at any age, or who is other school personnel, and who is at least four years older than the victim engages in vaginal intercourse or a sexual act with a victim who is a student, at any time during or after the time the defendant and victim were present together in the same school, but before the victim ceases to be a student, the defendant is guilty of a Class G felony, except when the defendant is lawfully married to the student. The term "same school" means a school at which the student is enrolled and the school personnel is employed or volunteers. A defendant who is school personnel, other than a teacher, school administrator, student teacher, or coach, and is less than four years older than the victim and engages in vaginal intercourse or a sexual act with a victim who is a student, is guilty of a Class A1 misdemeanor. This subsection shall apply unless the conduct is covered under some other provision of law providing for greater punishment. Consent is not a defense to a charge under this section. For purposes of this subsection, the terms "school", "school personnel", and "student" shall have the same meaning as in G.S. 14-202.4(d).

Section 3. This act becomes effective December 1, 1999, and applies to offenses committed on or after that date.

The Conference Report is ordered placed on the Calendar for tomorrow, Thursday, July 8, for adoption.

**CALENDAR (Continued)**

**S.B. 120** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES RELATED TO UNDERAGE DRINKING, for concurrence in the House Committee Substitute bill.

With unanimous consent, upon motion of Senator Rand, the House Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the Rules and Operations of the Senate Committee.

**REPORTS OF COMMITTEES (Continued)**

By Senator Cooper for the Judiciary I Committee:

**S.B. 873**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE QUALITY OF DOCUMENTS Recorded in the Office of the Register of Deeds, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 8621, which changes the title to read **S.B. 873** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WAYs TO IMPROVE THE QUALITY OF DOCUMENTS Recorded in the Office of the Register of Deeds.

Upon motion of Senator Cooper, the Committee Substitute bill is re-referred to the Rules and Operations of the Senate Committee.
H.B. 1216, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE JUVENILE JUSTICE REFORM ACT OF 1998, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill A162 is adopted and engrossed.

**COMMITTEE REFERRAL RECALL**

H.B. 924 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COMMUNITY MEDIATION CENTERS, referred to the Judiciary I Committee on June 17.

Pursuant to Rule 47(a), Senator Cooper offers a motion that the Senate Committee Substitute bill be withdrawn from the Judiciary I Committee and placed on the Calendar for Thursday, July 8, which motion prevails with unanimous consent.

The Chair orders the Senate Committee Substitute bill withdrawn from the Judiciary I Committee and places it on the Calendar for Thursday, July 8.

**CALENDAR (Continued)**

H.B. 1069 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RECLASSIFYING CERTIFIED CLINICAL SOCIAL WORKERS AS LICENSED CLINICAL SOCIAL WORKERS AND REVISING THE FEES AND QUALIFICATIONS FOR CERTIFICATION AND LICENSURE OF SOCIAL WORKERS, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 46, noes 1, as follows:


Voting in the negative: Senator Webster—1.

The Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

**WITHDRAWAL FROM CALENDAR**

H.B. 848 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SUSPEND THE CHARTER SCHOOL APPLICATION DEADLINES FOR THE ROCKINGHAM COUNTY CONSOLIDATED SCHOOLS FOR THE 1999-2000 SCHOOL YEAR, placed on the Calendar for Thursday, July 8.

Senator Dalton offers a motion that the Committee Substitute bill be withdrawn from the Calendar for Thursday, July 8, and reREFERRED to the Rules and Operations of the Senate Committee, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Calendar for Thursday, July 8, and re-refers the measure to the Rules and Operations of the Senate Committee.

**CALENDAR (Continued)**

H.B. 1090 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO
AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE AN INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS SPECIAL REGISTRATION PLATE, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 46, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

H.B. 1237, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF LANDSCAPE ARCHITECTS TO CHARGE APPLICANTS FOR LICENSURE THE ACTUAL COST OF EXAMINATION SERVICES, upon third reading.

The bill passes its third reading by roll-call vote, ayes 47, noes 0, as follows:


Voting in the negative: None.

The bill is ordered enrolled and sent to the Governor by special message.

H.B. 1472 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND MODERNIZE TAX CREDITS FOR INVESTING IN RENEWABLE ENERGY SOURCES, upon second reading.

With unanimous consent, upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Thursday, July 8, upon second reading.

S.B. 876 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE USE OF NATURAL GAS EXPANSION FUNDS.

With unanimous consent, upon motion of Senator Kerr, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Thursday, July 8.

H.B. 278 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO PROVIDE THAT THE ONE HUNDRED-DAY NONCHARGE PERIOD EXTENDS TO CERTAIN RECIPIENTS OF THE STATE’S WORK FIRST PROGRAM SEPARATED FOR A BONA FIDE INABILITY TO WORK.

Senator Kerr offers Amendment No. 1 which is adopted (49-0).

The Senate Committee Substitute bill, as amended, passes its second reading (49-0).

Senator Kerr objects to third reading of the measure. Pursuant to Rule 50, the President Pro Tempore orders the measure placed on the Calendar for tomorrow, Thursday, July 8.

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H.B. 303 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO COMMERCIAL VEHICLE HIGHWAY SAFETY AND WORK ZONE SAFETY.

Senator Metcalf offers Amendment No. 1 which is adopted (47-2).
Senator Shaw of Cumberland offers Amendment No. 2.
Senator Shaw of Cumberland withdraws Amendment No. 2.
The Senate Committee Substitute bill, as amended, passes its second reading (44-5).
Senator Metcalf objects to third reading of the measure. Pursuant to Rule 50, the President Pro Tempore orders the measure placed on the Calendar for tomorrow, Thursday, July 8.

COMMITTEE REFERRAL RECALL

H.B. 1098 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973 AND TO REQUIRE THAT THE EXAMINATION FOR A GENERAL CONTRACTOR'S LICENSE INCLUDE QUESTIONS THAT TEST AN APPLICANT'S KNOWLEDGE OF THE REQUIREMENTS OF THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, referred to the Agriculture/Environment/Natural Resources Committee on July 6.

Pursuant to Rule 47(a), Senator Albertson offers a motion that the Committee Substitute bill be withdrawn from the Agriculture/Environment/Natural Resources Committee and re-referred to the Finance Committee, which motion prevails with unanimous consent.
The Chair orders the Committee Substitute bill withdrawn from the Agriculture/Environment/Natural Resources Committee and re-refers the measure to the Finance Committee.

CALENDAR (Continued)

H.B. 1072 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE FOLLOWING TECHNICAL CORRECTIONS IN THE ELECTION LAWS; TO CLARIFY THE ROLE OF THE STATE BOARD OF ELECTIONS IN THE PROCESS OF ORDERING NEW ELECTIONS; TO CLARIFY THE APPEAL PROCESS IN CONTESTED ELECTIONS; TO REENACT AND RECODIFY PROVISIONS OF THE PRE-1995 VOTER REGISTRATION LAWS THAT WERE INADVERTENTLY DROPPED IN THE ENACTMENT OF ARTICLE 7A IN CHAPTER 163; TO CLARIFY THE STATUTES CONCERNING CANDIDATE VACANCIES IN THE NONPARTISAN ELECTION OF JUDGES; TO MAKE CLEANUP CHANGES AS A RESULT OF SESSION LAW 1999-31; TO CONFORM THE PETITION STATUTES TO COURT RULINGS AND MAKE OTHER TECHNICAL CHANGES; AND TO CORRECT MISCELLANEOUS MISCITATIONS AND ERRORS IN THE ELECTION STATUTES, which title changes upon concurrence.
The Senate Committee Substitute bill passes its second reading (49-0).
Senator Cooper objects to third reading of the measure. Pursuant to Rule 50, the President Pro Tempore orders the measure placed on the Calendar for tomorrow, Thursday, July 8, upon third reading.

S.B. 1134 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE WORK FIRST LAW PERTAINING TO MAINTENANCE OF EFFORT, SUPPORT SERVICES, PAY-FOR-PERFORMANCE FOR TWO-PARENT
The Committee Substitute bill, as amended, passes its third reading (34-15) and is ordered engrossed and sent, by special message, to the House of Representatives.

H.B. 276 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT MAKING VARIOUS CHANGES TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA.

With unanimous consent, upon motion of Senator Wellons, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Thursday, July 8.

S.B. 34 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE TEMPORARY WAIVER OF CERTAIN RULES AND TO PROVIDE IMMUNITY FROM LIABILITY FOR CERTAIN LICENSED HEALTH CARE FACILITIES THAT PROVIDE TEMPORARY SHELTER OR SERVICES DURING DISASTERS AND EMERGENCIES, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 34 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE TEMPORARY WAIVER OF CERTAIN RULES FOR CERTAIN LICENSED HEALTH CARE FACILITIES THAT PROVIDE TEMPORARY SHELTER OR SERVICES DURING DISASTERS AND EMERGENCIES.

The Senate concurs in the House Committee Substitute bill (49-0) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 310, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TIME FOR GIVING NOTICE OF APPEAL IN CASES OF TERMINATION OF PARENTAL RIGHTS AND EMANCIPATION AND IN HEARINGS TO TRANSFER A JUVENILE TO SUPERIOR COURT SHALL BE TEN DAYS AFTER ENTRY OF THE ORDER RATHER THAN TEN DAYS AFTER THE DATE OF THE HEARING, for concurrence in House Committee Substitute bill No. 2, which changes the title, upon concurrence, to read S.B. 310 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TIME FOR GIVING NOTICE OF APPEAL IN CASES OF TERMINATION OF PARENTAL RIGHTS AND EMANCIPATION AND IN HEARINGS TO TRANSFER A JUVENILE TO SUPERIOR COURT SHALL BE TEN DAYS AFTER ENTRY OF THE ORDER RATHER THAN TEN DAYS AFTER THE DATE OF THE HEARING.

The Senate concurs in House Committee Substitute bill No. 2 (49-0) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 527, A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL AUTHORITIES TO PREEMPT TRAFFIC SIGNALS OR SEMAPHORES ON STATE HIGHWAYS IN EMERGENCY SITUATIONS, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 527 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL AUTHORITIES TO PREEMPT TRAFFIC SIGNALS ON CITY STREETS AND STATE HIGHWAYS IN EMERGENCY SITUATIONS.

The Senate concurs in the House Committee Substitute bill (49-0) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 915 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A TOBACCO RESERVE FUND FOR TOBACCO PRODUCT

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MANUFACTURERS NOT PARTICIPATING IN THE MASTER SETTLEMENT AGREEMENT WITH THE STATE OF NORTH CAROLINA, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (46-3) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 1143 (House Committee Substitute) A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTINUITY OF CONTRACTS UNDER THE MONETARY UNION IN MEMBER STATES OF THE EUROPEAN UNION, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (49-0) and the measure is ordered enrolled and sent to the Governor by special message.

H.B. 275 (Conference Report), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR MORE EMPLOYERS WITH POSITIVE EXPERIENCE RATINGS, AND TO TEMPORARILY REDUCE THE UNEMPLOYMENT INSURANCE TAX BY TWENTY PERCENT FOR MOST EMPLOYERS AND SUBSTITUTE AN EQUIVALENT CONTRIBUTION TO FUND ENHANCED EMPLOYMENT SERVICES AND WORKER TRAINING PROGRAMS, for adoption, upon second reading.

Upon motion of Senator Kerr, the Senate adopts the Conference report on its second reading by roll-call vote, ayes 47, noes 2, as follows:


Voting in the negative: Senators Cochrane and Forrester—2.

The Conference Report remains on the Calendar for tomorrow, Thursday, July 8, for adoption, upon third reading.

H.B. 1476 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, TO EARMARK PART OF THE RESULTING REVENUE GAIN FOR TAX RESEARCH, AND TO CONFORM TO THE FEDERAL STATUTE OF LIMITATIONS FOR WILLFUL FAILURE TO COMPLY WITH STATE TAX LAWS, placed earlier on today’s Calendar, upon second reading.

The Senate Committee Substitute bill passes its second reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Senate Committee Substitute bill is ordered placed on the Calendar for tomorrow, Thursday, July 8, upon third reading.

July 7, 1999
REPORTS OF COMMITTEES (Continued)

By Senator Hoyle for the Finance Committee:

H.B. 507 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATIONS BY THE TOWNS OF CAPE CARTERET AND BOGUE, with a favorable report.

S.B. 897 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE TITLE PROTECTION FOR THE SAFETY PROFESSION, with a favorable report.

S.B. 330, A BILL TO BE ENTITLED AN ACT TO CREATE A STATE SPAY/NEUTER FUND, TO IMPOSE A FEE OF FIFTY CENTS ON RABIES VACCINATIONS TO RAISE MONEY FOR THE SPAY/NEUTER FUND, TO ESTABLISH A STATEWIDE EDUCATIONAL PROGRAM ON THE BENEFITS OF SPAYING AND NEUTERING PETS, AND TO PROVIDE AN INCENTIVE TO COUNTIES AND CITIES TO LEVY A DIFFERENTIAL TAX ON DOGS AND CATS THAT ARE NOT SPAVED OR NEUTERED, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 1756, which changes the title to read S.B. 330 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ISSUES OF ESTABLISHING A SPAY/NEUTER FUND AND OF ESTABLISHING A STATEWIDE EDUCATIONAL PROGRAM ON THE BENEFITS OF SPAYING AND NEUTERING PETS, is adopted and engrossed.

Upon motion of Senator Hoyle, the Committee Substitute bill is re-referred to the Rules & Operations of the Senate Committee.

H.B. 120 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE PROCEDURES FOR NOTIFYING OWNERS AND ADVERTISING TAX LIENS ON REAL PROPERTY.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 1308 is adopted and engrossed.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages are received from the House of Representatives transmitting bills which are read the first time and disposed of, as follows:

S.B. 290 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE LOBBYING LAW, for concurrence in House Committee Substitute bill No. 2, which is placed on the Calendar for tomorrow, Thursday, July 8.

S.B. 323 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND WATERFOWL HUNTING PRIVILEGES TO HOLDERS OF COMPREHENSIVE HUNTING LICENSES, TO INCREASE THE FEE CHARGED FOR MIGRATORY WATERFOWL LICENSES, AND TO INCREASE THE APPLICATION FEE FOR MANAGED HUNTS FOR MIGRATORY WATERFOWL AND REQUIRE APPLICANTS TO FURNISH SATISFACTORY PROOF OF POSSESSION OF THE NECESSARY HUNTING LICENSE, for concurrence in the

July 7, 1999
House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, July 8.

H.B. 519 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW HENDERSON COUNTY TO ADJUST THE BOUNDARIES OF CHAPTER 69 FIRE TAX DISTRICTS.
Referred to Finance Committee.

H.B. 1233 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STRUCTURAL PEST CONTROL LAW.
Referred to Finance Committee.

H.B. 1289 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES, TO SET THE INSURANCE REGULATORY CHARGE, TO IMPOSE THE INSURANCE REGULATORY CHARGE ON SERVICE CORPORATIONS AND ON HEALTH MAINTENANCE ORGANIZATIONS IN THE YEAR 2000, AND TO ALLOW THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO IMPOSE FEES THAT REFLECT THE ACTUAL COST OF RENDERING THE SERVICE.
Referred to Finance Committee.

SENATE PAGES

The President Pro Tempore recognizes the following pages serving in the Senate this week:

Madeline Zariah Best, Durham; Jennifer N. Carter, Youngsville; Tyler Corbett Coleman, Garner; Paul Curry, Angier; William Bryce Davenport, Raleigh; Jason Deitch, Raleigh; Manisha Devasthali, Fayetteville; Mendle Taylor Floyd, Garner; Lydia W. Gibson, Jamestown; Roshan Gowin, Hillsborough; Matthew Thomas Hall, Fayetteville; George Perry Jernigan, State Road; Vann Mizelle Lassiter, Edenton; Terrence Lee Little, Raleigh; Amanda Megan McDougald, Kinston; Obinna Oraefo, Raleigh; Thomas M. Paul, Jr., Raleigh; Anna Marie Sholar, White Oak; Harland Sisler, Hatteras; Kimberly Ann Stacy, Gastonia; Caroline Bowen Thutt, Kinston; Dustin Evan Weaver, Marion; and Erica Wilson, Chapel Hill.

Upon motion of Senator Ballance, seconded by Senator Odom, the Senate adjourns subject to receipt of messages from the House of Representatives, and in memory of former Senator Ann Bagnal of Forsyth County, to meet tomorrow, Thursday, July 8, at 11:00 P.M.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages are received from the House of Representatives transmitting bills which are read the first time and disposed of, as follows:

S.B. 953 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE AMBIENT AIR QUALITY IMPROVEMENT ACT OF 1999, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, July 8.

S.B. 1112 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO
PROMOTE ELECTRONIC COMMERCE BY REPEALING THE SALES TAX REGISTRATION FEE AND TO MAKE OTHER CHANGES TO THE TAX LAWS AND RELATED STATUTES, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, July 8.

Pursuant to Senator Ballance’s motion to adjourn prevailing earlier, the Senate adjourns at 6:33 P.M.

NINETY-FOURTH DAY

Senate Chamber
Thursday, July 8, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"God of all wisdom, we are at a loss sometimes to explain Your marvelous ways, because Your operating procedures are so different from our own. We tend to keep track of favors granted and favors owed. Quid pro quo. You, on the other hand, do not love us with the expectation that we will love You in return. You do not trade love for love, but You offer love without price.

"We confess that we have long memories for those who have wronged us. We are not likely to lavish kindness on those who disrespect us with their deception. But You would never return evil for evil. You do not condemn those who betray You, but rather You lay down Your life for them. In Your Kingdom, it appears that people rarely get what they truly deserve. And for that peculiar mercy, we are thankful.

"We are as helpless to explain Your strange and wonderful ways as we are anxious to share Your divine presence. Draw near to us this day, so that we might learn anew Your way of love. We pray in Your Holy Name, Amen."

With unanimous consent, the President Pro Tempore grants leaves of absence for today to Senator Forrester, Senator Hartsell, Senator Jordan, Senator Shaw of Guilford, and Senator Warren.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Wednesday, July 7, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President Pro Tempore, of the Senate extends courtesies of the floor to Dr. John Bumgarner from Salisbury, North Carolina, who is serving the Senate as Doctor of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

July 8, 1999
S.B. 34, AN ACT TO PERMIT THE TEMPORARY WAIVER OF CERTAIN RULES FOR CERTAIN LICENSED HEALTH CARE FACILITIES THAT PROVIDE TEMPORARY SHELTER OR SERVICES DURING DISASTERS AND EMERGENCIES.

S.B. 310, AN ACT TO PROVIDE THAT THE TIME FOR GIVING NOTICE OF APPEAL IN CASES OF TERMINATION OF PARENTAL RIGHTS AND EMANCIPATION AND IN HEARINGS TO TRANSFER A JUVENILE TO SUPERIOR COURT SHALL BE TEN DAYS AFTER ENTRY OF THE ORDER RATHER THAN TEN DAYS AFTER THE DATE OF THE HEARING.

S.B. 527, AN ACT TO PERMIT LOCAL AUTHORITIES TO PREEMPT TRAFFIC SIGNALS ON CITY STREETS AND STATE HIGHWAYS IN EMERGENCY SITUATIONS.

S.B. 915, AN ACT TO CREATE A TOBACCO RESERVE FUND FOR TOBACCO PRODUCT MANUFACTURERS NOT PARTICIPATING IN THE MASTER SETTLEMENT AGREEMENT WITH THE STATE OF NORTH CAROLINA.

S.B. 942, AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP PLANS FOR IMPLEMENTING THE STATEWIDE STUDENT ACCOUNTABILITY STANDARDS POLICY AND TO IDENTIFY RESOURCES TO ENSURE APPROPRIATE EARLY AND ONGOING ASSISTANCE FOR STUDENTS WHO NEED ASSISTANCE.

S.B. 1143, AN ACT TO PROVIDE FOR THE CONTINUITY OF CONTRACTS UNDER THE MONETARY UNION IN MEMBER STATES OF THE EUROPEAN UNION.

H.B. 1069, AN ACT RECLASSIFYING CERTIFIED CLINICAL SOCIAL WORKERS AS LICENSED CLINICAL SOCIAL WORKERS AND REVISITING THE FEES AND QUALIFICATIONS FOR CERTIFICATION AND LICENSURE OF SOCIAL WORKERS.

H.B. 1090, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE AN INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS SPECIAL REGISTRATION PLATE.

H.B. 1159, AN ACT TO IMPROVE THE ABILITY OF THE DIVISION OF SOCIAL SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO PROTECT CHILDREN AND YOUTH FROM VIOLENCE-PRONE CAREGIVERS.

H.B. 1237, AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF LANDSCAPE ARCHITECTS TO CHARGE APPLICANTS FOR LICENSURE THE ACTUAL COST OF EXAMINATION SERVICES.

The Enrolling Clerk reports the following bill duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

H.B. 855, AN ACT ALLOWING THE TOWN OF KINGS MOUNTAIN WITH THE
APPROVAL OF THE CLEVELAND AND GASTON COUNTY BOARDS OF COMMISSIONERS TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM THE TOWN'S CORPORATE LIMITS.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

**S.B. 625**, AN ACT TO REPEAL AN OBSOLETE SECTION OF THE CHARTER OF THE CITY OF DURHAM REGARDING THE PRIVILEGE LICENSE TAX YEAR. (Became law upon ratification, July 7, 1999 – S.L. 1999-256.)

**H.B. 517**, AN ACT INCREASING THE CRIMINAL PENALTY FOR A SECOND OR SUBSEQUENT OFFENSE OF MAKING A BOMB THREAT OR PERPETRATING A HOAX BY PLACING A FALSE BOMB AT A PUBLIC BUILDING, PROVIDING FOR RESTITUTION OF CONSEQUENTIAL DAMAGES RESULTING FROM BOMB THREATS OR HOAXES, INCREASING THE PENALTY FOR BRINGING CERTAIN WEAPONS ON SCHOOL PROPERTY, INCREASING THE PENALTY FOR BOMB THREATS OR HOAXES, BRINGING A BOMB ON SCHOOL PROPERTY, OR ACTUAL DETONATION OF A BOMB BY REQUIRING THE DIVISION OF MOTOR VEHICLES TO REVOKE FOR ONE YEAR THE DRIVERS LICENSE OF ANY PERSON CONVICTED OF SUCH AN OFFENSE, MAKING PARENTS CIVILLY LIABLE FOR CHILDREN WHO MAKE BOMB THREATS OR PERPETRATE BOMB HOAXES ON SCHOOLS, OR BRING CERTAIN WEAPONS ONTO SCHOOL PROPERTY, REQUIRING SCHOOLS TO SUSPEND FOR THREE HUNDRED SIXTY-FIVE DAYS STUDENTS WHO MAKE BOMB THREATS OR PERPETRATE BOMB HOAXES ON SCHOOLS, DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF STUDENTS WHO MAKE OR CARRY OUT THREATS OF VIOLENCE DIRECTED AT SCHOOLS OR THE PERSONS IN THE SCHOOLS, AND DIRECTING THE STATE BOARD OF EDUCATION TO STUDY THE COMPUTATION OF DROPOUT RATES FOR THE ABCs PROGRAM. (Became law upon approval of the Governor, July 7, 1999 – S.L. 1999-257.)

APPOINTMENTS BY THE GOVERNOR

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

JAMES B. HUNT JR.
GOVERNOR

July 6, 1999

The Honorable Dennis Wicker
President of the Senate
2104 Legislative Building
Raleigh, NC 27601

July 8, 1999
Dear Mr. President:

Pursuant to General Statute 106-2, I hereby re-appoint the following members of the North Carolina State Board of Agriculture and submit their names for the advice and consent of the North Carolina Senate. Their terms are effective immediately upon confirmation and will expire May 1, 2005.

Mr. Maurice K. Berry, Jr., 1157 Double Bridge Road, Elizabeth City, NC 27909.
Mr. Daniel R. Finch, Finch Blueberry Nursery, P.O. Box 699, Bailey, NC 27807.
The Honorable Jeffrey B. Turner, P.O. Box 38, Pink Hill, Raleigh, NC 28572.

Please contact my office of Boards and Commissions if you need further information on any of these individuals. Thank you for your attention to this important matter.

My warmest personal regards.

Sincerely,
S/James B. Hunt Jr.

Referred to Agriculture/Environment/Natural Resources Committee.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Miller for the Judiciary II Committee:

H.B. 604, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CIRCUMSTANCES UNDER WHICH AN ATTORNEY-IN-FACT MAY MAKE GIFTS, with a favorable report.

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

H.B. 541 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TROT LINES, BUOY SETS, AND SET HOOKS ARE SPECIAL FISHING DEVICES, with a favorable report.

H.B. 978, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO PERMIT ANY OWNER OF PRIVATE PROPERTY ON A LAKE LOCATED IN A STATE PARK TO RESTORE THE PROPERTY OWNER'S PIER TO THE CONDITION THAT THE PIER WAS IN IMMEDIATELY PRECEDING THE TIME OF THE DAMAGE WHEN THE DAMAGE IS CAUSED BY A NATURAL DISASTER, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill A165, which changes the title, upon concurrence, to read H.B. 978 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE OWNER OF A PRIVATE OR JOINT PRIVATE PIER AT WHITE LAKE STATE LAKE THAT WAS DAMAGED AS A RESULT OF A NATURAL DISASTER TO REBUILD THE PIER TO ITS CONDITION IMMEDIATELY PRECEDING THE DAMAGE, TO AUTHORIZE THE

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CONSTRUCTION OF ADDITIONAL BOAT STALLS ON A PIER AT WHITE LAKE STATE LAKE UNDER CERTAIN CIRCUMSTANCES, AND TO DELETE CERTAIN LANDS USED FOR THE FALLS LAKE STATE TRAIL FROM THE STATE PARKS SYSTEM AND REALLOCATE THOSE LANDS TO THE WILDLIFE RESOURCES COMMISSION, is adopted and engrossed.

H.B. 638 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE OWNERS OF CERTAIN INNOVATIVE SEPTIC SYSTEMS IN THE COUNTIES OF CAMDEN, CHOWAN, CURRITUCK, GATES, HERTFORD, PASQUOTANK, PERQUIMANS, TYRRELL, AND WASHINGTON TO TRANSFER THE OWNERSHIP OF THE SYSTEMS TO ONE OR MORE UNITS OF LOCAL GOVERNMENT, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 6230, which changes the title, upon concurrence, to read H.B. 638 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE OWNERS OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE COUNTIES OF CAMDEN, CHOWAN, CURRITUCK, GATES, HERTFORD, PASQUOTANK, PERQUIMANS, TYRRELL, AND WASHINGTON TO TRANSFER OWNERSHIP OF THESE SYSTEMS TO A JOINT AGENCY CREATED BY TWO OR MORE UNITS OF LOCAL GOVERNMENT LOCATED IN THOSE COUNTIES AND TO AUTHORIZE THE COUNTIES OF GATES AND HERTFORD TO COLLECT FEES FOR THE INSPECTION OF PROVISIONALLY APPROVED SEPTIC TANK AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE SAME MANNER AS PROPERTY TAXES, is adopted and engrossed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A special message is received from the House of Representatives transmitting a bill which is read the first time and disposed of, as follows:

H.B. 1431 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF A TOBACCO TRUST FUND AND A HEALTH TRUST FUND AND COMMISSIONS TO ADMINISTER THOSE FUNDS AND TO PROVIDE IMMUNITY FOR PHASE II OFFICIALS.

Referred to Judiciary I Committee.

REPORTS OF COMMITTEES (Continued)

By Senator Dalton for the Education/Higher Education Committee:

H.B. 1154 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A ONE-YEAR SUSPENSION FOR ANY STUDENT WHO BRINGS OR POSSESSES A FIREARM OR EXPLOSIVE ON SCHOOL PROPERTY OR AT A SCHOOL-RELATED ACTIVITY ON OR OFF SCHOOL PROPERTY, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 6229, which changes the title, upon concurrence, to read H.B. 1154 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A ONE-YEAR SUSPENSION FOR ANY STUDENT WHO BRINGS OR POSSESSES A FIREARM OR EXPLOSIVE ON EDUCATIONAL PROPERTY OR AT A SCHOOL-SPONSORED CURRICULAR OR

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EXTRACURRICULAR ACTIVITY OFF EDUCATIONAL PROPERTY AND TO MAKE OTHER CONFORMING CHANGES, is adopted and engrossed.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 953 A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DISTRIBUTE FUNDS FROM THE WETLANDS RESTORATION FUND AND TO CONVEY INTERESTS IN REAL PROPERTY ACQUIRED UNDER THE WETLANDS RESTORATION PROGRAM TO FEDERAL AND STATE AGENCIES, LOCAL GOVERNMENTS, AND PRIVATE NONPROFIT CONSERVATION ORGANIZATIONS, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 953 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE AMBIENT AIR QUALITY IMPROVEMENT ACT OF 1999.

With unanimous consent, upon motion of Senator Rand, the House Committee Substitute bill is withdrawn from today's Calendar and is re-referred to Agriculture/Environment/Natural Resources Committee.

WITHDRAWAL FROM CLERK'S OFFICE

S.B. 1115 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WIDELY SHARED PROSPERITY BY AMENDING THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, BY PROVIDING ADDITIONAL TAX INCENTIVES FOR VARIOUS BUSINESSES, AND BY MAKING RELATED CHANGES, ordered held in the Office of the Principal Clerk on July 6, pending referral pursuant to Rule 43.

The House Committee Substitute bill is withdrawn from the Office of the Principal Clerk and placed on today's Calendar.

CALENDAR (Continued)

H.B. 303 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO COMMERCIAL VEHICLE HIGHWAY SAFETY AND WORK ZONE SAFETY, as amended on second reading.

With unanimous consent, upon motion of Senator Metcalf, the Senate Committee Substitute bill, as amended, is withdrawn from today's Calendar and is placed on the Calendar for Monday, July 12.

H.B. 764 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MOORESVILLE TO LEVY AN ADDITIONAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 35, noes 8, as follows:


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Voting in the negative: Senators Carpenter, Carrington, Cochrane, East, Foxx, Garwood, Moore, and Webster—8.

The Committee Substitute bill is ordered enrolled.

H.B. 507 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATIONS BY THE TOWNS OF CAPE CARTERET AND BOGUE

The Committee Substitute bill passes its second reading by roll-call vote, ayes 43, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for Monday, July 12, upon third reading.

H.B. 812 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON A REQUIREMENT THAT PART OF CERTAIN CRAVEN COUNTY PROCEEDS BE USED FOR A CONVENTION CENTER AND A TOURIST CENTER

The Committee Substitute bill passes its second reading by roll-call vote, ayes 43, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for Monday, July 12, upon third reading.

H.B. 531 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONFIRM THAT LEE COUNTY MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS A DIVISION OF MOTOR VEHICLES AND HIGHWAY PATROL FACILITY, which title changes, upon concurrence.

The Senate Committee Substitute bill passes its second (44-0) and third readings and is ordered sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

H.B. 1476 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, TO EARMARK PART OF THE RESULTING REVENUE GAIN FOR TAX RESEARCH, AND TO CONFORM TO THE FEDERAL STATUTE OF LIMITATIONS FOR WILLFUL FAILURE TO COMPLY WITH STATE TAX LAWS, upon third reading, which title changes upon concurrence.
Senator Kerr offers Amendment No. 1 which is adopted (45-0), and changes the title upon concurrence.

The Senate Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 45, noes 0, as follows:


Voting in the negative: None.

The Senate Committee Substitute bill, as amended, is ordered engrossed and sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

H.B. 120 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE PROCEDURES FOR NOTIFYING OWNERS AND ADVERTISING TAX LIENS ON REAL PROPERTY, upon second reading.

Upon the appearance of Senator Forrester in the Chamber, the Chair acknowledges his presence and the leave of absence previously granted is withdrawn.

Senator Wellons offers Amendment No. 1 which is adopted (46-0).

The Senate Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 46, noes 0, as follows:


Voting in the negative: None.

Amendment No. 1 is ordered engrossed prior to third reading, and the Senate Committee Substitute bill, as amended, is ordered placed on the Calendar for Monday, July 12, upon third reading.

H.B. 937 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE REGIONAL TRANSPORTATION AUTHORITY ACT CONCERNING JURISDICTION OF THE ENTIRE AREA OF THE COUNTY IN CERTAIN CIRCUMSTANCES AND MEMBERSHIP OF THE AUTHORITY, AND TO AUTHORIZE THE AUTHORITY TO CREATE SPECIAL TAX DISTRICTS WITHIN ITS JURISDICTION, upon second reading, which title changes upon concurrence.

The Senate Committee Substitute bill No. 2 passes its second reading by roll-call vote, ayes 40, noes 6, as follows:


Voting in the negative: Senators Cochrane, East, Forrester, Foxx, Garwood, and Webster—6.

The Senate Committee Substitute bill No. 2 is ordered placed on the Calendar for Monday, July 12, upon third reading.

July 8, 1999
H.B. 1433 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR INDIVIDUALS TO PAY THEIR ANNUAL USE TAX WITH THEIR INCOME TAX FORMS, TO PROMOTE ELECTRONIC FILING, AND TO IMPROVE TAX COLLECTION, upon second reading.

The Chair grants a leave of absence for the remainder of today's Session to Senator Clodfelter.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 35, noes 10, as follows:


Voting in the negative: Senators Allran, Ballance, Ballantine, Cochrane, East, Martin of Guilford, Moore, Reeves, Webster, and Wellons—10.

The Committee Substitute bill is ordered placed on the Calendar for Monday, July 12, upon third reading.

COMMITTEE REFERRAL RECALL

S.B. 1043, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS OF THE STATE, referred to the Rules and Operations of the Senate Committee on April 15.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Rules and Operations of the Senate Committee and re-referred to the Appropriations/Base Budget Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Appropriations/Base Budget Committee.

CALENDAR (Continued)

H.B. 1472 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND MODERNIZE TAX CREDITS FOR INVESTING IN RENEWABLE ENERGY SOURCES, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 45, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for Monday, July 12, upon third reading.

S.B. 876 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE USE OF NATURAL GAS EXPANSION FUNDS.

With unanimous consent, upon motion of Senator Kerr, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, July 14.
S.B. 897 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE TITLE PROTECTION FOR THE SAFETY PROFESSION.

Senator Dalton offers Amendment No. 1 which is adopted (45-0).

The Committee Substitute bill, as amended, passes its second (44-1) and third readings and is ordered engrossed and sent, by special message, to the House of Representatives.

S.B. 1046 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN EMPLOYEES OF STATE LICENSING AND EXAMINING BOARDS MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.

The Committee Substitute bill passes its second (44-0) and third readings and is ordered sent, by special message, to the House of Representatives.

H.B. 74 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPOINTMENT BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE OF MEMBERS OF THE BOARD OF DIRECTORS OF THE CERTIFICATION ENTITY FOR THE PHASE II SETTLEMENT FUNDS, TO PROVIDE THE MEMBERS OF THE BOARD OF DIRECTORS LIMITED IMMUNITY FROM CIVIL LIABILITY, TO PROVIDE AN EXEMPTION FROM STATE INCOME TAX FOR INTEREST, INVESTMENT EARNINGS, AND GAINS OF CERTAIN TRUST FUNDS, TO PROVIDE A CORPORATE INCOME TAX CREDIT FOR MANUFACTURERS PRODUCING CIGARETTES FOR EXPORTATION TO A FOREIGN COUNTRY, AND TO PROHIBIT THE SALE OF CERTAIN PACKAGES OF CIGARETTES, which title changes upon concurrence.

The Chair grants a leave of absence for the remainder of today's Session to Senator Shaw of Cumberland.

Upon the appearance of Senator Shaw of Cumberland in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

The Senate Committee Substitute bill passes its second reading (43-2) and third reading (43-2) and is ordered sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

H.B. 274 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING CERTIFICATION AND EMPLOYMENT OF ASSISTANT PRINCIPALS.

The Senate Committee Substitute bill passes its second reading (45-0).

Senator Rand objects to third reading of the measure. Pursuant to Rule 50, the President Pro Tempore orders the measure placed on the Calendar for Monday, July 12, upon third reading.

H.B. 294 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING THE APPLICABILITY OF PREEXISTING CONDITION LIMITATIONS TO CERTAIN TYPES OF HEALTH INSURANCE POLICIES; TO PRESCRIBE STANDARDS FOR DISABILITY INCOME INSURANCE; TO CONFORM NORTH CAROLINA'S 1997 POSTMASTECTOMY RECONSTRUCTIVE SURGERY LAWS TO THE FEDERAL WOMEN'S HEALTH AND CANCER RIGHTS ACT OF 1998; TO UPDATE THE LAW ON VIATICAL SETTLEMENTS; TO AUTHORIZE THE WRITING OF FAMILY LEAVE CREDIT INSURANCE; TO CLARIFY THAT LOCAL GOVERNMENT INSURANCE RISK POOLS ARE SUBJECT TO INSURANCE LAWS IN CHAPTER 58 ONLY WHEN SPECIFICALLY REFERRED TO IN THOSE LAWS; TO MAKE CONFORMING

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CHANGES IN THE STATE HEALTH PLAN REIMBURSEMENT FOR PASTORAL COUNSELORS; AND TO MAKE A TECHNICAL CHANGE CONCERNING THE CLAIMS ACKNOWLEDGMENT STATUTE, which title changes upon concurrence.

The Senate Committee Substitute bill passes its second (45-0) and third readings and is ordered sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

**H.B. 315** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MOTOR VEHICLE’S PROPERTY TAX VALUE IS DETERMINED AS OF JANUARY 1 PRECEDING THE DUE DATE OF THE TAX AND TO AUTHORIZE THE STOKES BOARD OF EQUALIZATION AND REVIEW TO MEET AFTER ITS FORMAL ADJOURNMENT, which title changes upon concurrence.

The President Pro Tempore orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**H.B. 319**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF STATE TO APPLY FOR AND ACCEPT GRANT FUNDS.

The bill passes its second (44-0) and third readings and is ordered enrolled and sent to the Governor by special message.

**H.B. 924** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COMMUNITY MEDIATION CENTERS.

The Senate Committee Substitute bill passes its second (44-0) and third readings and is ordered sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

**H.B. 1074** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A SIGNED VOTER REGISTRATION FORM BE DELIVERED TO THE BOARD OF ELECTIONS BY ANYONE DELEGATED THAT RESPONSIBILITY AND TO MAKE VIOLATION A CLASS 2 MISDEMEANOR; TO ESTABLISH THE CLASS 2 MISDEMEANOR OF AN ELECTION OFFICIAL OR EMPLOYEE ALTERING VOTER REGISTRATION RECORDS WITHOUT WRITTEN AUTHORIZATION; TO ALLOW COUNTIES TO USE A VOTING PLACE OUTSIDE THE PRECINCT; TO CREATE A PILOT PROGRAM TO ALLOW THE TEMPORARY USE OF TWO VOTING PLACES FOR THE SAME PRECINCT; TO ALLOW COUNTIES TO REQUIRE THAT ADEQUATE PARKING BE PROVIDED AT VOTING PLACES THAT ARE PUBLIC BUILDINGS; TO PROVIDE FOR SUPERVISION, ASSISTANCE, AND TRAINING BY THE STATE BOARD OF ELECTIONS FOR MUNICIPAL BOARDS OF ELECTIONS AND TO PROVIDE FOR REMEDIES; TO INCREASE MINIMUM COMPENSATION FOR COUNTY ELECTIONS DIRECTORS; TO LOWER THE THRESHOLD FOR A FULL-TIME ELECTIONS OFFICE; TO PROVIDE FOR CERTAIN DONATIONS TO POLITICAL PARTY HEADQUARTERS BUILDING FUNDS; AND TO CHANGE THE STATUTE CONCERNING A CANDIDATE’S SIGNATURE ON A FINANCE REPORT TO REFLECT TRADITIONAL PRACTICE, which title changes upon concurrence.

The Senate Committee Substitute bill passes its second (43-0) and third readings and is ordered sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

**H.B. 1160** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE CLEAN WATER ACT OF 1999, which title changes upon concurrence.
The President *Pro Tempore* orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**H.B. 1216** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE JUVENILE JUSTICE REFORM ACT OF 1998.

The Senate Committee Substitute bill passes its second (41-0) and third readings and is ordered sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

**H.B. 276** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT MAKING VARIOUS CHANGES TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA.

The Senate Committee Substitute bill passes its third reading (42-1) and is ordered sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

**H.B. 278** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO PROVIDE THAT THE ONE HUNDRED-DAY NONCHARGE PERIOD EXTENDS TO CERTAIN RECIPIENTS OF THE STATE'S WORK FIRST PROGRAM SEPARATED FOR A BONA FIDE INABILITY TO WORK, as amended on second reading.

The Senate Committee Substitute bill, as amended, passes its third reading (45-0) and is ordered engrossed and sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

**H.B. 1072** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE FOLLOWING TECHNICAL CORRECTIONS IN THE ELECTION LAWS; TO CLARIFY THE ROLE OF THE STATE BOARD OF ELECTIONS IN THE PROCESS OF ORDERING NEW ELECTIONS; TO CLARIFY THE APPEAL PROCESS IN CONTESTED ELECTIONS; TO REENACT AND RECODIFY PROVISIONS OF THE PRE-1995 VOTER REGISTRATION LAWS THAT WERE INADVERTENTLY DROPPED IN THE ENACTMENT OF ARTICLE 7A IN CHAPTER 163; TO CLARIFY THE STATUTES CONCERNING CANDIDATE VACANCIES IN THE NONPARTISAN ELECTION OF JUDGES; TO MAKE CLEANUP CHANGES AS A RESULT OF SESSION LAW 1999-31; TO CONFORM THE PETITION STATUTES TO COURT RULINGS AND MAKE OTHER TECHNICAL CHANGES; AND TO CORRECT MISCELLANEOUS MISCITATIONS AND ERRORS IN THE ELECTION STATUTES, which title changes upon concurrence.

The Senate Committee Substitute bill passes its third reading (45-0) and is ordered sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

**S.B. 55** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONFORM THE TAX BASE OF THE REGIONAL TRANSIT AUTHORITY VEHICLE RENTAL TAX TO THE TAX BASE OF THE ALTERNATE HIGHWAY USE TAX ON SHORT TERM VEHICLE RENTALS, AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, for concurrence in the House Committee Substitute bill, upon second reading, which changes the title, upon concurrence, to read S.B. 55 (House Committee
Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES.

The Senate concurs in the House Committee Substitute bill on its second reading by roll-call vote, ayes 45, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill remains on the Calendar for Monday, July 12, upon third reading.

REPORTS OF COMMITTEES (Continued)

By Senator Kerr for the Finance Committee:

H.B. 19 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT CASINO BOATS FROM OPERATING IN NORTH CAROLINA, TO REGULATE CERTAIN GAMBLING BOATS THAT OPERATE IN NORTH CAROLINA PURSUANT TO FEDERAL LAW, TO LEVY A PRIVILEGE TAX ON GAMBLING BOATS OPERATING IN NORTH CAROLINA, AND TO REQUIRE WITHHOLDING FROM CERTAIN GAMBLING BOAT WINNINGS, with a favorable report.

H.B. 794, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF FARMVILLE, with a favorable report.

H.B. 1120 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO ENGAGE IN INSTALLMENT PURCHASE FINANCING AND TO ISSUE REVENUE ANTICIPATION NOTES, with a favorable report.

H.B. 1479 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NEWSPRINT RECYCLING TAX, with a favorable report.

S.B. 968 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE WAIVER OF COMPETITIVE BIDDING AND TO REQUIRE BID PROTESTS INVOLVING CONTRACTS OVER A CERTAIN AMOUNT TO BE HANDLED BY THE DEPARTMENT OF ADMINISTRATION, with a favorable report.

S.B. 562, A BILL TO BE ENTITLED AN ACT TO REPEAL FILING FEES, MISCELLANEOUS FEES, AND HMO ANNUAL REPORT FEES COLLECTED BY THE DEPARTMENT OF INSURANCE; TO INCREASE CERTAIN INSURANCE COMPANY LICENSE RENEWAL FEES COLLECTED BY THE DEPARTMENT OF INSURANCE; TO ALLOW MONEY CREDITED TO THE INSURANCE CONSUMER PROTECTION FUND TO BE USED TO RETAIN EXPERTS FOR HEARINGS; TO REQUIRE THAT MONEY RECOVERED FROM DELINQUENCY PROCEEDINGS OR CIVIL ACTIONS AGAINST THE COMMISSIONER OF INSURANCE BE
CREDITED TO THE INSURANCE CONSUMER PROTECTION FUND; AND TO MOVE THE EFFECTIVE DATE FROM 2000 TO 2001 FOR THE LAW REQUIRING THE LICENSING OF THIRD PARTY ADMINISTRATORS FOR EMPLOYERS THAT SELF-INSURE THEIR WORKERS' COMPENSATION LIABILITIES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill XA662, which changes the title to read S.B. 562 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL FORM AND RATE FILING FEES AND HMO ANNUAL REPORT FEES COLLECTED BY THE DEPARTMENT OF INSURANCE; TO INCREASE CERTAIN INSURANCE COMPANY LICENSE RENEWAL FEES COLLECTED BY THE DEPARTMENT OF INSURANCE; AND TO CLARIFY AN EXAMINATION LAW PROVIDING FOR REIMBURSEMENT FOR DEPARTMENTAL EXPENSES, is adopted and engrossed.

S.B. 864, A BILL TO BE ENTITLED AN ACT TO PROVIDE SALES TAX REDUCTIONS FOR CERTAIN CLINICAL LABORATORY TESTING COMPANIES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6698, which changes the title to read S.B. 864 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A TEMPORARY SALES TAX REFUND FOR MEDICAL LABORATORY TESTING COMPANIES, is adopted and engrossed.

By Senator Cooper for the Judiciary I Committee:

H.B. 293 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF COMMUNITY COLLEGES TO ASSESS MONETARY PENALTIES AGAINST PROPRIETARY SCHOOLS THAT OPERATE WITHOUT A LICENSE OR OPERATE OUTSIDE THE SCOPE OF THEIR LICENSE, with a favorable report.

By Senator Hoyle for the Finance Committee:

H.B. 280 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER CHANGES TO THE MOTOR VEHICLE LAWS, with an unfavorable report as to Senate Committee Substitute bill No. 1, but favorable as to Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 1316 is adopted and engrossed.

H.B. 651 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW BRUNSWICK COUNTY TO ASSESS A FIRE PROTECTION FEE, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill A164 is adopted and engrossed.

Upon the appearance of Senator Clodfelter in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

**CALENDAR (Continued)**

H.B. 315 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MOTOR VEHICLE'S PROPERTY TAX VALUE IS
DETERMINED AS OF JANUARY 1 PRECEDING THE DUE DATE OF THE TAX AND TO AUTHORIZE THE STOKES BOARD OF EQUALIZATION AND REVIEW TO MEET AFTER ITS FORMAL ADJOURNMENT, temporarily displaced earlier, which title changes upon concurrence.

The Senate Committee Substitute bill passes its second (46-0) and third readings and is ordered sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

S.B. 290 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE LOBBYING LAW, for concurrence in House Committee Substitute bill No. 2, upon second reading.

The Senate concurs in House Committee Substitute bill No. 2 on its second reading by roll-call vote, ayes 46, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill No. 2 remains on the Calendar for Monday, July 12, upon third reading.

S.B. 323 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND WATERFOWL HUNTING PRIVILEGES TO HOLDERS OF COMPREHENSIVE HUNTING LICENSES, TO INCREASE THE FEE CHARGED FOR MIGRATORY WATERFOWL LICENSES, AND TO INCREASE THE APPLICATION FEE FOR MANAGED HUNTS FOR MIGRATORY WATERFOWL AND REQUIRE APPLICANTS TO FURNISH SATISFACTORY PROOF OF POSSESSION OF THE NECESSARY HUNTING LICENSE, for concurrence in the House Committee Substitute bill, upon second reading.

The Senate concurs in the House Committee Substitute bill on its second reading by roll-call vote, ayes 46, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill remains on the Calendar for Monday, July 12, upon third reading.

S.B. 1112 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE ELECTRONIC COMMERCE BY REPEALING THE SALES TAX REGISTRATION FEE AND TO MAKE OTHER CHANGES TO THE TAX LAWS AND RELATED STATUTES, for concurrence in the House Committee Substitute bill, upon second reading.

The Senate fails to concur in the House Committee Substitute bill (0-46).

Without objection, Senator Kerr offers a motion that the Senate appoint conferees.
COMMITTEE REFERRAL RECALL

S.J.R. 1171, A JOINT RESOLUTION RECOGNIZING WASHINGTON COUNTY UPON ITS BICENTENNIAL AND HONORING GEORGE WASHINGTON, FOR WHOM THE COUNTY IS NAMED, referred to the Rules and Operations of the Senate Committee on May 10.

Pursuant to Rule 47(a), Senator Rand offers a motion that the joint resolution be withdrawn from the Rules and Operations of the Senate Committee and placed on the Calendar for Monday, July 12, which motion prevails with unanimous consent.

The Chair orders the joint resolution withdrawn from the Rules and Operations of the Senate Committee and places it on the Calendar for Monday, July 12.

CALENDAR (Continued)

S.B. 1115 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WIDELY SHARED PROSPERITY BY AMENDING THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, BY PROVIDING ADDITIONAL TAX INCENTIVES FOR VARIOUS BUSINESSES, AND BY MAKING RELATED CHANGES, for concurrence in the House Committee Substitute bill, placed earlier on today’s Calendar.

The Senate fails to concur in the House Committee Substitute bill (0-44).

Without objection, Senator Kerr offers a motion that the Senate appoint conferees.

The Chair grants a leave of absence for the remainder of today’s Session to Senator Cochrane.

S.B. 515, A BILL TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF PAID MEMBERS A RESCUE OR RESCUE/EMS UNIT MAY HAVE TO RECEIVE GRANTS, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 515 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF PAID MEMBERS A FIRE DEPARTMENT MAY HAVE AND REMAIN ELIGIBLE TO RECEIVE GRANTS FROM THE VOLUNTEER FIRE DEPARTMENT FUND AND TO INCREASE THE NUMBER OF PAID MEMBERS A RESCUE OR RESCUE/EMS UNIT MAY HAVE AND REMAIN ELIGIBLE TO RECEIVE GRANTS FROM THE VOLUNTEER RESCUE/EMS FUND.

The Senate concurs in the House Committee Substitute bill (45-0) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 951 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT PATIENTS' RIGHTS BY REQUIRING NAME BADGES OR OTHER IDENTIFICATION FOR HEALTH CARE PRACTITIONERS, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (45-0) and the measure is ordered enrolled and sent to the Governor by special message.

H.B. 275 (Conference Report), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR MORE EMPLOYERS WITH POSITIVE EXPERIENCE RATINGS, AND TO TEMPORARILY REDUCE THE UNEMPLOYMENT INSURANCE TAX BY TWENTY PERCENT FOR MOST EMPLOYERS AND SUBSTITUTE AN EQUIVALENT CONTRIBUTION TO

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FUND ENHANCED EMPLOYMENT SERVICES AND WORKER TRAINING PROGRAMS, for adoption upon third reading.

Upon motion of Senator Kerr, the Senate adopts the Conference Report on its third reading by roll-call vote, ayes 45, noes 0, as follows:


Voting in the negative: None.

A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

S.B. 742 (Conference Report), A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR SCHOOL PERSONNEL TO ENGAGE IN SEXUAL ACTS WITH A STUDENT, for adoption.

Upon motion of Senator Dalton, the Senate adopts the Conference Report (45-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

H.B. 1160 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE CLEAN WATER ACT OF 1999, temporarily displaced earlier.

Senator Odom offers Amendment No. 1 which is adopted (43-0).

Senator Horton offers Amendment No. 2 which fails of adoption (11-31).

The Chair grants a leave of absence for the remainder of today's Session to Senator Gulley.

The Senate Committee Substitute bill, as amended, passes its second reading (43-0) and third reading (43-0) and is ordered sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

APPOINTMENT OF CONFERENCE COMMITTEES

S.B. 1115 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WIDELY SHARED PROSPERITY BY AMENDING THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, BY PROVIDING ADDITIONAL TAX INCENTIVES FOR VARIOUS BUSINESSES, AND BY MAKING RELATED CHANGES.

Pursuant to the Senate having failed to concur in the House Committee Substitute bill and Senator Kerr's motion to appoint conferees, Senator Ballance, Deputy President Pro Tempore announces the appointment of Senator Kerr, Chairman, and Senators Garrou, Harris, Hartsell, Hoyle, and Odom as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

S.B. 1112 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE ELECTRONIC COMMERCE BY REPEALING THE SALES TAX REGISTRATION FEE AND TO MAKE OTHER CHANGES TO THE TAX LAWS AND RELATED STATUTES.

Pursuant to the Senate having failed to concur in the House Committee Substitute bill and Senator Kerr's motion to appoint conferees, Senator Ballance, Deputy President Pro Tempore announces the appointment of Senator Kerr, Chairman; and Senators Carrington,
Hoyle, Rand, and Weinstein as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

ENROLLED BILLS

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

H.B. 319, AN ACT TO AUTHORIZE THE SECRETARY OF STATE TO APPLY FOR AND ACCEPT GRANT FUNDS.

The Enrolling Clerk reports the following bill duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

H.B. 764, AN ACT TO AUTHORIZE THE TOWN OF MOORESVILLE TO LEVY AN ADDITIONAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.

The Senate recesses at 12:42 P.M. for the purpose of an Appropriations/Base Budget Committee meeting to reconvene at 2:00 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

COMMITTEE REFERRAL RECALL

H.B. 512 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CERTIFY ASSISTED LIVING RESIDENCE ADMINISTRATORS, referred to the Appropriations/Base Budget Committee on May 20.

Pursuant to Rule 47(a), Senator Odom offers a motion that the Senate Committee Substitute bill be withdrawn from the Appropriations/Base Budget Committee and placed on the Calendar for Monday, July 12, which motion prevails with unanimous consent.

The Chair orders the Senate Committee Substitute bill withdrawn from the Appropriations/Base Budget Committee and places it on the Calendar for Monday, July 12.

The Chair grants a leave of absence for the remainder of today’s Session to Senator Carpenter.

PERSONAL PRIVILEGE

With unanimous consent, upon motion of Senator Shaw of Cumberland, the remarks of Senator Ballance who rises to a point of personal privilege are spread upon the Journal, as follows:

Senator Ballance:

“I have in my district in Bertie County, a young lady who is, grew up on a farm and has distinguished herself. She serves on the Rural Center Board and she is a Senior Tar Heel Legislator. She’s testified before the United States Congress, but more importantly, she now runs a day care center for children and an adult care center for adults. She was

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born 80 years ago today, on July 8, 1919, and I called her this morning and said, ‘Happy Birthday, Mother’, Mrs. Alice Ballance. Thank you very much.”

REPORTS OF COMMITTEES (Continued)

By Senator Plyler for the Appropriations/Base Budget Committee:

S.B. 1043, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS OF THE STATE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3858, which changes the title to read S.B. 1043 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS TO MEET THE REQUIREMENTS OF A CONSENT JUDGMENT UNDER THE INTANGIBLES TAX CASES, is adopted and engrossed.

With unanimous consent, upon motion of Senator Plyler, the rules are suspended and the Committee Substitute bill remains before the Senate for immediate consideration.

Upon the appearance of Senator Gulley in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

The Committee Substitute bill passes its second (43-0) and third readings and is ordered sent, by special message, to the House of Representatives.

COMMITTEE REFERRAL RECALL

H.B. 1233 (Committee Substitute) A BILL TO BE ENTITLED AN ACT TO AMEND THE STRUCTURAL PEST CONTROL ACT, referred to the Finance Committee on July 7.

Pursuant to Rule 47(a), Senator Rand offers a motion that the Committee Substitute bill be withdrawn from the Finance Committee and re-referred to the Agriculture/Environment/Natural Resources Committee, and if favorable, re-referred to the Finance Committee, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Finance Committee and re-refers the measure to the Agriculture/Environment/Natural Resources Committee, and if favorable, re-refers the measure to the Finance Committee.

CONFERENCE REPORT

H.B. 253

Senator Reeves, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon H.B. 253 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DUTIES OF THE INFORMATION RESOURCE MANAGEMENT COMMISSION AND TO REQUIRE THAT CERTAIN STATE AGENCY INFORMATION TECHNOLOGY PROJECTS MUST BE CERTIFIED BY THE COMMISSION, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 253, A BILL TO BE ENTITLED AN ACT TO AMEND

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THE DUTIES OF THE INFORMATION RESOURCE MANAGEMENT COMMISSION AND TO REQUIRE THAT CERTAIN STATE AGENCY INFORMATION TECHNOLOGY PROJECTS MUST BE CERTIFIED BY THE COMMISSION, Senate Rules and Operations of the Senate Committee Substitute Adopted 6/16/99, submit the following report:

The Senate and House agree to the following amendment to the Senate Committee Substitute, Senate Rules and Operations of the Senate Committee Substitute Adopted 6/16/99, and the House concurs in the Senate Committee Substitute as amended:

Delete the entire Senate Committee Substitute and substitute the attached Proposed Conference Committee Substitute H253-PCCS4279-RV.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 7, 1999.

S/Eric M. Reeves                      S/William C. Owens, Jr.
S/Anthony E. Rand                    S/ Joe P. Tolson
S/Horton                             S/W. Edwin McMahan

Conferees for the Senate             Conferees for the
                                      House of Representatives

The text of the attached Proposed Conference Committee Substitute H253-PCCS4279-RV is as follows:

A BILL TO BE ENTITLED
AN ACT TO CHANGE THE NAME OF THE STATE INFORMATION PROCESSING SERVICES TO THE DIVISION OF INFORMATION TECHNOLOGY SERVICES AND TO REQUIRE THAT CERTAIN STATE AGENCY INFORMATION TECHNOLOGY PROJECTS MUST BE CERTIFIED BY THE INFORMATION RESOURCE MANAGEMENT COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. The name of the State Information Processing Services of the Department of Commerce is changed to the Division of Information Technology Services.

Section 2. G.S. 143B-472.44 reads as rewritten:

"§ 143B-472.44. State Information Processing Services. Division of Information Technology Services.

With respect to all executive departments and agencies of State government, except the Department of Justice and The University of North Carolina, the Department of Commerce shall have the following powers and duties:

(1) To establish and operate information resource centers and services to serve two or more departments on a cost-sharing basis, if the Information Resources Management Commission decides it is advisable from the standpoint of efficiency and economy to establish these centers and services;

(2) With the approval of the Information Resources Management Commission, to charge each department for which services are performed its proportionate part of the cost of maintaining and operating the shared centers and services;

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(3) With the approval of the Information Resources Management Commission, to require any department served to transfer to the Department of Commerce ownership, custody, or control of information processing equipment, supplies, and positions required by the shared centers and services;

(4) With the approval of the Information Resources Management Commission, to adopt reasonable rules for the efficient and economical management and operation of the shared centers, services, and the integrated State telecommunications network;

(5) With the approval of the Information Resources Management Commission, to adopt plans, policies, procedures, and rules for the acquisition, management, and use of information technology resources in the departments affected by this subdivision to facilitate more efficient and economic use of information technology in these departments; and

(6) To develop and promote training programs to efficiently implement, use, and manage information technology resources. resources; and

(7) To provide cities, counties, and other local governmental units with access to State Information Processing Services Division of Information Technology Services information resource centers and services as authorized in this section for State agencies. Access shall be provided on the same cost basis that applies to State agencies.

The Department of Revenue is authorized to deviate from this subsection's requirements that departments or agencies consolidate information processing functions on equipment owned, controlled or under custody of the State Information Processing Services Division of Information Technology Services. All deviations from this subsection's requirements shall be reported in writing within 15 days by the Department of Revenue to the Information Resources Management Commission and shall be consistent with available funding. The Department of Revenue is authorized to adopt and shall adopt plans, policies, procedures, requirements and rules for the acquisition, management, and use of information processing equipment, information processing programs, data communications capabilities, and information systems personnel in the Department of Revenue. If the plans, policies, procedures, requirements, rules, or standards adopted by the Department of Revenue deviate from the policies, procedures, or guidelines adopted by the State Information Processing Services Division of Information Technology Services or the Information Resources Management Commission, those deviations shall be allowed and shall be reported in writing within 15 days by the Department of Revenue to the Information Resources Management Commission. The Department of Revenue and the State Information Processing Services Division of Information Technology Services shall develop data communications capabilities between the two computer centers utilizing the North Carolina Integrated Network, subject to a security review by the Secretary of Revenue.

The Department of Revenue shall prepare a plan to allow for substantial recovery and operation of major, critical computer applications. The plan shall include the names of the computer programs, databases, and data communications capabilities, identify the maximum amount of outage that can occur prior to the initiation of the plan and resumption of operation. The plan shall be consistent with commonly accepted practices for disaster recovery in the information processing industry. The plan shall be tested as soon as practical, but not later than six months, after the establishment of the Department of Revenue information processing capability.

No data of a confidential nature, as defined in the General Statutes or federal law, may be entered into or processed through any cost-sharing information resource center or network established under this subdivision until safeguards for the data's security
satisfactory to the department head and the Secretary of Commerce have been designed and installed and are fully operational. Nothing in this subsection may be construed to prescribe what programs to satisfy a department's objectives are to be undertaken, nor to remove from the control and administration of the departments the responsibility for program efforts, regardless whether these efforts are specifically required by statute or are administered under the general program authority and responsibility of the department. This subdivision does not affect the provisions of G.S. 147-64.6, 147-64.7, or 143B-472.42(1). Notwithstanding any other provision of law, the Department of Commerce shall provide information technology services on a cost-sharing basis to the General Assembly and its agencies as requested by the Legislative Services Commission."

Section 3. G.S. 143B-472.41(8) reads as rewritten:

"(8) The Chair of the State Information Processing Services Division of Information Technology Services Advisory Board."

Section 4. G.S. 143B-472.42(1) reads as rewritten:

"(1) With respect to State agencies, exercise general coordinating authority for all telecommunications matters relating to the internal management and operations of these agencies. In discharging that responsibility the Secretary of Commerce may in cooperation with affected State agency heads, do such of the following things as the Secretary of Commerce deems necessary and advisable:

a. Provide for the establishment, management, and operation, through either State ownership or commercial leasing, of the following systems and services as they affect the internal management and operation of State agencies:
   1. Central telephone systems and telephone networks;
   2. Teleprocessing systems;
   3. Teletype and facsimile services;
   4. Satellite services;
   5. Closed-circuit TV systems;
   6. Two-way radio systems;
   7. Microwave systems;
   8. Related systems based on telecommunication technologies.

b. With the approval of the Information Technology Council, coordinate the development of cost-sharing systems for respective user agencies for their proportionate parts of the cost of maintenance and operation of the systems and services listed in item "a." of this subdivision.

c. Assist in the development of coordinated telecommunications services or systems within and among all State agencies and recommend, where appropriate, cooperative utilization of telecommunication facilities by aggregating users.

d. Perform traffic analysis and engineering for all telecommunications services and systems listed in item "a." of this subdivision.

e. Pursuant to G.S. 143-49, establish telecommunications specifications and designs so as to promote and support compatibility of the systems within State agencies.

f. Pursuant to G.S. 143-49 and G.S. 143-50, coordinate the review of requests by State agencies for the procurement of telecommunications systems or services.

g. Pursuant to G.S. 143-341 and Chapter 146 of the General Statutes, coordinate the review of requests by State agencies for State
government property acquisition, disposition, or construction for telecommunications systems requirements.

h. Provide a periodic inventory of telecommunications costs, facilities, systems, and personnel within State agencies.

i. Promote, coordinate, and assist in the design and engineering of emergency telecommunications systems, including but not limited to the 911 emergency telephone number program, Emergency Medical Services, and other emergency telecommunications services.

j. Perform frequency coordination and management for State agencies and local governments, including all public safety radio service frequencies, in accordance with the rules and regulations of the Federal Communications Commission or any successor federal agency.

k. Advise all State agencies on telecommunications management planning and related matters and provide through the State Personnel Training Center or the State Information Processing Services Division of Information Technology Services training to users within State agencies in telecommunications technology and systems.

l. Assist and coordinate the development of policies and long-range plans, consistent with the protection of citizens' rights to privacy and access to information, for the acquisition and use of telecommunications systems; and base such policies and plans on current information about State telecommunications activities in relation to the full range of emerging technologies.

m. Work cooperatively with the North Carolina Agency for Public Telecommunications in furthering the purpose of this subdivision.

The provisions of this subdivision shall not apply to the Criminal Information Division of the Department of Justice or to the Judicial Information System in the Judicial Department."

Section 5. G.S. 143B-472.41(b) reads as rewritten:

"(b) Powers and Duties. -- The Commission has the following powers and duties:

(1) To develop, approve, and publish a statewide information technology strategy covering the current and following biennium that shall be updated annually and shall be submitted to the General Assembly on the first day of each regular session.

(2) To develop, approve, and sponsor statewide technology initiatives and to report on those initiatives in the annual update of the statewide information technology strategy.

(3) To review and approve biennially the information technology plans of the executive agencies and to review and comment biennially on the information technology plans of the Administrative Office of the Courts. This review shall include plans for the procurement and use of personal computers and workstations.

(4) To recommend to the Governor and the Office of State Budget and Management the relative priorities across executive agency information technology plans.

(4a) To issue certification of any State agency information technology project that requires or is expected to require the expenditure of funds in excess of five hundred thousand dollars ($500,000), whether the project is undertaken in a single phase or component or in multiple phases or
components. The certification shall be issued when the Commission determines that the project complies with Commission policies, standards, and procedures. The Commission shall promptly report each certification to the Office of State Budget and Management, the Office of the State Controller, the Chairs of the Legislative Committees on Information Technology, and the Cochairs of the Joint Legislative Commission on Governmental Operations. No State agency, other than The University of North Carolina or any of its constituent institutions, shall allocate or expend funds in excess of five hundred thousand dollars ($500,000) on any information technology project without prior certification as required by this subsection. If an agency cannot determine whether a project or series of projects will require certification, the agency shall seek an opinion from the Commission. Upon review, the Commission may determine that a project is exempt from certification and shall advise the agency of its determination.

(5) To establish a quality assurance policy for all agency information technology projects, information systems training programs, and information systems documentation. If at any time a certified agency information technology project is not in compliance with Commission policies, standards, or procedures, the Commission may suspend project certification and shall report the suspension to the Office of the State Controller, the Office of State Budget and Management, the Chairs of the Legislative Committees on Information Technology, and the Cochairs of the Joint Legislative Commission on Governmental Operations. Upon recommendation of the Commission, the Joint Legislative Commission on Governmental Operations may request the State Budget Office and the State Controller to take appropriate remedial action, up to and including the suspension of appropriations or the nonrelease of funds to the project.

(6) To establish and enforce a quality review and expenditure review procedure for major agency information technology projects.

(7) To review and approve expenditures from appropriations made to the Office of State Budget and Management for the purpose of creating a Computer Reserve Fund.

(8) To develop and promote a policy and procedures for the fair and competitive procurement of information technology consistent with the rules of the Department of Administration and consistent with published industry standards for open systems that provide agencies with a vendor-neutral operating environment where different information technology hardware, software, and networks operate together easily and reliably."

Section 6. This act is effective when it becomes law.

The Conference Report is ordered placed on the Calendar for Monday, July 12, for adoption.

The Chair grants Senator Gulley a leave of absence for the remainder of today's Session.

Upon motion of Senator Ballance, seconded by Senator Lee, the Senate adjourns subject to ratification of bills and receipt of messages from the House of Representatives, to meet Monday, July 12, at 7:00 P.M.

July 8, 1999
SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.B. 275
House of Representatives
July 8, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the conferees on Senate Committee Substitute for HB 275, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR MORE EMPLOYERS WITH POSITIVE EXPERIENCE RATINGS, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
S/Denise Weeks
Principal Clerk

A special message received in the Office of the Principal Clerk from the House of Representatives transmitting a bill is presented to the Senate, read the first time, and disposed of, as follows:

S.B. 1043 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS TO MEET THE REQUIREMENTS OF A CONSENT JUDGMENT UNDER THE INTANGIBLES TAX CASES, for concurrence in House Committee Substitute No. 2, which is placed on the Calendar for Monday, July 12.

Pursuant to Senator Ballance’s motion to adjourn having prevailed, the Senate adjourns at 6:49 P.M.

NINETY-FIFTH DAY

Senate Chamber
Monday, July 12, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"Gracious Lord God, we give You thanks for the collegial ties that have increasingly bound us together these last six months. We are not the same people who began this journey back in January, for we have been changed by our countless debates, meetings, accords and discords.

"With a fair measure of Your grace, we have been delivered out of our narrow self interests into a greater appreciation of our common goals. Help us to continue to live out our lives in the context of our shared community, knowing that there is no good that comes to each one that should not come to all, and no good that may come to all that
should not be the hope of each one.

"For we know that when we work together as Your children, it is indeed 'our' Father, 'our' debts and trespasses, 'our' blessings, and 'our' daily bread that we pray for. Thank You for Your unceasing patience with us. We promise to keep it in the road these next four days. In Your Holy Name we pray, Amen."

With unanimous consent, the President grants leaves of absence for tonight to Senator Cochrane, Senator Gulley, Senator Jordan, and Senator Martin of Guilford.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of Thursday, July 8, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Robert Hodges Bilbro from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 515, AN ACT TO INCREASE THE NUMBER OF PAID MEMBERS A FIRE DEPARTMENT MAY HAVE AND REMAIN ELIGIBLE TO RECEIVE GRANTS FROM THE VOLUNTEER FIRE DEPARTMENT FUND AND TO INCREASE THE NUMBER OF PAID MEMBERS A RESCUE OR RESCUE/EMS UNIT MAY HAVE AND REMAIN ELIGIBLE TO RECEIVE GRANTS FROM THE VOLUNTEER RESCUE/EMS FUND.

S.B. 951, AN ACT TO PROTECT PATIENTS' RIGHTS BY REQUIRING NAME BADGES OR OTHER IDENTIFICATION FOR HEALTH CARE PRACTITIONERS.

H.B. 275, AN ACT TO IMPLEMENT A ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR MORE EMPLOYERS WITH POSITIVE EXPERIENCE RATINGS, AND TO TEMPORARILY REDUCE THE UNEMPLOYMENT INSURANCE TAX BY TWENTY PERCENT FOR MOST EMPLOYERS AND SUBSTITUTE AN EQUIVALENT CONTRIBUTION TO FUND ENHANCED EMPLOYMENT SERVICES AND WORKER TRAINING PROGRAMS.

H.B. 276, AN ACT MAKING VARIOUS CHANGES TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA.

H.B. 294, AN ACT TO AMEND THE LAW GOVERNING THE APPLICABILITY OF PREEXISTING CONDITION LIMITATIONS TO CERTAIN TYPES OF HEALTH INSURANCE POLICIES; TO PRESCRIBE STANDARDS FOR DISABILITY INCOME INSURANCE; TO CONFORM NORTH CAROLINA'S 1997 POSTMASTECTOMY RECONSTRUCTIVE SURGERY LAWS TO THE FEDERAL WOMEN'S HEALTH AND CANCER RIGHTS ACT OF 1998; TO UPDATE THE LAW ON VIATICAL SETTLEMENTS; TO AUTHORIZE THE WRITING OF FAMILY LEAVE CREDIT INSURANCE; TO CLARIFY THAT LOCAL GOVERNMENT INSURANCE RISK POOLS ARE SUBJECT TO INSURANCE LAWS IN CHAPTER 58 ONLY WHEN SPECIFICALLY REFERRED TO IN THOSE LAWS; TO MAKE CONFORMING CHANGES IN THE STATE HEALTH PLAN REIMBURSEMENT FOR PASTORAL

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COUNSELORS; AND TO MAKE A TECHNICAL CHANGE CONCERNING THE CLAIMS ACKNOWLEDGMENT STATUTE.

H.B. 315, AN ACT TO PROVIDE THAT A MOTOR VEHICLE'S PROPERTY TAX VALUE IS DETERMINED AS OF JANUARY 1 PRECEDING THE DUE DATE OF THE TAX AND TO AUTHORIZE THE STOKES BOARD OF EQUALIZATION AND REVIEW TO MEET AFTER ITS FORMAL ADJOURNMENT.

H.B. 924, AN ACT TO AUTHORIZE COMMUNITY MEDIATION CENTERS.

H.B. 1072, AN ACT TO MAKE THE FOLLOWING TECHNICAL CORRECTIONS IN THE ELECTION LAWS: TO CLARIFY THE ROLE OF THE STATE BOARD OF ELECTIONS IN THE PROCESS OF ORDERING NEW ELECTIONS; TO CLARIFY THE APPEAL PROCESS IN CONTESTED ELECTIONS; TO REENACT AND RECODIFY PROVISIONS OF THE PRE-1995 VOTER REGISTRATION LAWS THAT WERE INADVERTENTLY DROPPED IN THE ENACTMENT OF ARTICLE 7A IN CHAPTER 163; TO CLARIFY THE STATUTES CONCERNING CANDIDATE VACANCIES IN THE NONPARTISAN ELECTION OF JUDGES; TO MAKE CLEANUP CHANGES AS A RESULT OF SESSION LAW 1999-31; TO CONFORM THE PETITION STATUTES TO COURT RULINGS AND MAKE OTHER TECHNICAL CHANGES; AND TO CORRECT MISCELLANEOUS MISCITATIONS AND ERRORS IN THE ELECTION STATUTES.

H.B. 1216, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE JUVENILE JUSTICE REFORM ACT OF 1998.

H.B. 1267, AN ACT PROTECTING PUBLIC SCHOOL EMPLOYEES WHO FILE WRITTEN COMPLAINTS ALLEGING SEXUAL HARASSMENT.

The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

H.B. 531, AN ACT TO CONFIRM THAT LEE COUNTY MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS A DIVISION OF MOTOR VEHICLES AND HIGHWAY PATROL FACILITY.

H.B. 738, AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE CITY OF GREENVILLE, AND AUTHORIZING THE TOWN OF CATAWBA TO ANNEX PROPERTY ENCLOSED BY THE CORPORATE BOUNDARIES OF THE TOWN.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

H.B. 764, AN ACT TO AUTHORIZE THE TOWN OF MOORESVILLE TO LEVY AN ADDITIONAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX. (Became law upon ratification, July 8, 1999 – S.L. 1999-258.)

H.B. 855, AN ACT ALLOWING THE TOWN OF KINGS MOUNTAIN WITH THE APPROVAL OF THE CLEVELAND AND GASTON COUNTY BOARDS OF
COMMISSIONERS TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM THE TOWN'S CORPORATE LIMITS. (Became law upon ratification, July 8, 1999 – S.L. 1999-259.)

S.B. 192, AN ACT TO PROVIDE FOR THE FILING WITH THE SECRETARY OF STATE OF ALL MEMORANDA OF UNDERSTANDING AND AGREEMENTS OF A NONCOMMERCIAL NATURE BETWEEN THE STATE OF NORTH CAROLINA AND FOREIGN GOVERNMENTS, TO AUTHORIZE THE SECRETARY OF STATE TO PROVIDE INTERNATIONAL RELATIONS ASSISTANCE AND TO PUBLISH PUBLICATIONS ELECTRONICALLY, AND TO PROVIDE FOR GUBERNATORIAL OVERSIGHT OF AGREEMENTS INVOLVING THE STATE AND FOREIGN GOVERNMENTS. (Became law upon approval of the Governor, July 9, 1999 – S.L. 1999-260.)

S.B. 484, AN ACT CHANGING THE METHOD OF CALCULATING THE RATIO OF PROPERTY TAX COLLECTIONS TO THE TOTAL LEVY FOR LOCAL GOVERNMENT BUDGETING PURPOSES RELATING TO THE REGISTERED MOTOR VEHICLE TAX. (Became law upon approval of the Governor, July 9, 1999 – S.L. 1999-261.)

S.B. 956, AN ACT TO MAKE IT A CLASS 2 MISDEMEANOR TO USE IN TELEPHONIC OR ELECTRONIC-MAIL COMMUNICATIONS WITH ANOTHER PERSON ANY WORDS OR LANGUAGE THREATENING THAT PERSON'S CHILD, DEPENDENT, SIBLING, OR SPOUSE, AND TO MAKE IT A CLASS 1 MISDEMEANOR TO WILLFULLY THREATEN PHYSICAL INJURY TO THE CHILD, DEPENDENT, SIBLING, OR SPOUSE OF ANOTHER. (Became law upon approval of the Governor, July 9, 1999 – S.L. 1999-262.)

S.B. 1011, AN ACT TO PROVIDE THAT AN ENHANCED CRIMINAL PENALTY SHALL BE IMPOSED ON A PERSON WHO HAS IN HIS OR HER IMMEDIATE POSSESSION OR IS WEARING A BULLET-PROOF VEST WHILE COMMITTING A FELONY. (Became law upon approval of the Governor, July 9, 1999 – S.L. 1999-263.)

S.B. 1055, AN ACT TO PROHIBIT THE USE OF A COURT REPORTING SERVICE THAT HAS AN INTEREST WHEN A DEPOSITION IS TAKEN. (Became law upon approval of the Governor, July 9, 1999 – S.L. 1999-264.)

H.B. 143, AN ACT TO INCREASE THE FINE RELATED TO UNLAWFUL PARKING IN HANDICAPPED PARKING SPACES, AND TO REQUIRE THAT SIGNS BE PLACED ON HANDICAPPED PARKING SPACES. (Became law upon approval of the Governor, July 9, 1999 – S.L. 1999-265.)

S.B. 526, AN ACT TO PROVIDE FOR THE MODIFICATION AND TERMINATION OF IRREVOCABLE TRUSTS. (Became law upon approval of the Governor, July 9, 1999 – S.L. 1999-266.)

S.B. 1009, AN ACT TO PROMOTE THE FREE FLOW OF INFORMATION TO THE PEOPLE OF NORTH CAROLINA BY CODIFYING THE JOURNALISTS' TESTIMONIAL PRIVILEGE. (Became law upon approval of the Governor, July 9, 1999 – S.L. 1999-267.)

S.B. 1127, AN ACT TO CODIFY THE JOINT RESOLUTION DEDICATING

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PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE, INCLUDING THE CODIFICATION OF NAME CHANGES OF CERTAIN LANDS PREVIOUSLY ACCEPTED INTO THE STATE NATURE AND HISTORIC PRESERVE; TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE; TO CODIFY THESE REMOVALS; TO DELETE CERTAIN LANDS FROM THE STATE PARKS SYSTEM; AND TO MAKE A TECHNICAL CORRECTION TO THE STATE CONSTITUTION TO ALLOW THE DEDICATION AND ACCEPTANCE OF PROPERTY INTO THE STATE NATURE AND HISTORIC PRESERVE BY THE GENERAL ASSEMBLY BY A BILL RATHER THAN BY A JOINT RESOLUTION. (Became law upon approval of the Governor, July 9, 1999 – S.L. 1999-268.)

**H.B. 290, AN ACT TO AMEND THE CRIME VICTIMS' COMPENSATION ACT BY INCREASING THE MEMBERSHIP OF THE CRIME VICTIMS' COMPENSATION COMMISSION, BY INCREASING THE SIZE OF INITIAL CLAIMS THAT MAY BE AWARDED BY THE DIRECTOR OF THE COMMISSION, AND BY PROVIDING THE COMMISSION WITH THE DISCRETION TO PAY CERTAIN CLAIMS PREVIOUSLY DENIED. (Became law upon approval of the Governor, July 9, 1999 – S.L. 1999-269.)**

**S.B. 1003, AN ACT TO AMEND THE STATUTES REGULATING THE ABILITY OF GUARDIANS TO MAKE GIFTS FROM INCOMPETENT WARDS' ESTATES UNDER CERTAIN CIRCUMSTANCES. (Became law upon approval of the Governor, July 9, 1999 – S.L. 1999-270.)**

**REPORTS OF COMMITTEES**

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Kerr for the Finance Committee:

**H.B. 1246 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES TO ANIMAL LOVERS TO PROMOTE SPAYING AND NEUTERING OF DOGS AND CATS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.**

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 4281 is adopted and engrossed.

By Senator Miller for the Judiciary II Committee:

**H.B. 160 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CHILD ABUSE THAT RESULTS IN EXTREME DEBILITATING INJURY, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.**

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 1318, which changes the title, upon concurrence, to read **H.B. 160 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CHILD ABUSE THAT RESULTS IN SERIOUS BODILY INJURY OR PERMANENT LOSS OR IMPAIRMENT OF ANY MENTAL OR EMOTIONAL FUNCTION, is adopted and engrossed.**

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H.B. 660, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF COLLECTION AGENCY SO THAT THE IV-D CHILD ENFORCEMENT PROGRAM IS REGULATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, with a favorable report.

H.B. 661, A BILL TO BE ENTITLED AN ACT TO AMEND THE JUVENILE CODE TO REVISE THE COMMUNITY SERVICE DISPOSITIONAL ALTERNATIVE FOR JUVENILE OFFENDERS WHO HAVE BEEN ADJUDICATED DELINQUENT FOR LEVEL 2 OFFENSES, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill A166 is adopted and engrossed.

H.B. 885 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT CONSUMERS BY REQUIRING CONTRACTS FOR THE RENTAL OF SELF-SERVICE STORAGE TO CLEARLY STATE CERTAIN TERMS REGARDING THE IMPOSITION OF LATE FEES, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill A167 is adopted and engrossed.

H.B. 939 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT THAT MAY BE IN CONTROVERSY IN SMALL CLAIMS COURT, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 4280, which changes the title, upon concurrence, to read H.B. 939 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT THAT MAY BE IN CONTROVERSY IN SMALL CLAIMS COURT AND GIVE MAGISTRATES WHO ARE ATTORNEYS THAT ARE LICENSED TO PRACTICE LAW IN NORTH CAROLINA ADDITIONAL AUTHORITY TO ACCEPT BINDING WAIVERS OF COUNSEL IN CRIMINAL CASES AND CIVIL CONTEMPT CASES, is adopted and engrossed.

By Senator Cooper for the Judiciary I Committee:

H.B. 247 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REGULATE FUNERAL PROCESSIONS AND TO CODIFY THE RULES OF THE ROAD WITH REGARD TO FUNERAL PROCESSIONS, with an unfavorable report as to Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 3459 is adopted and engrossed.

By Senator Kinnaird for the State and Local Government Committee:

H.B. 149, A BILL TO BE ENTITLED AN ACT TO REDUCE THE PISTOL PERMIT FEE IN PITTS COUNTY FROM TWENTY DOLLARS TO FIVE DOLLARS, with a favorable report.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A special message received in the Office of the Principal Clerk from the House of
Representatives transmitting a bill is presented to the Senate, read the first time, and disposed of, as follows:

S.B. 222 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STATE AND LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS, CHARGE CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFERS FOR PAYMENT OF GOVERNMENT FEES, COSTS, AND DEBTS, TO ALLOW LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS, CHARGE CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFERS FOR PAYMENT OF PROPERTY TAXES, AND TO CREATE THE OFFICE OF INFORMATION TECHNOLOGY TO STRENGTHEN THE MANAGEMENT OF INFORMATION TECHNOLOGY IN STATE GOVERNMENT, ENHANCE ACCOUNTABILITY OF INFORMATION TECHNOLOGY EXPENDITURES, IMPROVE COST-EFFECTIVE INFORMATION TECHNOLOGY INVESTMENTS, INCREASE INFORMATION TECHNOLOGY EFFICIENCIES, AND CLARIFY AREAS OF RESPONSIBILITY FOR STATE INFORMATION TECHNOLOGY, for concurrence in House Committee Substitute bill No. 2.

Senator Reeves offers a motion that the rules be suspended and that House Committee Substitute bill No. 2 be placed before the Senate for immediate consideration, upon concurrence.

Senator Webster objects to the motion.

Senator Webster moves that the motion be deferred to the end of the Calendar.

The Chair determines that the motion offered by Senator Webster that the prior motion offered by Senator Reeves be deferred to the end of the Calendar is out of order.

The motion by Senator Reeves is sustained.

The Senate fails to concur in House Committee Substitute bill No. 2 (0-46).

Senator Reeves offers a motion that the Senate appoint conferees, which motion prevails.

Senator Basnight, President Pro Tempore, announces the appointment of Senator Reeves, Chairman; and Senators Carrington, Clodfelter, and Rand as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

COMMITTEE REFERRAL RECALL

H.B. 1431 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF A TOBACCO TRUST FUND AND A HEALTH TRUST FUND AND COMMISSIONS TO ADMINISTER THOSE FUNDS AND TO PROVIDE IMMUNITY FOR PHASE II OFFICIALS, referred to the Judiciary I Committee on July 8.

Pursuant to Rule 47(a), Senator Rand offers a motion that the Committee Substitute bill No. 2 be withdrawn from the Judiciary I Committee and re-referred to the Rules and Operations of the Senate Committee, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill No. 2 withdrawn from the Judiciary I Committee and re-refers the measure to the Rules and Operations of the Senate Committee.

WITHDRAWAL FROM CALENDAR

H.B. 149, A BILL TO BE ENTITLED AN ACT TO REDUCE THE PISTOL PERMIT FEE IN PITT COUNTY FROM TWENTY DOLLARS TO FIVE DOLLARS,
placed earlier on the Calendar for Tuesday, July 13.

Senator Kinnaird offers a motion that the bill be withdrawn from the Calendar for Tuesday, July 13, and placed on tonight's Calendar, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Calendar for Tuesday, July 13, and places it on tonight's Calendar.

**SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

Special messages are received from the House of Representatives transmitting bills which are read the first time and disposed of, as follows:

**S.B. 694**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF RIMERTOWN SUBJECT TO A REFERENDUM, for concurrence in House Amendment No. 1.

Upon motion of Senator Hartsell, the rules are suspended, without objection, and the bill is placed on tonight's Calendar for concurrence in House Amendment No. 1.

**S.B. 974** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REGULATING THE RENTAL OF RESIDENTIAL PROPERTY FOR VACATION, LEISURE, OR RECREATIONAL PURPOSES, AND CLARIFYING THE RIGHTS AND OBLIGATIONS OF LANDLORDS AND TENANTS OF RESIDENTIAL PROPERTY, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, July 13.

**H.B. 279** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TOWNSHIP HOSPITALS STILL OPERATING UNDER PRE-1983 LAW TO LEVY ADDITIONAL TAXES AFTER A REFERENDUM, AND TO MODERNIZE PROVISIONS OF LAW APPLICABLE TO THEM.

Referred to **Finance Committee**.

**H.B. 667** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CITY OF ROANOKE RAPIDS.

Referred to **Finance Committee**.

**H.B. 781**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF CATAWBA TO ANNEX PROPERTY ENCLOSED BY THE CORPORATE BOUNDARIES OF THE TOWN.

Referred to **Finance Committee**.

**H.B. 1010** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REGULATE COTTON Gins, COTTON Warehouses, and COTTON MERCHANTS.

Referred to **Agriculture/Environment/Natural Resources Committee** and upon a favorable report, re-referred to the **Finance Committee**.

**H.B. 1340** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE RESPIRATORY CARE PRACTICE ACT.

Referred to **Health Care Committee** and upon a favorable report, re-referred to the **Finance Committee**.

**H.B. 1471**, A BILL TO BE ENTITLED AN ACT TO ADJUST THE MATURITY
DATE OF THE 1996 HIGHWAY BONDS TO REFLECT A CHANGE IN THE ESTIMATED COMPLETION DATE OF HIGHWAY TRUST FUND PROJECTS.

Referred to Finance Committee.

The following special message is received from the House of Representatives:

S.B. 742
House of Representatives
July 8, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on House Committee Substitute for SB 742, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR SCHOOL PERSONNEL TO ENGAGE IN SEXUAL ACTS WITH A STUDENT, to the end that when a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,
S/Denise Weeks
Principal Clerk

Pursuant to the Senate having adopted the conference report on July 8, the bill is ordered enrolled and sent to the Governor by special message.

The following special message is received from the House of Representatives:

H.B. 253
House of Representatives
July 9, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on Senate Committee Substitute for HB 253, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE STATE INFORMATION PROCESSING SERVICES TO THE DIVISION OF INFORMATION TECHNOLOGY SERVICES AND TO REQUIRE THAT CERTAIN STATE AGENCY INFORMATION TECHNOLOGY PROJECTS MUST BE CERTIFIED BY THE INFORMATION RESOURCE MANAGEMENT COMMISSION, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
S/Denise Weeks
Principal Clerk

The following special message is received from the House of Representatives:

S.B. 1115
House of Representatives
July 9, 1999

July 12, 1999
Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute for SB 1115, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WIDELY SHARED PROSPERITY BY AMENDING THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, BY PROVIDING ADDITIONAL TAX INCENTIVES FOR VARIOUS BUSINESSES, AND BY MAKING RELATED CHANGES, the Speaker has appointed as conferees on the part of the House:

Representative Owens,
Representative Gray,
Representative Wright,
Representative Luebke,
Representative Tucker, and
Representative Warren

to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
S/Denise Weeks
Principal Clerk

CALENDAR

Bills and a resolution on today's Calendar are taken up and disposed of, as follows:

H.B. 120 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE PROCEDURES FOR NOTIFYING OWNERS AND ADVERTISING TAX LIENS ON REAL PROPERTY, upon third reading.

With unanimous consent, upon motion of Senator Wellons, the Senate Committee Substitute bill is withdrawn from tonight's Calendar and is placed on the Calendar for Tuesday, July 13, upon third reading.

H.B. 19 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT CASINO BOATS FROM OPERATING IN NORTH CAROLINA, TO REGULATE CERTAIN GAMBLING BOATS THAT OPERATE IN NORTH CAROLINA PURSUANT TO FEDERAL LAW, TO LEVY A PRIVILEGE TAX ON GAMBLING BOATS OPERATING IN NORTH CAROLINA, AND TO REQUIRE WITHHOLDING FROM CERTAIN GAMBLING BOAT WINNINGS, upon second reading.

With unanimous consent, upon motion of Senator Kerr, the Committee Substitute bill No. 2 is withdrawn from tonight's Calendar and re-referred to the Finance Committee.

H.B. 507 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATIONS BY THE TOWNS OF CAPE CARTERET AND BOGUE, upon third reading.

With unanimous consent, upon motion of Senator Soles, the Committee Substitute bill is withdrawn from tonight's Calendar and is placed on the Calendar for Tuesday, July 13, upon third reading.

July 12, 1999
COMMITTEE REFERRAL RECALL

H.B. 1233 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STRUCTURAL PEST CONTROL ACT, referred to the Agriculture/Environment/Natural Resources Committee on July 8.

Pursuant to Rule 47(a), Senator Albertson offers a motion that the Committee Substitute bill be withdrawn from the Agriculture/Environment/Natural Resources Committee and re-referred to the Finance Committee, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Agriculture/Environment/Natural Resources Committee and re-refers the measure to the Finance Committee.

CALENDAR (Continued)

H.B. 303 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO COMMERCIAL VEHICLE HIGHWAY SAFETY AND WORK ZONE SAFETY.

With unanimous consent, upon motion of Senator Metcalf, the Senate Committee Substitute bill is withdrawn from tonight’s Calendar and is placed on the Calendar for Wednesday, July 14.

H.B. 274 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING CERTIFICATION AND EMPLOYMENT OF ASSISTANT PRINCIPALS.

With unanimous consent, upon motion of Senator Rand, the Senate Committee Substitute bill is withdrawn from tonight’s Calendar and is placed on the Calendar for Wednesday, July 14.

H.B. 812 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON A REQUIREMENT THAT PART OF CERTAIN CRAVEN COUNTY PROCEEDS BE USED FOR A CONVENTION CENTER AND A TOURIST CENTER, upon third reading.

Upon the appearance of Senator Martin of Guilford in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 47, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

H.B. 651 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW BRUNSWICK COUNTY TO ASSESS A FIRE PROTECTION FEE, upon second reading.

The Senate Committee Substitute bill passes its second reading by roll-call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight,
The Senate Committee Substitute bill is ordered placed on the Calendar for tomorrow, Tuesday, July 13, upon third reading.

H.B. 794, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF FARMVILLE, upon second reading.

The bill passes its second reading by roll-call vote, ayes 46, noes 0, as follows:


Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Tuesday, July 13, upon third reading.

H.B. 638 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE OWNERS OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE COUNTIES OF CAMDEN, CHOWAN, CURRITUCK, GATES, HERTFORD, PASQUOTANK, PERQUIMANS, TYRRELL, AND WASHINGTON TO TRANSFER OWNERSHIP OF THESE SYSTEMS TO A JOINT AGENCY CREATED BY TWO OR MORE UNITS OF LOCAL GOVERNMENT LOCATED IN THOSE COUNTIES AND TO AUTHORIZE THE COUNTIES OF GATES AND HERTFORD TO COLLECT FEES FOR THE INSPECTION OF PROVISIONALLY APPROVED SEPTIC TANK AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE SAME MANNER AS PROPERTY TAXES, which title changes, upon concurrence.

The Senate Committee Substitute bill passes its second (46-0) and third readings and is ordered sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

H.B. 937 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE REGIONAL TRANSPORTATION AUTHORITY ACT CONCERNING JURISDICTION OF THE ENTIRE AREA OF THE COUNTY IN CERTAIN CIRCUMSTANCES AND MEMBERSHIP OF THE AUTHORITY, AND TO AUTHORIZE THE AUTHORITY TO CREATE SPECIAL TAX DISTRICTS WITHIN ITS JURISDICTION, upon third reading, which title changes, upon concurrence.

The Senate Committee Substitute bill No. 2 passes its third reading by roll-call vote, ayes 44, noes 2, as follows:

Voting in the negative: Senators East and Foxx—2.

The Senate Committee Substitute bill No. 2 is ordered sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

H.B. 1433 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR INDIVIDUALS TO PAY THEIR ANNUAL USE TAX WITH THEIR INCOME TAX FORMS, TO PROMOTE ELECTRONIC FILING, AND TO IMPROVE TAX COLLECTION, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 43, noes 4, as follows:


Voting in the negative: Senators Allran, Ballantine, Foxx, and Webster—4.

The Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

H.B. 541 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TROT LINES, BUOY SETS, AND SET HOOKS ARE SPECIAL FISHING DEVICES, upon second reading.

With unanimous consent, upon motion of Senator Phillips, the Committee Substitute bill is withdrawn from tonight’s Calendar and is placed on the Calendar for Thursday, July 15, upon second reading.

H.B. 1472 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND MODERNIZE TAX CREDITS FOR INVESTING IN RENEWABLE ENERGY SOURCES, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 47, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

S.B. 562 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL FORM AND RATE FILING FEES AND HMO ANNUAL REPORT FEES COLLECTED BY THE DEPARTMENT OF INSURANCE; TO INCREASE CERTAIN INSURANCE COMPANY LICENSE RENEWAL FEES COLLECTED BY THE DEPARTMENT OF INSURANCE; AND TO CLARIFY AN EXAMINATION LAW PROVIDING FOR REIMBURSEMENT FOR DEPARTMENTAL EXPENSES, upon second reading.

The President rules that the Committee Substitute bill does not require a call of the roll.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered sent, by special message, to the House of Representatives.
H.B. 280 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER CHANGES TO THE MOTOR VEHICLE LAWS, upon second reading.

Senator Rand offers Amendment No. 1 which is adopted (47-0).

The Senate Committee Substitute bill No. 2, as amended, passes its second reading by roll-call vote, ayes 47, noes 0, as follows:


Voting in the negative: None.

The Senate Committee Substitute bill No. 2, as amended, is ordered placed on the Calendar for tomorrow, Tuesday, July 13, upon third reading.

H.B. 1120 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO ENGAGE IN INSTALLMENT PURCHASE FINANCING AND TO ISSUE REVENUE ANTICIPATION NOTES, upon second reading.

Senator Purcell offers Amendment No. 1 which is adopted (47-0) and changes the title upon concurrence.

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 46, noes 1, as follows:


Voting in the negative: Senator Webster—1.

The Committee Substitute bill, as amended, is ordered placed on the Calendar for tomorrow, Tuesday, July 13, upon third reading.

H.B. 1479 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NEWSPRINT RECYCLING TAX, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 46, noes 1, as follows:


Voting in the negative: Senator Ballantine—1.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Tuesday, July 13, upon third reading.

S.B. 864 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A TEMPORARY SALES TAX REFUND FOR MEDICAL LABORATORY TESTING COMPANIES.

July 12, 1999
Without objection, Senator Webster requests to be excused from voting on the Committee Substitute bill due to a significant financial conflict of interest.

The Committee Substitute bill passes its second (46-0) and third readings and is ordered sent, by special message, to the House of Representatives.

S.B. 968 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE WAIVER OF COMPETITIVE BIDDING AND TO REQUIRE BID PROTESTS INVOLVING CONTRACTS OVER A CERTAIN AMOUNT TO BE HANDLED BY THE DEPARTMENT OF ADMINISTRATION.

Senator Shaw of Cumberland offers Amendment No. 1 which is adopted (47-0).

The Committee Substitute bill, as amended, passes its second (47-0) and third readings and is ordered engrossed and sent, by special message, to the House of Representatives.

S.J.R. 1171, A JOINT RESOLUTION RECOGNIZING WASHINGTON COUNTY UPON ITS BICENTENNIAL AND HONORING GEORGE WASHINGTON, FOR WHOM THE COUNTY IS NAMED.

The joint resolution passes its second (45-0) and third readings and is ordered sent, by special message, to the House of Representatives.

H.B. 293 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF COMMUNITY COLLEGES TO ASSESS MONETARY PENALTIES AGAINST PROPRIETARY SCHOOLS THAT OPERATE WITHOUT A LICENSE OR OPERATE OUTSIDE THE SCOPE OF THEIR LICENSE.

Senator Horton offers Amendment No. 1 which fails of adoption (14-32).

The Senate Committee Substitute bill passes its second reading (40-6).

Senator Ballantine objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Tuesday, July 13.

H.B. 512 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CERTIFY ASSISTED LIVING RESIDENCE ADMINISTRATORS.

With unanimous consent, upon motion of Senator Odom, the Senate Committee Substitute bill is withdrawn from tonight’s Calendar and is placed on the Calendar for Tuesday, July 13.

H.B. 604, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CIRCUMSTANCES UNDER WHICH AN ATTORNEY-IN-FACT MAY MAKE GIFTS.

Senator Hagan offers Amendment No. 1 which is adopted (46-0).

The bill, as amended, passes its second reading (41-5).

Senator Cooper objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Tuesday, July 13.

H.B. 978 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE OWNER OF A PRIVATE OR JOINT PRIVATE PIER AT WHITE LAKE STATE LAKE THAT WAS DAMAGED AS A RESULT OF A NATURAL DISASTER TO REBUILD THE PIER TO ITS CONDITION IMMEDIATELY PRECEDING THE DAMAGE, TO AUTHORIZE THE CONSTRUCTION OF ADDITIONAL BOAT STALLS ON A PIER AT WHITE LAKE STATE LAKE UNDER CERTAIN CIRCUMSTANCES, AND TO DELETE CERTAIN LANDS USED FOR THE FALLS LAKE STATE TRAIL FROM THE STATE PARKS SYSTEM AND REALLOCATE THOSE LANDS TO THE WILDLIFE RESOURCES COMMISSION, which title changes upon concurrence.

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The Senate Committee Substitute bill passes its second (46-0) and third readings and is ordered sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

**H.B. 1154** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A ONE-YEAR SUSPENSION FOR ANY STUDENT WHO BRINGS OR POSSESSES A FIREARM OR EXPLOSIVE ON EDUCATIONAL PROPERTY OR AT A SCHOOL-SPONSORED CURRICULAR OR EXTRACURRICULAR ACTIVITY OFF EDUCATIONAL PROPERTY AND TO MAKE OTHER CONFORMING CHANGES, which title changes upon concurrence.

Senator Dalton offers Amendment No. 1 which is adopted (46-0).

The Senate Committee Substitute bill, as amended, passes its second (46-0) and third readings and is ordered engrossed and sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

**SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

Special messages are received from the House of Representatives transmitting bills which are read the first time and disposed of, as follows:

**S.B. 799**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES COLLECTED BY THE NORTH CAROLINA BOARD OF PHYSICAL THERAPY EXAMINERS, for concurrence in House Amendment No. 1, which is placed on the Calendar for tomorrow, Tuesday, July 13.

**H.B. 240** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.

Referred to Finance Committee.

**H.B. 1222** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE STATE COURT SYSTEM BY CREATING A STATE JUDICIAL COUNCIL.

Referred to Judiciary I Committee.

**H.B. 449**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CURRENT SALES TAX TREATMENT FOR FARM MACHINERY AND EQUIPMENT ALSO APPLIES TO BALERS.

Referred to Finance Committee.

**H.B. 1326** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EARMARK THE STATE SALES TAX REVENUE FROM DRY-CLEANING AND LAUNDRY SERVICES FOR THE DRY-CLEANING SOLVENT CLEANUP FUND, AND TO AMEND THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997 TO REPEAL THE REQUIREMENT OF FINANCIAL RESPONSIBILITY FOR DRY-CLEANING FACILITIES AND WHOLESALE DRY-CLEANING SOLVENT DISTRIBUTION FACILITIES, TO ALLOW THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ENTER INTO CONTRACTS WITH PRIVATE CONTRACTORS FOR ASSESSMENT AND REMEDIATION ACTIVITIES AT DRY-CLEANING FACILITIES AND WHOLESALE DRY-CLEANING SOLVENT DISTRIBUTION FACILITIES.

July 12, 1999
DISTRIBUTION FACILITIES, TO ESTABLISH A STATE GOAL FOR THE REDUCTION OF THE USE OF PERCHLOROETHYLENE F-1,1,3 BY DRY-CLEANING FACILITIES, TO REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REPORT TO THE ENVIRONMENTAL REVIEW COMMISSION ON THE PROGRESS IN ATTAINING THIS GOAL AND THE COST AND EFFECTIVENESS OF DRY-CLEANING TECHNOLOGIES AND CHEMICALS THAT OFFER AN ALTERNATIVE TO THE USE OF PERCHLOROETHYLENE F-1,1,3, AND TO MAKE OTHER CHANGES IN THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997.

Referred to Finance Committee.

REPORTS OF COMMITTEES (Continued)

By Senator Shaw of Cumberland for the Transportation Committee:

H.B. 1085, A BILL TO BE ENTITLED AN ACT TO PERMIT THE USE OF TRANSITWAYS, with a favorable report.

CALENDAR (Continued)

S.B. 55 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONFORM THE TAX BASE OF THE REGIONAL TRANSIT AUTHORITY VEHICLE RENTAL TAX TO THE TAX BASE OF THE ALTERNATE HIGHWAY USE TAX ON SHORT TERM VEHICLE RENTALS, AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, for concurrence in the House Committee Substitute bill, upon third reading, which title changes, upon concurrence to read S.B. 55 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES.

The Senate concurs in the House Committee Substitute bill on its third reading by roll-call vote, ayes 46, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

S.B. 290 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE LOBBYING LAW, for concurrence in House Committee Substitute bill No. 2, upon third reading.

The Senate concurs in House Committee Substitute bill No. 2 on its third reading by roll-call vote, ayes 46, noes 0, as follows:


July 12, 1999
Voting in the negative: None.
The House Committee Substitute bill No. 2 is ordered enrolled and sent to the Governor by special message.

S.B. 323 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND WATERFOWL HUNTING PRIVILEGES TO HOLDERS OF COMPREHENSIVE HUNTING LICENSES, TO INCREASE THE FEE CHARGED FOR MIGRATORY WATERFOWL LICENSES, AND TO INCREASE THE APPLICATION FEE FOR MANAGED HUNTS FOR MIGRATORY WATERFOWL AND REQUIRE APPLICANTS TO FURNISH SATISFACTORY PROOF OF POSSESSION OF THE NECESSARY HUNTING LICENSE, for concurrence in the House Committee Substitute bill, upon third reading.
The Senate concurs in the House Committee Substitute bill on its third reading by roll-call vote, ayes 46, noes 0, as follows:
Voting in the negative: None.
The House Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

S.B. 1043 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS TO MEET THE REQUIREMENTS OF A CONSENT JUDGMENT UNDER THE INTANGIBLES TAX CASES, for concurrence in House Committee Substitute bill No. 2.
The Senate concurs in House Committee Substitute bill No. 2 (46-0) and the measure is ordered enrolled and sent to the Governor by special message.

H.B. 253 (Conference Report), A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE STATE INFORMATION PROCESSING SERVICES TO THE DIVISION OF INFORMATION TECHNOLOGY SERVICES AND TO REQUIRE THAT CERTAIN STATE AGENCY INFORMATION TECHNOLOGY PROJECTS MUST BE CERTIFIED BY THE INFORMATION RESOURCE MANAGEMENT COMMISSION, for adoption.
Upon motion of Senator Reeves, the Senate adopts the Conference Report (47-0).
The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

H.B. 149, A BILL TO BE ENTITLED AN ACT TO REDUCE THE PISTOL PERMIT FEE IN PITTS COUNTY FROM TWENTY DOLLARS TO FIVE DOLLARS, placed earlier on tonight’s Calendar.
The bill passes its second (47-0) and third readings and is ordered enrolled.

S.B. 694, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF RIMERTOWN SUBJECT TO A REFERENDUM, for concurrence in House Amendment No. 1, placed earlier on tonight’s Calendar.
The Chair rules that House Amendment No. 1 is not a material amendment.
The Senate concurs in House Amendment No. 1 (46-0) and the measure is ordered enrolled.

July 12, 1999
The President recognizes the following pages serving in the Senate this week:

Colin R. Boyle, New Bern; Emily H. Crites, Sylva; Stefanie Marie Daidone, Manteo; Grecia Edwards, Greenville; Frederick Daniel Graham, Fayetteville; Akhil S. Hegde, Lumberton; Robert Frederick Huber, Winston-Salem; Laura Jenkins, Southern Shores; Quisha Rene'e Mallette, Greenville; Kasey Nichole McDevitt, Marshall; Katie Lee Metcalf, Mars Hill; Courtney Ellis Monsour, Fayetteville; Jennifer E. New, Raleigh; Mary Hunter Olive, Smithfield; Natillie Rauch, Gastonia; Elise Katherine Reynolds, Webster; Stacey Nicole Robinson, Ivanhoe; Meredith D. Smith, Greensboro; Amanda Rose Stevens, Vale; Katherine Strawn, Knightdale; Rawlings David Tidwell, Gastonia; William Robert Toler, Emul; and Thomas Scott Youngblood, Raleigh.

Upon motion of Senator Basnight, seconded by Senator Lee, the Senate adjourns subject to receipt of messages from the House of Representatives, to meet tomorrow, Tuesday, July 13, at 3:00 P.M.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 233 (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TRANSMISSION AND FILING OF RIGHT-OF-WAY PLANS BY THE DEPARTMENT OF TRANSPORTATION AND TO PROVIDE THAT ANY FUNDS ALLOCATED IN A SPECIFIC YEAR TO A TRANSPORTATION DIVISION AND UNDER OR OVER OBLIGATED SHALL BE ADDED TO THE NEXT YEAR'S ALLOCATION TO THE TRANSPORTATION DIVISION, for concurrence in House Committee Substitute bill No. 3.

Pursuant to Rule 43, House Committee Substitute bill No. 3 is ordered held in the Office of the Principal Clerk pending referral.

S.B. 251 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE HISTORIC REHABILITATION TAX CREDIT TO BE ALLOCATED BY A PASS-THROUGH ENTITY TO ITS OWNERS AND TO REQUIRE CORPORATIONS THAT ARE REQUIRED TO PAY FEDERAL-ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER TO PAY STATE-ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER, for concurrence in the House Committee Substitute bill.

Pursuant to Rule 43, the House Committee Substitute bill is ordered held in the Office of the Principal Clerk pending referral.

S.B. 420 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEALERS AND MANUFACTURERS LICENSING LAW, for concurrence in the House Committee Substitute bill.

Pursuant to Rule 43, the House Committee Substitute bill is ordered held in the Office of the Principal Clerk pending referral.

S.B. 513 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS THAT COVER PRESCRIPTION DRUGS TO
ISSUE UNIFORM PRESCRIPTION DRUG IDENTIFICATION CARDS, for concurrence in the House Committee Substitute bill.

Pursuant to Rule 43, the House Committee Substitute bill is ordered held in the Office of the Principal Clerk pending referral.

S.B. 523 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH THE GREENSBORO ROOM OCCUPANCY TAX MAY BE USED, for concurrence in the House Committee Substitute bill.

Pursuant to Rule 43, the House Committee Substitute bill is ordered held in the Office of the Principal Clerk pending referral.

S.B. 619 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF FUQUAY-VARINA AND TO MODIFY THE HILLSBOROUGH MEALS TAX PENALTIES, for concurrence in the House Committee Substitute bill.

Pursuant to Rule 43, the House Committee Substitute bill is ordered held in the Office of the Principal Clerk pending referral.

S.B. 708 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING COUNTIES TO PROVIDE AFFORDABLE HOUSING FOR PERSONS OF LOW AND MODERATE INCOME, for concurrence in the House Committee Substitute bill.

Pursuant to Rule 43, the House Committee Substitute bill is ordered held in the Office of the Principal Clerk pending referral.

S.B. 772, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF MUNICIPAL SERVICE DISTRICTS IN CERTAIN CITIES FOR URBAN AREA REVITALIZATION PROJECTS, for concurrence in House Amendments No. 1 and No. 2.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral.

S.B. 785 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE INSPECTION AND REGULATION OF LIQUEFIED PETROLEUM GASES, for concurrence in House Committee Substitute bill No. 2.

Pursuant to Rule 43, the House Committee Substitute bill No. 2 is ordered held in the Office of the Principal Clerk pending referral.

S.B. 1004 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REVISING THE PROCEDURE USED BY THE NORTH CAROLINA BOARD FOR LICENSING OF GEOLOGISTS TO ADDRESS COMPLAINTS AND INVESTIGATIONS AND AUTHORIZING THE BOARD TO ASSESS CIVIL PENALTIES, for concurrence in the House Committee Substitute bill.

Pursuant to Rule 43, the House Committee Substitute bill is ordered held in the Office of the Principal Clerk pending referral.

S.B. 1110 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCENTIVE FOR BUSINESSES TO FIND COMMERCIAL USES FOR TECHNOLOGY DEVELOPED BY RESEARCH UNIVERSITIES, for concurrence in the House Committee Substitute bill.

Pursuant to Rule 43, the House Committee Substitute bill is ordered held in the Office of the Principal Clerk pending referral.

July 12, 1999
H.B. 723 (Committee Substitute No. 4), A BILL TO BE ENTITLED AN ACT TO ALLOW A PERSON WHO SUFFERS FROM A MEDICAL CONDITION THAT CAUSES THE PERSON TO BE PHOTOREACTIVE TO VISIBLE LIGHT TO HAVE A DARKER VEHICLE WINDOW THAN IS ALLOWED UNDER THE WINDOW TINTING LAWS AND TO ELIMINATE THE AFTER-FACTORY WINDOW TINTING INSPECTION FEE FOR VEHICLES OWNED BY PERSONS ISSUED A MEDICAL EXCEPTION PERMIT BY THE DIVISION OF MOTOR VEHICLES ALLOWING THE WINDOW TINTING.

Pursuant to Rule 43, Committee Substitute bill No. 4 is ordered held in the Office of the Principal Clerk pending referral to committee.

H.B. 1084 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO ISSUE BONDS TO PURCHASE LAND FOR MULTIPLE USE FOR PRESENT OR FUTURE COUNTY, OPEN SPACE, COMMUNITY COLLEGE, AND PUBLIC SCHOOL PURPOSES.

Pursuant to Rule 43, the Committee Substitute bill is ordered held in the Office of the Principal Clerk pending referral to committee.

H.B. 1466 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WITHHOLDING OF NORTH CAROLINA INCOME TAXES FROM TAXABLE PENSIONS, ANNUITIES, AND DEFERRED COMPENSATION.

Pursuant to Rule 43, the Committee Substitute bill is ordered held in the Office of the Principal Clerk pending referral to committee.

Pursuant to Senator Basnight’s motion to adjourn having prevailed, the Senate adjourns at 11:22 P.M.

NINETY-SIXTH DAY

Senate Chamber
Tuesday, July 13, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by Ms. Lois Britt, Mount Olive, North Carolina, as follows:

“Our Heavenly Father, we come to You with thanksgiving and praise, and yes, dear God, we come to You asking for Your continued blessings. Father, thank You for all the individuals of the North Carolina Senate who have been chosen by their people to make decisions that affect our lives daily. Thank You for giving them the motivation, the courage, the will, and yes, the stamina to serve. Thank You for giving them critical thinking skills and decision making abilities. Thank You for their wisdom and their determination to do what is right for the citizens of North Carolina. Thank You for their ability to debate, to listen, to resolve, and to move forward. For their well being, we give You praise, and God, we ask for this continued blessing. Dear God, they feel some of the things that we do to our Heavenly Father. We ask and when they don’t do as we ask, we’re upset; and when they do as we ask, we forget to say ‘thank you’. Dear Father, forgive us for that.

“God, we hope that their families will stick with them as they serve. Dear God, we
thank You for those who surround this group, all the people who help this Body attend to their responsibilities. Their work is so important, and God, we thank You for blessing them so that they can feel appreciated.

“Dear God, one of Your children who served in this Body is bereaved today. Senator Helen Marvin, whose husband Ned passed away yesterday, needs Your touch. Thank You for the service that she and Ned have given.

“Now Lord, in the closing days of this Session, we ask for more blessings. Please add an extra helping of wisdom and patience to the decision-making process and to the decision makers, and yes, dear Lord, we would even ask for an extra serving of energy for them.

“Thank You for granting us this special privilege of meeting together, and dear Lord, I, as Your humble servant, am delighted to be able to offer this prayer. Amen.”

With unanimous consent, the President grants leaves of absence for today to Senator Gulley and Senator Jordan.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Monday, July 12, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Thomas Vincent Clancy from Wilmington, North Carolina, who is serving the Senate as Doctor of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 55, AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES.

S.B. 212, AN ACT TO AMEND CERTAIN STATUTES REGARDING THE NORTH CAROLINA BOARD OF MORTUARY SCIENCE AND MUTUAL BURIAL ASSOCIATIONS, AND MINIMUM BURIAL DEPTHS.

S.B. 290, AN ACT TO AMEND THE LOBBYING LAW.

S.B. 323, AN ACT TO EXTEND WATERFOWL HUNTING PRIVILEGES TO HOLDERS OF COMPREHENSIVE HUNTING LICENSES, TO INCREASE THE FEE CHARGED FOR MIGRATORY WATERFOWL LICENSES, AND TO INCREASE THE APPLICATION FEE FOR MANAGED HUNTS FOR MIGRATORY WATERFOWL AND REQUIRE APPLICANTS TO FURNISH SATISFACTORY PROOF OF POSSESSION OF THE NECESSARY HUNTING LICENSE.

S.B. 419, AN ACT TO CLARIFY MOTOR VEHICLE DEALER TRANSFER RIGHTS.

S.B. 732, AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF CHIROPRACTIC EXAMINERS TO ASSESS LICENSEES CERTAIN COSTS AND LIMITING THE OWNERSHIP OF CHIROPRACTIC PRACTICES TO PERSONS LICENSED AS CHIROPRACTORS.

July 13, 1999
S.B. 742, an act to make it unlawful for school personnel to engage in sexual acts with a student.

S.B. 1043, an act to provide funds to meet the requirements of a consent judgment under the intangibles tax cases.

H.B. 253, an act to change the name of the state information processing services to the division of information technology services and to require that certain state agency information technology projects must be certified by the information resource management commission.

H.B. 278, an act amending the employment security laws to provide that the one hundred-day noncharge period extends to certain recipients of the state's work first program separated for a bona fide inability to work.

H.B. 1074, an act to require that a signed voter registration form be delivered to the board of elections by anyone delegated that responsibility and to make violation a class 2 misdemeanor; to establish the class 2 misdemeanor of an election official or employee altering voter registration records without written authorization; to allow counties to use a voting place outside the precinct; to create a pilot program to allow the temporary use of two voting places for the same precinct; to allow counties to require that adequate parking be provided at voting places that are public buildings; to provide for supervision, assistance, and training by the state board of elections for municipal boards of elections and to provide for remedies; to increase minimum compensation for county elections directors; to lower the threshold for a full-time elections office; to provide for certain donations to political party headquarters building funds; and to change the statute concerning a candidate's signature on a finance report to reflect traditional practice.

H.B. 1433, an act to provide for individuals to pay their annual use tax with their income tax forms, to promote electronic filing, and to improve tax collection.

H.B. 1472, an act to simplify and modernize tax credits for investing in renewable energy sources.

The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.B. 694, an act to incorporate the town of Rimertown subject to a referendum.

H.B. 149, an act to reduce the pistol permit fee in Pitt county from twenty dollars to five dollars.
H.B. 812, AN ACT TO REMOVE THE SUNSET ON A REQUIREMENT THAT PART OF CERTAIN CRAVEN COUNTY PROCEEDS BE USED FOR A CONVENTION CENTER AND A TOURIST CENTER.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

H.B. 1150, AN ACT TO PROVIDE FOR THE ELECTION OF MEMBERS OF SCHOOL IMPROVEMENT TEAMS. (Became law upon approval of the Governor, July 11, 1999 – S.L. 1999-271.)

H.B. 958, AN ACT TO CLARIFY THAT CONFIDENTIAL INFORMATION OBTAINED BY HEALTH MAINTENANCE ORGANIZATIONS OR PROVIDER SPONSORED ORGANIZATIONS MAY BE DISCLOSED PURSUANT TO COURT ORDER FOR CERTAIN PURPOSES. (Became law upon approval of the Governor, July 11, 1999 – S.L. 1999-272.)

H.B. 1025, AN ACT TO ALLOW SMALL EMPLOYERS TO CHARGE THE SAME ADMINISTRATIVE FEE UNDER THE STATE GROUP HEALTH CONTINUATION LAW AS LARGER EMPLOYERS CHARGE UNDER THE FEDERAL COBRA GROUP HEALTH CONTINUATION LAW. (Became law upon approval of the Governor, July 11, 1999 – S.L. 1999-273.)

H.B. 1054, AN ACT TO REQUIRE ALL ACTIVITY BUSES TO STOP AT ALL RAILROAD CROSSINGS. (Became law upon approval of the Governor, July 11, 1999 – S.L. 1999-274.)

H.B. 1187, AN ACT TO ESTABLISH A PILOT PROGRAM TO PUT COMMUNICATION DEVICES ON SCHOOL BUSES. (Became law upon approval of the Governor, July 11, 1999 – S.L. 1999-275.)


S.B. 235, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE "KIDS FIRST" SPECIAL REGISTRATION PLATES. (Became law upon approval of the Governor, July 11, 1999 – S.L. 1999-277.)

S.B. 654, AN ACT TO RESTORE THE PRE-1995 LAW ON DISPOSAL OF PROPERTY AND LIENS RELATING TO MANUFACTURED HOUSING. (Became law upon approval of the Governor, July 11, 1999 – S.L. 1999-278.)

H.B. 304, AN ACT TO PROVIDE CRIMINAL PENALTIES FOR FRAUDULENT MISREPRESENTATION INVOLVING CHILD CARE SUBSIDIES AND TO PROVIDE COUNTIES A FINANCIAL INCENTIVE TO INVESTIGATE AND PURSUE FRAUD IN CHILD CARE PAYMENTS. (Became law upon approval of the Governor, July 11, 1999 – S.L. 1999-279.)

July 13, 1999
S.B. 998, AN ACT TO PROVIDE THAT MEMBERS APPOINTED TO THE CANCER CONTROL ADVISORY COMMITTEE FOR INITIAL TWO-YEAR TERMS MAY EACH BE REAPPOINTED FOR ONE ADDITIONAL FOUR-YEAR TERM. (Became law upon approval of the Governor, July 11, 1999 – S.L. 1999-280.)

H.B. 1030, AN ACT TO CHANGE THE LIGHTING REQUIREMENTS FOR LIGHT TRAILERS AND EXEMPT CERTAIN ADDITIONAL FARM TRAILERS FROM THE REGISTRATION REQUIREMENTS. (Became law upon approval of the Governor, July 11, 1999 – S.L. 1999-281.)

H.B. 531, AN ACT TO CONFIRM THAT LEE COUNTY MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS A DIVISION OF MOTOR VEHICLES AND HIGHWAY PATROL FACILITY. (Became law upon ratification, July 12, 1999 – S.L. 1999-282.)

H.B. 738, AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE CITY OF GREENVILLE, AND AUTHORIZING THE TOWN OF CATAWBA TO ANNEX PROPERTY ENCLOSED BY THE CORPORATE BOUNDARIES OF THE TOWN. (Became law upon ratification, July 12, 1999 – S.L. 1999-283.)

WITHDRAWAL FROM CLERK'S OFFICE

The following bills ordered held in the Office of the Principal Clerk on Monday, July 12, pending referral by the Chairman of the Rules and Operations of the Senate Committee pursuant to Rule 43, are withdrawn from the Office of the Principal Clerk, and placed on today’s Calendar for concurrence:

S.B. 233 (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TRANSMISSION AND FILING OF RIGHT-OF-WAY PLANS BY THE DEPARTMENT OF TRANSPORTATION AND TO PROVIDE THAT ANY FUNDS ALLOCATED IN A SPECIFIC YEAR TO A TRANSPORTATION DIVISION AND UNDER OR OVER OBLIGATED SHALL BE ADDED TO THE NEXT YEAR'S ALLOCATION TO THE TRANSPORTATION DIVISION.

S.B. 251 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE HISTORIC REHABILITATION TAX CREDIT TO BE ALLOCATED BY A PASS-THROUGH ENTITY TO ITS OWNERS AND TO REQUIRE CORPORATIONS THAT ARE REQUIRED TO PAY FEDERAL-ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER TO PAY STATE-ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER.

S.B. 420 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEALERS AND MANUFACTURERS LICENSING LAW.

S.B. 513 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS THAT COVER PRESCRIPTION DRUGS TO ISSUE UNIFORM PRESCRIPTION DRUG IDENTIFICATION CARDS.

S.B. 523 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH THE GREENSBORO ROOM OCCUPANCY TAX MAY BE USED.
S.B. 619 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF FUQUAY-VARINA AND TO MODIFY THE HILLSBOROUGH MEALS TAX PENALTIES.

S.B. 772, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF MUNICIPAL SERVICE DISTRICTS IN CERTAIN CITIES FOR URBAN AREA REVITALIZATION PROJECTS.

S.B. 785 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE INSPECTION AND REGULATION OF LIQUEFIED PETROLEUM GASES.

S.B. 1004 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REVISING THE PROCEDURE USED BY THE NORTH CAROLINA BOARD FOR LICENSING OF GEOLOGISTS TO ADDRESS COMPLAINTS AND INVESTIGATIONS AND AUTHORIZING THE BOARD TO ASSESS CIVIL PENALTIES.

S.B. 1110 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCENTIVE FOR BUSINESSES TO FIND COMMERCIAL USES FOR TECHNOLOGY DEVELOPED BY RESEARCH UNIVERSITIES.

CONFERENCE REPORT

S.B. 128

Senator Hartsell, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon S.B. 128 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW CONCERNING INTEREST ON MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO ALLOW INTEREST ON JUDGMENTS ON PENAL BONDS, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 128, AN ACT TO CLARIFY THE LAW CONCERNING INTEREST ON MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO ALLOW INTEREST ON JUDGMENTS ON PENAL BONDS, House Committee Substitute Favorable 5/6/99, submit the following report:

The Senate concurs in the House Committee Substitute Favorable 5/6/99.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 12, 1999.

S/Fletcher L. Hartsell, Jr.       S/Philip A. Baddour, Jr.
S/Daniel G. Clodfelter          S/Bill Culpepper

July 13, 1999
S/Allen H. Wellons  
Conferees for the Senate

S/Joanne W. Bowie
Conferees for the House of Representatives

Upon motion of Senator Hartsell, the rules are suspended and the Conference Report is placed at the end of today's Calendar.

**CONFERENCE REPORT**

**S.B. 29**

Senator Kerr, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon S.B. 29 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION FEES COLLECTED UNDER THE COSMETIC ART ACT, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 29, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION FEES COLLECTED UNDER THE COSMETIC ART ACT, House Committee Substitute, Fourth Edition Engrossed 4/14/99, submit the following report:

The Senate and House agree to the following amendment to the House Committee Substitute, Fourth Edition Engrossed 4/14/99, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute, Fourth Edition Engrossed 4/14/99, and substitute the attached Proposed Conference Committee Substitute S29-PCCSX3855-SC.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 8, 1999.

S/John Kerr
S/Patrick J. Ballantine
S/David Hoyle

Conferees for the Senate

S/Paul Luebke
S/Mia Morris
S/Russell Tucker

Conferees for the House of Representatives

The text of the attached Proposed Conference Committee Substitute S29-PCCSX3855-SC is as follows:

**A BILL TO BE ENTITLED**

AN ACT TO REAUTHORIZE THE NORTH CAROLINA BOARD OF COSMETIC ART EXAMINERS TO ADOPT RULES FOR COSMETIC ART SCHOOLS, AND

July 13, 1999
TO AUTHORIZE THE BOARD TO CHARGE APPLICANTS FOR LICENSURE THE ACTUAL COST OF EXAMINATION SERVICES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 88B-4(a) is amended by adding a new subdivision to read:

"§ 88B-4. Powers and duties of the Board.

(a) The Board shall have the following powers and duties:

(7a) To adopt rules for cosmetic art schools."

Section 2. G.S. 88B-20(a) reads as rewritten:

"(a) The Board may charge examination fees as follows:

(1) Cosmetologist ........................................... $20.00
(2) Apprentice ............................................... $5.00
(3) Manicurist ............................................... $15.00
(4) Esthetician ............................................... $20.00
(5) Teacher .................................................... $25.00.

The Board may charge the applicant the actual cost of preparation, administration, and grading of examinations for cosmetologists, apprentices, manicurists, estheticians, or teachers, in addition to its other fees."

Section 3. Section 2 of this act becomes effective September 1, 1999. The remainder of this act is effective when it becomes law.

Upon motion of Senator Kerr, the Conference Report is placed on the Calendar for Wednesday, July 14, for adoption.

CONFERENCE REPORT

S.B. 1115

Senator Kerr, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon S.B. 1115 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WIDELY SHARED PROSPERITY BY AMENDING THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, BY PROVIDING ADDITIONAL TAX INCENTIVES FOR VARIOUS BUSINESSES, AND BY MAKING RELATED CHANGES, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 1115, AN ACT TO PROVIDE FOR WIDELY SHARED PROSPERITY BY AMENDING THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, BY PROVIDING ADDITIONAL TAX INCENTIVES FOR VARIOUS BUSINESSES, AND BY MAKING RELATED CHANGES, House Committee Substitute Favorable 6/24/99, Fifth Edition Engrossed 7/1/99, submit the following report:

The Senate and House agree to the following amendments to the House Committee Substitute Favorable 6/24/99, Fifth Edition Engrossed 7/1/99, and the Senate concurs in the House Committee Substitute Favorable 6/24/99, Fifth Edition Engrossed 7/1/99, as amended:

July 13, 1999
on page 2, lines 6-8, by rewriting the lines to read:

"Article 3B of Chapter 105 of the General Statutes G. S. 105-129.16 is repealed effective for business property placed in service on or after January 1, 2002. The remainder of Article 3B of Chapter 105 of the General Statutes is repealed effective for buildings to which federal credits are allocated on or after January 1, 2006."

on page 4, line 36, through page 5, line 37, by rewriting the lines to read:

"(e) Exceptions for Certain Small Counties. -- The following exceptions to the provisions of this section apply to small counties:

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<td>(1)</td>
<td>A county that meets both the conditions set out below has is designated an enterprise tier one area:</td>
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<td></td>
<td>a. Its population is less than 10,000.</td>
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<td></td>
<td>b. More than sixteen percent (16%) of its population is below the federal poverty level according to the most recent federal decennial census.</td>
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<tr>
<td>(2)</td>
<td>A county that meets both of the conditions set out below has an enterprise tier designation one level below the designation it would otherwise have under subsection (a) of this section:</td>
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<td></td>
<td>a. Its population is less than 50,000.</td>
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<tr>
<td></td>
<td>b. More than eighteen percent (18%) of its population is below the federal poverty level according to the most recent federal decennial census.</td>
</tr>
<tr>
<td>(3)</td>
<td>A county that has a population of less than 25,000 and that would otherwise be designated an enterprise tier four or five under this section must be designated an enterprise tier three area.</td>
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§ 105-129.3A. Development zone designation.

(a) Development Zone Defined. -- A development zone is an area comprised of one or more contiguous census tracts, census block groups, or both in the most recent federal decennial census that meets all of the following conditions:

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<td>(1)</td>
<td>Every census tract and census block group in the zone is located in whole or in part within the primary corporate limits of a city with a population of more than 5,000 according to the most recent annual population estimates certified by the State Planning Officer.</td>
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<tr>
<td>(2)</td>
<td>It has a population of 1,000 or more according to the most recent annual population estimates certified by the State Planning Officer.</td>
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<tr>
<td>(3)</td>
<td>More than twenty percent (16%) of its population is below the poverty level according to the most recent federal decennial census.</td>
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<td>(4)</td>
<td>Every census tract and census block group in the zone meets at least one of the following conditions:</td>
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<td></td>
<td>a. More than ten percent (10%) of its population is below the poverty level according to the most recent federal decennial census.</td>
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<tr>
<td></td>
<td>b. It is immediately adjacent to another census tract or census block group that is in the same zone and has more than twenty percent (20%) of its population below the poverty level according to the most recent federal decennial census.</td>
</tr>
</tbody>
</table>
| (5) | None of the census tracts or census block groups in the zone is located in another development zone designated by the Secretary of Commerce."

and on page 32, lines 1-3, by rewriting the lines to read:

"Section 24. Small County Enhancements. -- G. S. 105-129.3(e), as enacted by Section 2 of this act, becomes effective for taxable years beginning on or after January 1, 2000."

and on page 23, lines 6-22, by rewriting the lines to read:

July 13, 1999
“Section 5.(b) Effective January 1, 2004, G. S. 105-164.14(I)(1), as enacted by this section, reads as rewritten:

'(i) Nonprofit Insurance Companies. -- Eligible nonprofit insurance companies are allowed an annual refund of sales and use taxes paid under this Article as provided in this subsection.

(1) Refunds. -- An eligible nonprofit insurance company is allowed an annual refund of sales and use taxes paid by it under this Article on building materials, building supplies, fixtures, and equipment that become a part of its real property, and on computer systems, hardware and software it capitalizes for tax purposes under the Code. Liability incurred indirectly by the company for sales and use taxes on these items is considered tax paid by the company. A request for a refund must be in writing and must include any information and documentation required by the Secretary. A request for a refund is due within six months after the end of the insurance company’s fiscal year. Refunds applied for after the due date are barred.’

and on page 32, lines 27-30, by rewriting the lines to read:

“Section 31. Temporary Sales Tax Refund for Nonprofit Insurance Companies. -- Section 5(a) of this act becomes effective May 1, 1999, and applies to taxes paid on or after that date. Section 5(b) of this act becomes effective January 1, 2004, and applies to taxes paid on or after that date. Section 5 of this act is repealed for taxes paid on or after January 1, 2008.”;

and on page 18, lines 13-14, by rewriting the lines to read:

“contribution if the taxpayer has one of the relationships defined in section 267(b) of the Code with the development zone agency or if the taxpayer controls, is controlled by, or is under”.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 13, 1999.

S/John H. Kerr III S/Bill Owens
S/Linda Garrou Lyons Gray
S/Oscar N. Harris S/Thomas E. Wright
S/Fletcher L. Hartsell, Jr. S/Paul Luebke
S/David Hoyle S/Russell E. Tucker
S/T. L. Odom S/Edith D. Warren

Conferees for the Senate

Conferees for the House of Representatives

Upon motion of Senator Kerr, the Conference Report is placed on the Calendar for Wednesday, July 14, for adoption.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

July 13, 1999
By Senator Wellons for the Agriculture/Environment/Natural Resources Committee:

**H.B. 1010** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REGULATE COTTON GINS, COTTON WAREHOUSES, AND COTTON MERCHANTS, with a favorable report.

Pursuant to Rule 43, the Committee Substitute bill No. 2 is re-referred to the Finance Committee.

**INTRODUCTION OF A RESOLUTION**

A resolution filed for introduction is presented to the Senate, read the first time, and disposed of, as follows:

By Senator Harris:


Referred to Rules and Operations of the Senate Committee.

**SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special message is received from the House of Representatives:

**S.B. 1112**

House of Representatives
July 13, 1999

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute for SB 1112, A BILL TO BE ENTITLED AN ACT TO PROMOTE ELECTRONIC COMMERCE BY REPEALING THE SALES TAX REGISTRATION FEE AND TO MAKE OTHER CHANGES TO THE TAX LAWS AND RELATED STATUTES, the Speaker has appointed as conferees on the part of the House:

Representative Gibson,
Representative Gray,
Representative Hurley, and
Representative Morris

to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

The following special message is received from the House of Representatives:

**S.B. 222**

House of Representatives
July 13, 1999
Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute # 2 for SB 222, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STATE AND LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS, CHARGE CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFERS FOR PAYMENT OF GOVERNMENT FEES, COSTS, AND DEBTS, TO ALLOW LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS, CHARGE CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFERS FOR PAYMENT OF PROPERTY TAXES, AND TO CREATE THE OFFICE OF INFORMATION TECHNOLOGY TO STRENGTHEN THE MANAGEMENT OF INFORMATION TECHNOLOGY IN STATE GOVERNMENT, ENHANCE ACCOUNTABILITY OF INFORMATION TECHNOLOGY EXPENDITURES, IMPROVE COST-EFFECTIVE INFORMATION TECHNOLOGY INVESTMENTS, INCREASE INFORMATION TECHNOLOGY EFFICIENCIES, AND CLARIFY AREAS OF RESPONSIBILITY FOR STATE INFORMATION TECHNOLOGY, the Speaker has appointed as conferees on the part of the House:

Representative Tolson,
Representative Hackney,
Representative Gray, and
Representative Wainwright
to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

The following special message is received from the House of Representatives:

H.B. 1160
House of Representatives
July 13, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute to HB 1160, A BILL TO BE ENTITLED AN ACT TO EXTEND THE PILOT PROGRAM UNDER WHICH THE DIVISION OF SOIL AND WATER CONSERVATION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES CONDUCTS ALL INSPECTIONS OF ANIMAL WASTE MANAGEMENT SYSTEMS IN CERTAIN COUNTIES, and requests conferees. The Speaker has appointed:

Representative Warwick,
Representative Gibson,
Representative Hackney,
Representative Dedmon, and
Representative McCombs,

July 13, 1999
on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

The following special message is received from the House of Representatives:

S.B. 128
House of Representatives
July 13, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on House Committee Substitute for SB 128, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW CONCERNING INTEREST ON MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO ALLOW INTEREST ON JUDGMENTS ON PENAL BONDS, to the end that when a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

REPORTS OF COMMITTEES (Continued)

By Senator Cooper for the Judiciary I Committee:

H.B. 1222 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE STATE COURT SYSTEM BY CREATING A STATE JUDICIAL COUNCIL, with a favorable report.

H.B. 1173 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT DISCLOSURE OF PERSONAL INFORMATION CONTAINED IN APPLICATIONS FOR LICENSES ISSUED BY THE PRIVATE PROTECTIVE SERVICES BOARD AND THE ALARM SYSTEMS LICENSING BOARD AND TO AUTHORIZE THE ALARM SYSTEMS LICENSING BOARD TO ISSUE AN APPRENTICESHIP REGISTRATION PERMIT, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 7275 is adopted and engrossed.

WITHDRAWAL FROM CLERK'S OFFICE

The following bills ordered held in the Office of the Principal Clerk on Monday, July 12, pending referral by Senator Rand, Chairman of the Rules and Operations of the Senate Committee, pursuant to Rule 43, are withdrawn from the Office of the Principal Clerk, and referred, as follows:

July 13, 1999
S.B. 708 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING COUNTIES TO PROVIDE AFFORDABLE HOUSING FOR PERSONS OF LOW AND MODERATE INCOME.

The House Committee Substitute is placed on the Calendar for Wednesday, July 14, for concurrence.

H.B. 723 (Committee Substitute No. 4), A BILL TO BE ENTITLED AN ACT TO ALLOW A PERSON WHO SUFFERS FROM A MEDICAL CONDITION THAT CAUSES THE PERSON TO BE PHOTOSENSITIVE TO VISIBLE LIGHT TO HAVE A DARKER VEHICLE WINDOW THAN IS ALLOWED UNDER THE WINDOW TINTING LAWS AND TO ELIMINATE THE AFTER-FACTORY WINDOW TINTING INSPECTION FEE FOR VEHICLES OWNED BY PERSONS ISSUED A MEDICAL EXCEPTION PERMIT BY THE DIVISION OF MOTOR VEHICLES ALLOWING THE WINDOW TINTING.

Referred to the Finance Committee.

H.B. 1084 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO ISSUE BONDS TO PURCHASE LAND FOR MULTIPLE USE FOR PRESENT OR FUTURE COUNTY, OPEN SPACE, COMMUNITY COLLEGE, AND PUBLIC SCHOOL PURPOSES

Referred to the Finance Committee.

H.B. 1466 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WITHHOLDING OF NORTH CAROLINA INCOME TAXES FROM TAXABLE PENSIONS, ANNUITIES, AND DEFERRED COMPENSATION.

Referred to the Finance Committee.

**CALENDAR**

Bills on today's Calendar are taken up and disposed of, as follows:

H.B. 507 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATIONS BY THE TOWNS OF CAPE CARTERET AND BOGUE, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 47, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

H.B. 651 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW BRUNSWICK COUNTY TO ASSESS A FIRE PROTECTION FEE, upon third reading.

The Senate Committee Substitute bill passes its third reading by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, East,

Voting in the negative: None.

The Senate Committee Substitute bill is ordered sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

**H.B. 794**, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIPTION PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF FARMVILLE, upon third reading.

The bill passes its third reading by roll-call vote, ayes 47, noes 0, as follows:


Voting in the negative: None.

The bill is ordered enrolled.

**H.B. 120** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE PROCEDURES FOR NOTIFYING OWNERS AND ADVERTISING TAX LIENS ON REAL PROPERTY, upon third reading.

Senator Wellons offers Amendment No. 2 which is adopted (48-0).

The Senate Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 47, noes 0, as follows:


Voting in the negative: None.

The Senate Committee Substitute bill, as amended, is ordered engrossed and sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

**H.B. 280** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER CHANGES TO THE MOTOR VEHICLE LAWS, upon third reading.

Senator Ballance offers Amendment No. 2 which is adopted (48-0).

The Senate Committee Substitute bill No. 2, as amended, passes its third reading by roll-call vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The Senate Committee Substitute bill No. 2, as amended, is ordered engrossed and
sent, by special message, to the House of Representatives, for concurrence in Senate Committee Substitute bill No. 2.

H.B. 1120 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO ENGAGE IN INSTALLMENT PURCHASE FINANCING AND TO ISSUE REVENUE ANTICIPATION NOTES, upon third reading, as amended on second reading, which title changes upon concurrence.

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 47, noes 1, as follows:


Voting in the negative: Senator Webster—1.

The Committee Substitute bill, as amended, is ordered sent, by special message, to the House of Representatives, for concurrence in Senate Amendment No. 1.

H.B. 1479 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NEWSPRINT RECYCLING TAX, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 47, noes 1, as follows:


Voting in the negative: Senator Ballantine—1.

The Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

H.B. 1246 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES TO ANIMAL LOVERS TO PROMOTE SPAYING AND NEUTERING OF DOGS AND CATS, upon second reading.

The Senate Committee Substitute bill passes its second reading by roll-call vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The Senate Committee Substitute bill is ordered placed on the Calendar for tomorrow, Wednesday, July 14, upon third reading.

H.B. 160 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CHILD ABUSE THAT RESULTS IN

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SERIOUS BODILY INJURY OR PERMANENT LOSS OR IMPAIRMENT OF ANY MENTAL OR EMOTIONAL FUNCTION, which title changes upon concurrence.

The Senate Committee Substitute bill passes its second reading (48-0).

With unanimous consent, upon motion of Senator Rand, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, July 14.

**H.B. 247 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE FUNERAL PROCESSIONS AND TO CODIFY THE RULES OF THE ROAD WITH REGARD TO FUNERAL PROCESSIONS.**

The Senate Committee Substitute bill passes its second reading (48-0).

Senator Webster objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Wednesday, July 14.

**H.B. 512 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CERTIFY ASSISTED LIVING RESIDENCE ADMINISTRATORS.**

The Senate Committee Substitute bill passes its second reading (47-0).

Senator Ballance objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Wednesday, July 14.

**H.B. 660, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF COLLECTION AGENCY SO THAT THE IV-D CHILD ENFORCEMENT PROGRAM IS REGULATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.**

The bill passes its second (48-0) and third readings and is ordered enrolled and sent to the Governor by special message.

**H.B. 661 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE JUVENILE CODE TO REVISE THE COMMUNITY SERVICE DISPOSITIONAL ALTERNATIVE FOR JUVENILE OFFENDERS WHO HAVE BEEN ADJUDICATED DELINQUENT FOR LEVEL 2 OFFENSES.**

With unanimous consent, upon motion of Senator Miller, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, July 14.

**H.B. 885 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT CONSUMERS BY REQUIRING CONTRACTS FOR THE RENTAL OF SELF-SERVICE STORAGE TO CLEARLY STATE CERTAIN TERMS REGARDING THE IMPOSITION OF LATE FEES.**

The Senate Committee Substitute bill passes its second (33-15) and third readings and is ordered sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

**H.B. 939 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT THAT MAY BE IN CONTROVERSY IN SMALL CLAIMS COURT AND GIVE MAGISTRATES WHO ARE ATTORNEYS THAT ARE LICENSED TO PRACTICE LAW IN NORTH CAROLINA ADDITIONAL AUTHORITY TO ACCEPT BINDING WAIVERS OF COUNSEL IN CRIMINAL CASES AND CIVIL CONTEMPT CASES, which title changes upon concurrence.**

The Senate Committee Substitute bill passes its second (48-0) and third readings and is ordered sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

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H.B. 1085, A BILL TO BE ENTITLED AN ACT TO PERMIT THE USE OF TRANSITWAYS.

The President orders, without objection, the bill temporarily displaced.

H.B. 293 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF COMMUNITY COLLEGES TO ASSESS MONETARY PENALTIES AGAINST PROPRIETARY SCHOOLS THAT OPERATE WITHOUT A LICENSE OR OPERATE OUTSIDE THE SCOPE OF THEIR LICENSE.

Senator Ballantine offers Amendment No. 2 which is adopted (48-0).

The Senate Committee Substitute bill, as amended, passes its third reading (45-3) and is ordered engrossed and sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

H.B. 1085, A BILL TO BE ENTITLED AN ACT TO PERMIT THE USE OF TRANSITWAYS, temporarily displaced earlier.

Senator Clodfelter offers Amendment No. 1 which is adopted (48-0).

The bill, as amended, passes its second (46-1) and third readings and is ordered sent, by special message, to the House of Representatives, for concurrence in Senate Amendment No. 1.

H.B. 604, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CIRCUMSTANCES UNDER WHICH AN ATTORNEY-IN-FACT MAY MAKE GIFTS, as amended on second reading.

The bill passes its third reading (44-4) and is ordered sent, by special message, to the House of Representatives, for concurrence in Senate Amendment No. 1.

S.B. 799, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES COLLECTED BY THE NORTH CAROLINA BOARD OF PHYSICAL THERAPY EXAMINERS, for concurrence in House Amendment No. 1, upon second reading.

The Chair rules that the bill does not require a call of the roll.

The Senate concurs in House Amendment No. 1 (48-0) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 974 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REGULATING THE RENTAL OF RESIDENTIAL PROPERTY FOR VACATION, LEISURE, OR RECREATION PURPOSES, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 974 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REGULATING THE RENTAL OF RESIDENTIAL PROPERTY FOR VACATION, LEISURE, OR RECREATIONAL PURPOSES, AND CLARIFYING THE RIGHTS AND OBLIGATIONS OF LANDLORDS AND TENANTS OF RESIDENTIAL PROPERTY.

The Senate concurs in the House Committee Substitute bill (47-1) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 128 (Conference Report), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW CONCERNING INTEREST ON MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO ALLOW INTEREST ON JUDGMENTS ON PENAL BONDS, for adoption, placed earlier on today’s Calendar.

Upon motion of Senator Hartsell, the Senate adopts the Conference Report (48-0).

Pursuant to a message received from the House of Representatives that the House has adopted the Conference Report, the Chair orders the bill enrolled and sent to the Governor.

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by special message. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

S.B. 233 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CARRY OVER ANY UNSPENT TRANSPORTATION IMPROVEMENT PROGRAM EQUITY REGION ALLOCATION TO THE NEXT YEAR, TO AUTHORIZE LOANS OF UNSPENT EQUITY REGION ALLOCATIONS TO OTHER EQUITY REGIONS AND TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO DEMONSTRATE COMPLIANCE WITH THE HIGHWAY TRUST FUND EQUITY REGION FORMULA BY SUBMITTING YEARLY REPORTS DOCUMENTING ALLOCATIONS AND SPENDING BY EQUITY REGION, placed earlier on today’s Calendar for concurrence in House Committee Substitute bill No. 3, which changes the title, upon concurrence, to read S.B. 233 (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TRANSMISSION AND FILING OF RIGHT-OF-WAY PLANS BY THE DEPARTMENT OF TRANSPORTATION AND TO PROVIDE THAT ANY FUNDS ALLOCATED IN A SPECIFIC YEAR TO A TRANSPORTATION DIVISION AND UNDER OR OVER OBLIGATED SHALL BE ADDED TO THE NEXT YEAR’S ALLOCATION TO THE TRANSPORTATION DIVISION.

The Senate concurs in House Committee Substitute bill No. 3 (48-0) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 251 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE HISTORIC REHABILITATION TAX CREDIT TO BE ALLOCATED BY A PASS-THROUGH ENTITY TO ITS OWNERS, placed earlier on today’s Calendar, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 251 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE HISTORIC REHABILITATION TAX CREDIT TO BE ALLOCATED BY A PASS-THROUGH ENTITY TO ITS OWNERS AND TO REQUIRE CORPORATIONS THAT ARE REQUIRED TO PAY FEDERAL-ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER TO PAY STATE-ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER.

The Senate concurs in the House Committee Substitute bill on its second reading by roll-call vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill remains on the Calendar for tomorrow, Wednesday, July 14, upon third reading.

S.B. 420 (House Committee Substitute) A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEALERS AND MANUFACTURERS LICENSING LAW, placed earlier on today’s Calendar, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (46-0) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 513 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS THAT COVER PRESCRIPTION DRUGS TO
ISSUE UNIFORM PRESCRIPTION DRUG IDENTIFICATION CARDS, placed earlier on today’s Calendar, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (46-0) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 523 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH THE GREENSBORO ROOM OCCUPANCY TAX MAY BE USED, placed earlier on today’s Calendar, for concurrence in the House Committee Substitute bill, upon second reading.

The Senate concurs in the House Committee Substitute bill on its second reading by roll-call vote, ayes 46, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill is placed on the Calendar for tomorrow, Wednesday, July 14, upon third reading.

S.B. 619, A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF FUQUAY-VARINA, placed earlier on today’s Calendar, for concurrence in the House Committee Substitute bill, upon second reading, which changes the title, upon concurrence, to read S.B. 619 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF FUQUAY-VARINA AND TO MODIFY THE HILLSBOROUGH MEALS TAX PENALTIES.

The Senate concurs in the House Committee Substitute bill on its second reading by roll-call vote, ayes 43, noes 2, as follows:


Voting in the negative: Senators Moore and Webster—2.

The House Committee Substitute bill is placed on the Calendar for tomorrow, Wednesday, July 14, upon third reading.

S.B. 772, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF MUNICIPAL SERVICE DISTRICTS IN CERTAIN CITIES FOR URBAN AREA REVITALIZATION PROJECTS, placed earlier on today’s Calendar, for concurrence in House Amendments No. 1 and No. 2, upon second reading.

The Senate concurs in House Amendments No. 1 and No. 2 on its second reading by roll-call vote, ayes 48, noes 0, as follows:


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Voting in the negative: None.
The bill remains on the Calendar for tomorrow, Wednesday, July 14, upon third reading.

S.B. 785 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE INSPECTION AND REGULATION OF LIQUEFIED PETROLEUM GASES, placed earlier on today's Calendar, for concurrence in House Committee Substitute bill No. 2.

The Senate concurs in House Committee Substitute bill No. 2 (48-0) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 1004 (House Committee Substitute) A BILL TO BE ENTITLED AN ACT REVISING THE PROCEDURE USED BY THE NORTH CAROLINA BOARD FOR LICENSING OF GEOLOGISTS TO ADDRESS COMPLAINTS AND INVESTIGATIONS AND AUTHORIZING THE BOARD TO ASSESS CIVIL PENALTIES, placed earlier on today's Calendar, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (48-0) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 1110 (House Committee Substitute) A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCENTIVE FOR BUSINESSES TO FIND COMMERCIAL USES FOR TECHNOLOGY DEVELOPED BY RESEARCH UNIVERSITIES, placed earlier on today's Calendar, for concurrence in the House Committee Substitute bill, upon second reading.

Without objection, Senator Clodfelter requests to be excused from voting on the House Committee Substitute bill due to a conflict of interest.

The Senate concurs in the House Committee Substitute bill on its second reading by roll-call vote, ayes 46, noes 1, as follows:
Voting in the negative: Senator Webster—1.

The House Committee Substitute bill remains on the Calendar for tomorrow, Wednesday, July 14, upon third reading.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages are received from the House of Representatives transmitting bills which are read the first time and disposed of, as follows:

S.B. 255 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE LAW REQUIRING STATE AGENCIES TO REDUCE THE NUMBER OF MENUS ON AUTOMATED PHONE SYSTEMS, TO REQUIRE STATE AGENCIES TO INQUIRE THE AGENCY TELEPHONE NUMBER ON AGENCY LETTERHEAD, AND TO REQUIRE STATE AGENCIES TO REPORT ON THEIR COMPLIANCE WITH THIS ACT, for concurrence in the House Committee Substitute bill.

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Upon motion of Senator Rand, the rules are suspended, without objection, and the House Committee Substitute bill is placed on today’s Calendar, for concurrence.

S.B. 912 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT (1) TO AUTHORIZER THE ISSUANCE OF ONE BILLION TWO HUNDRED MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR CAPITAL IMPROVEMENTS FOR THE UNIVERSITY OF NORTH CAROLINA AND GRANTS TO COMMUNITY COLLEGES FOR CAPITAL IMPROVEMENTS, (2) TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ISSUE SPECIAL OBLIGATION BONDS FOR IMPROVEMENTS TO THE FACILITIES OF THE UNIVERSITY OF NORTH CAROLINA AND FOR THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL AND OTHER FACILITIES OF THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM, AND (3) TO RESTRICT THE NAMING OF STATE CONSTRUCTION PROJECTS FOR SITTING MEMBERS OF THE GENERAL ASSEMBLY AND THE COUNCIL OF STATE, for concurrence in House Committee Substitute bill No. 2.

Upon motion of Senator Rand, the rules are suspended, without objection, and House Committee Substitute bill No. 2 is placed on today’s Calendar, for concurrence.

S.B. 1149 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY PERMISSIBLE FEES WHICH MAY BE CHARGED IN CONNECTION WITH HOME LOANS SECURED BY FIRST MORTGAGE OR FIRST DEED OF TRUST, TO IMPOSE RESTRICTIONS AND LIMITATIONS ON HIGH-COST HOME LOANS, TO REVISE THE PERMISSIBLE FEES AND CHARGES ON CERTAIN LOANS, TO PROHIBIT UNFAIR OR DECEPTIVE PRACTICES BY MORTGAGE BROKERS AND LENDERS, AND TO PROVIDE FOR PUBLIC EDUCATION AND COUNSELING ABOUT PREDATORY LENDERS, for concurrence in House Committee Substitute bill No. 2, which is placed on the Calendar for tomorrow, Wednesday, July 14.

CALENDAR (Continued)

S.B. 255, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE LAW REQUIRING STATE AGENCIES TO REDUCE THE NUMBER OF MENUS ON AUTOMATED PHONE SYSTEMS AND TO REQUIRE STATE AGENCIES TO REPORT ON THEIR COMPLIANCE WITH THAT LAW, AND TO REQUIRE ALL STATE AGENCIES TO INCLUDE THE AGENCY TELEPHONE NUMBER ON AGENCY LETTERHEAD, placed earlier on today’s Calendar, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 255 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY STATE LAW REQUIRING STATE AGENCIES TO REDUCE THE NUMBER OF MENUS ON AUTOMATED PHONE SYSTEMS, TO REQUIRE ALL STATE AGENCIES TO INCLUDE THE AGENCY TELEPHONE NUMBER ON AGENCY LETTERHEAD, AND TO REQUIRE STATE AGENCIES TO REPORT ON THEIR COMPLIANCE WITH THIS ACT.

The Senate concurs in the House Committee Substitute bill (48-0) and the measure is ordered enrolled and sent to the Governor by special message.

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REPORTS OF COMMITTEES (Continued)

By Senator Hoyle for the Finance Committee:

H.B. 279 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TOWNSHIP HOSPITALS STILL OPERATING UNDER PRE-1983 LAW TO LEVY ADDITIONAL TAXES AFTER A REFERENDUM, AND TO MODERNIZE PROVISIONS OF LAW APPLICABLE TO THEM, with a favorable report.

H.B. 667 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CITY OF ROANOKE RAPIDS, with a favorable report.

H.B. 1098 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973 AND TO REQUIRE THAT THE EXAMINATION FOR A GENERAL CONTRACTOR'S LICENSE INCLUDE QUESTIONS THAT TEST AN APPLICANT'S KNOWLEDGE OF THE REQUIREMENTS OF THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, with a favorable report.

H.B. 1233 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STRUCTURAL PEST CONTROL ACT, with a favorable report.

H.B. 1289 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES, TO SET THE INSURANCE REGULATORY CHARGE, TO IMPOSE THE INSURANCE REGULATORY CHARGE ON SERVICE CORPORATIONS AND ON HEALTH MAINTENANCE ORGANIZATIONS IN THE YEAR 2000, AND TO ALLOW THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO IMPOSE FEES THAT REFLECT THE ACTUAL COST OF RENDERING THE SERVICE, with a favorable report.

H.B. 1470 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS TO ENTER INTO AGREEMENTS WITH SPECIAL IMPAIRED DENTIST PEER REVIEW ORGANIZATIONS TO INCLUDE PROGRAMS FOR IMPAIRED DENTAL HYGIENISTS, TO COLLECT FEES TO FUND SUCH PROGRAMS, AND TO PROVIDE FOR REPRESENTATION FOR DENTAL HYGIENISTS ON THE STATEWIDE SUPERVISORY COMMITTEE, with a favorable report.

H.B. 1471, A BILL TO BE ENTITLED AN ACT TO ADJUST THE MATURITY DATE OF THE 1996 HIGHWAY BONDS TO REFLECT A CHANGE IN THE ESTIMATED COMPLETION DATE OF HIGHWAY TRUST FUND PROJECTS, with a favorable report.

H.B. 222 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LITTERING LAW BY INCREASING THE MINIMUM AND MAXIMUM FINES AND BY REQUIRING COMMUNITY SERVICE IN THOSE INSTANCES WHERE IT IS CURRENTLY PERMISSIVE, with an unfavorable report as to Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 3461, which changes the title, upon concurrence, to read H.B. 222 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LITTERING LAW BY
INCRIEASING THE MINIMUM AND MAXIMUM FINES AND BY REQUIRING COMMUNITY SERVICE IF THE LITTER IS MORE THAN FIVE HUNDRED POUNDS, IS A HAZARDOUS WASTE, OR IS DISCARDED FOR COMMERCIAL PURPOSES, is adopted and engrossed.

CONFERENCE REPORT

S.B. 1112

Senator Kerr, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon S.B. 1112, A BILL TO BE ENTITLED AN ACT TO PROMOTE ELECTRONIC COMMERCE BY REPEALING THE SALES TAX REGISTRATION FEE AND TO MAKE OTHER CHANGES TO THE TAX LAWS AND RELATED STATUTES, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 1112, A BILL TO BE ENTITLED AN ACT TO PROMOTE ELECTRONIC COMMERCE BY REPEALING THE SALES TAX REGISTRATION FEE AND TO MAKE OTHER CHANGES TO THE TAX LAWS AND RELATED STATUTES, House Committee Substitute Favorable 6/29/99, Fourth Edition Engrossed 7/7/99, submit the following report:

The House and Senate agree to the following amendment and the Senate concurs in the House Committee Substitute Favorable 6/29/99, Fourth Edition Engrossed 7/7/99, as amended:

on page 2, lines 7 through 9, by rewriting those lines to read:

“(a) Every person, firm, or corporation—A person engaged in any of the businesses listed in this subsection must pay an annual tax for the privilege of engaging in that business. The tax is payable for each location at which the business is conducted. The tax is seven hundred fifty dollars ($750.00) for each business listed in subdivision (1) of this subsection. The tax is four hundred fifty dollars ($450.00) for each business listed in the remaining subdivisions of this subsection.”

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 13, 1999.

S/John Kerr S/Pryor Gibson
S/John H. Carrington Lyons Gray
S/David Hoyle S/John W. Hurley
S/Anthony E. Rand S/Mia Morris

Conferees for the Senate

Conferees for the
House of Representatives

Upon motion of Senator Kerr, the Conference Report is placed on the Calendar for tomorrow, Wednesday, July 14.

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S.B. 912 (Committee Substitute), A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE FOR THE FINANCING OF CAPITAL FACILITIES FOR THE UNIVERSITY OF NORTH CAROLINA THROUGH THE ISSUANCE OF STATE OF NORTH CAROLINA UNIVERSITY IMPROVEMENT SECURITY INTEREST BONDS, (2) TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ISSUE SPECIAL OBLIGATION BONDS FOR IMPROVEMENTS TO THE FACILITIES OF THE UNIVERSITY OF NORTH CAROLINA AND FOR THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL AND OTHER FACILITIES OF THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM, (3) TO PROVIDE FOR THE FINANCING OF CAPITAL IMPROVEMENTS FOR COMMUNITY COLLEGES THROUGH THE ISSUANCE OF STATE OF NORTH CAROLINA COMMUNITY COLLEGE SECURITY INTEREST BONDS, AND (4) RESTRICT THE NAMING OF STATE CONSTRUCTION PROJECTS FOR SITTING MEMBERS OF THE GENERAL ASSEMBLY AND THE COUNCIL OF STATE, placed earlier on today’s Calendar, for concurrence in House Committee Substitute bill No. 2, upon second reading, which changes the title, upon, concurrence, to read S.B. 912 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT (1) TO AUTHORIZE THE ISSUANCE OF ONE BILLION TWO HUNDRED MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR CAPITAL IMPROVEMENTS FOR THE UNIVERSITY OF NORTH CAROLINA AND GRANTS TO COMMUNITY COLLEGES FOR CAPITAL IMPROVEMENTS, (2) TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ISSUE SPECIAL OBLIGATION BONDS FOR IMPROVEMENTS TO THE FACILITIES OF THE UNIVERSITY OF NORTH CAROLINA AND FOR THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL AND OTHER FACILITIES OF THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM, AND (3) TO RESTRICT THE NAMING OF STATE CONSTRUCTION PROJECTS FOR SITTING MEMBERS OF THE GENERAL ASSEMBLY AND THE COUNCIL OF STATE.

The Senate fails to concur in House Committee Substitute bill No. 2, ayes 14, noes 33, as follows:

Voting in the affirmative: Senators Allran, Ballantine, Carpenter, Carrington, Cochrane, East, Forrester, Foxx, Garwood, Horton, Moore, Rucho, Shaw of Guilford, and Webster—14.


Senator Basnight offers a motion that the Senate appoint conferees which motion prevails.

Senator Basnight, President Pro Tempore, announces the appointment of Senator Rand, Chairman, and Senators Albertson, Ballance, Basnight, Carter, Clodfelter, Cooper, Dalton, Dannelly, Garrou, Gulley, Hagan, Hoyle, Kerr, Kinnaird, Lee, Lucas, Martin of Pitt, Martin of Guilford, Metcalf, Miller, Odom, Perdue, Phillips, Plyler, Purcell, Reeves, Robinson, Shaw of Cumberland, Soles, Warren, Weinstein, and Wellons as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A
message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 1160** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE CLEAN WATER ACT OF 1999.

Pursuant to the message received from the House of Representatives earlier today that the House fails to concur in the Senate Committee Substitute for H.B. 1160 and requests conferees, Senator Basnight offers a motion that the Senate appoint conferees, which motion prevails.

Senator Basnight, President Pro Tempore announces the appointment of Senator Odom, Chairman, and Senators Albertson, Clodfelter, Garwood, and Perdue as conferees on the part of the Senate to act with a like committee from the House of Representatives to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

**PERSONAL PRIVILEGE**

Upon motion of Senator Ballance, the remarks of Senator Soles honoring his parents’ anniversary are spread upon the Journal as follows:

**Senator Soles:**

“Thank you. Mr. President, ladies and gentlemen of the Senate, hardly a week goes by here that somebody, or even a day, that somebody doesn’t talk to me about the longevity I’ve had and how long I’ve stayed here in the Legislature. I just want to tell you that longevity runs pretty good in my family. Today my parents are celebrating their sixtieth wedding anniversary. My mother is eighty-nine. My father will be eighty-eight in November. They both drive a car. They both go wherever they want to. My dad’s real active on the Board of Trustees at Campbell University and they had a meeting about a month ago. He got in the car, drove a hundred miles up there by himself and back. So, I’m going to be around a long time.”

Upon motion of Senator Basnight, seconded by Senator Soles, the Senate adjourns subject to receipt of messages from the House of Representatives, to meet tomorrow, Wednesday, July 14, at 3:00 P.M.

**SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

Special messages are received from the House of Representatives transmitting bills which are read the first time and disposed of, as follows:

**H.B. 740** (Committee Substitute), A BILL TO BE ENTITLED AN ACT CORRECTING AN ERROR IN A PROPERTY DESCRIPTION IN AN ACT REMOVING PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY.

Referred to Finance Committee.

**S.B. 292** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CRIMINAL CASES IN SUPERIOR COURT SHALL BE CALENDARED PURSUANT TO ADMINISTRATIVE SETTINGS, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, July 14.

July 13, 1999
S.B. 297 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND OTHER CHANGES REGARDING LIMITED PARTNERSHIPS AND THE NORTH CAROLINA REVISED UNIFORM LIMITED PARTNERSHIP ACT, TO CLARIFY THE LIMIT OF LIABILITY IN PROFESSIONAL ORGANIZATIONS, TO PROVIDE FOR THE REGISTRATION OF FOREIGN LIMITED LIABILITY PARTNERSHIPS, AND TO REQUIRE ANNUAL REPORTS BY LIMITED LIABILITY PARTNERSHIPS, for concurrence in House Committee Substitute bill No. 2, which is placed on the Calendar for tomorrow, Wednesday, July 14.

S.B. 302 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING IN LEE AND RUTHERFORD COUNTIES AND TO ESTABLISH SEASONS FOR HUNTING FOXES WITH WEAPONS AND WITH TRAPS IN CHOWAN COUNTY AND TO PROHIBIT DEER HUNTING IN MOORE COUNTY WITHOUT THE WRITTEN PERMISSION OF THE LANDOWNER, TO PROHIBIT DEER HUNTING FROM THE RIGHT-OF-WAY OF A PUBLIC ROAD IN MOORE COUNTY, AND TO REQUIRE OWNER IDENTIFICATION ON DOGS USED TO HUNT DEER IN MOORE COUNTY, for concurrence in the House Committee Substitute bill No. 2, which is placed on the Calendar for tomorrow, Wednesday, July 14.

S.B. 532 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REWRITING THE LAWS RELATED TO THE CIVIL SERVICE BOARD OF THE CITY OF ASHEVILLE, AND AUTHORIZING BUNCOMBE COUNTY TO CONDUCT AN ADVISORY REFERENDUM ON ZONING, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Wednesday, July 14.

H.B. 1153 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA MEDICAL BOARD TO ISSUE LIMITED VOLUNTEER LICENSES TO RETIRED PHYSICIANS WHO PROVIDE MEDICAL SERVICES TO INDIGENT PATIENTS WITHOUT COMPENSATION AND TO LIMIT THE LIABILITY OF SUCH RETIRED PHYSICIANS.

Referred to Finance Committee.

S.B. 835 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING MERGERS, CONSOLIDATIONS, AND CONVERSIONS AMONG BUSINESS CORPORATIONS, NONPROFIT CORPORATIONS, AND UNINCORPORATED ENTITIES, INCLUDING LIMITED LIABILITY COMPANIES AND PARTNERSHIPS, FOR THE PURPOSE OF CONFORMING THE LAWS WITH THOSE OF OTHER STATES AND MODERN BUSINESS PRACTICES; TO ALLOW CONVERSION OF A MUTUAL INSURANCE COMPANY TO A STOCK INSURANCE COMPANY; AND TO PERMIT HOMEOWNER ASSOCIATIONS TO DISTRIBUTE SURPLUS FUNDS, for concurrence in House Committee Substitute bill No. 2.

Pursuant to Rule 43, the House Committee Substitute bill No. 2 is ordered held in the Office of the Principal Clerk pending referral.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjours at 9:36 P.M.
The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"God of all creation, You breathed into our mouths the breath of life, and You inspire with Your very being all that we are and do. We ask that You would sanctify our speech this day.

"Lord, forgive us for having spoken carelessly, for having spoken so often and for no real purpose. Forgive us for the moments when we tarnished our lips with hallow words, false words, cowardly words, words through which You could not pass.

"Uphold us when we must speak in a meeting, intervene in a discussion, or address a colleague. Merciful God, whose gentle rains have renewed the face of the earth this week, renew and restore the words of our mouths and the meditations of our hearts. Grant above all, that our words may be like the sowing of seeds, and that those who hear them may reap a fruitful harvest. In Your Holy Name we pray, Amen."

With unanimous consent, the President grants a leave of absence for today to Senator Jordan.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Tuesday, July 13, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 796, AN ACT AUTHORIZING THE STATE LICENSING BOARD FOR GENERAL CONTRACTORS TO OWN REAL PROPERTY AND TO PURCHASE EQUIPMENT AND LIABILITY INSURANCE.

H.B. 660, AN ACT TO CLARIFY THE DEFINITION OF COLLECTION AGENCY SO THAT THE IV-D CHILD ENFORCEMENT PROGRAM IS REGULATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

H.B. 978, AN ACT TO AUTHORIZE THE OWNER OF A PRIVATE OR JOINT PRIVATE PIER AT WHITE LAKE STATE LAKE THAT WAS DAMAGED AS A RESULT OF A NATURAL DISASTER TO REBUILD THE PIER TO ITS CONDITION IMMEDIATELY PRECEDING THE DAMAGE, TO AUTHORIZE THE CONSTRUCTION OF ADDITIONAL BOAT STALLS ON A PIER AT WHITE LAKE STATE LAKE UNDER CERTAIN CIRCUMSTANCES, AND TO DELETE CERTAIN LANDS USED FOR THE FALLS LAKE STATE TRAIL FROM THE STATE PARKS SYSTEM AND REALLOCATE THOSE LANDS TO THE WILDLIFE RESOURCES COMMISSION.
S.B. 233, AN ACT TO PROVIDE FOR THE TRANSMISSION AND FILING OF RIGHT-OF-WAY PLANS BY THE DEPARTMENT OF TRANSPORTATION AND TO PROVIDE THAT ANY FUNDS ALLOCATED IN A SPECIFIC YEAR TO A TRANSPORTATION DIVISION AND UNDER OR OVER OBLIGATED SHALL BE ADDED TO THE NEXT YEAR'S ALLOCATION TO THE TRANSPORTATION DIVISION.

S.B. 255, AN ACT TO CLARIFY STATE LAW REQUIRING STATE AGENCIES TO REDUCE THE NUMBER OF MENUS ON AUTOMATED PHONE SYSTEMS, TO REQUIRE ALL STATE AGENCIES TO INCLUDE THE AGENCY TELEPHONE NUMBER ON AGENCY LETTERHEAD, AND TO REQUIRE STATE AGENCIES TO REPORT ON THEIR COMPLIANCE WITH THIS ACT.

S.B. 420, AN ACT TO CLARIFY THE DEALERS AND MANUFACTURERS LICENSING LAW.

S.B. 513, AN ACT TO REQUIRE HEALTH BENEFIT PLANS THAT COVER PRESCRIPTION DRUGS TO ISSUE UNIFORM PRESCRIPTION DRUG IDENTIFICATION CARDS.

S.B. 785, AN ACT TO AMEND THE LAW REGARDING THE INSPECTION AND REGULATION OF LIQUEFIED PETROLEUM GASES.

S.B. 799, AN ACT TO INCREASE THE FEES COLLECTED BY THE NORTH CAROLINA BOARD OF PHYSICAL THERAPY EXAMINERS.

S.B. 974, AN ACT REGULATING THE RENTAL OF RESIDENTIAL PROPERTY FOR VACATION, LEISURE, OR RECREATIONAL PURPOSES, AND CLARIFYING THE RIGHTS AND OBLIGATIONS OF LANDLORDS AND TENANTS OF RESIDENTIAL PROPERTY.

S.B. 1004, AN ACT REVISING THE PROCEDURE USED BY THE NORTH CAROLINA BOARD FOR LICENSING OF GEOLOGISTS TO ADDRESS COMPLAINTS AND INVESTIGATIONS AND AUTHORIZING THE BOARD TO ASSESS CIVIL PENALTIES.

H.B. 1479, AN ACT TO AMEND THE NEWSPRINT RECYCLING TAX.

S.B. 128, AN ACT TO CLARIFY THE LAW CONCERNING INTEREST ON MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO ALLOW INTEREST ON JUDGMENTS ON PENAL BONDS.

S.B. 877, AN ACT TO CLARIFY WHEN MEMBERS OF THE NORTH CAROLINA NATIONAL GUARD AND NORTH CAROLINA STATE GUARD ARE EMPLOYEES SUBJECT TO THE WORKERS' COMPENSATION ACT.

S.B. 345, AN ACT TO REQUIRE THAT RECONSIDERATION AND APPEAL OF UTILIZATION REVIEW NONCERTIFICATION BE EVALUATED BY MEDICAL DOCTORS LICENSED TO PRACTICE IN THIS STATE.

S.B. 283, AN ACT TO IMPLEMENT TECHNOLOGICAL IMPROVEMENTS IN

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THE WAY PURCHASING OPPORTUNITIES ARE ADVERTISED.

S.B. 1058, AN ACT AUTHORIZING THE STATE LICENSING BOARD FOR GENERAL CONTRACTORS TO INCLUDE COMPONENTS OF THE STATE BUILDING CODE IN THE EXAMINATION OFFERED BY THE BOARD AND GRANTING THE BOARD GREATER AUTHORITY WHEN DISCIPLINING LICENSEES WHO VIOLATE THE LAWS RELATED TO GENERAL CONTRACTOR LICENSURE.

S.B. 284, AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO REVIEW STATE PROCUREMENT CONTRACT AWARDS BY BUSINESS SIZE CATEGORY AND TO REVIEW MEASURES TO ENCOURAGE PARTICIPATION BY SMALL AND MEDIUM-SIZED BUSINESSES IN STATE PROCUREMENT CONTRACTS.

The Enrolling Clerk reports the following bills and resolution duly ratified, properly enrolled, and presented to the Office of the Secretary of State:


H.B. 507, AN ACT CONCERNING ANNEXATIONS BY THE TOWNS OF CAPE CARTERET AND BOGUE.

H.B. 638, AN ACT TO AUTHORIZE THE OWNERS OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE COUNTIES OF CAMDEN, CHOWAN, CURRITUCK, GATES, HERTFORD, PASQUOTANK, PERQUIMANS, TYRRELL, AND WASHINGTON TO TRANSFER OWNERSHIP OF THESE SYSTEMS TO A JOINT AGENCY CREATED BY TWO OR MORE UNITS OF LOCAL GOVERNMENT LOCATED IN THOSE COUNTIES AND TO AUTHORIZE THE COUNTIES OF GATES AND HERTFORD TO COLLECT FEES FOR THE INSPECTION OF PROVISIONALLY APPROVED SEPTIC TANK AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE SAME MANNER AS PROPERTY TAXES.

H.B. 794, AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF FARMVILLE.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Kerr for the Finance Committee:

H.B. 240 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, with a favorable report.

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H.B. 964 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REVISE THE MUNICIPAL INCORPORATION PROCESS SO AS TO PROVIDE MORE SCRUTINY, with a favorable report.

H.B. 1010 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REGULATE COTTON GINS, COTTON WAREHOUSES, AND COTTON MERCHANTS, with a favorable report.

H.B. 1084 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO ISSUE BONDS TO PURCHASE LAND FOR MULTIPLE USE FOR PRESENT OR FUTURE COUNTY, OPEN SPACE, COMMUNITY COLLEGE, AND PUBLIC SCHOOL PURPOSES, with a favorable report.

With unanimous consent, upon motion of Senator Kerr, the rules are suspended and the Committee Substitute bill is placed on today’s Calendar.

H.B. 1466 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WITHHOLDING OF NORTH CAROLINA INCOME TAXES FROM TAXABLE PENSIONS, ANNUITIES, AND DEFERRED COMPENSATION, with a favorable report.

RECONSIDERATION

H.B. 293 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF COMMUNITY COLLEGES TO ASSESS MONETARY PENALTIES AGAINST PROPRIETARY SCHOOLS THAT OPERATE WITHOUT A LICENSE OR OPERATE OUTSIDE THE SCOPE OF THEIR LICENSE, as amended, ordered engrossed and sent to the House of Representatives on July 13.

Senator Rand offers a motion that the bill be recalled from engrossing, which motion prevails, and offers a further motion that the vote by which the Senate Committee Substitute bill, as amended, passed its third reading be reconsidered, which motion prevails. The question before the Body becomes the passage of the bill upon third reading.

Senator Ballantine offers Amendment No. 3 which is adopted (49-0).

The Senate Committee Substitute bill, as amended, passes its third reading (43-6) and is ordered engrossed and sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

REPORTS OF COMMITTEES (Continued)

By Senator Miller for the Judiciary II Committee:

H.B. 438 (Committee Substitute), A BILL TO BE ENTITLED AN ACT EXEMPTING HOUSING AUTHORITIES FROM REAL ESTATE LICENSURE REQUIREMENTS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 8155 is adopted and engrossed.

H.B. 685 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LAW ENFORCEMENT OFFICER MAY ARREST A PERSON ON PRIVATE PREMISES OR IN A VEHICLE IN ACCORDANCE WITH STATE LAW

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WITH A COPY OF THE ORIGINAL ARREST WARRANT OR ORDER, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 7252 is adopted and engrossed.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 170 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A LIMIT ON THE TIME A PERSON CAN BE IMPRISONED FOR CIVIL CONTEMPT, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, July 15.

S.B. 331 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE REGISTRATION AS A SEX OFFENDER FOR CERTAIN ADDITIONAL OFFENSES, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, July 15.

S.B. 333 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT RELATING TO THE MEMBERSHIP OF STATUTORILY CREATED DECISION-MAKING OR REGULATORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES; PROVIDING INTENT; PROVIDING POLICY WITH RESPECT TO THE APPOINTMENT OF MEMBERS TO SUCH BODIES TO ENCOURAGE PROPORTIONATE REPRESENTATION OF WOMEN; REQUIRING ANNUAL REPORTS; AND REQUIRING RETENTION OF CERTAIN INFORMATION REGARDING APPLICANTS, for concurrence in House Amendments No. 1, No. 2, No. 3, and No. 4, which is placed on the Calendar for tomorrow, Thursday, July 15.

S.B. 394 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW PREMIUMS FOR INSURANCE COVERAGE TO BE PAID BY CREDIT CARD, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, July 15.

S.B. 776 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW EXEMPTING CERTAIN GOVERNMENTAL ENTITIES FROM STATE PURCHASE AND CONTRACT REQUIREMENTS, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, July 15.

S.B. 777 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997 TO ALLOW THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ENTER INTO CONTRACTS WITH PRIVATE CONTRACTORS FOR ASSESSMENT AND REMEDIATION ACTIVITIES AT DRY-CLEANING FACILITIES AND WHOLESALE DRY-CLEANING SOLVENT DISTRIBUTION FACILITIES AND TO MAKE OTHER CHANGES TO THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, July 15.
S.B. 888 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING CONTROLLED SUBSTANCES, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, July 15.

S.B. 929 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE ABATEMENT OF NUISANCES STATUTES, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, July 15.

S.B. 966 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE AUTHORITY TO ENTER INTO CONTRACTS FOR CONDUCTING MUNICIPAL AND COUNTY BUILDING INSPECTIONS, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, July 15.

S.B. 1018 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING MARRIAGE LAWS, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, July 15.

S.B. 414 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO MUNICIPALITIES WITH POPULATIONS OF ONE HUNDRED NINETY THOUSAND PEOPLE OR LESS BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, July 15.

S.B. 568 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE EXCUSE REQUIREMENT FROM ONE-STOP ABSENTEE VOTING FOR THE GENERAL ELECTION HELD IN NOVEMBER OF EVEN-NUMBERED YEARS, TO ALLOW COUNTY BOARDS OF ELECTIONS TO DESIGNATE ADDITIONAL ONE-STOP SITES, AND TO MAKE CHANGES RELATED TO STREAMLINING THE ABSENTEE BALLOT PROCESS, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, July 15.

S.B. 746 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA STRUCTURED SETTLEMENT PROTECTION ACT, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, July 15.

S.B. 977 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE AUTHORITY OF THE SCHOOL IMPROVEMENT TEAM WITH REGARD TO THE SCHOOL CALENDAR AND TO REQUIRE PRINCIPALS AND LOCAL BOARDS OF EDUCATION TO ESTABLISH SCHOOL IMPROVEMENT TEAMS, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, July 15.

S.B. 995 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING A TESTIMONIAL PRIVILEGE FOR POLICE PEER SUPPORT GROUP COUNSELORS, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, July 15.
H.B. 136 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT NONPROFIT CHILD CARE CENTERS FROM PROPERTY TAX.
Referred to Finance Committee.

H.B. 815 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW LEFT TURNS ON RED IN CERTAIN SITUATIONS AND TO APPROPRIATE FUNDS FOR SIGNAGE NECESSARY TO IMPLEMENT THE ACT.
Referred to Rules and Operations of the Senate Committee.

The following special message is received from the House of Representatives:

H.B. 740

House of Representatives
July 13, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body requesting the return of HB 740, A BILL TO BE ENTITLED AN ACT CORRECTING AN ERROR IN A PROPERTY DESCRIPTION IN AN ACT REMOVING PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY, for further consideration by the House of Representatives.

Respectfully,
S/Denise Weeks
Principal Clerk

Without objection, the President orders that H.B. 740 be returned to the House of Representatives as requested.

The following special message is received from the House of Representatives:

S.B. 912

House of Representatives
July 13, 1999

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute # 2 for SB 912, A BILL TO BE ENTITLED AN ACT (1) TO AUTHORIZE THE ISSUANCE OF ONE BILLION TWO HUNDRED MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR CAPITAL IMPROVEMENTS FOR THE UNIVERSITY OF NORTH CAROLINA AND GRANTS TO COMMUNITY COLLEGES FOR CAPITAL IMPROVEMENTS, (2) TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ISSUE SPECIAL OBLIGATION BONDS FOR IMPROVEMENTS TO THE FACILITIES OF THE UNIVERSITY OF NORTH CAROLINA AND FOR THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL AND OTHER FACILITIES OF THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM, AND (3) TO RESTRICT THE NAMING OF STATE CONSTRUCTION PROJECTS FOR SITTING MEMBERS OF THE GENERAL ASSEMBLY AND THE COUNCIL OF STATE, the Speaker has appointed as conferees...
on the part of the House: Representatives Alexander, Allen, Baddour, Black, Bonner, Boyd-McIntyre, Crawford, Culpepper, Cunningham, Earle, Easterling, Edwards, Gray, Hackney, Hardaway, Haire, Horn, Hurley, Insko, Luebke, McLawhorn, McMahan, Melton, Michaux, Miller, Miner, Oldham, Owens, Redwine, Rogers, Saunders, Tolson, Tucker, Wainwright, Warren, and Wright, to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

The following special message is received from the House of Representatives:

H.B. 202
House of Representatives
July 13, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute to HB 202, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO PERMIT CERTAIN EMPLOYEE RETIREMENT PLANS TO HOLD SECURITIES AS A LICENSEE AND TO REVISE THE DEFINITION OF A FOREIGN PROFESSIONAL CORPORATION THAT MAY BE AUTHORIZED TO DO BUSINESS IN THIS STATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, and requests conferees. The Speaker has appointed:

Representative Culpepper,
Representative Jeffus, and
Representative McMahan

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

The following special message is received from the House of Representatives:

H.B. 1476
House of Representatives
July 13, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute to HB 1476, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS AND TO CONFORM TO THE FEDERAL STATUTE OF LIMITATIONS FOR WILLFUL FAILURE TO COMPLY WITH STATE TAX LAWS, and requests conferees. The Speaker has appointed:

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Representative Luebke,
Representative Allen,
Representative Redwine, and
Representative Hardaway

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

The following special message is received from the House of Representatives:

S.B. 29

House of Representatives
July 14, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on House Committee Substitute for SB 29, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION FEES COLLECTED UNDER THE COSMETIC ART ACT, to the end that when a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

WITHDRAWL FROM CLERK'S OFFICE

S.B. 835 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW GOVERNING Mergers, consolidations, and conversions among business corporations, nonprofit corporations, and unincorporated entities, including limited liability companies and partnerships, for the purpose of conforming the laws with those of other states and modern business practices; to allow conversion of a mutual insurance company to a stock insurance company; and to permit homeowner associations to distribute surplus funds, for concurrence in the House Committee Substitute bill No. 2, ordered held in the Office of the Principal Clerk on July 13, pursuant to Rule 43.

The House Committee Substitute bill No. 2 is withdrawn from the Office of the Principal Clerk, and is placed on today’s Calendar.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

H.B. 1289 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES, TO SET THE INSURANCE REGULATORY CHARGE, TO IMPOSE THE INSURANCE REGULATORY

July 14, 1999
CHARGE ON SERVICE CORPORATIONS AND ON HEALTH MAINTENANCE ORGANIZATIONS IN THE YEAR 2000, AND TO ALLOW THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO IMPOSE FEES THAT REFLECT THE ACTUAL COST OF RENDERING THE SERVICE, upon second reading.

With unanimous consent, upon motion of Senator Kerr, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for tomorrow, Thursday, July 15, upon second reading.

H.B. 667 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CITY OF ROANOKE RAPIDS, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is placed on the Calendar for tomorrow, Thursday, July 15, upon third reading.

S.B. 523 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH THE GREENSBORO ROOM OCCUPANCY TAX MAY BE USED, for concurrence in the House Committee Substitute bill, upon third reading.

The Senate concurs in the House Committee Substitute bill on its third reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill is ordered enrolled.

S.B. 619, A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF FUQUAY-VARINA, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 619 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF FUQUAY-VARINA AND TO MODIFY THE HILLSBOROUGH MEALS TAX PENALTIES, upon third reading.

The Senate concurs in the House Committee Substitute bill on its third reading by roll-call vote, ayes 47, noes 2, as follows:


July 14, 1999
Voting in the negative: Senators Moore and Webster—2.
The House Committee Substitute bill is ordered enrolled.

S.B. 302 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING IN LEE COUNTY, for concurrence in House Committee Substitute bill No. 2, which changes the title, upon concurrence, to read S.B. 302 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING IN LEE AND RUTHERFORD COUNTIES AND TO ESTABLISH SEASONS FOR HUNTING FOXES WITH WEAPONS AND WITH TRAPS IN CHOWAN COUNTY AND TO PROHIBIT DEER HUNTING IN MOORE COUNTY WITHOUT THE WRITTEN PERMISSION OF THE LANDOWNER, TO PROHIBIT DEER HUNTING FROM THE RIGHT-OF-WAY OF A PUBLIC ROAD IN MOORE COUNTY, AND TO REQUIRE OWNER IDENTIFICATION ON DOGS USED TO HUNT DEER IN MOORE COUNTY.

The Senate concurs in House Committee Substitute bill No. 2 (49-0) and the measure is ordered enrolled.

S.B. 532 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REWRITING THE LAWS RELATED TO THE CIVIL SERVICE BOARD OF THE CITY OF ASHEVILLE, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 532 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REWRITING THE LAWS RELATED TO THE CIVIL SERVICE BOARD OF THE CITY OF ASHEVILLE, AND AUTHORIZING BUNCOMBE COUNTY TO CONDUCT AN ADVISORY REFERENDUM ON ZONING.

The Senate concurs in the House Committee Substitute bill (48-1) and the measure is ordered enrolled.

H.B. 1246 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES TO ANIMAL LOVERS TO PROMOTE SPAYING AND NEUTERING OF DOGS AND CATS, upon third reading.

The Senate Committee Substitute bill passes its third reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Senate Committee Substitute bill is ordered sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

COMMITTEE REFERRAL RECALL


Pursuant to Rule 47(a), Senator Rand offers a motion that the joint resolution be withdrawn from the Rules and Operations of the Senate Committee and placed on today’s Calendar, which motion prevails with unanimous consent.

July 14, 1999
The Chair orders the joint resolution withdrawn from the Rules and Operations of the Senate Committee and places it on today’s Calendar for immediate consideration.

With unanimous consent, upon motion of Senator Reeves, the remarks of the members memorializing the life and memory of Henderson David Mabe, Jr., former member of the General Assembly, are spread upon the Journal, as follows:

Senator Harris:

“Thank you, Mr. President and Members of the Senate. Dr. H. D. ‘Buster’ Mabe, a native Gastonian, attended North Carolina State College, then transferred to Wake Forest College, graduated in 1946. He graduated from Bowman Gray School of Medicine in 1950. Dr. Mabe never married. He lived with his widowed mother seeing that she received the very best of care until her death at the age of one hundred and one. Dr. Mabe was well educated, well read, an intellectual individual who knew history and literature well, as one would say, a well-rounded person. Dr. Mabe served his country in the medical core as a lieutenant during the Korean Conflict. Dr. Mabe was a beloved physician in Dunn, Erwin and Coats area. He was truly a family doctor from the old school. He never turned a patient away whether he had money or not. The welfare of his patients always came first. His office hours were legendary in many cases until midnight, then hospital visits. You could always get in touch with him at home, at his office, or at the hospital. He never hesitated to refer his patients to the best specialists who would always confirm his diagnosis. Dr. Mabe never rushed. He had patience, he had the patience of Job. His bedside manners were the very best. Dr. Mabe was a loyal Democrat. He served one term in the Legislature as a House member in 1963 and ’64. He served his term with distinction. He was never comfortable being away from his patients, however. He reluctantly filed for re-election and lost, but the reason he lost, explained his long-time friend, former U. S. Senator Robert Morgan, was not because he hadn’t done an outstanding job in representing his county well. The reason was because Erwin had only one or two other physicians at the time and the people voted against him so he could return from Raleigh and they wanted him back home practicing medicine. Aside from his medical practice, Dr. Mabe was co-owner of The Harnett County News and The Angier Independent with another close personal friend, Mr. Hoover Adams, founder of The Daily Record. Dr. Mabe was a faithful member of St. Stephens Episcopal Church in Erwin. To sum up Dr. Mabe, he was a leader. He served as President of the student body at Wake Forest College where he earned many campus honors. In his medical practice as a family physician, he was a county and community leader having received the Erwin ‘Man of the Year’ in 1995. He was a political leader always on the cutting edge of progress. He was a dedicated church layleader. We all knew Dr. Mabe as a friendly, compassionate, unselfish, modest and beloved physician who was well respected. He was my mentor. In closing, I leave you with a quote from The Daily Record in its tribute to Dr. Mabe. ‘Truth is, they just don’t make them like Buster Mabe anymore. He was one of a kind and the community is poor indeed because of his passing.’”

Senator Reeves:

“I knew Dr. Mabe very well. I counted him as a member of my family. He had no family members of his own. He lived in Erwin which is very close to Buies Creek where my in-laws live and I had known Dr. Mabe for as long as I’d been going down to Harnett County courting my wife. One of the people that I had to get permission from to marry Mary was Dr. Mabe, and I enjoyed getting to know him very well. He was a person who, as a doctor, never turned away a patient. He was certainly the type of person who believed very much in trying to make sure that his profession was seen as an asset to the community as well as serving his patients.”
Senator Shaw of Guilford:

"I go back a long way with Buster Mabe. I was born and raised outside of Erwin and he was the doctor of my mother and father. We were walking the mud of that Cape Fear River, I guess like a lot of us. My mother was a stanch, stanch, Republican, one of the few probably in Harnett County at that time and her father was. There were two Democrats that she voted for, little Robert Morgan who had some land beside hers and Buster Mabe. I went down to see her the week after Buster lost the election. He ran for his second term. I said, 'Mama what happened to Buster, he lost. I thought everybody loved him.' She said, 'They do. They just want him home.' They voted against that man to keep him in Erwin. That's how much they thought of him, and I don't know any better tribute to anybody than to say, 'Well we beat you to keep you at home because we love you so much.' Thank you."

The joint resolution passes its second reading (48-0) and third reading unanimously with Members standing and is ordered sent, by special message, to the House of Representatives.

CALENDAR (Continued)

H.B. 160 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CHILD ABUSE THAT RESULTS IN SERIOUS BODILY INJURY OR PERMANENT LOSS OR IMPAIRMENT OF ANY MENTAL OR EMOTIONAL FUNCTION.

With unanimous consent, upon motion of Senator Miller, the Senate Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the Judiciary II Committee.

S.B. 835 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING MERGERS, CONSOLIDATIONS, AND CONVERSIONS AMONG BUSINESS CORPORATIONS, NONPROFIT CORPORATIONS, AND UNINCORPORATED ENTITIES, INCLUDING LIMITED LIABILITY COMPANIES AND PARTNERSHIPS, FOR THE PURPOSE OF CONFORMING THE LAWS WITH THOSE OF OTHER STATES AND MODERN BUSINESS PRACTICES; TO ALLOW CONVERSION OF A MUTUAL INSURANCE COMPANY TO A STOCK INSURANCE COMPANY; AND TO PERMIT HOMEOWNER ASSOCIATIONS TO DISTRIBUTE SURPLUS FUNDS, for concurrence in House Committee Substitute bill No. 2, upon second reading, which changes the title, upon concurrence, to read S.B. 835 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW GOVERNING MERGERS, CONSOLIDATIONS, AND CONVERSIONS AMONG BUSINESS CORPORATIONS, NONPROFIT CORPORATIONS, AND UNINCORPORATED ENTITIES, INCLUDING LIMITED LIABILITY COMPANIES AND PARTNERSHIPS, FOR THE PURPOSE OF CONFORMING THE LAWS WITH THOSE OF OTHER STATES AND MODERN BUSINESS PRACTICES; TO ALLOW CONVERSION OF A MUTUAL INSURANCE COMPANY TO A STOCK INSURANCE COMPANY; AND TO PERMIT HOMEOWNER ASSOCIATIONS TO DISTRIBUTE SURPLUS FUNDS, placed earlier on today's Calendar, for concurrence in the House Committee Substitute bill No. 2, upon second reading.

The Senate concurs in House Committee Substitute bill No. 2 on its second reading by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, East,

Voting in the negative: None.

The House Committee Substitute bill No. 2 remains on the Calendar for tomorrow, Thursday, July 15, upon third reading.

H.B. 279 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TOWNSHIP HOSPITALS STILL OPERATING UNDER PRE-1983 LAW TO LEVY ADDITIONAL TAXES AFTER A REFERENDUM, AND TO MODERNIZE PROVISIONS OF LAW APPLICABLE TO THEM, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is placed on the Calendar for tomorrow, Thursday, July 15, upon third reading.

H.B. 1084 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO ISSUE BONDS TO PURCHASE LAND FOR MULTIPLE USE FOR PRESENT OR FUTURE COUNTY, OPEN SPACE, COMMUNITY COLLEGE, AND PUBLIC SCHOOL PURPOSES, upon second reading, placed earlier on today’s Calendar.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is placed on the Calendar for tomorrow, Thursday, July 15, upon third reading.

H.B. 1098 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973 AND TO REQUIRE THAT THE EXAMINATION FOR A GENERAL CONTRACTOR’S LICENSE INCLUDE QUESTIONS THAT TEST AN APPLICANT’S KNOWLEDGE OF THE REQUIREMENTS OF THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, East, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Horton, Hoyle, Kerr, July 14, 1999

Voting in the negative: None.

The Committee Substitute bill is placed on the Calendar for tomorrow, Thursday, July 15, upon third reading.

H.B. 1233 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STRUCTURAL PEST CONTROL LAW, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is placed on the Calendar for tomorrow, Thursday, July 15, upon third reading.

H.B. 1470 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS TO ENTER INTO AGREEMENTS WITH SPECIAL IMPAIRED DENTIST PEER REVIEW ORGANIZATIONS TO INCLUDE PROGRAMS FOR IMPAIRED DENTAL HYGIENISTS, TO COLLECT FEES TO FUND SUCH PROGRAMS, AND TO PROVIDE FOR REPRESENTATION FOR DENTAL HYGIENISTS ON THE STATEWIDE SUPERVISORY COMMITTEE, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is placed on the Calendar for tomorrow, Thursday, July 15, upon third reading.

H.B. 1471, A BILL TO BE ENTITLED AN ACT TO ADJUST THE MATURITY DATE OF THE 1996 HIGHWAY BONDS TO REFLECT A CHANGE IN THE ESTIMATED COMPLETION DATE OF HIGHWAY TRUST FUND PROJECTS, upon second reading.

The bill passes its second reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

July 14, 1999
The bill is placed on the Calendar for tomorrow, Thursday, July 15, upon third reading.

**H.B. 303** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO COMMERCIAL VEHICLE HIGHWAY SAFETY AND WORK ZONE SAFETY, as amended on second reading.

With unanimous consent, upon motion of Senator Metcalf, the Senate Committee Substitute bill, as amended, is withdrawn from today's Calendar and is placed on the Calendar for tomorrow, Thursday, July 15.

**S.B. 876** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE USE OF NATURAL GAS EXPANSION FUNDS.

With unanimous consent, upon motion of Senator Kerr, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Monday, July 19.

**H.B. 222** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LITTERING LAW BY INCREASING THE MINIMUM AND MAXIMUM FINES AND BY REQUIRING COMMUNITY SERVICE IF THE LITTER IS MORE THAN FIVE HUNDRED POUNDS, IS A HAZARDOUS WASTE, OR IS DISCARDED FOR COMMERCIAL PURPOSES.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

The Senate Committee Substitute bill passes its second reading (49-0).

Senator Allran objects to third reading of the measure. Pursuant to Rule 50, the President Pro Tempore orders the measure placed on the Calendar for tomorrow, Thursday, July 15.

**H.B. 661** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE JUVENILE CODE TO REVISE THE COMMUNITY SERVICE DISPOSITIONAL ALTERNATIVE FOR JUVENILE OFFENDERS WHO HAVE BEEN ADJUDICATED DELINQUENT FOR LEVEL 2 OFFENSES.

The Senate Committee Substitute bill passes its second (49-0) and third readings and is ordered sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

**H.B. 1173** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT DISCLOSURE OF PERSONAL INFORMATION CONTAINED IN APPLICATIONS FOR LICENSES ISSUED BY THE PRIVATE PROTECTIVE SERVICES BOARD AND THE ALARM SYSTEMS LICENSING BOARD AND TO AUTHORIZE THE ALARM SYSTEMS LICENSING BOARD TO ISSUE AN APPRENTICESHIP REGISTRATION PERMIT.

The Senate Committee Substitute bill passes its second (48-0) and third readings and is ordered sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

**H.B. 1222** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE STATE COURT SYSTEM BY CREATING A STATE JUDICIAL COUNCIL.

The Committee Substitute bill No. 2 passes its second reading (49-0) and third reading (49-0) and is ordered enrolled and sent to the Governor by special message.
H.B. 274 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING CERTIFICATION AND EMPLOYMENT OF ASSISTANT PRINCIPALS.

With unanimous consent, upon motion of Senator Rand, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Monday, July 19.

H.B. 247 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE FUNERAL PROCESSIONS AND TO CODIFY THE RULES OF THE ROAD WITH REGARD TO FUNERAL PROCESSIONS.

The Senate Committee Substitute bill passes its third reading (48-0) and is ordered sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

WITHDRAWAL FROM CALENDAR

H.B. 222 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LITTERING LAW BY INCREASING THE MINIMUM AND MAXIMUM FINES AND BY REQUIRING COMMUNITY SERVICE IF THE LITTER IS MORE THAN FIVE HUNDRED POUNDS, IS A HAZARDOUS WASTE, OR IS DISCARDED FOR COMMERCIAL PURPOSES, placed earlier today on the Calendar for July 15, upon third reading.

Senator Allran withdraws his previous objection to third reading.

The Chair orders the Senate Committee Substitute bill withdrawn from the Calendar for tomorrow, Thursday, July 15, and places it on today's Calendar, upon third reading.

CALENDAR (Continued)

H.B. 512 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CERTIFY ASSISTED LIVING RESIDENCE ADMINISTRATORS.

Senator Ballance offers Amendment No. 1 which is adopted (47-0).

The Senate Committee Substitute bill, as amended, passes its third reading (46-0) and is ordered sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

S.B. 251 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE HISTORIC REHABILITATION TAX CREDIT TO BE ALLOCATED BY A PASS-THROUGH ENTITY TO ITS OWNERS, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 251 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE HISTORIC REHABILITATION TAX CREDIT TO BE ALLOCATED BY A PASS-THROUGH ENTITY TO ITS OWNERS AND TO REQUIRE CORPORATIONS THAT ARE REQUIRED TO PAY FEDERAL-ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER TO PAY STATE-ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER, upon third reading.

The Senate concurs in the House Committee Substitute bill on its third reading by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, East, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Horton, Hoyle, Kerr, Kinnaird, Lee, Lucas, Martin of Pitt, Martin of Guilford, Metcalf, Miller, Moore, Odom,

Voting in the negative: None.

The House Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

S.B. 772, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF MUNICIPAL SERVICE DISTRICTS IN CERTAIN CITIES FOR URBAN AREA REVITALIZATION PROJECTS, for concurrence in House Amendments No. 1 and No. 2, upon third reading.

The Senate concurs in House Amendments No. 1 and No. 2 on its third reading by roll-call vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The bill is ordered enrolled and sent to the Governor by special message.

S.B. 1110 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCENTIVE FOR BUSINESSES TO FIND COMMERCIAL USES FOR TECHNOLOGY DEVELOPED BY RESEARCH UNIVERSITIES, for concurrence in the House Committee Substitute bill, upon third reading.

Without objection, Senator Clodfelter requests to be excused from voting on the House Committee Substitute bill due to a conflict of interest.

The Senate concurs in the House Committee Substitute bill on its third reading by roll-call vote, ayes 46, noes 2, as follows:


Voting in the negative: Senators Kinnaird and Webster—2.

The House Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

S.B. 297 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND OTHER CHANGES REGARDING LIMITED PARTNERSHIPS AND THE NORTH CAROLINA REVISED UNIFORM LIMITED PARTNERSHIP ACT, TO CLARIFY THE LIMIT OF LIABILITY IN PROFESSIONAL ORGANIZATIONS, TO PROVIDE FOR THE REGISTRATION OF FOREIGN LIMITED LIABILITY PARTNERSHIPS, AND TO REQUIRE ANNUAL REPORTS BY LIMITED LIABILITY PARTNERSHIPS, for concurrence in House Committee Substitute bill No. 2, upon second reading.

The Senate concurs in House Committee Substitute bill No. 2 on its second reading by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, East, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Horton, Hoyle, Kerr,

Voting in the negative: None.

The House Committee Substitute bill No. 2 is placed on the Calendar for tomorrow, Thursday, July 15, upon third reading.

S.B. 708 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING COUNTIES TO PROVIDE AFFORDABLE HOUSING FOR PERSONS OF LOW AND MODERATE INCOME, for concurrence in the House Committee Substitute bill, upon second reading.

The Senate concurs in the House Committee Substitute bill on its second reading by roll-call vote, ayes 48, noes 1, as follows:


Voting in the negative: Senator Webster—1.

The House Committee Substitute bill remains on the Calendar for tomorrow, Thursday, July 15, upon third reading.

H.B. 222 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LITTERING LAW BY INCREASING THE MINIMUM AND MAXIMUM FINES AND BY REQUIRING COMMUNITY SERVICE IF THE LITTER IS MORE THAN FIVE HUNDRED POUNDS, IS A HAZARDOUS WASTE, OR IS DISCARDED FOR COMMERCIAL PURPOSES, placed earlier on today’s Calendar.

The Senate Committee Substitute bill passes its third reading (49-0) and is ordered sent, by special message, to the House of Representatives for concurrence in the Senate Committee Substitute bill.

S.B. 292 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CRIMINAL CASES IN SUPERIOR COURT SHALL BE CALENDARED PURSUANT TO ADMINISTRATIVE SETTINGS, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (49-0) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 1149 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY PERMISSIBLE FEES WHICH MAY BE CHARGED IN CONNECTION WITH HOME LOANS SECURED BY FIRST MORTGAGE OR FIRST DEED OF TRUST, TO IMPOSE RESTRICTIONS AND LIMITATIONS ON HIGH-COST HOME LOANS, TO REVISE THE PERMISSIBLE FEES AND CHARGES ON CERTAIN LOANS, TO PROHIBIT UNFAIR OR DECEPTIVE PRACTICES BY MORTGAGE BROKERS AND LENDERS, AND TO APPROPRIATE FUNDS FOR PUBLIC EDUCATION AND COUNSELING ABOUT PREDATORY LENDERS, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 1149 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY PERMISSIBLE FEES WHICH MAY BE CHARGED IN CONNECTION WITH HOME LOANS SECURED BY FIRST MORTGAGE OR FIRST DEED OF TRUST, TO IMPOSE RESTRICTIONS AND LIMITATIONS ON HIGH-COST HOME...
LOANS, TO REVISE THE PERMISSIBLE FEES AND CHARGES ON CERTAIN LOANS, TO PROHIBIT UNFAIR OR DECEPTIVE PRACTICES BY MORTGAGE BROKERS AND LENDERS, AND TO PROVIDE FOR PUBLIC EDUCATION AND COUNSELING ABOUT PREDATORY LENDERS.

The Senate concurs in House Committee Substitute bill No. 2 (47-2) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 1112 (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROMOTE ELECTRONIC COMMERCE BY REPEALING THE SALES TAX REGISTRATION FEE AND TO MAKE OTHER CHANGES TO THE TAX LAWS AND RELATED STATUTES, for adoption, upon second reading.

The President Pro Tempore rules that the measure does not require a call of the roll. Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.

Upon motion of Senator Kerr, the Senate adopts the Conference Report (48-1). A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages are received from the House of Representatives transmitting bills which are read the first time and disposed of, as follows:

S.B. 783 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT NURSING HOMES PROVIDING SPECIAL CARE FOR PERSONS WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIAS DISCLOSE CERTAIN INFORMATION, TO ALLOW CERTAIN INDIVIDUALS EXCLUDED FROM MEMBERSHIP IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN TO APPLY FOR REINSTATEMENT IN THE PLAN, AND TO REQUIRE OUT-OF-STATE PHARMACIES TO FILL VALID PRESCRIPTIONS WRITTEN BY NORTH CAROLINA PRACTITIONERS, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, July 15.

S.B. 10 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT REFORMS IN THE LONG-TERM CARE INDUSTRY IN ORDER TO IMPROVE QUALITY OF CARE, INCREASE PROTECTION OF RESIDENTS, AND STRENGTHEN REGULATORY OVERSIGHT OF INDUSTRY PRACTICES, for concurrence in House Amendments No. 1, No. 2, No. 3, No. 4, No. 5, and No. 6, which is placed on the Calendar for tomorrow, Thursday, July 15.

S.B. 244 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA UNCLAIMED PROPERTY ACT AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER CHANGES TO THE ESCHATS LAWS, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Thursday, July 15.

S.B. 370 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING WHEN WITNESS STATEMENTS OBTAINED PURSUANT TO THE ENFORCEMENT OF THE OCCUPATIONAL SAFETY AND HEALTH ACT MAY BE
REPORTS OF COMMITTEES (Continued)

By Senator Kerr for the Finance Committee:

H.B. 1186 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW GOVERNING THE UNEARNED PREMIUM RESERVE OF DOMESTIC TITLE COMPANIES, with a favorable report.

CALENDAR (Continued)

S.B. 1115 (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WIDELY SHARED PROSPERITY BY AMENDING THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, BY PROVIDING ADDITIONAL TAX INCENTIVES FOR VARIOUS BUSINESSES, AND BY MAKING RELATED CHANGES, for adoption, upon second reading.

Upon motion of Senator Kerr, the Senate adopts the Conference Report on its second reading by roll-call vote, ayes 48, noes 1, as follows:


Voting in the negative: Senator Webster—1.

The Conference Report remains on the Calendar for tomorrow, Thursday, July 15, upon third reading.

S.B. 29 (Conference Report), A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION FEES COLLECTED UNDER THE COSMETIC ART ACT, for adoption.

Upon motion of Senator Kerr, the Senate adopts the Conference Report (49-0).

Pursuant to a message received earlier today from the House of Representatives that the House has adopted the Conference Report, the bill is ordered enrolled and sent to the Governor by special message. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

REPORTS OF COMMITTEES (Continued)

By Senator Miller for the Judiciary II Committee:

H.B. 1209 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE BOATING SAFETY BY AMENDING THE STATE LAW REGULATING PERSONAL WATERCRAFT OPERATION TO CONFORM WITH THE RECOMMENDATIONS OF THE NATIONAL ASSOCIATION OF STATE BOATING LAW ADMINISTRATORS AND TO OTHERWISE IMPROVE PERSONAL WATERCRAFT SAFETY, with an unfavorable report as to Senate Committee Substitute bill No. 1, but favorable as to Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 1289, is adopted and engrossed.

July 14, 1999
Upon motion of Senator Basnight, seconded by Senator Hartsell, the Senate adjourns subject to ratification of bills and receipt of messages from the House of Representatives, to meet tomorrow, Thursday, July 15, at 11:00 A.M.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 1110, AN ACT TO PROVIDE AN INCENTIVE FOR BUSINESSES TO FIND COMMERCIAL USES FOR TECHNOLOGY DEVELOPED BY RESEARCH UNIVERSITIES.

H.B. 74, AN ACT TO AUTHORIZE THE APPOINTMENT BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE OF MEMBERS OF THE BOARD OF DIRECTORS OF THE CERTIFICATION ENTITY FOR THE PHASE II SETTLEMENT FUNDS, TO PROVIDE THE MEMBERS OF THE BOARD OF DIRECTORS LIMITED IMMUNITY FROM CIVIL LIABILITY, TO PROVIDE AN EXEMPTION FROM STATE INCOME TAX FOR INTEREST, INVESTMENT EARNINGS, AND GAINS OF CERTAIN TRUST FUNDS, TO PROVIDE A CORPORATE INCOME TAX CREDIT FOR MANUFACTURERS PRODUCING CIGARETTES FOR EXPORTATION TO A FOREIGN COUNTRY, AND TO PROHIBIT THE SALE OF CERTAIN PACKAGES OF CIGARETTES.

H.B. 604, AN ACT TO CLARIFY THE CIRCUMSTANCES UNDER WHICH AN ATTORNEY-IN-FACT MAY MAKE GIFTS.

H.B. 885, AN ACT TO PROTECT CONSUMERS BY REQUIRING CONTRACTS FOR THE RENTAL OF SELF-SERVICE STORAGE TO CLEARLY STATE CERTAIN TERMS REGARDING THE IMPOSITION OF LATE FEES.

H.B. 1085, AN ACT TO PERMIT THE USE OF TRANSITWAYS.

H.B. 1120, AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO ENGAGE IN INSTALLMENT PURCHASE FINANCING AND TO ISSUE REVENUE ANTICIPATION NOTES AND TO VALIDATE PRIOR CONVEYANCES BY MUNICIPALITIES OR HOSPITAL AUTHORITIES OF HOSPITAL FACILITIES SERVING AS COLLATERAL IN A TRANSACTION INVOLVING NORTH CAROLINA MEDICAL CARE COMMISSION BONDS.

H.B. 1154, AN ACT TO REQUIRE A ONE-YEAR SUSPENSION FOR ANY STUDENT WHO BRINGS OR POSSESSES A FIREARM OR EXPLOSIVE ON EDUCATIONAL PROPERTY OR AT A SCHOOL-SPONSORED CURRICULAR OR EXTRACURRICULAR ACTIVITY OFF EDUCATIONAL PROPERTY AND TO MAKE OTHER CONFORMING CHANGES.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:
S.B. 607 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE CERTAIN PERMITS, for concurrence in the House Committee Substitute bill.

Pursuant to Rule 43, the House Committee Substitute bill is ordered held in the Office of the Principal Clerk pending referral.

S.B. 1134 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE WORK FIRST LAW PERTAINING TO MAINTENANCE OF EFFORT, SUPPORT SERVICES, PAY-FOR-PERFORMANCE FOR TWO-PARENT FAMILIES, AND OTHER AREAS OF WELFARE REFORM, for concurrence in the House Committee Substitute bill.

Pursuant to Rule 43, the House Committee Substitute bill is ordered held in the Office of the Principal Clerk pending referral.

H.B. 740 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CORRECTING AN ERROR IN A PROPERTY DESCRIPTION IN AN ACT REMOVING PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY.

Pursuant to Rule 43, the Committee Substitute bill is ordered held in the Office of the Principal Clerk pending referral to committee.


Pursuant to Rule 43, the joint resolution is ordered held in the Office of the Principal Clerk pending referral to committee.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 8:25 P.M.

NINETY-EIGHTH DAY

Senate Chamber
Thursday, July 15, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Honorable Howard Lee, Senator from Orange County, as follows:

"Ever-loving God, help us to reflect on an essential element of freedom, which is courage.

"Someone once asked, 'Where does the courage come from to see a race to the end even when it looks hopeless'? Of course, the answer is, 'it comes from within us.'

"Help us, Oh God, to take a penetrating look deep inside ourselves. Grant us the courage to awaken the giant that is within all of us, so that we may be strong enough to resist temptation and determined enough to take control of the evil forces that threaten us. Help us to recall those important lessons of history, that no matter how large or intimidating the foe, through courage, any challenge can be met and conquered. Above
all, remind us that genuine courage does not seek conflict, but rather seeks resolution and reconciliation.

"The courage to remember that our purpose here as Legislators, is not just to represent the present generation, but to serve as an example for future generations. Bless us, Oh God, and help us to understand and accept the serenity to know the things we cannot change, the courage to change those things we can, but above all, the wisdom to know the difference. Amen."

With unanimous consent, the President grants a leave absence for today to Senator Jordan.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Wednesday, July 14, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. A. Gray Bullard from Concord, North Carolina, who is serving the Senate as Doctor of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 29, AN ACT TO REAUTHORIZE THE NORTH CAROLINA BOARD OF COSMETIC ART EXAMINERS TO ADOPT RULES FOR COSMETIC ART SCHOOLS, AND TO AUTHORIZE THE BOARD TO CHARGE APPLICANTS FOR LICENSURE THE ACTUAL COSTS OF EXAMINATION SERVICES.

S.B. 251, AN ACT TO ALLOW THE HISTORIC REHABILITATION TAX CREDIT TO BE ALLOCATED BY A PASS-THROUGH ENTITY TO ITS OWNERS AND TO REQUIRE CORPORATIONS THAT ARE REQUIRED TO PAY FEDERAL-ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER TO PAY STATE-ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER.

S.B. 292, AN ACT TO PROVIDE THAT CRIMINAL CASES IN SUPERIOR COURT SHALL BE CALENDARED PURSUANT TO ADMINISTRATIVE SETTINGS.

S.B. 499, AN ACT TO INCREASE THE FEES FOR REGISTRATION OF BOATS.

S.B. 772, AN ACT TO AUTHORIZE THE CREATION OF MUNICIPAL SERVICE DISTRICTS IN CERTAIN CITIES FOR URBAN AREA REVITALIZATION PROJECTS.

S.B. 941, AN ACT TO UPDATE THE MANUFACTURED HOUSING BOARD STATUTES, TO PROVIDE FOR CONTINUING EDUCATION FOR LICENSEES, TO IMPROVE THE BUYER CANCELLATION LAW, AND TO UPDATE THE LAW ON MANUFACTURED HOME STANDARDS TO COMPLY WITH FEDERAL LAWS AND REGULATIONS.

S.B. 1149, AN ACT TO MODIFY PERMISSIBLE FEES WHICH MAY BE CHARGED IN CONNECTION WITH HOME LOANS SECURED BY FIRST Mortgages.
MORTGAGE OR FIRST DEED OF TRUST, TO IMPOSE RESTRICTIONS AND LIMITATIONS ON HIGH-COST HOME LOANS, TO REVISE THE PERMISSIBLE FEES AND CHARGES ON CERTAIN LOANS, TO PROHIBIT UNFAIR OR DECEPTIVE PRACTICES BY MORTGAGE BROKERS AND LENDERS, AND TO PROVIDE FOR PUBLIC EDUCATION AND COUNSELING ABOUT PREDATORY LENDERS.

H.B. 1222, AN ACT TO IMPROVE THE STATE COURT SYSTEM BY CREATING A STATE JUDICIAL COUNCIL.

The Enrolling Clerk reports the following bills duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.B. 302, AN ACT TO REGULATE HUNTING IN LEE AND RUTHERFORD COUNTIES AND TO ESTABLISH SEASONS FOR HUNTING FOXES WITH WEAPONS AND WITH TRAPS IN CHOWAN COUNTY AND TO PROHIBIT DEER HUNTING IN MOORE COUNTY WITHOUT THE WRITTEN PERMISSION OF THE LANDOWNER, TO PROHIBIT DEER HUNTING FROM THE RIGHT-OF-WAY OF A PUBLIC ROAD IN MOORE COUNTY, AND TO REQUIRE OWNER IDENTIFICATION ON DOGS USED TO HUNT DEER IN MOORE COUNTY.

S.B. 523, AN ACT TO MODIFY THE PURPOSES FOR WHICH THE GREENSBORO ROOM OCCUPANCY TAX MAY BE USED.

S.B. 532, AN ACT REWRITING THE LAWS RELATED TO THE CIVIL SERVICE BOARD OF THE CITY OF ASHEVILLE, AND AUTHORIZING BUNCOMBE COUNTY TO CONDUCT AN ADVISORY REFERENDUM ON ZONING.

S.B. 619, AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF FUQUAY-VARINA AND TO MODIFY THE HILLSBOROUGH MEALS TAX PENALTIES.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

S.B. 694, AN ACT TO INCORPORATE THE TOWN OF RIMERTOWN SUBJECT TO A REFERENDUM. (Became law upon ratification, July 13, 1999 – S.L. 1999-284.)

H.B. 149, AN ACT TO REDUCE THE PISTOL PERMIT FEE IN PITT COUNTY FROM TWENTY DOLLARS TO FIVE DOLLARS. (Became law upon ratification, July 13, 1999 – S.L. 1999-285.)

H.B. 812, AN ACT TO REMOVE THE SUNSET ON A REQUIREMENT THAT PART OF CERTAIN CRAVEN COUNTY PROCEEDS BE USED FOR A CONVENTION CENTER AND A TOURIST CENTER. (Became law upon ratification, July 13, 1999 – S.L. 1999-286.)

INTRODUCTION OF A RESOLUTION

A resolution filed for introduction is presented to the Senate, read the first time, and

July 15, 1999
disposed of, as follows:

By Senators Harris and Wellons:
S.R. 1175, A SENATE RESOLUTION HONORING THE FIFTIETH ANNIVERSARY OF BENSON'S MULE DAYS FESTIVAL.

Referred to Rules and Operations of the Senate Committee.

WITHDRAWAL FROM CLERK'S OFFICE

S.B. 607 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE CERTAIN PERMITS, ordered held in the Office of the Principal Clerk on July 14, pending referral, pursuant to Rule 43.

The House Committee Substitute bill is withdrawn from the Office of the Principal Clerk and placed on the Calendar for Monday, July 19.

S.B. 1134 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE WORK FIRST LAW PERTAINING TO MAINTENANCE OF EFFORT, SUPPORT SERVICES, PAY-FOR-PERFORMANCE FOR TWO-PARENT FAMILIES, AND OTHER AREAS OF WELFARE REFORM, ordered held in the Office of the Principal Clerk on July 14, pending referral, pursuant to Rule 43.

The House Committee Substitute bill is withdrawn from the Office of the Principal Clerk and placed on the Calendar for Monday, July 19.

H.B. 740 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CORRECTING AN ERROR IN A PROPERTY DESCRIPTION IN AN ACT REMOVING PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY, ordered held in the Office of the Principal Clerk on July 14, pending referral to committee, pursuant to Rule 43.

The Committee Substitute bill is withdrawn from the Office of the Principal Clerk and referred to the Finance Committee.

H.J.R. 1488, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF HENDERSON DAVID MABE, JR., A FORMER MEMBER OF THE HOUSE OF REPRESENTATIVES AND A FAMILY PHYSICIAN, ordered held in the Office of the Principal Clerk on July 14, pending referral to committee, pursuant to Rule 43.

The joint resolution is withdrawn from the Office of the Principal Clerk and referred to the Rules and Operations of the Senate Committee.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S.B. 1115

House of Representatives
July 15, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conference Committee Substitute for SB 1115, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WIDELY SHARED PROSPERITY BY AMENDING THE WILLIAM S. LEE QUALITY JOBS AND
BUSINESS EXPANSION ACT, BY PROVIDING ADDITIONAL TAX INCENTIVES FOR VARIOUS BUSINESSES, AND BY MAKING RELATED CHANGES, to the end that when a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

**H.B. 667** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CITY OF ROANOKE RAPIDS, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 47, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

**H.B. 279** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TOWNSHIP HOSPITALS STILL OPERATING UNDER PRE-1983 LAW TO LEVY ADDITIONAL TAXES AFTER A REFERENDUM, AND TO MODERNIZE PROVISIONS OF LAW APPLICABLE TO THEM, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

**H.B. 1084** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO ISSUE BONDS TO PURCHASE LAND FOR MULTIPLE USE FOR PRESENT OR FUTURE COUNTY, OPEN SPACE, COMMUNITY COLLEGE, AND PUBLIC SCHOOL PURPOSES, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, East, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Horton, Hoyle, Kerr,

July 15, 1999

Voting in the negative: None.

The Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

**H.B. 1098** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973 AND TO REQUIRE THAT THE EXAMINATION FOR A GENERAL CONTRACTOR’S LICENSE INCLUDE QUESTIONS THAT TEST AN APPLICANT’S KNOWLEDGE OF THE REQUIREMENTS OF THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

**H.B. 1233** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STRUCTURAL PEST CONTROL LAW, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

**H.B. 1470** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS TO ENTER INTO AGREEMENTS WITH SPECIAL IMPAIRED DENTIST PEER REVIEW ORGANIZATIONS TO INCLUDE PROGRAMS FOR IMPAIRED DENTAL HYGIENISTS, TO COLLECT FEES TO FUND SUCH PROGRAMS, AND TO PROVIDE FOR REPRESENTATION FOR DENTAL HYGIENISTS ON THE STATEWIDE SUPERVISORY COMMITTEE, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, East, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Horton, Hoyle, Kerr, Kinnaird, Lee, Lucas, Martin of Pitt, Martin of Guilford, Metcalf, Miller, Moore, Odom,

Voting in the negative: None.
The Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

**H.B. 1471, A BILL TO BE ENTITLED AN ACT TO ADJUST THE MATURITY DATE OF THE 1996 HIGHWAY BONDS TO REFLECT A CHANGE IN THE ESTIMATED COMPLETION DATE OF HIGHWAY TRUST FUND PROJECTS,** upon third reading.
The bill passes its third reading by roll-call vote, ayes 49, noes 0, as follows:
Voting in the negative: None.
The bill is ordered enrolled and sent to the Governor by special message.

**H.B. 541 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TROT LINES, BUOY SETS, AND SET HOOKS ARE SPECIAL FISHING DEVICES,** upon second reading.
Senator Odom offers Amendment No. 1 which is adopted (29-19).
Senator Robinson offers Amendment No. 2.
Senator Webster offers Amendment No. 3, a substitute amendment for Amendment No. 2.
With unanimous consent, upon motion of Senator Hoyle, the Committee Substitute bill, as amended by Amendment No. 1, is withdrawn from today’s Calendar with Amendments No. 2 and No. 3 pending, and is re-referred to the Finance Committee.

**H.B. 964 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REVISE THE MUNICIPAL INCORPORATION PROCESS SO AS TO PROVIDE MORE SCRUTINY,** upon second reading.
Senator Soles offers a motion that Committee Substitute bill No. 2 be withdrawn from today’s Calendar and re-referred to the Commerce Committee.
The Chair extends the privileges of the floor to Wendell Murphy, former Senator from Duplin County.
Senator Basnight offers a motion that Committee Substitute bill No. 2 be temporarily displaced and further, that the Senate stand in recess until 12:30 P.M., with Senator Soles’ motion pending.

The Senate recesses at 12:15 P.M. to reconvene at 12:30 P.M.

**RECESS**

The Senate meets pursuant to recess and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

**CALENDAR (Continued)**

**H.B. 964 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO**
REVISE THE MUNICIPAL INCORPORATION PROCESS SO AS TO PROVIDE MORE SCRUTINY, temporarily displaced earlier, with Senator Soles' motion pending.

Senator Soles withdraws his motion that Committee Substitute bill No. 2 be withdrawn from today's Calendar and re-referred to the Commerce Committee.

Senator Plyler offers Amendment No. 1 which is adopted (47-0).

Senator Ballantine offers Amendment No. 2 which is adopted (47-2).

Senator Kerr calls the previous question, seconded by Senator Rand. The call is sustained.

The Committee Substitute bill No. 2, as amended, passes its second reading by roll-call vote, ayes 37, noes 12, as follows:


Voting in the negative: Senators Carrington, Cochrane, East, Forrester, Foxx, Garwood, Horton, Moore, Odom, Rucho, Shaw of Guilford, and Webster—12.

The Committee Substitute bill No. 2, as amended, is placed on the Calendar for Monday, July 19, upon third reading.

H.B. 1010 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REGULATE COTTON GINS, COTTON WAREHOUSES, AND COTTON MERCHANTS, upon second reading.

The Committee Substitute bill No. 2 passes its second reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill No. 2 is ordered placed on the Calendar for Monday, July 19, upon third reading.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

S.B. 953 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE AMBIENT AIR QUALITY IMPROVEMENT ACT OF 1999, with a favorable report as to concurrence.

Senator Webster rises to a point of order under Rule 57.1 as to the House Committee Substitute bill being germane to the original subject matter of the bill.

The Chair rules that the House Committee Substitute bill is germane to the original subject matter of the bill.

S.B. 7, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS OF NORTH
CAROLINA TO IMPROVE THE QUALITY OF THE ENVIRONMENT OF THE STATE AND TO APPROPRIATE FUNDS FOR THAT PURPOSE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6705, which changes the title to read S.B. 7 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE POSTING OF DIRECTIONAL SIGNS TO AGRICULTURAL MARKETING AND PROCESSING FACILITIES, is adopted and engrossed.

Upon motion of Senator Albertson, the Committee Substitute bill is re-referred to the Finance Committee.

NORTH CAROLINA GENERAL ASSEMBLY
Senate Chamber
State Legislative Building
Raleigh 27601-2808

July 15, 1999

The President and Members of the Senate
North Carolina General Assembly
State Legislative Building
Raleigh, North Carolina 27601

Dear Mr. President and Members of the Senate:

In compliance with the provisions of G.S. 106-2 requiring appointees to the North Carolina State Board of Agriculture to be confirmed by the General Assembly, Governor Hunt has submitted his appointees, Maurice K. Berry, Jr.; Daniel R. Finch; and Jeffrey B. Turner for confirmation. Their terms will begin immediately and expire May 1, 2005.

The Senate Committee on Agriculture/Environment/Natural Resources has considered the re-appointments and makes the following recommendations to the General Assembly:

That the re-appointments of Maurice K. Berry, Jr.; Daniel R. Finch; and Jeffrey B. Turner to the North Carolina State Board of Agriculture beginning immediately and expiring on May 1, 2005, be confirmed.

Respectfully submitted,
S/Senator Charles W. Albertson,
Chairman
Senate Committee on Agriculture/
Environment/Natural Resources

With unanimous consent, the Senate confirms the re-appointment of Maurice K. Berry, Jr.; Daniel R. Finch; and Jeffrey B. Turner to the North Carolina State Board of Agriculture.

CALENDAR (Continued)

H.B. 1289 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES, TO SET THE INSURANCE REGULATORY CHARGE, TO IMPOSE THE INSURANCE REGULATORY CHARGE ON SERVICE CORPORATIONS AND ON HEALTH MAINTENANCE

Senator Kerr offers Amendment No. 1 which is adopted (49-0) and changes the title, upon concurrence.

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 45, noes 4, as follows:


Voting in the negative: Senators Ballantine, Moore, Rucho, and Webster—4.

The Committee Substitute bill, as amended, is ordered placed on the Calendar for Monday, July 19, upon third reading.

H.B. 1466 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WITHHOLDING OF NORTH CAROLINA INCOME TAXES FROM TAXABLE PENSIONS, ANNUITIES, AND DEFERRED COMPENSATION, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for Monday, July 19, upon third reading.

The Senate recesses at 1:28 P.M. for the purpose of a Finance Committee meeting, to reconvene at 1:43 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

The Chair grants a leave of absence for the remainder of today's Session to Senator Carrington.

CALENDAR (Continued)

H.B. 240 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.

The Committee Substitute bill passes its second (46-1) and third readings and is ordered enrolled and sent to the Governor by special message.

July 15, 1999
COMMITTEE REFERRAL RECALL

S.R. 1173, A SENATE RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES IREDELL FOR WHOM IREDELL COUNTY IS NAMED, referred to the Rules and Operations of the Senate Committee on June 24.

Pursuant to Rule 47(a), Senator Rand offers a motion that the Senate resolution be withdrawn from the Rules and Operations of the Senate Committee and placed on the Calendar for Monday, July 19, which motion prevails with unanimous consent.

The Chair orders the Senate resolution withdrawn from the Rules and Operations of the Senate Committee and places it on the Calendar for Monday, July 19.

CALENDAR (Continued)

S.B. 10 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT REFORMS IN THE LONG-TERM CARE INDUSTRY IN ORDER TO IMPROVE QUALITY OF CARE, INCREASE PROTECTION OF RESIDENTS, AND STRENGTHEN REGULATORY OVERSIGHT OF INDUSTRY PRACTICES, for concurrence in House Amendments No. 1, No. 2, No. 3, No. 4, No. 5, and No. 6.

With unanimous consent, upon motion of Senator Perdue, the Committee Substitute bill is taken up out of its regular order of business, and is placed before the Senate for immediate consideration.

The Senate concurs in House Amendments No. 1, No. 2, No. 3, No. 4, No. 5, and No. 6 (48-0) and the Committee Substitute bill, with House Amendments No. 1, No. 2, No. 3, No. 4, No. 5, and No. 6, is ordered enrolled and sent to the Governor by special message.

S.B. 783 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT NURSING HOMES PROVIDING SPECIAL CARE FOR PERSONS WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIAS DISCLOSE CERTAIN INFORMATION, TO ALLOW CERTAIN INDIVIDUALS EXCLUDED FROM MEMBERSHIP IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN TO APPLY FOR REINSTATEMENT IN THE PLAN, AND TO REQUIRE OUT-OF-STATE PHARMACIES TO FILL VALID PRESCRIPTIONS WRITTEN BY NORTH CAROLINA PRACTITIONERS, for concurrence in the House Committee Substitute bill.

With unanimous consent, upon motion of Senator Cochrane, the House Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Monday, July 19.

REPORTS OF COMMITTEES (Continued)

By Senator Hoyle for the Finance Committee:

H.B. 740 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CORRECTING AN ERROR IN A PROPERTY DESCRIPTION IN AN ACT REMOVING PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY, with a favorable report.

Upon motion of Senator Hoyle, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

S.B. 7 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE POSTING OF DIRECTIONAL SIGNS TO AGRICULTURAL MARKETING AND PROCESSING FACILITIES, with a favorable report.

July 15, 1999
Upon motion of Senator Hoyle, the rules are suspended and the Committee Substitute bill is placed on today’s Calendar.

WITHDRAWAL FROM CALENDAR

S.B. 1134 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE WORK FIRST LAW PERTAINING TO MAINTENANCE OF EFFORT, SUPPORT SERVICES, PAY-FOR-PERFORMANCE FOR TWO-PARENT FAMILIES, AND OTHER AREAS OF WELFARE REFORM, placed earlier today on the Calendar for Monday, July 19.

Senator Martin of Guilford offers a motion that the House Committee Substitute bill be withdrawn from the Calendar for Monday, July 19, and placed before the Senate for immediate consideration, which motion prevails with unanimous consent.

The Chair orders the House Committee Substitute bill withdrawn from the Calendar for Monday, July 19 and places it before the Senate for immediate consideration.

Upon motion of Senator Martin of Guilford, the Senate fails to concur in the House Committee Substitute bill (1-47).

Senator Martin of Guilford offers a motion that the Senate appoint conferees, which motion prevails.

The President Pro Tempore takes the appointment of conferees under advisement.

CALENDAR (Continued)

S.B. 777, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGULATION OF CERTAIN EXCAVATION AND GRADING ACTIVITIES UNDER THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973 INSTEAD OF THE MINING ACT OF 1971, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 777 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997 TO ALLOW THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ENTER INTO CONTRACTS WITH PRIVATE CONTRACTORS FOR ASSESSMENT AND REMEDIATION ACTIVITIES AT DRY-CLEANING FACILITIES AND WHOLESALE DRY-CLEANING SOLVENT DISTRIBUTION FACILITIES AND TO MAKE OTHER CHANGES TO THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997.

With unanimous consent, upon motion of Senator Albertson, the House Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Monday, July 19.

H.B. 438 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT EXEMPTING HOUSING AUTHORITIES FROM REAL ESTATE LICENSURE REQUIREMENTS.

The Senate Committee Substitute bill passes its second (47-0) and third readings and is ordered sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

H.B. 685 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LAW ENFORCEMENT OFFICER MAY ARREST A PERSON ON PRIVATE PREMISES OR IN A VEHICLE IN ACCORDANCE WITH STATE LAW WITH A COPY OF THE ORIGINAL ARREST WARRANT OR ORDER.

Senator Clodfelter offers Amendment No. 1 which is adopted (48-0).

The Senate Committee Substitute bill, as amended, passes its second (48-0) and third
readings and is ordered engrossed and sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

H.B. 1186 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW GOVERNING THE UNEARNED PREMIUM RESERVE OF DOMESTIC TITLE COMPANIES.

Without objection, Senator Wellons requests to be excused from voting on the Committee Substitute bill due to a possible conflict of interest.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered enrolled and sent to the Governor by special message.

H.B. 1209 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPROVE BOATING SAFETY BY AMENDING THE STATE LAW REGULATING PERSONAL WATERCRAFT OPERATION TO CONFORM WITH THE RECOMMENDATIONS OF THE NATIONAL ASSOCIATION OF STATE BOATING LAW ADMINISTRATORS AND TO OTHERWISE IMPROVE PERSONAL WATERCRAFT SAFETY.

The Senate Committee Substitute bill No. 2 passes its second (46-1) and third readings and is ordered sent, by special message, to the House of Representatives, for concurrence in Senate Committee Substitute bill No. 2.

H.B. 303 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO COMMERCIAL VEHICLE HIGHWAY SAFETY AND WORK ZONE SAFETY, as amended on second reading.

Senator Metcalf offers Amendment No. 3 which is adopted (47-0).

Senator Gulley offers Amendment No. 4 which is adopted (45-2).

The Senate Committee Substitute bill, as amended, passes its third reading (41-6) and is ordered engrossed and sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

S.B. 297 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND OTHER CHANGES REGARDING LIMITED PARTNERSHIPS AND THE NORTH CAROLINA REVISED UNIFORM LIMITED PARTNERSHIP ACT, TO CLARIFY THE LIMIT OF LIABILITY IN PROFESSIONAL ORGANIZATIONS, TO PROVIDE FOR THE REGISTRATION OF FOREIGN LIMITED LIABILITY PARTNERSHIPS, AND TO REQUIRE ANNUAL REPORTS BY LIMITED LIABILITY PARTNERSHIPS, for concurrence in House Committee Substitute bill No. 2, upon third reading.

The Senate concurs in House Committee Substitute bill No. 2 on its third reading by roll-call vote, ayes 47, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill No. 2 is ordered enrolled and sent to the Governor by special message.

S.B. 708 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING COUNTIES TO PROVIDE AFFORDABLE HOUSING FOR PERSONS

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OF LOW AND MODERATE INCOME, for concurrence in the House Committee Substitute bill, upon third reading.

The Senate concurs in the House Committee Substitute bill on its third reading by roll-call vote, ayes 46, noes 1, as follows:


Voting in the negative: Senator Webster—1.

The House Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

S.B. 835 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING Mergers, consolidations, and conversions among business corporations, nonprofit corporations, and unincorporated entities, including limited liability companies and partnerships, for the purpose of conforming the laws with those of other states and modern business practices; to allow conversion of a mutual insurance company to a stock insurance company; and to permit homeowner associations to distribute surplus funds, for concurrence in House Committee Substitute bill No. 2, upon third reading, which changes the title, upon concurrence, to read S.B. 835 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW GOVERNING Mergers, consolidations, and conversions among business corporations, nonprofit corporations, and unincorporated entities, including limited liability companies and partnerships, for the purpose of conforming the laws with those of other states and modern business practices; to allow conversion of a mutual insurance company to a stock insurance company; and to permit homeowner associations to distribute surplus funds.

The Senate concurs in House Committee Substitute bill No. 2 on its third reading by roll-call vote, ayes 47, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill No. 2 is ordered enrolled and sent to the Governor by special message.

S.B. 244 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA unclaimed property act and to make conforming amendments to the general statutes, as recommended by the general statutes commission, and to make other changes to the escheats laws, for concurrence in the House Committee Substitute bill, upon second reading.

The Senate concurs in the House Committee Substitute bill on its second reading by
roll-call vote, ayes 47, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill is placed on the Calendar for Monday, July 19, upon third reading.

*The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.*

**S.B. 170,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A LIMIT ON THE TIME A PERSON CAN BE IMPRISONED FOR CIVIL CONTEMPT AND TO RAISE THE STANDARD OF PROOF IN PROCEEDINGS FOR CIVIL CONTEMPT, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read **S.B. 170** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A LIMIT ON THE TIME A PERSON CAN BE IMPRISONED FOR CIVIL CONTEMPT.

The Senate concurs in the House Committee Substitute bill (48-0) and the measure is ordered enrolled and sent to the Governor by special message.

**S.B. 331** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE REGISTRATION AS A SEX OFFENDER FOR CERTAIN ADDITIONAL OFFENSES, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (48-0) and the measure is ordered enrolled and sent to the Governor by special message.

**S.B. 333** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT RELATING TO THE MEMBERSHIP OF STATUTORILY CREATED DECISION-MAKING OR REGULATORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES; PROVIDING INTENT; PROVIDING POLICY WITH RESPECT TO THE APPOINTMENT OF MEMBERS TO SUCH BODIES TO ENCOURAGE PROPORTIONATE REPRESENTATION OF WOMEN; REQUIRING ANNUAL REPORTS; AND REQUIRING RETENTION OF CERTAIN INFORMATION REGARDING APPLICANTS, for concurrence in House Amendments No. 1, No. 2, No. 3, and No. 4.

The Senate fails to concur in House Amendments No. 1, No. 2, No. 3, and No. 4 (5-43).

Senator Perdue offers a motion that the Senate appoint conferees, which motion prevails.

The President *Pro Tempore* takes the appointment of conferees under advisement.

**S.B. 370** (Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING WHEN WITNESS STATEMENTS OBTAINED PURSUANT TO THE ENFORCEMENT OF THE OCCUPATIONAL SAFETY AND HEALTH ACT MAY BE RELEASED, for concurrence in House Amendments No. 1 and No. 2.

The Senate concurs in House Amendments No. 1 and No. 2 (47-1) and the Committee Substitute bill, with House Amendments No. 1 and No. 2, is ordered enrolled and sent to the Governor by special message.

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APPOINTMENT OF CONFERENCE COMMITTEE

H.B. 1476 (Senate Committee Substitute), AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, TO EARMARK PART OF THE RESULTING REVENUE GAIN FOR TAX RESEARCH, TO CONFORM TO THE FEDERAL STATUTE OF LIMITATIONS FOR WILLFUL FAILURE TO COMPLY WITH STATE TAX LAWS, AND TO INCREASE THE AMOUNT OF TIME A TAXPAYER HAS TO PROTEST THE PAYMENT OF A TAX.

Pursuant to a message received from the House of Representatives on July 13 that the House fails to concur in the Senate Committee Substitute bill and requests conferees, Senator Ballance, the Deputy President Pro Tempore, announces the appointment of Senator Kerr, Chairman, and Senator Hartsell and Senator Hoyle as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

CALENDAR (Continued)

S.B. 394, A BILL TO BE ENTITLED AN ACT TO ALLOW PREMIUMS FOR AUTOMOBILE AND PROPERTY AND CASUALTY INSURANCE COVERAGE TO BE PAID BY CREDIT CARD, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 394 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW PREMIUMS FOR INSURANCE COVERAGE TO BE PAID BY CREDIT CARD.

The Senate concurs in the House Committee Substitute bill (48-0) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 414, A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO MUNICIPALITIES LOCATED IN COUNTIES WITH POPULATIONS IN EXCESS OF FIFTY-EIGHT THOUSAND PEOPLE BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 414 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO MUNICIPALITIES WITH POPULATIONS OF ONE HUNDRED NINETY THOUSAND PEOPLE OR LESS BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT.

The Senate fails to concur in the House Committee Substitute bill (1-47).

Senator Kinnaird offers a motion that the Senate appoint conferees, which motion prevails.

Senator Ballance, Deputy President Pro Tempore, announces the appointment of Senator Kinnaird, Chairman, and Senator Ballance, Senator Martin of Pitt, and Senator Wellons as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

S.B. 568, A BILL TO BE ENTITLED AN ACT TO REMOVE THE EXCUSE REQUIREMENT FROM ONE-STOP ABSENTEE VOTING AND PERMIT COUNTY BOARDS OF ELECTIONS TO DESIGNATE ADDITIONAL SITES FOR ONE-STOP

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ABSENTEE VOTING, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 568 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE EXCUSE REQUIREMENT FROM ONE-STOP ABSENTEE VOTING FOR THE GENERAL ELECTION HELD IN NOVEMBER OF EVEN-NUMBERED YEARS, TO ALLOW COUNTY BOARDS OF ELECTIONS TO DESIGNATE ADDITIONAL ONE-STOP SITES, AND TO MAKE CHANGES RELATED TO STREAMLINING THE ABSENTEE BALLOT PROCESS.

The Senate fails to concur in the House Committee Substitute bill (15-33).

Senator Rucho offers a motion that the Senate appoint conferences, which motion prevails.

Senator Ballance, Deputy President Pro Tempore, announces the appointment of Senator Ballance, Chairman, and Senator Carter, Senator Cooper, Senator Dannelly, and Senator Kinnaird as conferences on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferences.

APPOINTMENT OF CONFERENCE COMMITTEES

S.B. 1134 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE WORK FIRST LAW PERTAINING TO MAINTENANCE OF EFFORT, SUPPORT SERVICES, PAY-FOR-PERFORMANCE FOR TWO-PARENT FAMILIES, AND OTHER AREAS OF WELFARE REFORM.

Pursuant to the Senate having failed to concur in the House Committee Substitute bill and a motion by Senator Martin of Guilford to appoint conferences having prevailed, Senator Ballance, Deputy President Pro Tempore, announces the appointment of Senator Martin of Guilford, Chairman, and Senator Cooper, Senator Lucas, Senator Perdue, and Senator Phillips as conferences on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing thatHonorable Body of such action and requesting conferences.

S.B. 333 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT RELATING TO THE MEMBERSHIP OF STATUTORILY CREATED DECISION-MAKING OR REGULATORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES; PROVIDING INTENT; PROVIDING POLICY WITH RESPECT TO THE APPOINTMENT OF MEMBERS TO SUCH BODIES TO ENSURE PROPORTIONATE REPRESENTATION OF WOMEN; REQUIRING ANNUAL REPORTS; AND REQUIRING RETENTION OF CERTAIN INFORMATION REGARDING APPLICANTS.

Pursuant to the Senate having failed to concur in House Amendments No. 1, No. 2, No. 3, and No. 4 to Committee Substitute No. 2 and a motion by Senator Perdue to appoint conferences having prevailed, Senator Ballance, Deputy President Pro Tempore, announces the appointment of Senator Perdue, Chairman, and Senator Hartsell, Senator Lucas, and Senator Phillips as conferences on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferences.

CALENDAR (Continued)

S.B. 746 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA STRUCTURED SETTLEMENT PROTECTION ACT, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (46-0) and the measure is

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ordered enrolled and sent to the Governor by special message.

S.B. 776, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE LAW EXEMPTING CERTAIN GOVERNMENTAL ENTITIES FROM STATE PURCHASE AND CONTRACT REQUIREMENTS, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 776 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW EXEMPTING CERTAIN GOVERNMENTAL ENTITIES FROM STATE PURCHASE AND CONTRACT REQUIREMENTS.

The Senate concurs in the House Committee Substitute bill (48-0) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 888 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING CONTROLLED SUBSTANCES, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (46-1) and the measure is ordered enrolled and sent to the Governor by special message.

WITHDRAWAL FROM CALENDAR

S.B. 607 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE CERTAIN PERMITS, placed earlier today on the Calendar for Monday, July 19.

Senator Rand offers a motion that the House Committee Substitute bill be withdrawn from the Calendar for Monday, July 19, and placed on today’s Calendar, which motion prevails, with unanimous consent.

The Chair orders the House Committee Substitute bill withdrawn from the Calendar for Monday, July 19, and places it on today’s Calendar, for concurrence.

CALENDAR (Continued)

S.B. 7 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE POSTING OF DIRECTIONAL SIGNS TO AGRICULTURAL MARKETING AND PROCESSING FACILITIES, placed earlier on today’s Calendar.

Senator Albertson offers Amendment No. 1 which is adopted (47-1).

The Committee Substitute bill, as amended, passes its second reading (47-1) and third reading (47-1) and is ordered engrossed and sent, by special message, to the House of Representatives.

S.B. 929 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE ABATEMENT OF NUISANCES STATUTES, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 929 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE ABATEMENT OF NUISANCES STATUTES.

The Senate concurs in the House Committee Substitute bill (48-0) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 966 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE AUTHORITY TO ENTER INTO CONTRACTS FOR CONDUCTING MUNICIPAL AND COUNTY BUILDING INSPECTIONS, for concurrence in the House Committee Substitute bill.
The Senate concurs in the House Committee Substitute bill (48-0) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 977, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE AUTHORITY OF THE SCHOOL IMPROVEMENT TEAM WITH REGARD TO THE SCHOOL CALENDAR, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 977 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE AUTHORITY OF THE SCHOOL IMPROVEMENT TEAM WITH REGARD TO THE SCHOOL CALENDAR AND TO REQUIRE PRINCIPALS AND LOCAL BOARDS OF EDUCATION TO ESTABLISH SCHOOL IMPROVEMENT TEAMS.

The Senate concurs in the House Committee Substitute bill (48-0) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 995 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING A TESTIMONIAL PRIVILEGE FOR POLICE PEER SUPPORT GROUP COUNSELORS, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (47-1) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 1018 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING MARRIAGE LAWS, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (48-0) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 1115 (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WIDELY SHARED PROSPERITY BY AMENDING THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, BY PROVIDING ADDITIONAL TAX INCENTIVES FOR VARIOUS BUSINESSES, AND BY MAKING RELATED CHANGES, for adoption, upon third reading.

Upon motion of Senator Kerr, the Senate adopts the Conference Report on its third reading by roll-call vote, ayes 47, noes 1, as follows:


Voting in the negative: Senator Webster—1.

Pursuant to a message received earlier today from the House of Representatives with the information that the House has adopted the report of the Conferees, the Chair orders the Committee Substitute bill enrolled and sent to the Governor by special message. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

The Chair grants leaves of absence for the remainder of today's Session to Senator Cochrane and Senator Lee.

H.B. 740 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CORRECTING AN ERROR IN A PROPERTY DESCRIPTION IN AN ACT
REMOVING PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY, placed earlier on today’s Calendar.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 46, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for Monday, July 19, upon third reading.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages are received from the House of Representatives transmitting bills which are read the first time and disposed of, as follows:

S.B. 254 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE VARIOUS OUTDOOR ADVERTISING PERMIT FEES, EXPAND CURRENT NOTIFICATION REQUIREMENTS, AND MODIFY AND UPDATE THE OUTDOOR ADVERTISING CONTROL ACT WITH RESPECT TO VENUE REQUIREMENTS, DEFINITIONS, AND PARTIES RESPONSIBLE FOR PAYMENT OF REMOVAL OF ILLEGAL OUTDOOR ADVERTISING, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for Monday, July 19.

S.B. 285 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE UNIVERSITY HEALTH SYSTEMS OF EASTERN CAROLINA SPECIAL REGISTRATION PLATES AND TO MODIFY THE SPECIAL REGISTRATION PLATES ISSUED TO MEMBERS OF THE JUDICIARY, for concurrence in House Committee Substitute bill No. 2, which is placed on the Calendar for Monday, July 19.

H.B. 1132 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE PRESERVATION OF FARMLAND AND TO PROMOTE SMALL, FAMILY-OWNED FARMS.

Referred to Finance Committee.

The following special message is received from the House of Representatives:

H.B. 62 House of Representatives
July 15, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute to HB 62, A BILL TO BE ENTITLED AN ACT TO REQUIRE CORPORATIONS THAT ARE REQUIRED TO PAY FEDERAL-ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER TO PAY STATE-ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER, and requests conferees. The Speaker has appointed:

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Representative Gray,  
Representative Allen, and  
Representative Redwine

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,  
S/Denise Weeks (cwc)  
Principal Clerk

The following special message is received from the House of Representatives:

H.B. 293  
House of Representatives  
July 15, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute to HB 293, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF COMMUNITY COLLEGES TO ASSESS MONETARY PENALTIES AGAINST PROPRIETARY SCHOOLS THAT OPERATE WITHOUT A LICENSE OR OPERATE OUTSIDE THE SCOPE OF THEIR LICENSE, and requests conferees. The Speaker has appointed:

Representative Warner,  
Representative Allen, and  
Representative Bridgeman

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,  
S/Denise Weeks (cwc)  
Principal Clerk

CALENDAR (Continued)

S.B. 607 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE CERTAIN PERMITS, for concurrence in the House Committee Substitute bill, placed earlier on today’s Calendar.

The Senate concurs in the House Committee Substitute bill (30-15) and the measure is ordered enrolled and sent to the Governor by special message.

COMMITTEE REFERRAL RECALL

S.R. 1175, A SENATE RESOLUTION HONORING THE FIFTIETH ANNIVERSARY OF BENSON’S MULE DAYS FESTIVAL, referred to the Rules and Operations of the Senate Committee on July 15.

Pursuant to Rule 47(a), Senator Rand offers a motion that the Senate resolution be withdrawn from the Rules and Operations of the Senate Committee and placed on the
Calendar for Monday, July 19, which motion prevails with unanimous consent.

The Chair orders the Senate resolution withdrawn from the Rules and Operations of the Senate Committee and places it on the Calendar for Monday, July 19.

Upon motion of Senator Ballance, seconded by Senator Robinson, the Senate adjourns subject to receipt of messages from the House of Representatives, committee reports, and ratification of bills, to meet Monday, July 19, at 7:00 P.M.

ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

S.B. 10, AN ACT TO ENACT REFORMS IN THE LONG-TERM CARE INDUSTRY IN ORDER TO IMPROVE QUALITY OF CARE, INCREASE PROTECTION OF RESIDENTS, AND STRENGTHEN REGULATORY OVERSIGHT OF INDUSTRY PRACTICES.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages are received from the House of Representatives transmitting bills which are read the first time and disposed of, as follows:

S.B. 17 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO TOURISM RESORTS ON A STATEWIDE BASIS, for concurrence in House Committee Substitute bill No. 2. Pursuant to Rule 43, House Committee Substitute bill No. 2 is ordered held in the Office of the Principal Clerk, pending referral.

S.B. 365 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT DEATH ROW INMATES FROM CONTACTING THE FAMILIES OF THEIR VICTIMS, for concurrence in the House Committee Substitute bill. Pursuant to Rule 43, the House Committee Substitute bill is ordered held in the Office of the Principal Clerk, pending referral.

S.B. 1025 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE SUPERIOR COURT DIVISION BY EXPANDING THE NUMBER OF JUDICIAL DIVISIONS FROM FOUR TO EIGHT, TO AUTHORIZE PILOT PROGRAMS FOR THE ORGANIZATION AND MANAGEMENT OF THE TRIAL COURTS, AND TO DIRECT THE USE OF FUNDS APPROPRIATED FOR IMPLEMENTATION OF THOSE PILOT PROGRAMS, for concurrence in House Committee Substitute bill No. 2. Pursuant to Rule 43, House Committee Substitute bill No. 2 is ordered held in the Office of the Principal Clerk, pending referral.

S.B. 1099 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING ALTERNATIVE SCHOOLS AND ALTERNATIVE LEARNING PROGRAMS SO AS TO IMPROVE THE QUALITY OF EDUCATIONAL SERVICES PROVIDED TO STUDENTS WHO ARE AT RISK OF ACADEMIC FAILURE AND TO INCREASE THE EDUCATIONAL EXPECTATIONS FOR THESE STUDENTS, for concurrence in the House Committee Substitute bill.

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Pursuant to Rule 43, the House Committee Substitute bill is ordered held in the Office of the Principal Clerk, pending referral.

CONFERENCE REPORT

H.B. 1160

Senator Odom, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon H.B. 1160 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE CLEAN WATER ACT OF 1999, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1160, A BILL TO BE ENTITLED AN ACT TO ENACT THE CLEAN WATER ACT OF 1999, Third Edition Engrossed 7/8/99, submit the following report:

The House concurs in the Third Edition Engrossed 7/8/99 with the following amendment:

Delete the entire Third Edition Engrossed 7/8/99 and substitute the attached Proposed Conference Committee Substitute H1160-PCCS7276-RT/SB-017, A BILL TO BE ENTITLED AN ACT TO ENACT THE CLEAN WATER ACT OF 1999.

And the Senate agrees to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.
Date conferees approved report: 15 July 1999.

S/T. L. "Fountain" Odom  S/Nurham O. Warwick
S/Charles W. Albertson  S/Andrew Dedmon
S/Daniel G. Clodfelter  S/Pryor Gibson
S/John A. Garwood  S/Joe Hackney
S/Beverly E. Perdue  S/Willard E. McCombs

Conferees for the Senate  Conferees for the
House of Representatives

The text of the attached Proposed Conference Committee Substitute H1160-PCCS7276-RT/SB-017 is as follows:

A BILL TO BE ENTITLED
AN ACT TO ENACT THE CLEAN WATER ACT OF 1999.

The General Assembly of North Carolina enacts:

PART I. TITLE.
Section 1.1. This act shall be known as the "Clean Water Act of 1999".

July 15, 1999
PART II. EXTEND MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS.

Section 2.1. Subsection (a1) of S.L. 1997-458, as amended by Section 2 of S.L. 1998-188, reads as rewritten:

"(a1) There is hereby established a moratorium on the construction or expansion of swine farms and on lagoons and animal waste management systems for swine farms. The purposes of this moratorium are to allow counties time to adopt zoning ordinances under G.S. 153A-340, as amended by Section 2.1 of this act; to allow time for the completion of the studies authorized by the 1995 General Assembly (1996 Second Extra Session); and to allow the 1999 General Assembly to receive and act on the findings and recommendations of those studies. Except as provided in subsection (b) of this section, the Environmental Management Commission shall not issue a permit for an animal waste management system for a new swine farm or the expansion of an existing swine farm for a period beginning on 1 March 1997 and ending on 1 September 1999, 1 July 2001. The construction or expansion of a swine farm or animal waste management system for a swine farm is prohibited during the period of the moratorium regardless of the date on which a site evaluation for the swine farm is completed and regardless of whether the animal waste management system is permitted under G.S. 143-215.1 or Part 1A of Article 21 of Chapter 143 of the General Statutes or deemed permitted under 15A North Carolina Administrative Code 2H.0217."

Section 2.2. Section 1.2 of S.L. 1997-458, as amended by Section 3 of S.L. 1998-188, reads as rewritten:

"Section 1.2. (a) As used in this section, 'swine farm' and 'lagoon' have the same meaning as in G.S. 106-802. As used in this section, 'animal waste management system' has the same meaning as in G.S. 143-215.10B. There is hereby established a moratorium for any new or expanding swine farm or lagoon for which a permit is required under Parts 1 or 1A of Article 21 of Chapter 143 of the General Statutes in any county in the State: (i) that has a population of less than 75,000 according to the most recent decennial federal census; (ii) in which there is more than one hundred fifty million dollars ($150,000,000) of expenditures for travel and tourism based on the most recent figures of the Department of Commerce; and (iii) that is not in the coastal area as defined by G.S. 113A-103. Effective 1 January 1997, until 1 September 1999, 1 July 2001, the Environmental Management Commission shall not issue a permit for an animal waste management system, as defined in G.S. 143-215.10B, or for a new or expanded swine farm or lagoon, as defined in G.S. 106-802. The exemptions set out in subsection (b) of Section 1.1 of this act do not apply to the moratorium established under this section.

(b) In order to protect travel and tourism, effective 1 September 1999, 1 July 2001, no animal waste management system shall be permitted except under an individual permit issued under Part 1 of Article 21 of Chapter 143 of the General Statutes in any county in the State: (i) that has a population of less than 75,000 according to the most recent decennial federal census; (ii) in which there is more than one hundred fifty million dollars ($150,000,000) of expenditures for travel and tourism based on the most recent figures of the Department of Commerce; and (iii) that is not in the coastal area as defined by G.S. 113A-103."

PART III. EXTEND AND EXPAND PILOT PROGRAM FOR INSPECTION OF ANIMAL WASTE MANAGEMENT SYSTEMS.

Section 3.1. Section 15.4(a) of S.L. 1997-443 reads as rewritten:

"(a) The Department of Environment, Health, Environment and Natural Resources shall develop and implement a pilot program to begin no later than November 1, 1997, and to terminate October 31, 1998, 1 July 2001, regarding the annual inspections of animal operations that are subject to a permit under Part 1A of Article 21 of Chapter 143 of the General Statutes. The Department shall select two counties located in a part of the State..."
that has a high concentration of swine farms to participate in this pilot program. In addition, Brunswick County shall be added to the program. Notwithstanding G.S. 143-215.10F, the Division of Soil and Water Conservation of the Department of Environment and Natural Resources shall conduct inspections of all animal operations that are subject to a permit under Part IA of Article 21 of Chapter 143 of the General Statutes in these two three counties at least once a year to determine whether any animal waste management system is causing a violation of water quality standards and whether the system is in compliance with its animal waste management plan or any other condition of the permit. The personnel of the Division of Soil and Water Conservation who are to conduct these inspections in each of these two three counties shall be located in an office in the county in which that person will be conducting inspections. As part of this pilot program, the Department of Environment, Health, Environment and Natural Resources shall establish procedures whereby resources within the local Soil and Water Conservation Districts serving the two three counties are used for the quick response of to complaints and reported problems previously referred only to the Division of Water Quality, Quality of the Department of Environment and Natural Resources.

Section 3.2. The two counties that were selected for the pilot program pursuant to Section 15.4(a) of S.L. 1997-443, Columbus County and Jones County, shall remain in the pilot program. In addition, Brunswick County shall be added to the program.

Section 3.3. The Department of Environment and Natural Resources, in consultation with both the Division of Water Quality and the Division of Soil and Water Conservation, shall submit interim reports no later than 15 October 1999, 15 April 2000, 15 October 2000, 15 April 2001, and a final report no later than 15 July 2001 to the Environmental Review Commission and to the Fiscal Research Division. These reports shall indicate whether the pilot program has increased the effectiveness of the annual inspections program or the response to complaints and reported problems, specifically whether the pilot program had resulted in identifying violations earlier, taking corrective actions earlier, increasing compliance with the animal waste management plans and permit conditions, improving the time to respond to discharges, complaints, and reported problems, improving communications between farmers and Department employees, and any other consequences deemed pertinent by the Department. The final report shall include a recommendation as to whether to continue or expand the pilot program under this act. The Environmental Review Commission may recommend to the 2001 General Assembly whether to continue or expand the pilot program under this act and may make any related legislative proposals.

PART IV. INVENTORY INACTIVE LAGOONS.
Section 4.1. The definitions set out in G.S. 143-215.10B apply to this Part. The definitions set out in this section apply only to this Part and shall not be construed to apply to any regulatory program. As used in this Part:

(1) "Inactive lagoon" means a lagoon into which animal waste has not been lawfully discharged for a period of one year or more.

(2) "Lagoon" means a lagoon, as defined in G.S. 106-802, that is a component of an animal waste management system that serves an animal operation.

Section 4.2. The Department of Environment and Natural Resources shall develop an inventory of all inactive lagoons. The Department shall rank each inactive lagoon on the inventory based on the extent to which the lagoon constitutes a threat to public health, the environment, or the State's natural resources. The Department shall submit this inventory to the Environmental Review Commission on or before 1 March 2000.

PART V. INCREASE CIVIL PENALTIES FOR VIOLATIONS OF WATER QUALITY LAWS.

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Section 5.1. G.S. 143-215.6A reads as rewritten:

"§ 143-215.6A. Enforcement procedures: civil penalties.
(a) A civil penalty of not more than ten thousand dollars ($10,000) twenty-five thousand dollars ($25,000) may be assessed by the Secretary against any person who:

2. Is required but fails to apply for or to secure a permit required by G.S. 143-215.1, or who violates or fails to act in accordance with the terms, conditions, or requirements of such permit or any other permit or certification issued pursuant to authority conferred by this Part, including pretreatment permits issued by local governments and laboratory certifications.
3. Violates or fails to act in accordance with the terms, conditions, or requirements of any special order or other appropriate document issued pursuant to G.S. 143-215.2.
4. Fails to file, submit, or make available, as the case may be, any documents, data, or reports required by this Article or G.S. 143-355(k) relating to water use information.
5. Refuses access to the Commission or its duly designated representative to any premises for the purpose of conducting a lawful inspection provided for in this Article.
6. Violates a rule of the Commission implementing this Part, Part 2A of this Article, or G.S. 143-355(k).
7. Violates or fails to act in accordance with the statewide minimum water supply watershed management requirements adopted pursuant to G.S. 143-214.5, whether enforced by the Commission or a local government.
8. Violates the offenses set out in G.S. 143-215.6B.
9. Is required, but fails, to apply for or to secure a certificate required by G.S. 143-215.22I, or who violates or fails to act in accordance with the terms, conditions, or requirements of the certificate.
10. Violates subsections (c1) through (c5) of G.S. 143-215.1 or a rule adopted pursuant to subsections (c1) through (c5) of G.S. 143-215.1.

(b) If any action or failure to act for which a penalty may be assessed under this section is continuous, the Secretary may assess a penalty not to exceed ten thousand dollars ($10,000) twenty-five thousand dollars ($25,000) per day for so long as the violation continues, unless otherwise stipulated.

(b1) The Secretary may assess a civil penalty of more than ten thousand dollars ($10,000) or, in the case of a continuing violation, more than ten thousand dollars ($10,000) per day, against a violator only if a civil penalty has been imposed against the violator within the two years preceding the violation. The Secretary may assess a civil penalty of more than ten thousand dollars ($10,000) or, in the case of a continuing violation, more than ten thousand dollars ($10,000) per day for so long as the violation continues, for a violation of subdivision (4) of subsection (a) of this section only if the Secretary determines that the violation is intentional.

(c) In determining the amount of the penalty the Secretary shall consider the factors set out in G.S. 143B-282.1(b). The procedures set out in G.S. 143B-282.1 shall apply to civil penalty assessments that are presented to the Commission for final agency decision.

(d) The Secretary shall notify any person assessed a civil penalty of the assessment and the specific reasons therefor by registered or certified mail, or by any means authorized by G.S. 1A-1, Rule 4. Contested case petitions shall be filed within 30 days of receipt of the notice of assessment.

(e) Consistent with G.S. 143B-282.1, a civil penalty of not more than ten thousand dollars ($10,000) per month may be assessed by the Commission against any local..."
government that fails to adopt a local water supply watershed protection program as required by G.S. 143-214.5, or willfully fails to administer or enforce the provisions of its program in substantial compliance with the minimum statewide water supply watershed management requirements. No such penalty shall be imposed against a local government until the Commission has assumed the responsibility for administering and enforcing the local water supply watershed protection program. Civil penalties shall be imposed pursuant to a uniform schedule adopted by the Commission. The schedule of civil penalties shall be based on acreage and other relevant cost factors and shall be designed to recoup the costs of administration and enforcement.

(f) Requests for remission of civil penalties shall be filed with the Secretary. Remission requests shall not be considered unless made within 30 days of receipt of the notice of assessment. Remission requests must be accompanied by a waiver of the right to a contested case hearing pursuant to Chapter 150B and a stipulation of the facts on which the assessment was based. Consistent with the limitations in G.S. 143B-282.1(c) and (d), remission requests may be resolved by the Secretary and the violator. If the Secretary and the violator are unable to resolve the request, the Secretary shall deliver remission requests and his recommended action to the Committee on Civil Penalty Remissions of the Environmental Management Commission appointed pursuant to G.S. 143B-282.1(c).

(g) If any civil penalty has not been paid within 30 days after notice of assessment has been served on the violator, the Secretary shall request the Attorney General to institute a civil action in the Superior Court of any county in which the violator resides or has his or its principal place of business to recover the amount of the assessment, unless the violator contests the assessment as provided in subsection (d) of this section, or requests remission of the assessment in whole or in part as provided in subsection (f) of this section. If any civil penalty has not been paid within 30 days after the final agency decision or court order has been served on the violator, the Secretary shall request the Attorney General to institute a civil action in the Superior Court of any county in which the violator resides or has his or its principal place of business to recover the amount of the assessment. Such civil actions must be filed within three years of the date the final agency decision or court order was served on the violator.


(h1) The clear proceeds of civil penalties assessed by the Secretary or the Commission pursuant to this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

(i) As used in this subsection, 'municipality' refers to any unit of local government which operates a wastewater treatment plant. As used in this subsection, 'unit of local government' has the same meaning as in G.S. 130A-290. The provisions of this subsection shall apply whenever a municipality that operates a wastewater treatment plant with an influent bypass diversion structure and with a permitted discharge of 10 million gallons per day or more into any of the surface waters of the State that have been classified as nutrient sensitive waters (NSW) under rules adopted by the Commission is subject to a court order which specifies (i) a schedule of activities with respect to the treatment of wastewater by the municipality; (ii) deadlines for the completion of scheduled activities; and (iii) stipulated penalties for failure to meet such deadlines. A municipality as specified herein that violates any provision of such order for which a penalty is stipulated shall pay the full amount of such penalty as provided in the order unless such penalty is modified, remitted, or reduced by the court.

(j) Local governments certified and approved to administer and enforce pretreatment programs by the Commission pursuant to G.S. 143-215.3(a)(14) may assess civil penalties for violations of their respective programs in accordance with the powers conferred upon the Commission and the Secretary in this section, except that actions for collection of unpaid civil penalties shall be referred to the attorney representing the assessing local

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government. The total of the civil penalty assessed by a local government and the civil penalty assessed by the Secretary for any violation may not exceed the maximum civil penalty for such violation under this section.

(k) A person who has been assessed a civil penalty by a local government as provided by subsection (j) of this section may request a review of the assessment by filing a request for review with the local government within 30 days of the date the notice of assessment is received. If a local ordinance provides for a local administrative hearing, the hearing shall afford minimum due process including an unbiased hearing official. The local government shall make a final decision on the request for review within 90 days of the date the request for review is filed. The final decision on a request for review shall be subject to review by the superior court pursuant to Article 27 of Chapter 1 of the General Statutes. If the local ordinance does not provide for a local administrative hearing, a person who has been assessed a civil penalty by a local government as provided by subsection (j) of this section may contest the assessment by filing a civil action in superior court within 60 days of the date the notice of assessment is received.

Section 5.2. Section 5.1 of this act is effective 1 October 1999 and applies to violations that occur on or after 1 October 1999. Section 5.1 of this act shall not be construed to affect the validity of any civil penalty that is assessed prior to 1 October 1999.

Section 5.3. G.S. 143-215.6A(b1), as enacted by Sections 5.1 and 5.2 of this act, reads as rewritten:

"(b1) The Secretary may assess a civil penalty of more than ten thousand dollars ($10,000) or, in the case of a continuing violation, more than ten thousand dollars ($10,000) per day, against a violator only if a civil penalty has been imposed against the violator within the three years preceding the violation. The Secretary may assess a civil penalty of more than ten thousand dollars ($10,000) or, in the case of a continuing violation, more than ten thousand dollars ($10,000) per day for so long as the violation continues, for a violation of subdivision (4) of subsection (a) of this section only if the Secretary determines that the violation is intentional."

Section 5.4. Section 5.3 of this act is effective 1 October 2000 and applies to violations that occur on or after 1 October 2000. Section 5.3 of this act shall not be construed to affect the validity of any civil penalty that is assessed prior to 1 October 2000.

Section 5.5. G.S. 143-215.6A(b1), as enacted by Sections 5.1 and 5.2 and amended by Sections 5.3 and 5.4 of this act, reads as rewritten:

"(b1) The Secretary may assess a civil penalty of more than ten thousand dollars ($10,000) or, in the case of a continuing violation, more than ten thousand dollars ($10,000) per day, against a violator only if a civil penalty has been imposed against the violator within the four years preceding the violation. The Secretary may assess a civil penalty of more than ten thousand dollars ($10,000) or, in the case of a continuing violation, more than ten thousand dollars ($10,000) per day for so long as the violation continues, for a violation of subdivision (4) of subsection (a) of this section only if the Secretary determines that the violation is intentional."

Section 5.6. Section 5.5 of this act is effective 1 October 2001 and applies to violations that occur on or after 1 October 2001. Section 5.5 of this act shall not be construed to affect the validity of any civil penalty that is assessed prior to 1 October 2001.

Section 5.7. G.S. 143-215.6A(b1), as enacted by Sections 5.1 and 5.2 and amended by Sections 5.3, 5.4, 5.5, and 5.6 of this act, reads as rewritten:

"(b1) The Secretary may assess a civil penalty of more than ten thousand dollars ($10,000) or, in the case of a continuing violation, more than ten thousand dollars ($10,000) per day, against a violator only if a civil penalty has been imposed against the
violation within the four years five years preceding the violation. The Secretary may assess a civil penalty of more than ten thousand dollars ($10,000) or, in the case of a continuing violation, more than ten thousand dollars ($10,000) per day for so long as the violation continues, for a violation of subdivision (4) of subsection (a) of this section only if the Secretary determines that the violation is intentional."

Section 5.8. Section 5.7 of this act is effective 1 October 2002 and applies to violations that occur on or after 1 October 2002. Section 5.7 of this act shall not be construed to affect the validity of any civil penalty that is assessed prior to 1 October 2002.

PART VI. AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DISTRIBUTE FUNDS FROM THE WETLANDS RESTORATION FUND, TO AUTHORIZE SOIL AND WATER CONSERVATION DISTRICTS TO ACQUIRE EASEMENTS UNDER THE CONSERVATION RESERVE ENHANCEMENT PROGRAM, AND TO AUTHORIZE THE DEPARTMENT TO CONVEY INTERESTS IN REAL PROPERTY ACQUIRED UNDER THE WETLANDS RESTORATION PROGRAM OR THE CONSERVATION RESERVE ENHANCEMENT PROGRAM TO FEDERAL AND STATE AGENCIES, LOCAL GOVERNMENTS, AND PRIVATE NONPROFIT CONSERVATION ORGANIZATIONS.

Section 6.1. G.S. 143-214.12 is amended by adding a new subsection to read:

"(a1) The Department may distribute funds from the Wetlands Restoration Fund directly to a federal or State agency, a local government, or a private, nonprofit conservation organization to acquire, manage, and maintain real property or an interest in real property for the purposes set out in subsection (a) of this section. A recipient of funds under this subsection shall grant a conservation easement in the real property or interest in real property acquired with the funds to the Department in a form that is acceptable to the Department. The Department may convey real property or an interest in real property that has been acquired under the Wetlands Restoration Program to a federal or State agency, a local government, or a private, nonprofit conservation organization to acquire, manage, and maintain real property or an interest in real property for the purposes set out in subsection (a) of this section. A grantee of real property or an interest in real property under this subsection shall grant a conservation easement in the real property or interest in real property to the Department in a form that is acceptable to the Department."

Section 6.2. G.S. 143-214.13 reads as rewritten:


(a) The Department of Environment and Natural Resources shall report each year by November 1 to the Environmental Review Commission regarding its progress in implementing the Wetlands Restoration Program and its use of the funds in the Wetlands Restoration Fund. The report shall document statewide wetlands losses and gains and compensatory mitigation performed under G.S. 143-214.8 through G.S. 143-214.12. The report shall also provide an accounting of receipts and disbursements of the Wetlands Restoration Fund, an analysis of the per-acre cost of wetlands restoration, and a cost comparison on a per-acre basis between the State's wetland Wetlands Restoration Program and private mitigation banks. The Department shall also send a copy of its report to the Fiscal Research Division of the General Assembly.

(b) The Department shall maintain an inventory of all property that is held, managed, maintained, enhanced, restored, or used to create wetlands under the Wetlands Restoration Program. The inventory shall also list all conservation easements held by the Department. The inventory shall be included in the annual report required under subsection (a) of this section."

Section 6.3. G.S. 113A-235 reads as rewritten:

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(a) Ecological systems and appropriate public use of these systems may be protected through conservation easements, including conservation agreements under Article 4 of Chapter 121 of the General Statutes, the Conservation and Historic Preservation Agreements Act, Act, and conservation easements under the Conservation Reserve Enhancement Program. The Department of Environment and Natural Resources shall work cooperatively with State and local agencies and qualified nonprofit organizations to monitor compliance with conservation easements and conservation agreements and to ensure the continued viability of the protected ecosystems. Soil and water conservation districts established under Chapter 139 of the General Statutes may acquire easements under the Conservation Reserve Enhancement Program by purchase or gift.

(b) The Department may convey real property or an interest in real property that has been acquired under the Conservation Reserve Enhancement Program to a federal or State agency, a local government, or a private, nonprofit conservation organization to acquire, manage, and maintain real property or an interest in real property for the purposes set out in subsection (a) of this section. A grantee of real property or an interest in real property under this subsection shall grant a conservation easement in the real property or interest in real property to the Department in a form that is acceptable to the Department.

(c) The Department shall report on the implementation of this Article to the Environmental Review Commission no later than 1 November of each year. The Department shall maintain an inventory of all conservation easements held by the Department. The inventory shall be included in the report required by this subsection.

PART VII. AUTHORIZE TEMPORARY RULES TO PROTECT THE CAPE FEAR, CATAWBA, AND TAR-PAMLICO RIVER BASINS.

Section 7.1. Notwithstanding G.S. 150B-21.1(a)(2) and Section 8.6 of S.L. 1997-458, the Environmental Management Commission may adopt temporary rules as provided in this section to protect water quality standards and uses as required to implement basinwide water quality management plans for the Cape Fear, Catawba, and Tar-Pamlico River Basins pursuant to G.S. 143-214.1, 143-214.7, 143-215.3, and 143B-282. Prior to the adoption of a temporary rule under this subsection, the Commission shall:

1. Consult with persons who may be interested in the subject matter of the temporary rule during the development of the text of the proposed temporary rule.

2. Publish a notice of intent to adopt a temporary rule in the North Carolina Register. The notice shall set out the text of the proposed temporary rule and include the name of the person to whom questions and written comment on the proposed rule may be submitted. The Commission shall accept written comment on the proposed temporary rule for at least 30 days after the notice of intent to adopt the temporary rule is published in the North Carolina Register.

3. Hold a public hearing on the proposed temporary rule in the river basin to which the proposed temporary rule applies.

Section 7.2. Notwithstanding 26 NCAC 2C.0102(11), Section 7.1 of this act shall continue in effect until 1 July 2001.

Section 7.3. This Part shall not be construed to invalidate any development and implementation of basinwide water quality management plans by the Environmental Management Commission and the Department of Environment and Natural Resources that has occurred prior to the date this Part becomes effective.

PART VIII. REQUIRE REPORTS TO WASTEWATER SYSTEM CUSTOMERS ON SYSTEM PERFORMANCE AND PUBLICATION OF NOTICE OF
DISCHARGES OF UNTREATED WASTEWATER, UNTREATED WASTE, OR ANIMAL WASTE.

Section 8.1. Part 1 of Article 21 of Chapter 143 of the General Statutes is amended by adding a new section to read:

"§ 143-215.1C. Report to wastewater system customers on system performance; publication of notice of discharge of untreated wastewater and waste.

(a) Report to Wastewater System Customers. -- The owner or operator of any wastewater collection or treatment works, the operation of which is primarily to collect or treat municipal or domestic wastewater and for which a permit is issued under this Part, shall provide to the users or customers of the collection system or treatment works and to the Department an annual report that summarizes the performance of the collection system or treatment works and the extent to which the collection system or treatment works has violated the permit or federal or State laws, regulations, or rules related to the protection of water quality. The report shall be prepared on either a calendar or fiscal year basis and shall be provided no later than 60 days after the end of the calendar or fiscal year.

(b) Publication of Notice of Discharge of Untreated Wastewater. -- The owner or operator of any wastewater collection or treatment works, the operation of which is primarily to collect or treat municipal or domestic wastewater and for which a permit is issued under this Part shall:

(1) In the event of a discharge of 1,000 gallons or more of untreated wastewater to the surface waters of the State, issue a press release to all print and electronic news media that provide general coverage in the county where the discharge occurred setting out the details of the discharge. The owner or operator shall issue the press release within 48 hours after the owner or operator has determined that the discharge has reached the surface waters of the State. The owner or operator shall retain a copy of the press release and a list of the news media to which it was distributed for at least one year after the discharge and shall provide a copy of the press release and the list of the news media to which it was distributed to any person upon request.

(2) In the event of a discharge of 15,000 gallons or more of untreated wastewater to the surface waters of the State, publish a notice of the discharge in a newspaper having general circulation in the county in which the discharge occurs and in each county downstream from the point of discharge that is significantly affected by the discharge. The Secretary shall determine, at the Secretary's sole discretion, which counties are significantly affected by the discharge and shall approve the form and content of the notice and the newspapers in which the notice is to be published. The notice shall be captioned 'NOTICE OF DISCHARGE OF UNTREATED SEWAGE'. The owner or operator shall publish the notice within 10 days after the Secretary has determined the counties that are significantly affected by the discharge and approved the form and content of the notice and the newspapers in which the notice is to be published. The owner or operator shall file a copy of the notice and proof of publication with the Department within 30 days of the discharge. Publication of a notice of discharge under this subdivision is in addition to the requirement to issue a press release under subdivision (1) of this subsection.

(c) Publication of Notice of Discharge of Untreated Waste. -- The owner or operator of any wastewater collection or treatment works, other than a wastewater collection or treatment works the operation of which is primarily to collect or treat municipal or domestic wastewater, for which a permit is issued under this Part shall:

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In the event of a discharge of 1,000 gallons or more of untreated waste to the surface waters of the State, issue a press release to all print and electronic news media that provide general coverage in the county where the discharge occurred setting out the details of the discharge. The owner or operator shall issue the press release within 48 hours after the owner or operator has determined that the discharge has reached the surface waters of the State. The owner or operator shall retain a copy of the press release and a list of the news media to which it was distributed for at least one year after the discharge and shall provide a copy of the press release and the list of the news media to which it was distributed to any person upon request.

In the event of a discharge of 15,000 gallons or more of untreated waste to the surface waters of the State, publish a notice of the discharge in a newspaper having general circulation in the county in which the discharge occurs and in each county downstream from the point of discharge that is significantly affected by the discharge. The Secretary shall determine, at the Secretary's sole discretion, which counties are significantly affected by the discharge and shall approve the form and content of the notice and the newspapers in which the notice is to be published. The notice shall be captioned 'NOTICE OF DISCHARGE OF UNTREATED WASTE'. The owner or operator shall publish the notice within 10 days after the Secretary has determined the counties that are significantly affected by the discharge and approved the form and content of the notice and the newspapers in which the notice is to be published. The owner or operator shall file a copy of the notice and proof of publication with the Department within 30 days of the discharge. Publication of a notice of discharge under this subdivision is in addition to the requirement to issue a press release under subdivision (1) of this subsection."

Section 8.2. G.S. 143-215.10C is amended by adding a new subsection to read:

"(h) The owner or operator of an animal waste management system shall:

In the event of a discharge of 1,000 gallons or more of animal waste to the surface waters of the State, issue a press release to all print and electronic news media that provide general coverage in the county where the discharge occurred setting out the details of the discharge. The owner or operator shall issue the press release within 48 hours after the owner or operator has determined that the discharge has reached the surface waters of the State. The owner or operator shall retain a copy of the press release and a list of the news media to which it was distributed for at least one year after the discharge and shall provide a copy of the press release and the list of the news media to which it was distributed to any person upon request.

In the event of a discharge of 15,000 gallons or more of animal waste to the surface waters of the State, publish a notice of the discharge in a newspaper having general circulation in the county in which the discharge occurs and in each county downstream from the point of discharge that is significantly affected by the discharge. The Secretary shall determine, at the Secretary's sole discretion, which counties are significantly affected by the discharge and shall approve the form and content of the notice and the newspapers in which the notice is to be published. The notice shall be captioned 'NOTICE OF DISCHARGE OF ANIMAL WASTE'. The owner or operator shall publish the notice.
within 10 days after the Secretary has determined the counties that are significantly affected by the discharge and approved the form and content of the notice and the newspapers in which the notice is to be published. The owner or operator shall file a copy of the notice and proof of publication with the Department within 30 days of the discharge. Publication of a notice of discharge under this subdivision is in addition to the requirement to issue a press release under subdivision (1) of this subsection."

PART IX. PILOT PROGRAM FOR INSPECTION OF MUNICIPAL AND DOMESTIC WASTEWATER TREATMENT WORKS.

Section 9.1. The Department of Environment and Natural Resources shall develop and implement a pilot program to begin no later than 1 January 2000 and to terminate 1 July 2001 to inspect and provide technical assistance to municipal and domestic wastewater treatment works for which a permit is required under Part 1 of Article 21 of Chapter 143 of the General Statutes. The Department shall select a county in which there is located a representative cross section of the types of municipal and domestic wastewater treatment works in operation in the State for this pilot program. The Technical Assistance and Certification Unit of the Non-Discharge Branch of the Water Quality Section of the Division of Water Quality in the Department shall conduct an inspection of each municipal and domestic wastewater treatment works for which a permit is required under Part 1 of Article 21 of Chapter 143 of the General Statutes at least once each six months to determine whether the treatment works is in violation of any water quality classification, standard, limitation, or management practice or is in violation of any term, condition, or requirement of the permit for the treatment works. The personnel of the Technical Assistance and Certification Unit of the Non-Discharge Branch of the Water Quality Section of the Division of Water Quality who are assigned to conduct these inspections shall be assigned to an office in the county selected for the pilot program.

Section 9.2. The Division of Water Quality of the Department of Environment and Natural Resources shall submit interim reports no later than 15 April 2000, 15 October 2000, 15 April 2001, and a final report no later than 15 July 2001 to the Environmental Review Commission and to the Fiscal Research Division on the implementation of the pilot program established by this Part. These reports shall indicate the extent to which the pilot program has improved compliance with the laws governing water quality and has resulted in actual improvements in water quality by earlier identification of violations; reduction in the time required to respond to discharges, complaints, and reported problems; improved communication between owners and operators of treatment works and Department employees; and any other factors deemed pertinent by the Department. The final report shall include a recommendation as to whether to continue or expand the pilot program established by this Part. The Environmental Review Commission may recommend to the 2001 General Assembly whether to continue or expand the pilot program established by this Part.

PART X. ISSUANCE OF PERMITS FOR NEW OR EXPANDED MUNICIPAL OR DOMESTIC WASTEWATER TREATMENT WORKS THAT DISCHARGE TO THE WATERS OF THE STATE.

Section 10.1. G.S. 143-215.1(b) is amended by adding a new subdivision to read:

"(5) The Commission shall not issue a permit for a new municipal or domestic wastewater treatment works that would discharge to the surface
waters of the State or for the expansion of an existing municipal or domestic wastewater treatment works that would discharge to the surface waters of the State unless the applicant for the permit demonstrates to the satisfaction of the Commission that:

a. The applicant has prepared and considered an engineering, environmental, and fiscal analysis of alternatives to the proposed facility.

b. The applicant is in compliance with the applicable requirements of the systemwide municipal and domestic wastewater collection systems permit program adopted by the Commission."

PART XI. ENVIRONMENTAL MANAGEMENT COMMISSION TO DEVELOP ENGINEERING STANDARDS AND IMPLEMENT A PERMIT PROGRAM FOR MUNICIPAL AND DOMESTIC WASTEWATER COLLECTIONS.

Section 11.1. The Environmental Management Commission shall develop engineering standards governing municipal and domestic wastewater collection systems that will allow interconnection of these systems on a regional basis. The Commission shall report on its progress in developing the engineering standards required by this section as a part of each quarterly report the Commission makes to the Environmental Review Commission pursuant to G.S. 143B-282(b).

Section 11.2. The Environmental Management Commission shall develop and implement a permit program for municipal and domestic wastewater collection systems on a systemwide basis. The collection system permit program shall provide for performance standards, minimum design and construction requirements, a capital improvement plan, operation and maintenance requirements, and minimum reporting requirements. In order to ensure an orderly and cost-effective phase-in of the collection system permit program, the Commission shall implement the permit program over a five-year period beginning 1 July 2000. The Commission shall issue permits for approximately twenty percent (20%) of municipal and domestic wastewater collection systems that are in operation on 1 July 2000 during each of the five calendar years beginning 1 July 2000 and shall give priority to those collection systems serving the largest populations, those under a moratorium imposed by the Commission under G.S. 143-215.67, and those for which the Department of Environment and Natural Resources has issued a notice of violation for the discharge of untreated wastewater. The Commission shall report on its progress in developing and implementing the collection system permit program required by this section as a part of each quarterly report the Environmental Management Commission makes to the Environmental Review Commission pursuant to G.S. 143B-282(b).

PART XII. CLARIFY THAT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MAY LIMIT TO TWO MILLION DOLLARS RATHER THAN THREE MILLION DOLLARS THE MAXIMUM AMOUNT OF CLEAN WATER GRANTS TO LOCAL GOVERNMENT UNITS WITH HIGH BOND RATINGS AND, FOR CLEAN WATER LOANS FROM BOND FUNDS, TO CHANGE THE TIME BY WHICH A LOCAL GOVERNMENT UNIT MUST SATISFY THE REQUIREMENTS FOR HOLDING A PUBLIC HEARING AND FILING A PETITION FOR A VOTE PRIOR TO DISBURSEMENT OF THE LOAN FUNDS.

Section 12.1. G.S. 159G-3 is amended by adding a new subdivision to read:

"(2a) 'Bond rating' means the numerical rating of a local government unit developed by the North Carolina Municipal Council, Inc., or any successor thereto. The rating formula is based on 100 being a
Section 12.2. G.S. 159G-6(a) reads as rewritten:

"(a) Revolving loans and grants.

(1) All funds appropriated or accruing to the Clean Water Revolving Loan and Grant Fund, other than funds set aside for administrative expenses, shall be used for revolving loans and grants to local government units for construction costs of wastewater treatment works, wastewater collection systems and water supply systems and other assistance as provided in this Chapter.

(2) The maximum principal amount of a revolving loan or a grant may be one hundred percent (100%) of the nonfederal share of the construction costs of any eligible project. The maximum principal amount of revolving loans made to any one local government unit during any fiscal year shall be eight million dollars ($8,000,000).

(2a) The maximum principal amount of grants made to any one local government unit during any fiscal year shall be three million dollars ($3,000,000). The Department of Environment and Natural Resources may limit the maximum principal amount of the grant to two million dollars ($2,000,000) or two-thirds of the eligible project cost, whichever is less, when the bond rating of the local government unit equals or is greater than 75 during any fiscal year and when one million dollars ($1,000,000) or one-third of the eligible project cost, whichever is less, is available to the local government unit as a loan from any source.

(3) The State Treasurer shall be responsible for investing and distributing all funds appropriated or accruing to the Clean Water Revolving Loan and Grant Fund for revolving loans and grants under this Chapter. In fulfilling his or her responsibilities under this section, the State Treasurer shall make a written request to the Department of Environment and Natural Resources to arrange for the appropriated funds to be (i) transferred from the appropriate accounts to a local government unit to provide funds for one or more revolving loans or grants or (ii) invested as authorized by this Chapter with the interest on and the principal of such investments to be transferred to the local government unit to provide funds for one or more revolving loans or grants."

Section 12.3. Subsection (c) of Section 10 of S.L. 1998-132 reads as rewritten:

"(c) Application for Loans; Hearings.

(1) Eligibility/Initial Hearing: Eligibility.

a. Prior to filing an application for a loan, a local government unit shall hold a public hearing. A notice of the public hearing shall be published once at least 10 days before the date fixed for the hearing. The public hearing may be held at any time prior to the disbursement of loan funds under subsection (e) of this section.

b. All applications for loans shall be filed with the Department of Environment and Natural Resources. The form of the application shall be prescribed by the Department and shall require any information necessary to determine the eligibility for a loan under the provisions of this section. All applications approved by the
Department of Environment and Natural Resources shall be filed with the Local Government Commission. Each applicant shall furnish to the Department of Environment and Natural Resources and the Local Government Commission information in addition or supplemental to the information contained in its application, upon request.

c. A local government unit shall not be eligible for a loan unless it demonstrates to the satisfaction of the Department of Environment and Natural Resources and the Local Government Commission that:

1. The applicant is a local government unit;
2. The applicant has the financial capacity to pay the principal of and interest on its proposed loan as evidenced by the approval of the Local Government Commission;
3. The applicant has substantially complied or will substantially comply with all applicable laws, rules, regulations, and ordinances, whether federal, State, or local; and
4. The applicant has agreed by official resolution to adopt and place into effect a schedule of fees and charges or the application of other sources of revenue which will provide adequate funds for proper operation, maintenance, and administration of the project and repayment of all principal and interest on the loan.

(2) Assessment. -- The Department of Environment and Natural Resources may require any applicant to file with its application an assessment of the impact the project for which the funds are sought will have upon meeting the facility needs of the area within which the project is to be located.

(3) Hearing by the Department of Environment and Natural Resources or the Local Government Commission. -- A public hearing may be held by the Department of Environment and Natural Resources or the Local Government Commission at any time on any application. Public hearings may also be held by the Department of Environment and Natural Resources in its discretion upon written request from any citizen or taxpayer who is a resident of the county or counties in which the project is to be located or a resident of the local government unit that proposes to borrow moneys under this act, if it appears that the public interest will be served by the hearing. The written request shall set forth each objection to the proposed project or other reason for requesting a hearing on the application and shall contain the name and address of the persons submitting it. In deciding whether to grant a request for a hearing on an application, the Department of Environment and Natural Resources may consider the application, the written objections to the proposed project, and the facility needs and shall determine if the public interest will be served by a hearing. The determination by the Department of Environment and Natural Resources shall be conclusive, and all written requests for a hearing shall be retained as a permanent part of the records pertaining to the application.

(4) Petition for Vote. -- A petition, demanding that the question of whether to enter into a loan agreement with the State under this act be submitted to voters, may be filed with the clerk of the local government unit applying for the loan within 15 days after the public hearing required by this section. The petition shall be filed with the clerk of the county in which the center or project is to be located. A county shall, on receipt of a petition, shall set the date and place of the election on the petition. The date and place of the election shall be as provided in this section. The election shall be held at the regular primary, regular primary and general election, or regular general election, as provided by law.
subsection (e) of this section. The petition's sufficiency shall be
determined and a referendum, if any, shall be conducted according to the
standards, procedures, and limitations set out in G.S. 159-60 through
G.S. 159-62."

PART XIII. STUDIES; REPORTS; MISCELLANEOUS PROVISIONS;
EFFECTIVE DATES.

Section 13.1. The Department of Environment and Natural Resources shall
submit periodic reports to the Environmental Review Commission on the progress of the
State Wetlands Stream Management Advisory Committee no later than 1 November 1999,
1 April 2000, 1 October 2000, and 15 December 2000. As a part of this report, the
Department shall evaluate the current federal and State wetlands protection programs and
shall develop recommendations to improve and simplify the State's wetlands protection
program. The Department shall present interim findings and recommendations, including
any legislative proposals, as a part of the 1 April 2000 report and final findings and
recommendations, including any legislative proposals, as a part of the 15 December 2000
report.

Section 13.2. The Department of Environment and Natural Resources shall
prepare a detailed analysis of discharges of untreated and partially treated municipal and
domestic wastewater from publicly and privately owned treatment works and collection
systems to determine the causes of these discharges. The analysis shall include both
unpermitted discharges and violations of permitted discharges. The Department shall
evaluate the extent to which more frequent inspection of these systems would reduce the
number and severity of these discharges. In addition, the Department shall develop
specific recommendations to: (i) reduce the frequency and severity of discharges of
untreated or partially treated municipal and domestic wastewater from publicly and
privately owned treatment works, (ii) reduce the number of point sources and the quantity
of waste that is discharged into the surface waters of the State, and (iii) promote the
consolidation of municipal and domestic wastewater collection systems and treatment
works on a regional basis. The Department shall present interim findings and
recommendations, including any legislative proposals, to the Environmental Review
Commission no later than 1 March 2000 and shall present final findings and
recommendations, including any legislative proposals, to the Environmental Review

Section 13.3. The Environmental Management Commission shall study issues
related to whether and under what circumstances a privately owned wastewater collection
system or treatment works may be required to connect to a publicly owned treatment
works in order to protect public health or the environment. The Environmental
Management Commission shall report its findings and recommendations, including any
legislative proposals, to the Environmental Review Commission no later than 1 March
2000.

Section 13.4. The Environmental Management Commission shall report on its
progress in implementing the Lagoon Conversion Plan pursuant to the letter from
Governor James B. Hunt, Jr. to Dr. David Moreau, Chairman, Environmental
Management Commission, dated 13 May 1999, as a part of each quarterly report the
Environmental Management Commission makes to the Environmental Review
Commission pursuant to G.S. 143B-282(b).

Section 13.5. The Commission for Health Services shall study issues related to
the proper maintenance of septic tank systems. The Commission shall specifically study
measures that prevent the failure of septic tank systems and the harm to public health, the
environment, and natural resources that results from the failure of septic tank systems.
The Commission for Health Services shall report its findings and recommendations,
including any legislative proposals, to the Environmental Review Commission no later than 1 March 2000.

Section 13.6. The headings to the Parts of this act are a convenience to the reader and are for reference only. The headings do not expand, limit, or define the text of this act.

Section 13.7. This act shall not be construed to obligate the General Assembly to appropriate funds to implement the provisions of this act. Every State agency to which this act applies shall implement the provisions of this act from funds otherwise appropriated or available to that agency.

Section 13.8. If any section or provision of this act is declared unconstitutional or invalid by the courts, the unconstitutional or invalid section or provision does not affect the validity of this act as a whole or any part of this act other than the part declared to be unconstitutional or invalid.

Section 13.9. Part III of this act is effective retroactively to 31 October 1998. Part V of this act is effective 1 October 1999 and applies to violations that occur on or after 1 October 1999. G.S. 143-215.1C(a), as enacted by Part VIII of this act, becomes effective 1 January 1999. The first report required by G.S. 143-215.1C(a) shall summarize performance and violations during the 1999 calendar year or during the fiscal year that begins 1 July 1999. G.S. 143-215.1C(b) and (c), as enacted by Part VIII of this act, and G.S. 143-215.10C, as amended by Part VIII of this act, become effective 1 October 1999. Part IX of this act becomes effective 1 July 1999. Part X of this act becomes effective 1 October 1999 and applies to any application for a permit that is submitted to the Department of Environment and Natural Resources on or after that date. Part XII of this act is effective when this act becomes law and applies to grants and revolving loans made on or after that date, in accordance with Chapter 159G of the General Statutes and S.L. 1998-132, as amended by Part XII of this act. Except as otherwise provided in this act, all other Parts and sections of this act are effective when this act becomes law.

The Conference Report is placed on the Calendar for Monday, July 19, for adoption.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S.B. 333

House of Representatives
July 15, 1999

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Amendments #1, #2, #3, and #4 for SB 333, A BILL TO BE ENTITLED AN ACT RELATING TO THE MEMBERSHIP OF STATUTORILY CREATED DECISION-MAKING OR REGULATORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES; PROVIDING INTENT; PROVIDING POLICY WITH RESPECT TO THE APPOINTMENT OF MEMBERS TO SUCH BODIES TO ENCOURAGE PROPORTIONATE REPRESENTATION OF WOMEN; REQUIRING ANNUAL REPORTS; AND REQUIRING RETENTION OF CERTAIN INFORMATION REGARDING APPLICANTS, the Speaker has appointed as conferees on the part of the House:

Representative Alexander,

July 15, 1999
Representative Adams,  
Representative Russell, and  
Representative Thomas

to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,  
S/Denise Weeks (cwc)  
Principal Clerk

The following special message is received from the House of Representatives:

S.B. 414  
House of Representatives  
July 15, 1999

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute for SB 414, A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO MUNICIPALITIES WITH POPULATIONS OF ONE HUNDRED NINETY THOUSAND PEOPLE OR LESS BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT, the Speaker has appointed as conferees on the part of the House:

Representative Michaux,  
Representative Fitch,  
Representative Arnold, and  
Representative Hensley

to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,  
S/Denise Weeks (cwc)  
Principal Clerk

The following special message is received from the House of Representatives:

S.B. 568  
House of Representatives  
July 15, 1999

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute for SB 568, A BILL TO BE ENTITLED AN ACT TO REMOVE THE EXCUSE REQUIREMENT FROM ONE-STOP ABSENTEE VOTING FOR THE GENERAL ELECTION HELD IN NOVEMBER OF EVEN-NUMBERED YEARS, TO ALLOW COUNTY BOARDS OF ELECTIONS TO DESIGNATE ADDITIONAL ONE-STOP SITES, AND TO MAKE CHANGES RELATED TO STREAMLINING THE ABSENTEE BALLOT PROCESS, the Speaker has appointed as conferees on the part of the House:
Representative Nesbitt,  
Representative Bonner,  
Representative Alexander, and  
Representative Decker  

to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,  
S/Denise Weeks (cwc)  
Principal Clerk  

The following special message is received from the House of Representatives:

S.B. 1134  

House of Representatives  
July 15, 1999  

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute for SB 1134, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE WORK FIRST LAW PERTAINING TO MAINTENANCE OF EFFORT, SUPPORT SERVICES, PAY-FOR-PERFORMANCE FOR TWO-PARENT FAMILIES, AND OTHER AREAS OF WELFARE REFORM, the Speaker has appointed as conferees on the part of the House:

Representative Earle,  
Representative Adams,  
Representative Alexander,  
Representative Fox, and  
Representative Teague  

to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,  
S/Denise Weeks (cwc)  
Principal Clerk  

Pursuant to Senator Ballance’s motion to adjourn having prevailed, the Senate adjourns at 6:30 P.M.

NINETY-NINTH DAY  

Senate Chamber  
Monday, July 19, 1999  

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.
Prayer is offered by The Reverend King White, Pastor of Gospel Tabernacle Church, Dunn, North Carolina, as follows:

"Heavenly Father, how grateful we are today to be Your children. We thank You for the opportunity that we have to approach Your throne of grace. We recognize and honor Your sovereignty in the affairs of mankind, and above all we thank You for Your love that is past understanding for Your creatures. We thank you for these men and women whom You have placed in leadership and making the laws of our great State to better the citizens of our State.

"We ask for Your presence to fill this sacred Hall and give Your angels charge to minister to them in their thoughts and in their decisions. I ask that You grant them understanding with knowledge and discernment to know what needs to be done to better the citizens of our State and then grant them the wisdom to know how it should be done and carried out that is pleasing to You. And then we ask that You will bless them with Your power and Your grace. We pray for the families and bless them of these Senators who have had to share them in these offices and in these times of Legislature. Bless those families we pray with Your peace and Your presence and I ask You to compensate in their lives for the time that they have shared their loved ones. We commit them to Your grace and ask that Your peace shall abide with them and be upon them. But as we serve You by serving others, help us to acknowledge that all of us one day will stand in Your presence and may it be a day of everlasting joy and peace and as You bless them and give them guidance and direction, we will praise the name of our Lord Jesus Christ which in His Name we pray. Amen."

With unanimous consent, the President grants leaves of absence for tonight to Senator Jordan and Senator Shaw of Cumberland.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of Thursday, July 15, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. John Douglas Mann from Chapel Hill, North Carolina, who is serving the Senate as Doctor of the Day.

Upon motion of Senator Carpenter, the Chair is happy to extend the courtesies of the gallery to Dale and Marge Carpenter, from Waynesville, North Carolina, son and daughter-in-law of Senator Carpenter.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 25, AN ACT TO PROVIDE FOR ATTORNEY REPRESENTATION OF CHILDREN REPRESENTED BY GUARDIAN AD LITEM PROGRAM THROUGHOUT PROCEEDINGS OF THE CASE.

S.B. 170, AN ACT TO ESTABLISH A LIMIT ON THE TIME A PERSON CAN BE IMPRISONED FOR CIVIL CONTEMPT.

S.B. 297, AN ACT TO MAKE TECHNICAL AND OTHER CHANGES REGARDING LIMITED PARTNERSHIPS AND THE NORTH CAROLINA REVISED

July 19, 1999
UNIFORM LIMITED PARTNERSHIP ACT, TO CLARIFY THE LIMIT OF LIABILITY IN PROFESSIONAL ORGANIZATIONS, TO PROVIDE FOR THE REGISTRATION OF FOREIGN LIMITED LIABILITY PARTNERSHIPS, AND TO REQUIRE ANNUAL REPORTS BY LIMITED LIABILITY PARTNERSHIPS.

S.B. 331, AN ACT TO REQUIRE REGISTRATION AS A SEX OFFENDER FOR CERTAIN ADDITIONAL OFFENSES.

S.B. 370, AN ACT CLARIFYING WHEN WITNESS STATEMENTS OBTAINED PURSUANT TO THE ENFORCEMENT OF THE OCCUPATIONAL SAFETY AND HEALTH ACT MAY BE RELEASED.

S.B. 394, AN ACT TO ALLOW PREMIUMS FOR INSURANCE COVERAGE TO BE PAID BY CREDIT CARD.

S.B. 562, AN ACT TO REPEAL FORM AND RATE FILING FEES AND HMO ANNUAL REPORT FEES COLLECTED BY THE DEPARTMENT OF INSURANCE; TO INCREASE CERTAIN INSURANCE COMPANY LICENSE RENEWAL FEES COLLECTED BY THE DEPARTMENT OF INSURANCE; AND TO CLARIFY AN EXAMINATION LAW PROVIDING FOR REIMBURSEMENT FOR DEPARTMENTAL EXPENSES.

S.B. 607, AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE CERTAIN PERMITS.

S.B. 708, AN ACT ALLOWING COUNTIES TO PROVIDE AFFORDABLE HOUSING FOR PERSONS OF LOW AND MODERATE INCOME.

S.B. 746, AN ACT TO CREATE THE NORTH CAROLINA STRUCTURED SETTLEMENT PROTECTION ACT.

S.B. 776, AN ACT TO AMEND THE LAW EXEMPTING CERTAIN GOVERNMENTAL ENTITIES FROM STATE PURCHASE AND CONTRACT REQUIREMENTS.

S.B. 829, AN ACT TO DIRECT THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY ISSUES RELATED TO PROHIBITING THE ERECTION OF OUTDOOR ADVERTISING ON A PORTION OF INTERSTATE HIGHWAY 40 AND TO IMPOSE A MORATORIUM PENDING THE COMMITTEE'S REPORT TO THE GENERAL ASSEMBLY.

S.B. 835, AN ACT TO REVISE THE LAW GOVERNING MERGERS, CONSOLIDATIONS, AND CONVERSIONS AMONG BUSINESS CORPORATIONS, NONPROFIT CORPORATIONS, AND UNINCORPORATED ENTITIES, INCLUDING LIMITED LIABILITY COMPANIES AND PARTNERSHIPS, FOR THE PURPOSE OF CONFORMING THE LAWS WITH THOSE OF OTHER STATES AND MODERN BUSINESS PRACTICES; TO ALLOW CONVERSION OF A MUTUAL INSURANCE COMPANY TO A STOCK INSURANCE COMPANY; AND TO PERMIT HOMEOWNER ASSOCIATIONS TO DISTRIBUTE SURPLUS FUNDS.

S.B. 888, AN ACT TO AMEND THE LAWS REGARDING CONTROLLED SUBSTANCES.

July 19, 1999
S.B. 929, AN ACT TO REVISE THE ABATEMENT OF NUISANCES STATUTES.

S.B. 966, AN ACT RELATING TO THE AUTHORITY TO ENTER INTO CONTRACTS FOR CONDUCTING MUNICIPAL AND COUNTY BUILDING INSPECTIONS.

S.B. 977, AN ACT TO ENHANCE THE AUTHORITY OF THE SCHOOL IMPROVEMENT TEAM WITH REGARD TO THE SCHOOL CALENDAR AND TO REQUIRE PRINCIPALS AND LOCAL BOARDS OF EDUCATION TO ESTABLISH SCHOOL IMPROVEMENT TEAMS.

S.B. 995, AN ACT ESTABLISHING A TESTIMONIAL PRIVILEGE FOR POLICE PEER SUPPORT GROUP COUNSELORS.

S.B. 1115, AN ACT TO PROVIDE FOR WIDELY SHARED PROSPERITY BY AMENDING THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, BY PROVIDING ADDITIONAL TAX INCENTIVES FOR VARIOUS BUSINESSES, AND BY MAKING RELATED CHANGES.

H.B. 120, AN ACT TO IMPROVE THE PROCEDURES FOR NOTIFYING OWNERS AND ADVERTISING TAX LIENS ON REAL PROPERTY.

H.B. 222, AN ACT TO STRENGTHEN THE LITTERING LAW BY INCREASING THE MINIMUM AND MAXIMUM FINES AND BY REQUIRING COMMUNITY SERVICE IF THE LITTER IS MORE THAN FIVE HUNDRED POUNDS, IS A HAZARDOUS WASTE, OR IS DISCARDED FOR COMMERCIAL PURPOSES.

H.B. 240, AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.

H.B. 247, AN ACT TO REGULATE FUNERAL PROCESSIONS AND TO CODIFY THE RULES OF THE ROAD WITH REGARD TO FUNERAL PROCESSIONS.

H.B. 279, AN ACT TO AUTHORIZE TOWNSHIP HOSPITALS STILL OPERATING UNDER PRE-1983 LAW TO LEVY ADDITIONAL TAXES AFTER A REFERENDUM, AND TO MODERNIZE PROVISIONS OF LAW APPLICABLE TO THEM.

H.B. 512, AN ACT TO CERTIFY ASSISTED LIVING RESIDENCE ADMINISTRATORS.

H.B. 661, AN ACT TO AMEND THE JUVENILE CODE TO REVISE THE COMMUNITY SERVICE DISPOSITIONAL ALTERNATIVE FOR JUVENILE OFFENDERS WHO HAVE BEEN ADJUDICATED DELINQUENT FOR LEVEL 2 OFFENSES.

H.B. 937, AN ACT TO AMEND THE REGIONAL TRANSPORTATION AUTHORITY ACT CONCERNING JURISDICTION OF THE ENTIRE AREA OF THE COUNTY IN CERTAIN CIRCUMSTANCES AND MEMBERSHIP OF THE
AUTHORITY, AND TO AUTHORIZE THE AUTHORITY TO CREATE SPECIAL TAX DISTRICTS WITHIN ITS JURISDICTION.

H.B. 1084, AN ACT TO AUTHORIZE COUNTIES TO ISSUE BONDS TO PURCHASE LAND FOR MULTIPLE USE FOR PRESENT OR FUTURE COUNTY, OPEN SPACE, COMMUNITY COLLEGE, AND PUBLIC SCHOOL PURPOSES.


H.B. 1173, AN ACT TO LIMIT DISCLOSURE OF PERSONAL INFORMATION CONTAINED IN APPLICATIONS FOR LICENSES ISSUED BY THE PRIVATE PROTECTIVE SERVICES BOARD AND THE ALARM SYSTEMS LICENSING BOARD AND TO AUTHORIZE THE ALARM SYSTEMS LICENSING BOARD TO ISSUE AN APPRENTICESHIP REGISTRATION PERMIT.

H.B. 1186, AN ACT TO REVISE THE LAW GOVERNING THE UNEARNED PREMIUM RESERVE OF DOMESTIC TITLE COMPANIES.

H.B. 1233, AN ACT TO AMEND THE STRUCTURAL PEST CONTROL ACT.

H.B. 1246, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES TO ANIMAL LOVERS TO PROMOTE SPAYING AND NEUTERING OF DOGS AND CATS.

H.B. 1279, AN ACT TO CREATE THE CRIMINAL OFFENSE OF FINANCIAL IDENTITY FRAUD AND TO ALLOW FOR THE RECOVERY OF DAMAGES FOR FINANCIAL IDENTITY FRAUD.

H.B. 1470, AN ACT ALLOWING THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS TO ENTER INTO AGREEMENTS WITH SPECIAL IMPAIRED DENTIST PEER REVIEW ORGANIZATIONS TO INCLUDE PROGRAMS FOR IMPAIRED DENTAL HYGIENISTS, TO COLLECT FEES TO FUND SUCH PROGRAMS, AND TO PROVIDE FOR REPRESENTATION FOR DENTAL HYGIENISTS ON THE STATEWIDE SUPERVISORY COMMITTEE.

H.B. 1471, AN ACT TO ADJUST THE MATURITY DATE OF THE 1996 HIGHWAY BONDS TO REFLECT A CHANGE IN THE ESTIMATED COMPLETION DATE OF HIGHWAY TRUST FUND PROJECTS.

S.B. 1018, AN ACT CONCERNING MARRIAGE LAWS.

The Enrolling Clerk reports the following bills and resolution duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

S.J.R. 1171, A JOINT RESOLUTION RECOGNIZING WASHINGTON COUNTY UPON ITS BICENTENNIAL AND HONORING GEORGE WASHINGTON, FOR WHOM THE COUNTY IS NAMED. (Res. 20)
H.B. 651, AN ACT TO ALLOW BRUNSWICK COUNTY TO ASSESS A FIRE PROTECTION FEE.

H.B. 667, AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CITY OF ROANOKE RAPIDS.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

H.B. 507, AN ACT CONCERNING ANNEXATIONS BY THE TOWNS OF CAPE CARTERET AND BOGUE. (Became law upon ratification, July 14, 1999 – S.L. 1999-287.)

H.B. 638, AN ACT TO AUTHORIZE THE OWNERS OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE COUNTIES OF CAMDEN, CHOWAN, CURRITUCK, GATES, HERTFORD, PASQUOTANK, PERQUIMANS, TYRRELL, AND WASHINGTON TO TRANSFER OWNERSHIP OF THESE SYSTEMS TO A JOINT AGENCY CREATED BY TWO OR MORE UNITS OF LOCAL GOVERNMENT LOCATED IN THOSE COUNTIES AND TO AUTHORIZE THE COUNTIES OF GATES AND HERTFORD TO COLLECT FEES FOR THE INSPECTION OF PROVISIONALLY APPROVED SEPTIC TANK AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE SAME MANNER AS PROPERTY TAXES. (Became law upon ratification, July 14, 1999 – S.L. 1999-288.)

H.B. 794, AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF FARMVILLE. (Became law upon ratification, July 14, 1999 – S.L. 1999-289.)

H.B. 1095, AN ACT AUTHORIZING THE NORTH CAROLINA MEDICAL BOARD AND THE BOARD OF PHARMACY TO ADOPT RULES TO APPROVE CLINICAL PHARMACIST PRACTITIONERS TO PRACTICE DRUG THERAPY MANAGEMENT PURSUANT TO A DRUG THERAPY MANAGEMENT AGREEMENT. (Became law upon approval of the Governor, July 14, 1999 – S.L. 1999-290.)

S.B. 160, AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF NURSING TO ESTABLISH PROGRAMS TO AID THE REHABILITATION AND MONITORING OF NURSES WHO EXPERIENCE CERTAIN ADDICTIONS AND DISABILITIES. (Became law upon approval of the Governor, July 14, 1999 – S.L. 1999-291.)

S.B. 793, AN ACT AMENDING THE PSYCHOLOGY PRACTICE ACT TO INCLUDE WITHIN THE SCOPE OF PRACTICE THE DIAGNOSIS AND TREATMENT OF NEUROPSYCHOLOGICAL ASPECTS OF PHYSICAL ILLNESS, ACCIDENT, INJURY, OR DISABILITY AND TO DEFINE THE TERM NEUROPSYCHOLOGICAL. (Became law upon approval of the Governor, July 14, 1999 – S.L. 1999-292.)

July 19, 1999
H.B. 302, AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO
CHILD SUPPORT ENFORCEMENT. (Became law upon approval of the Governor,
July 14, 1999 – S.L. 1999-293.)

S.B. 594, AN ACT TO CLARIFY THE LAWS ON TITLE INSURANCE RATE
MAKING, COMMERCIAL GENERAL LIABILITY POLICY EXTENDED
REPORTING, AND INSURANCE FRAUD; TO MAKE A TECHNICAL
CORRECTION IN THE LITTERING LAW; TO PROVIDE FOR UNIFORM
APPLICATION OF NEW LAWS TO HEALTH BENEFIT PLANS; TO AMEND THE
LAW GOVERNING CEASE AND DESIST ORDERS FOR UNAUTHORIZED
INSURERS; TO ALLOW LICENSING OF A FOREIGN OR ALIEN INSURER TO BE
DELAYED UNDER CERTAIN CIRCUMSTANCES; TO AMEND THE LAW
GOVERNING AN INSURER'S ACKNOWLEDGMENT OF A CLAIM; TO PROVIDE
THAT POLICIES WRITTEN BY SURETY BONDSMEN ARE SUBJECT TO THE
LAW GOVERNING THE USE OF DEPOSITS FOR UNPAID LIABILITIES; TO
DELAY THE EFFECTIVE DATE FOR THE REGULATION OF THIRD-PARTY
ADMINISTRATORS FOR SELF-INSURED WORKERS' COMPENSATION; TO
AMEND THE LAW ON COVERAGE FOR NONFORMULARY DRUGS; AND TO
MAKE VARIOUS TECHNICAL CHANGES. (Became law upon approval of the
Governor, July 14, 1999 – S.L. 1999-294.)

S.B. 1005, AN ACT TO ESTABLISH CERTAIN LIMITATIONS REGARDING
POTENTIAL LIABILITY OF NORTH CAROLINA'S BUSINESSES ARISING FROM
YEAR 2000 PROBLEMS. (Became law upon approval of the Governor, July 14, 1999 –
S.L. 1999-295.)

S.B. 176, AN ACT TO AMEND THE LAW RELATING TO THE FORFEITURE OF
PROPERTY RIGHTS BY SLAYERS, AS RECOMMENDED BY THE GENERAL
STATUTES COMMISSION. (Became law upon approval of the Governor, July 14,
1999 – S.L. 1999-296.)

S.B. 817, AN ACT TO PROVIDE AN EXCEPTION TO THE LATE LISTING
PENALTY FOR CERTAIN REAL PROPERTY IN COUNTIES THAT HAVE NOT
ADOPTED PERMANENT LISTING AND TO PHASE IN PERMANENT LISTING IN
ALL COUNTIES. (Became law upon approval of the Governor, July 14, 1999 – S.L.
1999-297.)

S.B. 852, AN ACT TO MAKE DEFENDANTS WHO ARE ELIGIBLE FOR A
DRUG TREATMENT COURT PROGRAM ELIGIBLE FOR DEFERRED
PROSECUTION, AND TO AUTHORIZE PARTICIPATION IN A DRUG
TREATMENT COURT PROGRAM AS A SPECIAL CONDITION OF PROBATION
FOR CONVICTED DEFENDANTS. (Became law upon approval of the Governor,
July 14, 1999 – S.L. 1999-298.)

H.B. 1022, AN ACT TO PROHIBIT THE UNLAWFUL USE OF A DRIVERS
LICENSE, A LEARNER'S PERMIT, OR A SPECIAL IDENTIFICATION CARD
ISSUED BY THE DIVISION OF MOTOR VEHICLES. (Became law upon approval of
the Governor, July 14, 1999 – S.L. 1999-299.)

S.B. 742, AN ACT TO MAKE IT UNLAWFUL FOR SCHOOL PERSONNEL TO
ENGAGE IN SEXUAL ACTS WITH A STUDENT. (Became law upon approval of the
Governor, July 15, 1999 – S.L. 1999-300.)
S.B. 302, AN ACT TO REGULATE HUNTING IN LEE AND RUTHERFORD COUNTIES AND TO ESTABLISH SEASONS FOR HUNTING FOXES WITH WEAPONS AND WITH TRAPS IN CHOWAN COUNTY AND TO PROHIBIT DEER HUNTING IN MOORE COUNTY WITHOUT THE WRITTEN PERMISSION OF THE LANDOWNER, TO PROHIBIT DEER HUNTING FROM THE RIGHT-OF-WAY OF A PUBLIC ROAD IN MOORE COUNTY, AND TO REQUIRE OWNER IDENTIFICATION ON DOGS USED TO HUNT DEER IN MOORE COUNTY. (Became law upon ratification, July 15, 1999 – S.L. 1999-301.)

S.B. 523, AN ACT TO MODIFY THE PURPOSES FOR WHICH THE GREENSBORO ROOM OCCUPANCY TAX MAY BE USED. (Became law upon ratification, July 15, 1999 – S.L. 1999-302.)

S.B. 532, AN ACT REWRITING THE LAWS RELATED TO THE CIVIL SERVICE BOARD OF THE CITY OF ASHEVILLE, AND AUTHORIZING BUNCOMBE COUNTY TO CONDUCT AN ADVISORY REFERENDUM ON ZONING. (Became law upon ratification, July 15, 1999 – S.L. 1999-303.)

S.B. 619, AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF FUQUAY-VARINA AND TO MODIFY THE HILLSBOROUGH MEALS TAX PENALTIES. (Became law upon ratification, July 15, 1999 – S.L. 1999-304.)

S.B. 1110, AN ACT TO PROVIDE AN INCENTIVE FOR BUSINESSES TO FIND COMMERCIAL USES FOR TECHNOLOGY DEVELOPED BY RESEARCH UNIVERSITIES. (Became law upon approval of the Governor, July 15, 1999 – S.L. 1999-305.)

H.B. 331, AN ACT TO REDESIGNATE THE COMMUNITY PENALTIES PROGRAM AS THE SENTENCING SERVICES PROGRAM, TO CLARIFY THAT THE WORK PRODUCT OF THESE PROGRAMS IS ALWAYS PRESENTED TO THE COURTS, AND TO MAKE OTHER CLARIFYING CHANGES. (Became law upon approval of the Governor, July 15, 1999 – S.L. 1999-306.)

S.B. 34, AN ACT TO PERMIT THE TEMPORARY WAIVER OF CERTAIN RULES FOR CERTAIN LICENSED HEALTH CARE FACILITIES THAT PROVIDE TEMPORARY SHELTER OR SERVICES DURING DISASTERS AND EMERGENCIES. (Became law upon approval of the Governor, July 15, 1999 – S.L. 1999-307.)

S.B. 1074, AN ACT LIMITING LIABILITY FROM YEAR 2000 FAILURES BY PROVIDING CERTAIN PARTIES THE RIGHT TO ASSERT AN AFFIRMATIVE DEFENSE BASED ON A YEAR 2000 PROBLEM. (Became law upon approval of the Governor, July 15, 1999 – S.L. 1999-308.)

S.B. 310, AN ACT TO PROVIDE THAT THE TIME FOR GIVING NOTICE OF APPEAL IN CASES OF TERMINATION OF PARENTAL RIGHTS AND EMANCIPATION AND IN HEARINGS TO TRANSFER A JUVENILE TO SUPERIOR COURT SHALL BE TEN DAYS AFTER ENTRY OF THE ORDER RATHER THAN TEN DAYS AFTER THE DATE OF THE HEARING. (Became law upon approval of the Governor, July 15, 1999 – S.L. 1999-309.)

S.B. 527, AN ACT TO PERMIT LOCAL AUTHORITIES TO PREEMPT TRAFFIC

July 19, 1999
Signals on city streets and state highways in emergency situations. (Became law upon approval of the Governor, July 15, 1999 – S.L. 1999-310.)

S.B. 915, an act to create a tobacco reserve fund for tobacco product manufacturers not participating in the master settlement agreement with the state of North Carolina. (Became law upon approval of the Governor, July 15, 1999 – S.L. 1999-311.)

S.B. 1143, an act to provide for the continuity of contracts under the monetary union in member states of the European Union. (Became law upon approval of the Governor, July 15, 1999 – S.L. 1999-312.)

H.B. 1069, an act reclassifying certified clinical social workers as licensed clinical social workers and revising the fees and qualifications for certification and licensure of social workers. (Became law upon approval of the Governor, July 15, 1999 – S.L. 1999-313.)

H.B. 1090, an act to authorize the division of motor vehicles to issue an international association of fire fighters special registration plate. (Became law upon approval of the Governor, July 15, 1999 – S.L. 1999-314.)

H.B. 1237, an act authorizing the North Carolina Board of landscape architects to charge applicants for licensure the actual cost of examination services. (Became law upon approval of the Governor, July 15, 1999 – S.L. 1999-315.)

H.B. 319, an act to authorize the secretary of state to apply for and accept grant funds. (Became law upon approval of the Governor, July 15, 1999 – S.L. 1999-316.)

S.B. 942, an act directing the state board of education to develop plans for implementing the statewide student accountability standards policy and to identify resources to ensure appropriate early and ongoing assistance for students who need assistance. (Became law upon approval of the Governor, July 15, 1999 – S.L. 1999-317.)

H.B. 1159, an act to improve the ability of the division of social services, department of health and human services, to protect children and youth from violence-prone caregivers. (Became law upon approval of the Governor, July 15, 1999 – S.L. 1999-318.)

S.B. 515, an act to increase the number of paid members a fire department may have and remain eligible to receive grants from the volunteer fire department fund and to increase the number of paid members a rescue or rescue/EMS unit may have and remain eligible to receive grants from the volunteer fire department fund.
REScue/ems FUND. (Became law upon approval of the Governor, July 15, 1999 – s.l. 1999-319.)

s.b. 951, an ACT to protect patients' rights by requiring name badges or other identification for health care practitioners. (Became law upon approval of the Governor, July 15, 1999 – s.l. 1999-320.)

h.b. 275, an ACT to implement a zero unemployment insurance tax rate for more employers with positive experience ratings, and to temporarily reduce the unemployment insurance tax by twenty percent for most employers and substitute an equivalent contribution to fund enhanced employment services and worker training programs. (Became law upon approval of the Governor, July 15, 1999 – s.l. 1999-321.)

s.b. 812, an ACT to require that a food or retail business that holds an abc permit and is located in an urban redevelopment area shall not have alcoholic beverage sales in excess of fifty percent of the business's total annual sales. (Became law upon approval of the Governor, July 16, 1999 – s.l. 1999-322.)

h.b. 651, an ACT to allow brunswick county to assess a fire protection fee. (Became law upon ratification, July 19, 1999 – s.l. 1999-323.)

h.b. 667, an ACT to annex certain described property to the city of roanoke rapids. (Became law upon ratification, July 19, 1999 – s.l. 1999-324.)

reports of committees

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Miller for the Judiciary II Committee:

h.b. 478 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF THREATENING JUDGES, DISTRICT ATTORNEYS, AND OTHER COURT OFFICERS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill. Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 3469 is adopted and engrossed.

h.b. 644 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PUBLIC CONDEMNOR USING "QUICK TAKE" IN AN EMINENT DOMAIN ACTION SHALL INCLUDE A NOTICE OF OWNER'S RIGHTS IN THE NOTICE OF ACTION, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill. Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 1266 is adopted and engrossed.

h.b. 1135 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S DWI TASK
FORCE, with an unfavorable report as to Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 7277 is adopted and engrossed.

WITHDRAWAL FROM CLERK’S OFFICE

S.B. 17 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO TOURISM RESORTS ON A STATEWIDE BASIS, ordered held in the Office of the Principal Clerk on July 15, pending referral pursuant to Rule 43.

The House Committee Substitute bill No. 2 is withdrawn from the Office of the Principal Clerk and placed on the Calendar for Tuesday, July 20.

S.B. 1099 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING ALTERNATIVE SCHOOLS AND ALTERNATIVE LEARNING PROGRAMS SO AS TO IMPROVE THE QUALITY OF EDUCATIONAL SERVICES PROVIDED TO STUDENTS WHO ARE AT RISK OF ACADEMIC FAILURE AND TO INCREASE THE EDUCATIONAL EXPECTATIONS FOR THESE STUDENTS, ordered held in the Office of the Principal Clerk on July 15, pending referral pursuant to Rule 43.

The House Committee Substitute bill is withdrawn from the Office of the Principal Clerk and placed on the Calendar for Tuesday, July 20.

WITHDRAWAL FROM CALENDAR

S.B. 17 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO TOURISM RESORTS ON A STATEWIDE BASIS, placed earlier on the Calendar for tomorrow, Tuesday, July 20.

Senator Rand offers a motion that House Committee Substitute bill No. 2 be withdrawn from the Calendar for Tuesday, July 20, and placed on tonight’s Calendar, which motion prevails.

The Chair orders House Committee Substitute bill No. 2 withdrawn from the Calendar for Tuesday, July 20, and places it on tonight’s Calendar.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S.B. 912 House of Representatives
July 19, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that Representative Jeffus has been added as one of the conferees on House Committee Substitute # 2 for SB 912, A BILL TO BE ENTITLED AN ACT (1) TO AUTHORIZE THE ISSUANCE OF ONE BILLION TWO HUNDRED MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR CAPITAL IMPROVEMENTS FOR THE UNIVERSITY OF NORTH CAROLINA AND GRANTS
TO COMMUNITY COLLEGES FOR CAPITAL IMPROVEMENTS, (2) TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ISSUE SPECIAL OBLIGATION BONDS FOR IMPROVEMENTS TO THE FACILITIES OF THE UNIVERSITY OF NORTH CAROLINA AND FOR THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL AND OTHER FACILITIES OF THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM, AND (3) TO RESTRICT THE NAMING OF STATE CONSTRUCTION PROJECTS FOR SITTING MEMBERS OF THE GENERAL ASSEMBLY AND THE COUNCIL OF STATE.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

The following special message is received from the House of Representatives:

H.B. 939
House of Representatives
July 19, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute to HB 939, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT THAT MAY BE IN CONTROVERSY IN SMALL CLAIMS COURT, and requests conferees. The Speaker has appointed:

Representative Goodwin,
Representative Culpepper, and
Representative Baddour

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

The following special message is received from the House of Representatives:

H.B. 280
House of Representatives
July 19, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute No. 2 to HB 280, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER CHANGES TO THE MOTOR VEHICLE LAWS, and requests conferees. The Speaker has appointed:

Representative Cole,

July 19, 1999
Representative Baddour, and
Representative Dedmon

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

CALENDAR

Bills and resolutions on tonight’s Calendar are taken up and disposed of, as follows:

H.B. 740 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CORRECTING AN ERROR IN A PROPERTY DESCRIPTION IN AN ACT REMOVING PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 46, noes 0, as follows:


Voting in the negative: None.
The Committee Substitute bill is ordered enrolled.

S.B. 777, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGULATION OF CERTAIN EXCAVATION AND GRADING ACTIVITIES UNDER THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973 INSTEAD OF THE MINING ACT OF 1971, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 777 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997 TO ALLOW THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ENTER INTO CONTRACTS WITH PRIVATE CONTRACTORS FOR ASSESSMENT AND REMEDIATION ACTIVITIES AT DRY-CLEANING FACILITIES AND WHOLESALE DRY-CLEANING SOLVENT DISTRIBUTION FACILITIES AND TO MAKE OTHER CHANGES TO THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997.

With unanimous consent, upon motion of Senator Albertson, the House Committee Substitute bill is withdrawn from tonight’s Calendar and is re-referred to the Agriculture/Environment/Natural Resources Committee.

S.B. 876 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE USE OF NATURAL GAS EXPANSION FUNDS.

With unanimous consent, upon motion of Senator Kerr, the Committee Substitute bill is withdrawn from tonight’s Calendar and is re-referred to the Finance Committee.

S.B. 783 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO  

July 19, 1999
REQUIRE THAT NURSING HOMES PROVIDING SPECIAL CARE FOR PERSONS WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIAS DISCLOSE CERTAIN INFORMATION, TO ALLOW CERTAIN INDIVIDUALS EXCLUDED FROM MEMBERSHIP IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN TO APPLY FOR REINSTATEMENT IN THE PLAN, AND TO REQUIRE OUT-OF-STATE PHARMACIES TO FILL VALID PRESCRIPTIONS WRITTEN BY NORTH CAROLINA PRACTITIONERS, for concurrence in the House Committee Substitute bill.

With unanimous consent, upon motion of Senator Cochrane, the House Committee Substitute bill is withdrawn from tonight's Calendar and is placed on the Calendar for tomorrow, Tuesday, July 20.

**H.B. 964 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REVISE THE MUNICIPAL INCORPORATION PROCESS SO AS TO PROVIDE MORE SCRUTINY, as amended on second reading, upon third reading.**

Senator Weinstein offers Amendment No. 3, which is adopted (44-4) and deletes Amendment No. 2.

Senator Foxx offers Amendment No. 4 which fails of adoption (12-36).

The Committee Substitute bill No. 2, as amended, passes its third reading by roll-call vote, ayes 36, noes 12, as follows:


Voting in the negative: Senators Carrington, Cochrane, East, Forrester, Foxx, Garwood, Horton, Moore, Odom, Rucho, Shaw of Guilford, and Webster—12.

The Committee Substitute bill No. 2, as amended, is ordered sent by special message to the House of Representatives, for concurrence in Senate Amendment No. 1.

**H.B. 1010 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REGULATE COTTON GINS, COTTON WAREHOUSES, AND COTTON MERCHANTS, upon third reading.**

The Committee Substitute bill No. 2 passes its third reading by roll-call vote, ayes 46, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill No. 2 is ordered enrolled and sent to the Governor by special message.

**H.B. 1289 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES, TO SET THE INSURANCE REGULATORY CHARGE, TO IMPOSE THE INSURANCE REGULATORY CHARGE ON SERVICE CORPORATIONS AND ON HEALTH MAINTENANCE ORGANIZATIONS IN THE YEAR 2000, AND TO ALLOW THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO IMPOSE FEES THAT REFLECT...**

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THE ACTUAL COST OF RENDERING THE SERVICE, as amended on second reading, upon third reading.

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 44, noes 3, as follows:


Voting in the negative: Senators Ballantine, Moore and Webster—3.

The Committee Substitute bill, as amended, is ordered sent by special message to the House of Representatives, for concurrence in Senate Amendment No. 1.

H.B. 1466 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WITHHOLDING OF NORTH CAROLINA INCOME TAXES FROM TAXABLE PENSIONS, ANNUITIES, AND DEFERRED COMPENSATION, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 45, noes 3, as follows:


Voting in the negative: Senators East, Shaw of Guilford and Webster—3.

The Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

S.B. 17 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO TOURISM RESORTS ON A STATEWIDE BASIS, for concurrence in House Committee Substitute bill No. 2, placed earlier on tonight’s Calendar.

The Senate fails to concur in House Committee Substitute bill No. 2 (0-47).

Senator Weinstein offers a motion that the Senate appoint conferees, which motion prevails.

Senator Basnight, President Pro Tempore, announces the appointment of Senator Weinstein, Chairman, and Senator Garrou and Senator Rand as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

APPOINTMENT OF CONFERENCE COMMITTEES

H.B. 280 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER CHANGES TO THE MOTOR VEHICLE LAWS.

Pursuant to a message from the House of Representatives received earlier today that the House fails to concur in Senate Committee Substitute No. 2 for H.B. 280, Senator Basnight, President Pro Tempore, announces the appointment of Senator Miller, Chairman, and Senator Carrington and Senator Hoyle as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered

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sent to the House of Representatives informing that Honorable Body of such action.

**H.B. 939** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT THAT MAY BE IN CONTROVERSY IN SMALL CLAIMS COURT.

Pursuant to a message from the House of Representatives received earlier today that the House failed to concur in the Senate Committee Substitute for H.B. 939, Senator Basnight, President Pro Tempore, announces the appointment of Senator Miller, Chairman, and Senator Clodfelter and Senator Dalton as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

**APPOINTMENT OF ADDITIONAL CONFEERE**

**S.B. 1134** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE WORK FIRST LAW PERTAINING TO MAINTENANCE OF EFFORT, SUPPORT SERVICES, PAY-FOR-PERFORMANCE FOR TWO-PARENT FAMILIES, AND OTHER AREAS OF WELFARE REFORM.

Senator Basnight, President Pro Tempore, announces the appointment of Senator Dannelly as an additional conferee on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 202** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO PERMIT CERTAIN EMPLOYEE RETIREMENT PLANS TO HOLD SECURITIES AS A LICENSEE AND TO REVISE THE DEFINITION OF A FOREIGN PROFESSIONAL CORPORATION THAT MAY BE AUTHORIZED TO DO BUSINESS IN THIS STATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, TO ALLOW NONLICENSEEES TO OWN UP TO FORTY-NINE PERCENT OF THE SHARES OF A PROFESSIONAL CORPORATION RENDERING CERTIFIED PUBLIC ACCOUNTANT SERVICES, AND TO EXEMPT CERTIFIED PUBLIC ACCOUNTANTS WHO ARE MEMBERS OF THE GENERAL ASSEMBLY FROM CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS.

Pursuant to a message from the House of Representatives that the House fails to concur in the Senate Committee Substitute for H.B. 202, Senator Basnight, President Pro Tempore, announces the appointment of Senator Hartsell, Chairman, and Senator Clodfelter and Senator Wellons as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

**CONFERENCE REPORT**

**S.B. 568**

Senator Kinnaird, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **S.B. 568** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE EXCUSE REQUIREMENT FROM ONE-STOP ABSENTEE VOTING FOR THE GENERAL ELECTION HELD IN NOVEMBER OF EVEN-NUMBERED YEARS, TO ALLOW

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COUNTY BOARDS OF ELECTIONS TO DESIGNATE ADDITIONAL ONE-STOP SITES, AND TO MAKE CHANGES RELATED TO STREAMLINING THE ABSENTEE BALLOT PROCESS, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 568, AN ACT TO REMOVE THE EXCUSE REQUIREMENT FROM ONE-STOP ABSENTEE VOTING FOR THE GENERAL ELECTION HELD IN NOVEMBER OF EVEN-NUMBERED YEARS, TO ALLOW COUNTY BOARDS OF ELECTIONS TO DESIGNATE ADDITIONAL ONE-STOP SITES, AND TO MAKE CHANGES RELATED TO STREAMLINING THE ABSENTEE BALLOT PROCESS, Fifth Edition Engrossed 7/13/99, submit the following report:

The Senate and House agree to the following amendments to the Fifth Edition Engrossed 7/13/99, and the Senate concurs in the Fifth Edition Engrossed 7/13/99 as amended:

on page 5, lines 14 through 32, by rewriting those lines to read:

"board. In a primary election, the voter shall also state the political party with which"; and

on page 8, line 5, by deleting the quotation marks at the end of the line and inserting after that line the following:

"(f2) Notwithstanding the provisions of G.S. 163-89 (a) and (b), a challenge may be entered against a voter at a one-stop site under subsection (f1) of this section or during one-stop voting at the county board office. The challenge may be entered by a person conducting one-stop voting under this section or by another registered voter who resides in the same precinct as the voter being challenged. If challenged at the place where one-stop voting occurs, the voter shall be allowed to cast a ballot in the same way as other voters. The challenge shall be made on forms prescribed by the State Board of Elections. The challenge shall be heard by the county board of elections in accordance with the procedures set forth in G.S. 163-89 (e).’’

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 15, 1999.

S/Frank W. Ballance, Jr.  S/Martin Nesbitt
S/Charles N. Carter  S/Donald A. Bonner
S/Roy A. Cooper  S/Martha B. Alexander
S/Charlie Dannelly  Michael Decker
S/Eleanor Kinnaird

Conferees for the Senate

Conferees for the House of Representatives

Senator Kinnaird offers a motion that the rules be suspended and that the Conference
Report be placed on tonight’s Calendar, for adoption. The Chair orders the Conference Report placed on tonight’s Calendar.

CALENDAR (Continued)

H.B. 274 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING CERTIFICATION AND EMPLOYMENT OF ASSISTANT PRINCIPALS.

The Senate Committee Substitute bill passes its third reading (48-0) and is ordered sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

S.B. 244 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA UNCLAIMED PROPERTY ACT AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER CHANGES TO THE ESCHEATS LAWS, for concurrence in the House Committee Substitute bill, upon third reading.

Upon motion of Senator Hartsell, the Chair orders, without objection, the House Committee Substitute bill temporarily displaced.

S.B. 254, A BILL TO BE ENTITLED AN ACT TO MODIFY AND UPDATE THE OUTDOOR ADVERTISING CONTROL ACT, for concurrence in the House Committee Substitute bill, upon second reading, which changes the title, upon concurrence to read S.B. 254 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE VARIOUS OUTDOOR ADVERTISING PERMIT FEES, EXPAND CURRENT NOTIFICATION REQUIREMENTS, AND MODIFY AND UPDATE THE OUTDOOR ADVERTISING CONTROL ACT WITH RESPECT TO VENUE REQUIREMENTS, DEFINITIONS, AND PARTIES RESPONSIBLE FOR PAYMENT OF REMOVAL OF ILLEGAL OUTDOOR ADVERTISING.

The Senate concurs in the House Committee Substitute bill on its second reading by roll-call vote, ayes 46, noes 1, as follows:


Voting in the negative: Senator Webster—1.

The House Committee Substitute bill remains on the Calendar for tomorrow, Tuesday, July 20, for concurrence upon third reading.

S.B. 285 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE UNIVERSITY HEALTH SYSTEMS OF EASTERN CAROLINA SPECIAL REGISTRATION PLATES AND TO MODIFY THE SPECIAL REGISTRATION PLATES ISSUED TO MEMBERS OF THE JUDICIARY, for concurrence in House Committee Substitute bill No. 2, upon second reading.

The Senate concurs in House Committee Substitute bill No. 2 on its second reading by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, East,

Voting in the negative: None.
The House Committee Substitute bill No. 2 remains on the Calendar for tomorrow, Tuesday, July 20, for concurrence upon third reading.

S.B. 953, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DISTRIBUTE FUNDS FROM THE WETLANDS RESTORATION FUND AND TO CONVEY INTERESTS IN REAL PROPERTY ACQUIRED UNDER THE WETLANDS RESTORATION PROGRAM TO FEDERAL AND STATE AGENCIES, LOCAL GOVERNMENTS, AND PRIVATE NONPROFIT CONSERVATION ORGANIZATIONS, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 953 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE AMBIENT AIR QUALITY IMPROVEMENT ACT OF 1999.
The Senate concurs in the House Committee Substitute bill (34-12) and the measure is ordered enrolled and sent to the Governor by special message.

CONFERENCE REPORT

S.B. 333

Senator Perdue, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon S.B. 333 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE MEMBERSHIP OF STATUTORILY CREATED DECISION-MAKING OR REGULATORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES; PROVIDING INTENT; PROVIDING POLICY WITH RESPECT TO THE APPOINTMENT OF MEMBERS TO SUCH BODIES TO ENSURE PROPORTIONATE REPRESENTATION OF WOMEN; REQUIRING ANNUAL REPORTS; AND REQUIRING RETENTION OF CERTAIN INFORMATION REGARDING APPLICANTS, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 333, A BILL TO BE ENTITLED AN ACT RELATING TO THE MEMBERSHIP OF STATUTORILY CREATED DECISION-MAKING OR REGULATORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES; PROVIDING INTENT; PROVIDING POLICY WITH RESPECT TO THE APPOINTMENT OF MEMBERS TO SUCH BODIES TO ENCOURAGE PROPORTIONATE REPRESENTATION OF WOMEN; REQUIRING ANNUAL REPORTS; AND REQUIRING RETENTION OF CERTAIN INFORMATION REGARDING APPLICANTS, Fourth Edition Engrossed 4/8/99, submit the following report:

The Senate concurs in House Amendments #1, #2, and #4. The Senate concurs in House Amendment #3 with an amendment as follows:

rewrite line 1 to read:

"moves to amend the bill on page 2, line 7".
The House agrees to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 19, 1999.

S/Beverly E. Perdue  
S/Fletcher Hartsell, Jr.  
S/Jeanne Hopkins Lucas  
S/Jim W. Phillips, Sr.  

Conferees for the Senate

S/Martha B. Alexander  
S/Alma Adams  
Carolyn B. Russell  
S/Scott Thomas

Conferees for the House of Representatives

The Conference Report is ordered placed on the Calendar for tomorrow, Tuesday, July 20, for adoption.

CONFERENCE REPORT

H.B. 280

Senator Miller, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon H.B. 280 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER CHANGES TO THE MOTOR VEHICLE LAWS, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 280, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER CHANGES TO THE MOTOR VEHICLE LAWS, Seventh Edition Engrossed 7/13/99 submit the following report:

The House and the Senate agree to the following amendment to the Seventh Edition Engrossed 7/13/99:

on page 2, lines 21 and 22, rewrite those lines to read:
"capacity or less that is rented for a term of one year or more."

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 19, 1999.

S/Brad Miller  
S/David Hoyle  
S/John H. Carrington  

Conferees for the Senate

S/Nelson Cole  
S/Phillip A. Baddour, Jr.  
S/Andrew Dedmon

Conferees for the House of Representatives

July 19, 1999
The Conference Report is ordered placed on the Calendar for tomorrow, Tuesday, July 20, for adoption.

REPORTS OF COMMITTEES (Continued)

By Senator Miller for the Judiciary II Committee:

H.B. 162 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND OTHERS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 6233, which changes the title, upon concurrence, to read H.B. 162 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, is adopted and engrossed.

H.B. 328 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO CERTAIN CRIMINAL LAWS AND TO AMEND THE CRIMINAL PENALTIES FOR CERTAIN CRIMINAL LAWS AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 1321 is adopted and engrossed.

CALENDAR (Continued)

S.R. 1173, A SENATE RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES IREDELL FOR WHOM IREDELL COUNTY IS NAMED, for adoption. (See Appendix.)

Senator Phillips offers Amendment No. 1 which is adopted (47-0).

Upon motion of Senator Foxx, the remarks of the members honoring the life and memory of James Iredell are spread upon the Journal as follows:

Senator Phillips:

"Mr. President, ladies and gentlemen, I thank you. I thank you for the adoption of the amendment. This recognizes to me a significant event. This has already been done in the House but was not a joint resolution so I would like to take this time along with Dr. Forrester to include one from the Senate on behalf of Iredell County. I would hope that before this evening is over that you would take the time to read about how Iredell County got its name. Iredell County is a wonderful county and I'm privileged to represent parts of that along with Dr. Forrester. And I want you to know that over 100,000 people claim this county to be their home. I must tell you that it is one of the faster growing counties in North Carolina. You folks that live in and around I-77 in Charlotte are certainly aware of the growth that's taken place in the south of Iredell around Lake Norman and Mooresville. What's happened in that community, it's been declared that it's probably growing at about the rate that Cary, North Carolina has enjoyed over the last years and it has really taken off. But I'd also like to tell you about the other parts of this county. It's rural. They have
a lot of dairy farms. In fact, of the dairy farms that are remaining in North Carolina, three hundred and two, a large number of those dairy farms are in Iredell County. They're productive. They're still trying to earn a living. There are large ones. We're also in the poultry business. The north end of Iredell County is certainly rural and progressive and I think it's a wonderful tribute to this community to have its name read tonight in this Body, and I thank you for that. I know that they're proud to claim the name that James Iredell, the model that he lived, that this community or county took his name. I'm not going to try to speak about all the accomplishments of this man, because there's another Member of this Body who is more of an historian than I certainly am and I'm sure that he'll want to speak on this special resolution. But I would ask before I sit down that you read and take the time to understand who this wonderful man was and the wonderful county that bears his name and I thank you.”

Senator Forrester:

“Thank you, Members of the Senate. It's an honor to speak on this resolution with my friend Senator Phillips regarding James Iredell, Sr. He's truly a statesman of the Revolutionary period. He was born in England, came to this country as a young boy. His father had a stroke. He dropped out of school and began working in customs at Port Roanoke in the town of Edenton, North Carolina. Back during the Revolutionary War he sided with America rather than Britain, and went to study law under Sam Johnson, who was an esteemed attorney at that time. He worked as a British tax collector in three counties and became one of the most thoughtful and influential political essayists in the Revolutionary period from North Carolina. James Iredell also served as a Supreme Court Justice and in 1779 was Attorney General of our great State back during the Revolution. And he had the job of prosecuting and taking legal action against the loyalists to the King and others who hampered the Revolutionary War. He was very conservative politically. It's interesting, he didn't think too much of the people from western North Carolina. He preferred the leadership of men, of training and talent from respectable families, most of them from his own part of the State, eastern North Carolina, and at times he was very critical of the “western men” as he called them, the back country interest from western North Carolina. He served as the delegate from North Carolina to the Constitutional Convention in 1788, led North Carolina in advocating the adoption of our Federal Constitution. In 1790, President George Washington appointed Iredell as the first U. S. Supreme Court Justice. Speaking with him, he said, 'I determined after contemplating every character which presented itself to my view, to name Mr. Iredell of North Carolina because in addition to his reputation he sustains for abilities, legal knowledge and respectability of character, he is of a state of some importance to the Union that has given no character to federal office.' He served with distinction for nine years in the Supreme Court of the United States. Experts of that day said he and James Wilson of Pennsylvania possessed the finest legal minds of the high court during that period. He had an untimely death at the age of forty-eight years of age, approximately two hundred years ago. I ask that you would support this resolution honoring the two hundredth anniversary of James Iredell. Thank you very much.”

Senator Clodfelter:

“Ladies and gentlemen, when I was a child I studied in school in civics and government and history classes the same things that I suppose that all of you did about the fundamentals of the American system of government. And I was taught that one of our bedrock principles was the notion that the Legislature's acts are constrained by a higher law which protects the rights and liberties of the people. That law was embodied in the Constitution of our State and of our Nation. Later as a student in law school, like all the lawyers in this Chamber and like very many of the others of you I suppose, we were
taught that this great principle of the American Republic was first announced by the United States Supreme Court in the case of Marbury verses Madison in 1803, in an opinion by the great Virginian Chief Justice, John Marshall. I thought at the time, like I had thought all through school, that virtually everything that was done at that time, all the great deeds where done by Virginians, all the great thoughts were thought by Virginians and except for this guy, Benjamin Franklin, and a few people from Massachusetts, all of whom where named Adams, the rest of us were just sort of along for the ride, and so I thought until well into my career as a lawyer. I did not learn in school as a child or in law school, even in my North Carolina history course that on this very important and fundamental point of constitutional law that defines our system of government that we were all wrong. That it wasn’t the Virginians at all, that they were ‘Johnny-come-lateleys to the scene’, and at that great principle of the Constitution that the acts of the Legislature, even of this Legislature, are indeed limited by the fundamental law of the people, had it’s origins in North Carolina. In 1787, the case was brought in the Superior Court of North Carolina before there was a United States Supreme Court, before there was even a North Carolina Supreme Court. When there was only the Superior Court and it’s Chief Judge was Samuel Ashe for whom, Senator Foxx, Ashe County is named and who was later Governor of North Carolina. And he heard a case brought before him in which the plaintiff’s chief lawyer was a man from Edenton who had just left government service and gone into private practice. His name was James Iredell. And in that case he was representing all of things, the daughter of a Tory, whom he had spent most of his career as Attorney General of North Carolina prosecuting Tories throughout the Revolution. It was an unpopular cause that he defended in court. The General Assembly of North Carolina had declared a forfeiture of properties belonging to those who had aided and supported the crown during the Revolution, and the daughter of one Samuel Cornwell, named Elizabeth Baird, was seeking to reclaim a warehouse in New Bern that her father, a supporter of the King, had forfeited during the war. James Iredell took her case and prosecuted it before the Superior Court with Judge Ashe presiding, and argued that no act of the General Assembly declaring such a forfeiture without trial by jury in violation of the law of the land could withstand the higher law of the Constitution, and the court agreed. It was the first time on this continent that the principle of judicial review of legislative acts of the supremacy of the Constitution over all of the law was declared and was vindicated by a lawyer named James Iredell. And so as Senator Forrester said, it was no accident indeed that two years later when we finally had a President, George Washington, and we finally had a Constitution in the United States and the Supreme Court in the United States, one of the first justices appointed was James Iredell. James Iredell died very many years ago, but even today his work is unfinished. In 1793, he was the lone dissenter in a case that caused great controversy in the young United States, Chism vs. Georgia, relative to the rights of citizens to sue state governments, their own states and states of which they were not residents. Four weeks ago, the United States Supreme Court, two hundred and six years later, vindicated James Iredell in the decision in Alden verses Maine, finding in his analysis those many years ago his lone voice on the first Supreme Court the correct understanding of the United States Constitution. And so though he has been dead these two hundred years, his work is today even unfinished. It guides us still, and so I believe it is appropriate this evening that we honor James Iredell, one of the great North Carolina founding fathers.”

Senator Odom:

“On behalf of the six hundred acres in Iredell County that I represent, I ask you to support this resolution.”

Senator Reeves:

“It is with some reluctance that I stand to discuss the motion before us but seeing as
how Senator Gulley is here and Senator Rand is here, I move to discuss this motion. Several years ago, I became acquainted with Justice Iredell through his own papers and his own writings. Many of you may not know this but he was originally supposed to be at the United States Constitutional Convention, but was sick during that time, and William Blount, Richard Dobbs Speight, and Key Williamson had to go in his stead. But they left a paper trail and that paper trail is housed over in the Duke Library. All of their correspondence is there. If you want to go read in their original writings what they discussed, how they arrived at certain points in the Constitution, they’re all there. Several years ago, I had the opportunity to wade deep into those manuscripts. It was certainly a pleasure. It is a treasure for us and it certainly is a pleasure to have the opportunity tonight to give my support to a resolution to a man whom I’ve actually seen his hand writing on paper."

Upon motion of Senator Phillips, the Senate resolution, as amended, is adopted (45-0) and engrossed.

S.R. 1175, A SENATE RESOLUTION HONORING THE FIFTIETH ANNIVERSARY OF BENSON’S MULE DAYS FESTIVAL, for adoption. (See Appendix.)

Upon motion of Senator Wellons, the remarks of the members honoring Benson’s Mule Days Festival are spread upon the Journal as follows:

Senator Harris:

“Mr. President and Members of the Senate, I rise to bring attention and recognition to a local celebration in the great town of Benson, North Carolina, the fiftieth anniversary of the Benson’s Mule Days. The elected officials headed up by the Mayor, Don Johnson, Chamber of Commerce, Civic Organizations and over 300 volunteers are to be congratulated on this landmark occasion. Located at the intersection of I-40 and I-95 and incorporated in 1887, Benson may best be known by for “cruising”, the Benson Sing which will have its eightieth anniversary in June of the year 2000, and Mule Days. Thanks to the courageous leadership of Benson, “cruising” is no more as of three years ago. One can move through Benson very easily now. Benson is lovingly known as Mule City, USA throughout our State and the place where you can hear Senator Charlie Albertson and his band playing at the American Legion Dance on Saturday night. With an abundance of good people and natural resources, Benson has grown tremendously over the last one hundred and twelve years. The multitude of mule stables have been replaced by tractor dealerships. Most have been replaced with iron horses. Agriculture, however, remains the cornerstone of Benson’s economic base with tobacco, sweet potatoes and cotton leading the way. The mule played an important part in the lives of their owners. Many don’t think of the mule as being a status symbol but, as in the past, a person’s status in the community and his wealth was determined by the number of mules he owned. The mules were traded and sold and often used as bank collateral for loans. The saying of a ‘one-horse or two-horse farm’ was probably coined by this practice. We can also learn a lesson or two from the mules that could be applied in the Legislature. Often a pair of mules had to work and pull together side by side as a team to get the job done. When one was not strong enough, working together as a team, they and the farmers accomplished much more. Otherwise, there is a lot of joy. Mules often could be hard headed as well, hence the saying, ‘stubborn as a mule’, and ‘you can lead a horse to water, but you can’t make him drink’. I tested that once as a young boy and believe me it’s true. The mule is only as negotiable as you allow him to be. Speaking of teamwork, Benson needs some volunteers for the mule judging contest and asked that I inquire of this Senate if they have any interest in being members of the judging. I have some applications here and the application is very lengthy. It says Rules and Regulations from American Saddle and

July 19, 1999
Mule Association Judging Grand Champion Mule and the Reserve Grand Champion Mule, and if you are successful in getting a position as a judge in the Benson contest you may go on the circuit. I don't know all the qualities of a good mule but one of the items that they judge a mule by is the wear on his teeth. That's why I've spent so much money on my teeth so that people can't guess my age. Believe you me, I know how it feels to be on the south end of a north-bound mule. As a young boy, I grew up on a farm during the transition from the mule to the tractor. The Farmall cub tractor, as small as it was, was a welcome sight. Having served as general chairman of the General William C. Lee Celebration in the neighboring city of Dunn for the past fourteen years, I'm aware of what it takes to organize and put together a large event such as Mule Days. We have many Senate members that have served on festival committees as chairpersons or co-chairs and know the amount of planning and hard work it takes to make an event successful. Especially when you have to coordinate and organize for approximately 80,000 people, not to mention the 80,000 horses and mules, for an event such as Mule Days. Things are always changing and especially in today's world, but Benson has held on to a rich heritage and traditions of its past and we honor them on this fiftieth anniversary of Benson's Mule Days. We salute the town of Benson, it's Mayor, Don Johnson, the Chamber of Commerce, the civic organizations and many volunteers for holding on to the past while parading into the future. I ask for your support on this resolution."

Senator Wellons:

"I want to commend Senator Harris for his comments about Mule Day. This is the fiftieth Mule Day, the same age as I am. I invite you all to be there. It's an experience you won't ever forget. The community does a great job. We have a Republican float, a Democratic float, we're all there showing our wares, but do come and join us."

Senator Rand:

"Ladies and gentlemen of the Senate, I have judged Mule Day. You not only judge the grand champion mule and all that, but you also judge the prettiest mule and the ugliest mule. Now you all know about beauty is skin deep, but ugly goes to the bone, and it's a wonderful thing. I also judged a parade one year and about the last thirty minutes of the parade there is just a procession of horses and mules coming by the viewing stand there and I will tell you after all that goes by it is truly a breathtaking situation."

Senator Gulley:

"It's hard to follow that, Senator Rand, but I want to say, Senator Harris, I'm glad you brought this to us. Ten years ago this month, I had the opportunity to be judge as well at Mule Skinner Day, and I'm an honorary Mule Skinner now, and it's everything Senator Rand said. As my family stood there in the July heat and watched block after block of mules come by, it was an experience that's indelible. We will always recall that. The folks were what was special, the folks are fabulous in Benson, and they make you very welcome. They make you want to go back, and I'm sure some day I will do just that. I do want to say that I'm disappointed that they've changed the event to September because you loose a real part of what was there by having this in late July or early August. You may want to recommend to them, Senator Harris, moving back to that period. Thank you, Mr. President."

Upon motion of Senator Wellons, the Senate resolution is adopted (45-0).

WITHDRAWAL FROM CLERK'S OFFICE

S.B. 922, A BILL TO BE ENTITLED AN ACT TO PROTECT SWINE GROWERS

July 19, 1999
BY PROVIDING THAT SWINE OPERATION INTEGRATORS SHALL BE JOINTLY AND SEVERALLY LIABLE FOR FAILURE TO COMPLY WITH THE CONDITIONS OF A PERMIT FOR AN ANIMAL WASTE MANAGEMENT SYSTEM, ordered held in the Office of the Principal Clerk on April 14 pending referral to committee, pursuant to Rule 43.

Upon motion of Senator Rand, the bill is withdrawn from the Office of the Principal Clerk and referred to the Agriculture/Environment/Natural Resources Committee.

CALENDAR (Continued)

H.B. 1160 (Conference Report), A BILL TO BE ENTITLED AN ACT TO ENACT THE CLEAN WATER ACT OF 1999, for adoption.

Upon motion of Senator Odom, the Senate adopts the Conference Report (45-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

COMMITTEE REFERRAL RECALL

H.B. 19 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT CASINO BOATS FROM OPERATING IN NORTH CAROLINA, TO REGULATE CERTAIN GAMBLING BOATS THAT OPERATE IN NORTH CAROLINA PURSUANT TO FEDERAL LAW, TO LEVY A PRIVILEGE TAX ON GAMBLING BOATS OPERATING IN NORTH CAROLINA, AND TO REQUIRE WITHHOLDING FROM CERTAIN GAMBLING BOAT WINNINGS, re-referred to the Finance Committee on July 12.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that Committee Substitute bill No. 2 be withdrawn from the Finance Committee and re-referred to the Rules and Operations of the Senate Committee, which motion prevails with unanimous consent.

The Chair orders Committee Substitute bill No. 2 withdrawn from the Finance Committee and re-refers the measure to the Rules and Operations of the Senate Committee.

CALENDAR (Continued)

S.B. 568 (Conference Report), A BILL TO BE ENTITLED AN ACT TO REMOVE THE EXCUSE REQUIREMENT FROM ONE-STOP ABSENTEE VOTING FOR THE GENERAL ELECTION HELD IN NOVEMBER OF EVEN-NUMBERED YEARS, TO ALLOW COUNTY BOARDS OF ELECTIONS TO DESIGNATE ADDITIONAL ONE-STOP SITES, AND TO MAKE CHANGES RELATED TO STREAMLINING THE ABSENTEE BALLOT PROCESS, placed earlier on tonight's Calendar, for adoption.

Upon motion of Senator Kinnaird, the Senate adopts the Conference Report (36-10).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.B. 1160

House of Representatives

July 19, 1999

July 19, 1999
Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on Senate Committee Substitute for HB 1160, A BILL TO BE ENTITLED AN ACT TO ENACT THE CLEAN WATER ACT OF 1999, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

CALENDAR (Continued)

S.B. 244 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA UNCLAIMED PROPERTY ACT AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER CHANGES TO THE ESCHEATS LAWS, for concurrence in the House Committee Substitute bill, upon third reading, temporarily displaced earlier.

The Senate concurs in the House Committee Substitute bill on its third reading by roll-call vote, ayes 45, noes 1, as follows:
Voting in the negative: Senator Webster—1.

The House Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

WITHDRAWAL FROM CLERK’S OFFICE

S.B. 365 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT DEATH ROW INMATES FROM CONTACTING THE FAMILIES OF THEIR VICTIMS, for concurrence in the House Committee Substitute bill, ordered held in the Office of the Principal Clerk on July 15, pending referral pursuant to Rule 43.

The House Committee Substitute bill is withdrawn from the Office of the Principal Clerk and placed on tonight’s Calendar for immediate consideration.

The Senate fails to concur in the House Committee Substitute bill (0-45).

Senator Albertson offers a motion that the Senate appoint conferees, which motion prevails.

Senator Basnight, President Pro Tempore, announces the appointment of Senator Ballance, Chairman, and Senator Albertson and Senator Ballantine as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

COMMITTEE REFERRAL RECALL

H.B. 291 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO
PROVIDE THAT THE GOVERNOR AS THE CHIEF OF THE STATE'S MILITIA SHALL HAVE THE POWER TO PLACE INDIVIDUALS AND UNITS OR PARTS OF UNITS OF THE NORTH CAROLINA NATIONAL GUARD TO ASSIST WITH STATE INAUGURAL ACTIVITIES, referred to the Appropriations/Base Budget Committee on April 22.

Pursuant to Rule 47(a), Senator Odom offers a motion that the Committee Substitute bill be withdrawn from the Appropriations/Base Budget Committee and re-referred to the Rules and Operations of the Senate Committee, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Appropriations/Base Budget Committee and re-refers the measure to the Rules and Operations of the Senate Committee.

RESIGNATION FROM STANDING COMMITTEE

North Carolina General Assembly
Senate Chamber
State Legislative Building
Raleigh 27601-2808

July 15, 1999

President Pro Tempore Marc Basnight
Room 2007 Legislative Building
Raleigh, North Carolina 27601

Dear Senator Basnight:

I request that my name and membership be deleted from Senator Miller's Judiciary II committee, effective immediately. Thank you.

Sincerely Yours,
S/Robert A. Rucho

Upon motion of Senator Basnight, seconded by Senator Perdue, the Senate adjourns subject to receipt of conference reports, committee reports, and messages from the House of Representatives, to meet tomorrow, Tuesday, July 20, at 12:00 Noon.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

S.B. 348 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE MISUSE OF LASER DEVICES, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, July 20.

S.B. 881 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CAMPAIGN REFORM ACT OF 1999, for concurrence in House
Committee Substitute bill No. 2, which is placed on the Calendar for tomorrow, Tuesday, July 20.

**H.B. 163** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS STUDY COMMISSIONS, AND TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES.

Referred to Rules and Operations of the Senate Committee.

The following special message is received from the House of Representatives:

**S.B. 365**

House of Representatives
July 19, 1999

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute for SB 365, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DEATH ROW INMATES FROM CONTACTING THE FAMILIES OF THEIR VICTIMS, the Speaker has appointed as conferees on the part of the House:

Representative Adams, Chair;
Representative Haire, and
Representative Eddins

to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

The following special message is received from the House of Representatives:

**S.B. 17**

House of Representatives
July 19, 1999

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute No. 2 for SB 17, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO TOURISM RESORTS ON A STATEWIDE BASIS, the Speaker has appointed as conferees on the part of the House:

Representative Culpepper,
Representative Gray, and
Representative Baker

to act with a like committee on the part of the Senate to the end that the differences
existing between the two bodies may be adjusted.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

CONFERENCE REPORT

S.B. 17

Senator Weinstein, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon S.B. 17 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO TOURISM RESORTS ON A STATEWIDE BASIS, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 17, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO TOURISM RESORTS ON A STATEWIDE BASIS, House Committee Substitute #2 Favorable 7/13/99, submit the following report:

The Senate and House agree to the following amendments to the House Committee Substitute #2 Favorable 7/13/99, and the Senate concurs in the House Committee Substitute as amended:

on line 1, line 8, by rewriting that line to read:
“a. Any restaurant and lodging facility, whether public or private, owned and operated as a”;

and on page 1, line 13, by rewriting that line to read:
“b. Any restaurant, whether public or private, owned and operated as a resort property”;

and on page 1, line 19, by rewriting that line to read:
“receipts. A tourism resort open to the public shall advertise at least quarterly in a”.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 19, 1999.

S/David F. Weinstein
S/William T. Culpepper, III
S/Anthony E. Rand
S/Lyons Gray
S/Linda Garrou
S/Rex L. Baker

Conferees for the Senate
Conferees for the
House of Representatives

July 19, 1999
The Conference Report is ordered placed on the Calendar for tomorrow, Tuesday, July 20, for adoption.

Pursuant to Senator Basnight’s motion to adjourn having prevailed, the Senate adjourns at 11:58 P.M.

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ONE HUNDREDTH DAY

Senate Chamber
Tuesday, July 20, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Kay Johnson, Associate Pastor of Edenton Street United Methodist Church, Raleigh, North Carolina, as follows:

“Lord of all, we acknowledge before all that You are the great God and in You is perfect mercy and justice, righteousness and peace. We thank You for the work we have been able to accomplish and also for the work that is before us today. Grant to us Your favor and make our decisions a benefit to those lives which they will impact.

“We pray that You would be close to the Kennedy and the Bessette families this day, that they might feel Your comfort in this terrible time of loss. Reassure us all of Your great good will, and keep us safe from evil. For we ask it in Jesus’ Name. Amen.”

With unanimous consent, the President grants leaves of absence for today to Senator Carrington, Senator Jordan, Senator Rucho, and Senator Shaw of Cumberland.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Monday, July 19, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Alan Glen Finkel from Chapel Hill, North Carolina, who is serving the Senate as Doctor of the Day, and to Ruth Miller from Greenville, North Carolina, who is serving the Senate as Nurse of the Day.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages are received from the House of Representatives transmitting bills which are read the first time and disposed of, as follows:

S.B. 830 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE AUTO REPAIRS, for concurrence in the House Committee Substitute bill, which is placed on today’s Calendar.

H.B. 1133 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MANAGED CARE ENTITY PROVIDING A HEALTH BENEFIT PLAN IS LIABLE FOR DAMAGES FOR HARM TO ITS INSUREDS OR
ENROLLEES CAUSED BY THE MANAGED CARE ENTITY'S FAILURE TO EXERCISE ORDINARY CARE.

Pursuant to Rule 43, Committee Substitute bill No. 2 is ordered held in the Office of the Principal Clerk, pending referral to committee.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

H.B. 162 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, which title changes upon concurrence.

The President orders, without objection, the Senate Committee Substitute bill temporarily displaced.

H.B. 328 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO CERTAIN CRIMINAL LAWS AND TO AMEND THE CRIMINAL PENALTIES FOR CERTAIN CRIMINAL LAWS AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION.

The President orders, without objection, the Senate Committee Substitute bill temporarily displaced.

H.B. 478 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF THREATENING JUDGES, DISTRICT ATTORNEYS, AND OTHER COURT OFFICERS.

Senor Ballance offers Amendment No. 1 which is adopted (43-0).

The Senate Committee Substitute bill, as amended, passes its second (46-0) and third readings and is ordered engrossed and sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

H.B. 1010, AN ACT TO REGULATE COTTON Gins, COTTON WAREHOUSES, AND COTTON MERCHANTS.

H.B. 303, AN ACT TO AMEND THE LAWS RELATING TO COMMERCIAL VEHICLE HIGHWAY SAFETY AND WORK ZONE SAFETY.

H.B. 438, AN ACT EXEMPTING HOUSING AUTHORITIES FROM REAL ESTATE LICENSURE REQUIREMENTS.

H.B. 685, AN ACT TO PROVIDE THAT A LAW ENFORCEMENT OFFICER MAY ARREST A PERSON ON PRIVATE PREMISES OR IN A VEHICLE IN ACCORDANCE WITH STATE LAW WITH A COPY OF THE ORIGINAL ARREST WARRANT OR ORDER.

July 20, 1999
H.B. 1209, AN ACT TO IMPROVE BOATING SAFETY BY AMENDING THE STATE LAW REGULATING PERSONAL WATERCRAFT OPERATION TO CONFORM WITH THE RECOMMENDATIONS OF THE NATIONAL ASSOCIATION OF STATE BOATING LAW ADMINISTRATORS AND TO OTHERWISE IMPROVE PERSONAL WATERCRAFT SAFETY.

S.B. 547, AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A TELECOMMUNICATIONS RELAY SERVICE TO ASSIST DEAF AND HEARING IMPAIRED PERSONS, INCLUDING THOSE WHO ALSO HAVE VISION IMPAIRMENT.

S.B. 953, AN ACT TO ENACT THE AMBIENT AIR QUALITY IMPROVEMENT ACT OF 1999.

H.B. 1466, AN ACT TO PROVIDE FOR WITHHOLDING OF NORTH CAROLINA INCOME TAXES FROM TAXABLE PENSIONS, ANNUITIES, AND DEFERRED COMPENSATION.

S.B. 244, AN ACT TO ENACT THE NORTH CAROLINA UNCLAIMED PROPERTY ACT AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER CHANGES TO THE ESCHEATS LAWS.

S.B. 1049, AN ACT TO AMEND AND CODIFY THE LAW THAT PROVIDES FOR COMPENSATORY MITIGATION AS AN ALTERNATIVE TO THE MAINTENANCE OF RIPARIAN BUFFERS AND THAT AUTHORIZES THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DELEGATE RESPONSIBILITY FOR THE IMPLEMENTATION AND ENFORCEMENT OF THE STATE'S RIPARIAN BUFFER PROTECTION REQUIREMENTS TO LOCAL GOVERNMENTS, AS RECOMMENDED BY THE NEUSE RIVER BUFFER RULES STAKEHOLDER ADVISORY COMMITTEE AND REQUESTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION.

H.B. 1160, AN ACT TO ENACT THE CLEAN WATER ACT OF 1999.

The Enrolling Clerk reports the following bill duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

H.B. 740, AN ACT CORRECTING AN ERROR IN A PROPERTY DESCRIPTION IN AN ACT REMOVING PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY.

CONFERENCE REPORT

S.B. 222

Senator Reeves, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon S.B. 222 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STATE AND LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS, CHARGE CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFERS FOR PAYMENT OF GOVERNMENT FEES, COSTS, AND DEBTS, TO ALLOW LOCAL GOVERNMENTS
TO ACCEPT CREDIT CARDS, CHARGE CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFERS FOR PAYMENT OF PROPERTY TAXES, AND TO CREATE THE OFFICE OF INFORMATION TECHNOLOGY TO STRENGTHEN THE MANAGEMENT OF INFORMATION TECHNOLOGY IN STATE GOVERNMENT, ENHANCE ACCOUNTABILITY OF INFORMATION TECHNOLOGY EXPENDITURES, IMPROVE COST-EFFECTIVE INFORMATION TECHNOLOGY INVESTMENTS, INCREASE INFORMATION TECHNOLOGY EFFICIENCIES, AND CLARIFY AREAS OF RESPONSIBILITY FOR STATE INFORMATION TECHNOLOGY, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 222, AN ACT TO PROVIDE FOR STATE AND LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS, CHARGE CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFERS FOR PAYMENT OF GOVERNMENT FEES, COSTS, AND DEBTS, TO ALLOW LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS, CHARGE CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFERS FOR PAYMENT OF PROPERTY TAXES, AND TO CREATE THE OFFICE OF INFORMATION TECHNOLOGY TO STRENGTHEN THE MANAGEMENT OF INFORMATION TECHNOLOGY IN STATE GOVERNMENT, ENHANCE ACCOUNTABILITY OF INFORMATION TECHNOLOGY EXPENDITURES, IMPROVE COST-EFFECTIVE INFORMATION TECHNOLOGY INVESTMENTS, INCREASE INFORMATION TECHNOLOGY EFFICIENCIES, AND CLARIFY AREAS OF RESPONSIBILITY FOR STATE INFORMATION TECHNOLOGY, Fifth Edition Engrossed 7/9/99, submit the following report:

The Senate and House agree to the following amendments to the Fifth Edition Engrossed 7/9/99, and the Senate concurs in the Fifth Edition Engrossed 7/9/99 as amended:

on page 5, lines 37 and 38,
by inserting between the lines the following new section to read:
"Section 5.1. G.S. 159-39 is amended by adding a new subsection to read:
'(i)(1) Public hospitals may accept electronic payments pursuant to G.S. 159-32.1',"
and

on page 9, lines 11 and 12,
by inserting between the lines new subdivisions to read:
"(7) Provide recommendations to the Information Resources Management Commission for its biennial technology strategy and to develop State government-wide technology initiatives to be approved by the Information Resources Management Commission.
(8) Develop a project management, quality assurance, and architectural review process that adheres to the Information Resources Management Commission's certification program and portfolio-based management initiative.
(9) Establish and utilize the Information Technology Management Advisory Council to consist of representatives from other State agencies to advise the Office on information technology business management and technology matters.; and
on page 9, line 14,  
by rewriting the line to read:  
"the policies and rules adopted by the Information Resources Management Commission."; and

on page 13, line 14,  
by deleting the word "Commission." and substituting the words "Commission on or before October 1 of each year."; and

on page 13, line 20,  
by rewriting the line to read:  
"North Carolina and its constituent institutions.

§ 143B-472.67. Information technology reports.  
(a) The Office shall develop an annual budget for review and approval by the Information Resources Management Commission prior to April 1 of each year. A copy of the approved budget shall be submitted to the Joint Select Committee on Information Technology and the Fiscal Research Division.

(b) The Office shall report to the Joint Select Committee on Information Technology and the Fiscal Research Division on the Office's Internal Service Fund on a quarterly basis, no later than the first day of the second month following the end of the quarter. The report shall include current cash balances, line item detail on expenditures from the previous quarter and anticipated expenditures for the upcoming quarter, projected year-end balance, and the status report on personnel position changes including new positions created and existing positions eliminated. The Office spending reports shall comply with the State Accounting System object codes: "); and

on page 15, line 18,  
by rewriting the line to read:  
"reported to the next meeting of the Board as a matter of record.

(e) Reports on recommendations made by the Board on matters presented by the Secretary of Commerce to the Board shall be reported monthly by the Board to the chairs of the Joint Select Committee on Information Technology."; and

on page 17, lines 23 and 24,  
by rewriting the lines to read:  
"(8) The Chair of the State Information Processing Services Advisory Board, Information Technology Management Advisory Council."; and

on page 17, lines 31 and 32,  
by inserting a new subdivision between the lines to read:  
(13) The State Chief Information Officer, who shall be a non-voting member."; and

on page 19, line 19,  
by rewriting the line to read:  
"Section 24. Part 16 of Article 10 of Chapter 143B of the General Statutes is amended by adding the following sections to read:

§ 143B-472.41A. Information Resources Management Commission staff.  
(a) There is established in the Department of Commerce an independent staff for the Information Resources Management Commission. The staff shall consist of an executive director and such other professional, administrative, technical, and clerical personnel as authorized by the General Assembly as may be necessary to assist the Commission in carrying out its powers and duties.

(b) All independent staff shall be appointed, supervised, and directed by the
Commission. The executive director shall be exempt from the provisions of Chapter 126 of the General Statutes, except for Articles 6 and 7 of Chapter 126 of the General Statutes. All other staff personnel shall be subject to the provisions of Chapter 126 of the General Statutes. The independent staff shall not be subject to the supervision, direction, or control of the Secretary of Commerce.

(c) Except for the executive director, salaries and compensation of all staff personnel shall be fixed in the manner provided by law for fixing and regulating salaries and compensation by other State agencies.

(d) Expenses of the Commission and the salaries of the independent staff shall be paid from funds from receipts available to the Office as requested by the Commission.

Section 25. G.S. 126-5(c1) reads as rewritten:

'(c1) Except as to the provisions of Articles 6 and 7 of this Chapter, the provisions of this Chapter shall not apply to:

(1) Constitutional officers of the State.
(2) Officers and employees of the Judicial Department.
(3) Officers and employees of the General Assembly.
(4) Members of boards, committees, commissions, councils, and advisory councils compensated on a per diem basis.
(5) Officials or employees whose salaries are fixed by the General Assembly, or by the Governor, or by the Governor and Council of State, or by the Governor subject to the approval of the Council of State.
(6) Employees of the Office of the Governor that the Governor, at any time, in his discretion, exempts from the application of the provisions of this Chapter by means of a letter to the State Personnel Director designating these employees.
(7) Employees of the Office of the Lieutenant Governor, that the Lieutenant Governor, at any time, in his discretion, exempts from the application of the provisions of this Chapter by means of a letter to the State Personnel Director designating these employees.
(8) Instructional and research staff, physicians, and dentists of The University of North Carolina.
(9) Employees whose salaries are fixed under the authority vested in the Board of Governors of The University of North Carolina by the provisions of G.S. 116-11(4), 116-11(5), and 116-14.
(10) Repealed by Session Laws 1991, c. 84, s. 1.
(11) North Carolina School of Science and Mathematics' employees whose salaries are fixed in accordance with the provisions of G.S. 116-235(c)(1) and G.S. 116-235(c)(2).
(12) Employees of the North Carolina Low-Level Radioactive Waste Management Authority whose salaries are fixed pursuant to G.S. 104G-5(g)(1) and G.S. 104G-5(g)(2).
(13) Employees of the North Carolina Hazardous Waste Management Commission whose salaries are fixed pursuant to G.S. 130B-6(g)(1) and G.S. 130B-6(g)(2).
(14) Employees of the North Carolina State Ports Authority.
(15) Employees of the North Carolina Global TransPark Authority.
(16) The executive director and one associate director of the North Carolina Center for Nursing established under Article 9F of Chapter 90 of the General Statutes.
(17) The executive director of the independent staff of the Information Resources Management Commission established under G.S. 143B-472.41A.'

Section 26. If House Bill 253 of the 1999 General Assembly becomes law, Section 1 of House Bill 253, reads as rewritten:

'Section 1. The name of the State Information Processing Services of the Department of Commerce is changed to the Division Office of Information Technology Services.'

July 20, 1999
Section 27. If House Bill 253 of the 1999 General Assembly becomes law, G.S. 143B-472.44; as enacted by Section 2 of House Bill 253, reads as rewritten: § 143B-472.44. Division Office of Information Technology Services.

With respect to all executive departments and agencies of State government, except the Department of Justice and The University of North Carolina, the Department of Commerce shall have the following powers and duties:

(1) To establish and operate information resource centers and services to serve two or more departments on a cost-sharing basis, if the Information Resources Management Commission decides it is advisable from the standpoint of efficiency and economy to establish these centers and services;

(2) With the approval of the Information Resources Management Commission, to charge each department for which services are performed its proportionate part of the cost of maintaining and operating the shared centers and services;

(3) With the approval of the Information Resources Management Commission, to require any department served to transfer to the Department of Commerce ownership, custody, or control of information processing equipment, supplies, and positions required by the shared centers and services;

(4) With the approval of the Information Resources Management Commission, to adopt reasonable rules for the efficient and economical management and operation of the shared centers, services, and the integrated State telecommunications network;

(5) With the approval of the Information Resources Management Commission, to adopt plans, policies, procedures, and rules for the acquisition, management, and use of information technology resources in the departments affected by this subdivision to facilitate more efficient and economic use of information technology in these departments;

(6) To develop and promote training programs to efficiently implement, use, and manage information technology resources; and

(7) To provide cities, counties, and other local governmental units with access to Division Office of Information Technology Services information resource centers and services as authorized in this section for State agencies. Access shall be provided on the same cost basis that applies to State agencies.

The Department of Revenue is authorized to deviate from this subsection's requirements that departments or agencies consolidate information processing functions on equipment owned, controlled or under custody of the Division Office of Information Technology Services. All deviations from this subsection's requirements shall be reported in writing within 15 days by the Department of Revenue to the Information Resources Management Commission and shall be consistent with available funding. The Department of Revenue is authorized to adopt and shall adopt plans, policies, procedures, requirements and rules for the acquisition, management, and use of information processing equipment, information processing programs, data communications capabilities, and information systems personnel in the Department of Revenue. If the plans, policies, procedures, requirements, rules, or standards adopted by the Department of Revenue deviate from the policies, procedures, or guidelines adopted by the Division Office of Information Technology Services or the Information Resources Management Commission, those deviations shall be allowed and shall be reported in writing within 15 days by the Department of Revenue to the Information Resources Management Commission. The Department of Revenue and the Division Office of Information Technology Services shall develop data communications capabilities between the two computer centers utilizing the North Carolina Integrated Network, subject to a security review by the Secretary of Revenue.

The Department of Revenue shall prepare a plan to allow for substantial recovery and
operation of major, critical computer applications. The plan shall include the names of the computer programs, databases, and data communications capabilities, identify the maximum amount of outage that can occur prior to the initiation of the plan and resumption of operation. The plan shall be consistent with commonly accepted practices for disaster recovery in the information processing industry. The plan shall be tested as soon as practical, but not later than six months, after the establishment of the Department of Revenue information processing capability.

No data of a confidential nature, as defined in the General Statutes or federal law, may be entered into or processed through any cost-sharing information resource center or network established under this subdivision until safeguards for the data's security satisfactory to the department head and the Secretary of Commerce have been designed and installed and are fully operational. Nothing in this subsection may be construed to prescribe what programs to satisfy a department's objectives are to be undertaken, nor to remove from the control and administration of the departments the responsibility for program efforts, regardless whether these efforts are specifically required by statute or are administered under the general program authority and responsibility of the department. This subdivision does not affect the provisions of G.S. 147-64.6, 147-64.7, or 143B-472.42(1). Notwithstanding any other provision of law, the Department of Commerce shall provide information technology services on a cost-sharing basis to the General Assembly and its agencies as requested by the Legislative Services Commission.'

Section 28. If House Bill 253 of the 1999 General Assembly becomes law, Section 3 of House Bill 253 is repealed.

Section 29. If House Bill 253 of the 1999 General Assembly becomes law, G.S. 143B-472.42(1), as enacted by Section 4 of House Bill 253, reads as rewritten:

'(1) With respect to State agencies, exercise general coordinating authority for all telecommunications matters relating to the internal management and operations of these agencies. In discharging that responsibility the Secretary of Commerce may in cooperation with affected State agency heads, do such of the following things as the Secretary of Commerce deems necessary and advisable:

a. Provide for the establishment, management, and operation, through either State ownership or commercial leasing, of the following systems and services as they affect the internal management and operation of State agencies:

1. Central telephone systems and telephone networks;
2. Teleprocessing systems;
3. Teletype and facsimile services;
4. Satellite services;
5. Closed-circuit TV systems;
6. Two-way radio systems;
7. Microwave systems;
8. Related systems based on telecommunication technologies.

b. With the approval of the Information Technology Council, Information Resources Management Commission, coordinate the development of cost-sharing systems for respective user agencies for their proportionate parts of the cost of maintenance and operation of the systems and services listed in item "a." of this subdivision.

c. Assist in the development of coordinated telecommunications services or systems within and among all State agencies and recommend, where appropriate, cooperative utilization of telecommunication facilities by aggregating users.

d. Perform traffic analysis and engineering for all telecommunications services and systems listed in item "a." of this subdivision.
e. Pursuant to G.S. 143-49, establish telecommunications specifications and designs so as to promote and support compatibility of the systems within State agencies.

f. Pursuant to G.S. 143-49 and G.S. 143-50, coordinate the review of requests by State agencies for the procurement of telecommunications systems or services.

g. Pursuant to G.S. 143-341 and Chapter 146 of the General Statutes, coordinate the review of requests by State agencies for State government property acquisition, disposition, or construction for telecommunications systems requirements.

h. Provide a periodic inventory of telecommunications costs, facilities, systems, and personnel within State agencies.

i. Promote, coordinate, and assist in the design and engineering of emergency telecommunications systems, including but not limited to the 911 emergency telephone number program, Emergency Medical Services, and other emergency telecommunications services.

j. Perform frequency coordination and management for State agencies and local governments, including all public safety radio service frequencies, in accordance with the rules and regulations of the Federal Communications Commission or any successor federal agency.

k. Advise all State agencies on telecommunications management planning and related matters and provide through the State Personnel Training Center or the Division Office of Information Technology Services training to users within State agencies in telecommunications technology and systems.

l. Assist and coordinate the development of policies and long-range plans, consistent with the protection of citizens' rights to privacy and access to information, for the acquisition and use of telecommunications systems; and base such policies and plans on current information about State telecommunications activities in relation to the full range of emerging technologies.

m. Work cooperatively with the North Carolina Agency for Public Telecommunications in furthering the purpose of this subdivision.

The provisions of this subdivision shall not apply to the Criminal Information Division of the Department of Justice or to the Judicial Information System in the Judicial Department.'

Section 30. The provisions of G.S. 143B-472.52(d) as enacted in Section 10 of this act shall not apply to any projects certified prior to the effective date of that subsection.

Section 31. The Information Resources Management Commission is authorized to establish and fill up to five staff positions in accordance with the provisions of G.S. 143B-472.41A. These positions shall be transferred from existing positions currently authorized for the Office of Information Technology Services.

Section 32. Sections 1 through 7 and Sections 18 through 32 of this act".

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 20, 1999.

S/Eric Miller Reeves  S/Joe P. Tolson
John H. Carrington  S/Lyons Gray
S/Daniel G. Clodfelter  S/Joe Hackney
Conferees for the Senate

Conferees for the House of Representatives

Upon motion of Senator Reeves, the rules are suspended and the Conference Report is ordered placed on today's Supplemental Calendar, for adoption.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rand for the Rules and Operations of the Senate Committee:

H.B. 291 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GOVERNOR AS THE CHIEF OF THE STATE'S MILITIA SHALL HAVE THE POWER TO PLACE INDIVIDUALS AND UNITS OR PARTS OF UNITS OF THE NORTH CAROLINA NATIONAL GUARD TO ASSIST WITH STATE INAUGURAL ACTIVITIES, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 4282, which changes the title, upon concurrence, to read H.B. 291 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GOVERNOR SHALL HAVE THE POWER TO PLACE INDIVIDUALS AND UNITS OR PARTS OF UNITS OF THE NORTH CAROLINA NATIONAL GUARD TO ASSIST WITH STATE INAUGURAL ACTIVITIES, is adopted and engrossed.

With unanimous consent, upon motion of Senator Rand, the Senate Committee Substitute bill is placed on today's Supplemental Calendar.

CONFERENCE REPORT

H.B. 202

Senator Hartsell, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon H.B. 202 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO PERMIT CERTAIN EMPLOYEE RETIREMENT PLANS TO HOLD SECURITIES AS A LICENSEE AND TO REVISE THE DEFINITION OF A FOREIGN PROFESSIONAL CORPORATION THAT MAY BE AUTHORIZED TO DO BUSINESS IN THIS STATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, TO ALLOW NONLICENSEES TO OWN UP TO FORTY-NINE PERCENT OF THE SHARES OF A PROFESSIONAL CORPORATION RENDERING CERTIFIED PUBLIC ACCOUNTANT SERVICES, AND TO EXEMPT CERTIFIED PUBLIC ACCOUNTANTS WHO ARE MEMBERS OF THE GENERAL ASSEMBLY FROM CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House

July 20, 1999
of Representatives on House Bill 202, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO PERMIT CERTAIN EMPLOYEE RETIREMENT PLANS TO HOLD SECURITIES AS A LICENSEE AND TO REVISE THE DEFINITION OF A FOREIGN PROFESSIONAL CORPORATION THAT MAY BE AUTHORIZED TO DO BUSINESS IN THIS STATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, TO ALLOW NONLICENSEES TO OWN UP TO FORTY-NINE PERCENT OF THE SHARES OF A PROFESSIONAL CORPORATION RENDERING CERTIFIED PUBLIC ACCOUNTANT SERVICES, AND TO EXEMPT CERTIFIED PUBLIC ACCOUNTANTS WHO ARE MEMBERS OF THE GENERAL ASSEMBLY FROM CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS, Senate Judiciary I Committee Substitute Adopted 6/30/99, submit the following report:

The House and Senate agree to the following amendment to the Senate Committee Substitute, Senate Judiciary I Committee Substitute Adopted 6/30/99, and the House concurs in the Senate Committee Substitute as amended:

on page 1, line 7, by inserting the word “AND” immediately after the comma

on page 1, lines 10-12, by rewriting those lines to read: “SERVICES.”; and

on page 5, line 30-32, by deleting those lines and inserting a quotation mark.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 20, 1999.

S/Fletcher L. Hartsell, Jr.
S/Daniel G. Clodfelter
S/Allen H. Wellons

Conferees for the Senate

S/Bill Culpepper
S/Margaret M. Jeffus (Maggie)
S/W. Edwin McMahan

Conferees for the House of Representatives

Upon motion of Senator Hartsell, the rules are suspended and the Conference Report is ordered placed on today’s Supplemental Calendar, for adoption.

CONFERENCE REPORT

H.B. 939

Senator Miller, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon H.B. 939 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT THAT MAY BE IN CONTROVERSY IN SMALL CLAIMS COURT AND GIVE MAGISTRATES WHO ARE ATTORNEYS THAT ARE LICENSED TO PRACTICE LAW IN NORTH CAROLINA ADDITIONAL AUTHORITY TO ACCEPT BINDING

July 20, 1999
WAIVERS OF COUNSEL IN CRIMINAL CASES AND CIVIL CONTEMPT CASES, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 939, AN ACT TO INCREASE THE AMOUNT THAT MAY BE IN CONTROVERSY IN SMALL CLAIMS COURT AND GIVE MAGISTRATES WHO ARE ATTORNEYS THAT ARE LICENSED TO PRACTICE LAW IN NORTH CAROLINA ADDITIONAL AUTHORITY TO ACCEPT BINDING WAIVERS OF COUNSEL IN CRIMINAL CASES AND CIVIL CONTEMPT CASES, Senate Judiciary II Committee Substitute Adopted 7/12/99, submit the following report:

The Senate and House agree to the following amendment to the Senate Committee Substitute, Senate Judiciary II Committee Substitute Adopted 7/12/99, and the House concurs in the Senate Committee Substitute as amended:

Delete the entire Senate Committee Substitute and substitute the attached Proposed Committee Substitute H939-PCCS4283-RR.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 20, 1999.

S/Brad Miller                     S/Wayne Goodwin
S/Walter Dalton                  S/William Culpepper
S/Daniel G. Clodfelter           Phillip Baddour

Conferees for the Senate

Conferees for the
House of Representatives

The text of the attached Proposed Conference Committee Substitute H939-PCCS4283-RR is as follows:

A BILL TO BE ENTITLED
AN ACT TO INCREASE THE AMOUNT THAT MAY BE IN CONTROVERSY IN SMALL CLAIMS COURT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-210 reads as rewritten:

For purposes of this Article a small claim action is a civil action wherein:
(1) The amount in controversy, computed in accordance with G.S. 7A-243, does not exceed three thousand dollars ($3,000); four thousand dollars ($4,000); and
(2) The only principal relief prayed is monetary, or the recovery of specific personal property, or summary ejectment, or any combination of the foregoing in properly joined claims; and
(3) The plaintiff has requested assignment to a magistrate in the manner provided in this Article.

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The seeking of the ancillary remedy of claim and delivery or an order from the clerk of superior court for the relinquishment of property subject to a lien pursuant to G.S 44A-4(a) does not prevent an action otherwise qualifying as a small claim under this Article from so qualifying."

Section 2. This act becomes effective October 1, 1999, and applies to claims filed for causes of action arising on or after that date.

Upon motion of Senator Miller, the rules are suspended and the Conference Report is ordered placed on today’s Supplemental Calendar, for adoption.

WITHDRAWAL FROM CLERK’S OFFICE

S.B. 1025 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE SUPERIOR COURT DIVISION BY EXPANDING THE NUMBER OF JUDICIAL DIVISIONS FROM FOUR TO EIGHT, TO AUTHORIZE PILOT PROGRAMS FOR THE ORGANIZATION AND MANAGEMENT OF THE TRIAL COURTS, AND TO DIRECT THE USE OF FUNDS APPROPRIATED FOR IMPLEMENTATION OF THOSE PILOT PROGRAMS, ordered held in the Office of the Principal Clerk on July 15, pending referral pursuant to Rule 43.

Senator Rand offers a motion that House Committee Substitute bill No. 2 be withdrawn from the Office of the Principal Clerk and placed on today’s Supplemental Calendar, which motion prevails with unanimous consent.

The President orders House Committee Substitute bill No. 2 withdrawn from the Office of the Principal Clerk and places it on today’s Supplemental Calendar, for concurrence in House Committee Substitute bill No. 2.

CALENDAR (Continued)

H.B. 644 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PUBLIC CONDEMNOR USING "QUICK TAKE" IN AN EMINENT DOMAIN ACTION SHALL INCLUDE A NOTICE OF OWNER’S RIGHTS IN THE NOTICE OF ACTION.

The President orders, without objection, the Senate Committee Substitute bill temporarily displaced.

H.B. 1135 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR’S DWI TASK FORCE.

With unanimous consent, upon motion of Senator Miller, the Senate Committee Substitute bill is withdrawn from today’s Calendar and is re-referred to the Judiciary II Committee.

S.B. 254 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE VARIOUS OUTDOOR ADVERTISING PERMIT FEES, EXPAND CURRENT NOTIFICATION REQUIREMENTS, AND MODIFY AND UPDATE THE OUTDOOR ADVERTISING CONTROL ACT WITH RESPECT TO VENUE REQUIREMENTS, DEFINITIONS, AND PARTIES RESPONSIBLE FOR PAYMENT OF REMOVAL OF ILLEGAL OUTDOOR ADVERTISING, for concurrence in the House Committee Substitute bill, upon third reading.

The Senate concurs in the House Committee Substitute bill on its third reading by roll-call vote, ayes 41, noes 2, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Carpenter,

Voting in the negative: Senators Moore and Webster—2.

The House Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

S.B. 285 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE UNIVERSITY HEALTH SYSTEMS OF EASTERN CAROLINA SPECIAL REGISTRATION PLATES AND TO MODIFY THE SPECIAL REGISTRATION PLATES ISSUED TO MEMBERS OF THE JUDICIARY, for concurrence in House Committee Substitute bill No. 2, upon third reading.

The Senate concurs in House Committee Substitute bill No. 2 on its third reading by roll-call vote, ayes 43, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill No. 2 is ordered enrolled and sent to the Governor by special message.

S.B. 348 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE MISUSE OF LASER DEVICES, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (42-1) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 783 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT NURSING HOMES PROVIDING SPECIAL CARE FOR PERSONS WITH ALZHEIMER’S DISEASE OR OTHER DEMENTIAS DISCLOSE CERTAIN INFORMATION, TO ALLOW CERTAIN INDIVIDUALS EXCLUDED FROM MEMBERSHIP IN THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN TO APPLY FOR REINSTATEMENT IN THE PLAN, AND TO REQUIRE OUT-OF-STATE PHARMACIES TO FILL VALID PRESCRIPTIONS WRITTEN BY NORTH CAROLINA PRACTITIONERS, for concurrence in the House Committee Substitute bill.

The Senate fails to concur in the House Committee Substitute bill (0-43).

The President orders a message sent to the House of Representatives informing that Honorable Body of such action.

S.B. 830 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE AUTO REPAIRS, for concurrence in the House Committee Substitute bill, placed earlier on today’s Calendar.

The Senate concurs in the House Committee Substitute bill (39-4) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 881 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CAMPAIGN REFORM ACT OF 1999, for concurrence in House
Committee Substitute bill No. 2.

The President orders, without objection, House Committee Substitute bill No. 2 temporarily displaced.

**S.B. 1099**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SCHOOL IMPROVEMENT TEAMS TO DEVELOP STRATEGIES FOR THE CREATION OF ALTERNATIVE LEARNING PROGRAMS WITHIN SCHOOLS, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read S.B. 1099 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING ALTERNATIVE SCHOOLS AND ALTERNATIVE LEARNING PROGRAMS SO AS TO IMPROVE THE QUALITY OF EDUCATIONAL SERVICES PROVIDED TO STUDENTS WHO ARE AT RISK OF ACADEMIC FAILURE AND TO INCREASE THE EDUCATIONAL EXPECTATIONS FOR THESE STUDENTS.

The Senate concurs in the House Committee Substitute bill (45-0) and the measure is ordered enrolled and sent to the Governor by special message.

**S.B. 17** (Conference Report), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO TOURISM RESORTS ON A STATEWIDE BASIS, for adoption.

Upon motion of Senator Weinstein, the Senate adopts the Conference Report (32-14).

The President orders a message sent to the House of Representatives informing that Honorable Body of such action.

**S.B. 333** (Conference Report), A BILL TO BE ENTITLED AN ACT RELATING TO THE MEMBERSHIP OF STATUTORILY CREATED DECISION-MAKING OR REGULATORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES; PROVIDING INTENT; PROVIDING POLICY WITH RESPECT TO THE APPOINTMENT OF MEMBERS TO SUCH BODIES TO ENCOURAGE PROPORTIONATE REPRESENTATION OF WOMEN; REQUIRING ANNUAL REPORTS; AND REQUIRING RETENTION OF CERTAIN INFORMATION REGARDING APPLICANTS, for adoption.

Upon motion of Senator Perdue, the Senate adopts the Conference Report (43-2).

The President orders a message sent to the House of Representatives informing that Honorable Body of such action.

**H.B. 280** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER CHANGES TO THE MOTOR VEHICLE LAWS, for adoption.

Upon motion of Senator Miller, the Senate adopts the Conference Report (45-0).

The President orders a message sent to the House of Representatives informing that Honorable Body of such action.

**CONFERENCE REPORT**

**H.B. 1476**

Senator Kerr, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 1476** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, TO EARMARK PART OF THE RESULTING

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REVENUE GAIN FOR TAX RESEARCH, TO CONFORM TO THE FEDERAL STATUTE OF LIMITATIONS FOR WILLFUL FAILURE TO COMPLY WITH STATE TAX LAWS, AND TO INCREASE THE AMOUNT OF TIME A TAXPAYER HAS TO PROTEST THE PAYMENT OF A TAX, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1476, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, TO EARMARK PART OF THE RESULTING REVENUE GAIN FOR TAX RESEARCH, TO CONFORM TO THE FEDERAL STATUTE OF LIMITATIONS FOR WILLFUL FAILURE TO COMPLY WITH STATE TAX LAWS, AND TO INCREASE THE AMOUNT OF TIME A TAXPAYER HAS TO PROTEST THE PAYMENT OF A TAX, Senate Finance Committee Substitute Adopted 7/7/99, Fifth Edition Engrossed 7/8/99, submit the following report:

The House and Senate agree to the following amendments to the Senate Finance Committee Substitute Adopted 7/7/99, Fifth Edition Engrossed 7/8/99, and the House concurs in the Senate Finance Committee Substitute Adopted 7/7/99, Fifth Edition Engrossed 7/8/99, as amended:

on page 1, line 5, by inserting the following immediately after the phrase “RESEARCH,”: 
“TO DIRECT THE STATE AUDITOR TO CONDUCT A PERFORMANCE AUDIT OF THE DEPARTMENT OF REVENUE,”;

and on page 2, lines 15 through 23, by rewriting the lines to read:

“Section 4. (a) The Secretary of Revenue may draw the following amounts from funds generated by Section 1 of this act that would otherwise be credited to the General Fund, to fund four tax analyst positions in the Tax Research Division of the Department of Revenue, effective January 1, 2000, as recommended by the Revenue Laws Study Committee. The four tax analyst positions shall be classified as recommended by the Office of State Personnel:

(1) One hundred fifty thousand dollars ($150,000) in the 1999-2000 fiscal year to fund four tax analyst positions in the Tax Research Division of the Department of Revenue.

(2) Two hundred fifty thousand dollars ($250,000) in the 2000-2001 fiscal year to continue funding for four tax analysts in the Tax Research Division of the Department of Revenue.

Section 4. (b) The Office of the State Auditor shall conduct a performance audit of the Department of Revenue. The audit shall address the following areas: (i) tax collection and tax auditing activity, with particular attention to the cost, efficiency, and effectiveness of the Integrated Tax Administration System (ITAS) and subsequent automation projects; (ii) current methods of processing tax returns and payments and the ability to employ the latest technology in this processing; (iii) internal organization and management structure; (iv) budgeting and fiscal management; (v) current and future staffing requirements; and (vi) such other issues as may be deemed necessary or desirable by the State Auditor.

The Office of the State Auditor shall submit an interim progress report to the Senate and House Appropriations Subcommittee on General Government and the Fiscal Research
Division on or before May 30, 2000, and a final report to the General Assembly by January 1, 2001.

The Secretary of Revenue shall draw one hundred thousand dollars ($100,000) from funds generated by Section 1 of this act that would otherwise be credited to the General Fund, to defray costs associated with the performance audit required by this subsection. The funds shall be remitted to the Office of the State Auditor in the 1999-2000 fiscal year for costs associated with this performance audit.”

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 15, 1999.

S/John Kerr
S/Fletcher Hartsell, Jr.
S/David Hoyle

S/Paul Luebke
S/Gordon Allen
S/Thomas Hardaway
S/David Redwine

Conferees for the Senate
Conferees for the House of Representatives

Upon motion of Senator Kerr, the rules are suspended and the Conference Report is ordered placed on today’s Supplemental Calendar, for adoption.

CALENDAR (Continued)

H.B. 644 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PUBLIC CONDEMNOR USING "QUICK TAKE" IN AN EMINENT DOMAIN ACTION SHALL INCLUDE A NOTICE OF OWNER'S RIGHTS IN THE NOTICE OF ACTION, temporarily displaced earlier.

Senator Miller offers Amendment No. 1 which is adopted (46-0).

The Senate Committee Substitute bill, as amended, passes its second (45-0) and third readings and is ordered engrossed and sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.B. 684

House of Representatives
July 20, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that Representative Hensley has replaced Representative Mosley as Chair of the Conferees for Senate Committee Substitute to HB 684, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF APEX, CARY, GARNER, AND MORRISVILLE TO ADOPT ORDINANCES REGULATING REMOVAL, REPLACEMENT, AND PRESERVATION OF TREES AND SHRUBS WITHIN THE TOWNS AND THE
TOWNS' EXTRATERRITORIAL PLANNING JURISDICTION.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

APPOINTMENT OF ADDITIONAL CONFEEEE

S.B. 365 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE AGRICULTURAL STATUTES.

The President Pro Tempore announces the appointment of Senator Kinnaird as an additional conferee to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

SENATE PAGES

The President recognizes the following pages serving in the Senate this week:

Steve Ayers, Kernersville; Spencer R. Barnes, Raleigh; Colleen Briggs, Raleigh; Ginny Byrd, Wendell; Katherine Joyce Coleman, Fayetteville; Jonathan David DeCarlo, Fayetteville; Margaux Escutin, Raleigh; Justin Guillery, Raleigh; Courtney Ryan Hale, Charlotte; Delmonte P. Jefferson, Jr., Clayton; Jonathan D. Kappler, Raleigh; Jonathan Klein, Cary; Kerri DeLayne Lyda, Arden; Rudolph Ivey Mintz III, Kinston; Ian Pitoy Moorrees, Arden; Amanda LeAnn Stroud, LaGrange; Amy Rose Swanger, Clyde; Thomas J. Thekkekandam, Siler City; and Lindsay K. Williams, Charlotte.

REPORTS OF COMMITTEES (Continued)

By Senator Rand for the Rules and Operations of the Senate Committee:

S.B. 437, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6708, which changes the title to read S.B. 437 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE OR THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND TO MAKE CHANGES IN STATUTES RELATING TO APPOINTMENTS TO PUBLIC OFFICE, is adopted and engrossed.

With unanimous consent, upon motion of Senator Rand, the Committee Substitute bill is placed on today's Supplemental Calendar.

The Senate recesses at 1:08 P.M. subject to receipt of messages from the House of Representatives and committee reports, to reconvene at 3:00 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

July 20, 1999
The President Pro Tempore grants a leave of absence for the remainder of today's Session to Senator Martin of Pitt.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.B. 280  
House of Representatives  
July 20, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferree on Senate Committee Substitute # 2 for HB 280, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER CHANGES TO THE MOTOR VEHICLE LAWS, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,  
S/Denise Weeks (cwc)  
Principal Clerk

The following special message is received from the House of Representatives:

H.B. 1476  
House of Representatives  
July 20, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferree on Senate Committee Substitute for HB 1476, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, TO EARMARK PART OF THE RESULTING REVENUE GAIN FOR TAX RESEARCH, TO DIRECT THE STATE AUDITOR TO CONDUCT A PERFORMANCE AUDIT OF THE DEPARTMENT OF REVENUE, TO CONFORM TO THE FEDERAL STATUTE OF LIMITATIONS FOR WILLFUL FAILURE TO COMPLY WITH STATE TAX LAWS, AND TO INCREASE THE AMOUNT OF TIME A TAXPAYER HAS TO PROTEST THE PAYMENT OF A TAX, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,  
S/Denise Weeks (cwc)  
Principal Clerk

The following special message is received from the House of Representatives:

S.B. 17  
House of Representatives  
July 20, 1999
Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on House Committee Substitute No. 2 for SB 17, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO TOURISM RESORTS ON A STATEWIDE BASIS, to the end that when a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 17, the President Pro Tempore orders the bill enrolled and sent to the Governor by special message.

The following special message is received from the House of Representatives:

S.B. 1112
House of Representatives
July 20, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body that the House of Representatives has failed to adopt the report of the Conferees on House Committee Substitute for SB 1112, A BILL TO BE ENTITLED AN ACT TO PROMOTE ELECTRONIC COMMERCE BY REPEALING THE SALES TAX REGISTRATION FEE AND TO MAKE OTHER CHANGES TO THE TAX LAWS AND RELATED STATUTES.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

The following special message is received from the House of Representatives:

S.B. 568
House of Representatives
July 20, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on House Committee Substitute for SB 568, A BILL TO BE ENTITLED AN ACT TO REMOVE THE EXCUSE REQUIREMENT FROM ONE-STOP ABSENTEE VOTING FOR THE GENERAL ELECTION HELD IN NOVEMBER OF EVEN-NUMBERED YEARS, TO ALLOW COUNTY BOARDS OF ELECTIONS TO DESIGNATE ADDITIONAL ONE-STOP SITES, AND TO MAKE CHANGES RELATED TO STREAMLINING THE ABSENTEE BALLOT PROCESS, to the end that when a similar action has been taken on

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the part of the Senate, you may order the bill enrolled.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 568, the President Pro Tempore orders the bill enrolled and sent to the Governor by special message.

The following special message is received from the House of Representatives:

S.B. 333
House of Representatives
July 20, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferences on House Amendments #1, #2, #3, and #4 for SB 333, A BILL TO BE ENTITLED AN ACT RELATING TO THE MEMBERSHIP OF STATUTORILY CREATED DECISION-MAKING OR REGULATORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES; PROVIDING INTENT; PROVIDING POLICY WITH RESPECT TO THE APPOINTMENT OF MEMBERS TO SUCH BODIES TO ENCOURAGE PROPORTIONATE REPRESENTATION OF WOMEN; REQUIRING ANNUAL REPORTS; AND REQUIRING RETENTION OF CERTAIN INFORMATION REGARDING APPLICANTS, to the end that when a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 333, the President Pro Tempore orders the bill enrolled and sent to the Governor by special message.

**CONFERENCE REPORT**

S.B. 1134

Senator Martin of Guilford, for the Conferences appointed to consider the differences arising between the Senate and the House of Representatives upon SB 1134 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE WORK FIRST LAW PERTAINING TO MAINTENANCE OF EFFORT, SUPPORT SERVICES, PAY-FOR-PERFORMANCE FOR TWO-PARENT FAMILIES, AND OTHER AREAS OF WELFARE REFORM, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House
of Representatives on Senate Bill 1134, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE WORK FIRST LAW PERTAINING TO MAINTENANCE OF EFFORT, SUPPORT SERVICES, PAY-FOR-PERFORMANCE FOR TWO-PARENT FAMILIES, AND OTHER AREAS OF WELFARE REFORM, Fifth Edition, House Committee Substitute Favorable 7/9/99, submit the following report:

The House of Representatives and the Senate agree to the following amendments to the House Committee Substitute and the Senate concurs in the House Committee Substitute as amended:

on page 2, lines 6 through 17, by rewriting the lines to read:

"Section 1.1. (a) Funds appropriated in Section 5 of S. L. 1999-237 from the Temporary Assistance to Needy Families (TANF) Block Grant for the fiscal year ending June 30, 2000, for Work First Cash Assistance is changed from one hundred thirty-three million four hundred thirty-six thousand eight hundred fifty-five dollars ($133,436,855) for Standard Counties to one hundred thirty-three million five hundred six thousand eight hundred fifty-five dollars ($133,506,855) for Standard Counties, and from forty-three million seven hundred eighty-seven thousand one hundred seventy dollars ($43,787,170) for Electing Counties to thirty-eight million, three hundred seventeen thousand one hundred seventy dollars ($38,317,170) for Electing Counties.

Section 1.1 (b) There is appropriated from funds made available by subsection (a) of this section to the Department of Health and Human Services, Division of Social Services, from the Temporary Assistance to Needy Families (TANF) Block Grant for the 1999-2000 fiscal year the sum of five million four hundred thousand dollars ($5,400,000). These funds shall be used to make grants to pilot programs developed in collaboration with the Employment Security Commission, business entities, faith communities, educational institutions, law enforcement agencies, community organizations, and other human services agencies. These pilot programs shall be designed to address problems of families with significant employment barriers to economic self-sufficiency and to reduce or prevent intergenerational poverty. The pilot programs shall target one or more of the following outcomes:

(1) To improve work advancement, job training, and wage improvement of noncustodial parents and to promote responsible fatherhood.
(2) To involve preschool aged children in programs designed to develop and enhance science-based cognitive development activities and to expand access to such programs.
(3) To track and work with families that have returned to receiving public assistance after having left public assistance due to employment.
(4) To assist recipients in creating safe neighborhood environments by eliminating criminal activity and other dangers to child and family safety and well-being.
(5) To identify and assist homeless families in moving from poverty to self-sufficiency.
(6) To involve children in programs, such as peer mediation, nonviolent conflict resolution, and community service, that teach self-discipline and responsibility and that provide positive motivation.
(7) To identify families that have been sanctioned under TANF and to provide programs and services designed to eliminate barriers to compliance.
(8) To assist families with special problems such as language barriers.

Grants for pilot programs under this subsection shall be made by the Department of Health and Human Services. Any local or State governmental agency or nonprofit, tax-
exempt organization may apply for funds under this subsection. All grant proposals shall contain specific goals and objectives and an evaluation mechanism with which progress towards attaining these goals and objectives can be measured. All grant proposals shall provide evidence of collaboration between agencies in developing or administering the program or both. All pilot programs under this subsection shall be required to report on the program to the Department of Health and Human Services.

The Secretary of the Department of Health and Human Services shall, in consultation with the Employment Security Commission, the Department of Public Instruction, the Office of Juvenile Justice, the local departments of social services, advocacy organizations, and other human services agencies, establish a set of guidelines for reviewing, evaluating, and awarding the grants. The Department of Health and Human Services shall make progress reports to the Joint Legislative Public Assistance Commission, the Senate Appropriations Committee on Human Resources, the House of Representatives Appropriations Subcommittee on Health and Human Services, and the Fiscal Research Division at least quarterly, beginning no later than December 1, 1999.”

and on page 2, line 41, by deleting “G. S. 108A-108A-27.2(9)” and substituting “G. S. 108A-27.2(9)”;

and on page 5, line 41, by inserting the following new sentence to read:
“This subsection does not apply to any electing county that achieved one hundred percent (100%) of its goals as set forth in its Electing County Plan during the 1998-99 fiscal year.”;

and on page 8, line 39 through page 9, line 23, by rewriting the lines to read:
“Section 9. This act is effective when it becomes law.”

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 20, 1999.

S/ William N. Martin S/ Beverly M. Earle
S/ Roy A. Cooper, III S/ Alma Adams
S/ Beverly Eaves Perdue S/ Martha B. Alexander
S/ Jim W. Phillips S/ Stanley Fox
S/ Charlie S. Dannelly W. B. Teague, Jr.
S/ Jeanne Hopkins Lucas

Conferees for the Senate Conferees for the House of Representatives

The Conference Report is ordered placed on today’s Supplemental Calendar, for adoption.

Upon the appearance of Senator Carrington in the Chamber, the President Pro Tempore acknowledges his presence and the leave of absence granted previously is withdrawn.

July 20, 1999
REPORTS OF COMMITTEES (Continued)

By Senator Miller for the Judiciary II Committee:

H.B. 1135 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR’S DWI TASK FORCE, with an unfavorable report as to Senate Committee Substitute bill No. 1, but favorable as to Senate Committee Substitute bill No.2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 6234, is adopted and engrossed.

With unanimous consent, upon motion of Senator Miller, the rules are suspended and Senate Committee Substitute bill No. 2 is placed on today’s Supplemental Calendar.

By Senator Kerr for the Finance Committee:

H.B. 251, A BILL TO BE ENTITLED AN ACT TO REQUIRE PAYMENT OF DELINQUENT TAXES FOR THE TOWN OF BAKERSVILLE BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO THE DELINQUENT TAXES, with a favorable report.

With unanimous consent, upon motion of Senator Kerr, the rules are suspended and the bill is placed on today’s Supplemental Calendar.

CALENDAR (Continued)

H.B. 1135 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR’S DWI TASK FORCE, placed earlier on today’s Supplemental Calendar.

The Senate Committee Substitute bill No. 2 passes its second (42-4) and third readings and is ordered sent, by special message, to the House of Representatives, for concurrence in Senate Committee Substitute bill No. 2.

COMMITTEE REFERRAL RECALL

H.B. 160 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CHILD ABUSE THAT RESULTS IN SERIOUS BODILY INJURY OR PERMANENT LOSS OR IMPAIRMENT OF ANY MENTAL OR EMOTIONAL FUNCTION, referred to the Judiciary II Committee on July 14.

Pursuant to Rule 47(a), Senator Miller offers a motion that the Senate Committee Substitute bill be withdrawn from the Judiciary II Committee and placed at the end of today’s Supplemental Calendar, which motion prevails with unanimous consent.

The President Pro Tempore orders the Senate Committee Substitute bill withdrawn from the Judiciary II Committee and places it at the end of today’s Supplemental Calendar.

The President Pro Tempore grants a leave of absence for the remainder of today’s Session to Senator Albertson.

CALENDAR (Continued)

H.B. 251, A BILL TO BE ENTITLED AN ACT TO REQUIRE PAYMENT OF DELINQUENT TAXES FOR THE TOWN OF BAKERSVILLE BEFORE RECORDING July 20, 1999
DEEDS CONVEYING PROPERTY SUBJECT TO THE DELINQUENT TAXES, placed earlier on today's Calendar.

With unanimous consent, upon motion of Senator Kerr, the bill is taken up out of its regular order of business, and placed before the Senate for immediate consideration.

Senator Hoyle offers Amendment No. 1 which is adopted (45-0).

The bill, as amended, passes its second (44-1) and third readings and is ordered sent, by special message, to the House of Representatives, for concurrence in Senate Amendment No. 1.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

H.B. 274, AN ACT TO AMEND THE LAW REGARDING CERTIFICATION AND EMPLOYMENT OF ASSISTANT PRINCIPALS.

H.B. 964, AN ACT TO REVISE THE MUNICIPAL INCORPORATION PROCESS SO AS TO PROVIDE MORE SCRUTINY.

H.B. 1289, AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES, TO SET THE INSURANCE REGULATORY CHARGE, TO IMPOSE THE INSURANCE REGULATORY CHARGE ON SERVICE CORPORATIONS AND ON HEALTH MAINTENANCE ORGANIZATIONS IN THE YEAR 2000, TO ALLOW THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO IMPOSE FEES THAT REFLECT THE ACTUAL COST OF RENDERING THE SERVICE, AND TO LIMIT THE FEE THAT AN APPLICANT MUST PAY FOR A WATER QUALITY CERTIFICATION THAT IS REQUIRED FOR A PERMIT UNDER THE COASTAL AREA MANAGEMENT ACT OF 1974.

CALENDAR (Continued)

H.B. 162 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, temporarily displaced earlier, which title changes upon concurrence.

Senator Reeves offers Amendment No. 1 which is adopted (42-0).
Senator Ballance offers Amendment No. 2 which is adopted (44-0).
Senator Miller offers Amendment No. 3 which is adopted (44-0).
Senator Miller offers Amendment No. 4 which is adopted (45-0).

The President Pro Tempore orders, without objection, the Senate Committee Substitute bill, as amended, temporarily displaced.

H.B. 328 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO CERTAIN CRIMINAL LAWS AND TO AMEND THE CRIMINAL PENALTIES FOR CERTAIN CRIMINAL LAWS AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, temporarily displaced earlier.

Senator Miller offers Amendment No. 1 which is adopted (46-0) and changes the title upon concurrence.
Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.

The Senate Committee Substitute bill, as amended, passes its second (46-0) and third readings and is ordered engrossed and sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

S.B. 881 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CAMPAIGN REFORM ACT OF 1999, for concurrence in House Committee Substitute bill No. 2, temporarily displaced earlier.

The Senate concurs in House Committee Substitute bill No. 2 (36-9) and the measure is ordered enrolled and sent to the Governor by special message.

**SUPPLEMENTAL CALENDAR**

S.B. 437 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE OR THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND TO MAKE CHANGES IN STATUTES RELATING TO APPOINTMENTS TO PUBLIC OFFICE.

The President orders, without objection, the Committee Substitute bill temporarily displaced.

H.B. 291 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GOVERNOR SHALL HAVE THE POWER TO PLACE INDIVIDUALS AND UNITS OR PARTS OF UNITS OF THE NORTH CAROLINA NATIONAL GUARD TO ASSIST WITH STATE INAUGURAL ACTIVITIES.

The Senate Committee Substitute bill passes its second (43-3) and third readings and is ordered sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

The President grants a leave of absence for the remainder of today's Session to Senator Webster.

**DISMISSAL OF CONFEREES**

S.B. 1112 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE ELECTRONIC COMMERCE BY REPEALING THE SALES TAX REGISTRATION FEE AND TO MAKE OTHER CHANGES TO THE TAX LAWS AND RELATED STATUTES, Conference Report adopted on July 14.

Senator Kerr offers a motion that the vote by which the Conference Report was adopted on July 14 be reconsidered, which motion prevails, with unanimous consent. He offers a further motion that the Conference Report be withdrawn and further moves that the Senate Conferes be dismissed, which motions prevail, with unanimous consent.

Without objection, Senator Kerr moves that the House Committee Substitute bill be placed before the Senate for immediate consideration, upon concurrence.

Upon motion by Senator Kerr, the Senate concurs in the House Committee Substitute bill (44-0) and the measure is ordered enrolled and sent to the Governor by special message.

**ENROLLED BILLS**

The Enrolling Clerk reports the following bills duly ratified for presentation to the

July 20, 1999
Governor:

S.B. 830, AN ACT TO REGULATE AUTO REPAIRS.

S.B. 254, AN ACT TO INCREASE VARIOUS OUTDOOR ADVERTISING PERMIT FEES, EXPAND CURRENT NOTIFICATION REQUIREMENTS, AND MODIFY AND UPDATE THE OUTDOOR ADVERTISING CONTROL ACT WITH RESPECT TO VENUE REQUIREMENTS, DEFINITIONS, AND PARTIES RESPONSIBLE FOR PAYMENT OF REMOVAL OF ILLEGAL OUTDOOR ADVERTISING.

S.B. 285, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE UNIVERSITY HEALTH SYSTEMS OF EASTERN CAROLINA SPECIAL REGISTRATION PLATES AND TO MODIFY THE SPECIAL REGISTRATION PLATES ISSUED TO MEMBERS OF THE JUDICIARY.

S.B. 348, AN ACT TO PROHIBIT THE MISUSE OF LASER DEVICES.

S.B. 1099, AN ACT TO AMEND THE LAWS GOVERNING ALTERNATIVE SCHOOLS AND ALTERNATIVE LEARNING PROGRAMS SO AS TO IMPROVE THE QUALITY OF EDUCATIONAL SERVICES PROVIDED TO STUDENTS WHO ARE AT RISK OF ACADEMIC FAILURE AND TO INCREASE THE EDUCATIONAL EXPECTATIONS FOR THESE STUDENTS.

S.B. 968, AN ACT TO AMEND THE LAW REGARDING THE WAIVER OF COMPETITIVE BIDDING AND TO REQUIRE BID PROTESTS INVOLVING CONTRACTS OVER A CERTAIN AMOUNT TO BE HANDLED BY THE DEPARTMENT OF ADMINISTRATION.

SUPPLEMENTAL CALENDAR (Continued)

S.B. 1025 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE SUPERIOR COURT DIVISION BY EXPANDING THE NUMBER OF JUDICIAL DIVISIONS FROM FOUR TO EIGHT, TO AUTHORIZE PILOT PROGRAMS FOR THE ORGANIZATION AND MANAGEMENT OF THE TRIAL COURTS, AND TO DIRECT THE USE OF FUNDS APPROPRIATED FOR IMPLEMENTATION OF THOSE PILOT PROGRAMS, for concurrence in House Committee Substitute bill No. 2.

The Senate concurs in House Committee Substitute bill No. 2 (43-1) and the measure is ordered enrolled and sent to the Governor by special message.

S.B. 222 (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STATE AND LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS, CHARGE CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFERS FOR PAYMENT OF GOVERNMENT FEES, COSTS, AND DEBTS, TO ALLOW LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS, CHARGE CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFERS FOR PAYMENT OF PROPERTY TAXES, AND TO CREATE THE OFFICE OF INFORMATION TECHNOLOGY TO STRENGTHEN THE MANAGEMENT OF INFORMATION TECHNOLOGY IN STATE GOVERNMENT, ENHANCE ACCOUNTABILITY OF INFORMATION TECHNOLOGY EXPENDITURES, IMPROVE COST-EFFECTIVE INFORMATION TECHNOLOGY INVESTMENTS, INCREASE INFORMATION TECHNOLOGY

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EFFICIENCIES, AND CLARIFY AREAS OF RESPONSIBILITY FOR STATE INFORMATION TECHNOLOGY, for adoption.

Upon motion of Senator Reeves, the Senate adopts the Conference Report (45-0).

The President orders a message sent to the House of Representatives informing that Honorable Body of such action.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A special message is received from the House of Representatives transmitting a bill which is read the first time and disposed of, as follows:

S.B. 247 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO WITHDRAW NORTH CAROLINA FROM THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT, TO LIMIT THE AUTHORITY OF THE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT AUTHORITY AND TO DIRECT THE RADIATION PROTECTION COMMISSION TO STUDY AND FORMULATE A PLAN FOR LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Hoyle, the rules are suspended, without objection, and the House Committee Substitute bill is placed on today’s Supplemental Calendar.

SUPPLEMENTAL CALENDAR (Continued)

H.B. 202 (Conference Report), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO PERMIT CERTAIN EMPLOYEE RETIREMENT PLANS TO HOLD SECURITIES AS A LICENSEE AND TO REVISE THE DEFINITION OF A FOREIGN PROFESSIONAL CORPORATION THAT MAY BE AUTHORIZED TO DO BUSINESS IN THIS STATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, TO ALLOW NONLICENSEEES TO OWN UP TO FORTY-NINE PERCENT OF THE SHARES OF A PROFESSIONAL CORPORATION RENDERING CERTIFIED PUBLIC ACCOUNTANT SERVICES, AND TO EXEMPT CERTIFIED PUBLIC ACCOUNTANTS WHO ARE MEMBERS OF THE GENERAL ASSEMBLY FROM CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS, for adoption.

Without objection, Senator Harris requests to be excused from voting on the Conference Report due to a conflict of interest.

Upon motion of Senator Hartsell, the Senate adopts the Conference Report (44-0).

The President orders a message sent to the House of Representatives informing that Honorable Body of such action.

H.B. 939 (Conference Report), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT THAT MAY BE IN CONTROVERSY IN SMALL CLAIMS COURT AND GIVE MAGISTRATES WHO ARE ATTORNEYS THAT ARE LICENSED TO PRACTICE LAW IN NORTH CAROLINA ADDITIONAL AUTHORITY TO ACCEPT BINDING WAIVERS OF COUNSEL IN CRIMINAL CASES AND CIVIL CONTEMPT CASES, for adoption.

Upon motion of Senator Miller, the Senate adopts the Conference Report (44-0).

The President orders a message sent to the House of Representatives informing that Honorable Body of such action.

H.B. 1476 (Conference Report), A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND

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DETERMINING CERTAIN STATE TAX PROVISIONS AND TO CONFORM TO THE FEDERAL STATUTE OF LIMITATIONS FOR WILLFUL FAILURE TO COMPLY WITH STATE TAX LAWS, for adoption.

Upon motion of Senator Kerr, the Senate adopts the Conference Report (45-0).

The President orders a message sent to the House of Representatives informing that Honorable Body of such action.

S.B. 1134 (Conference Report), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE WORK FIRST LAW PERTAINING TO MAINTENANCE OF EFFORT, SUPPORT SERVICES, PAY-FOR-PERFORMANCE FOR TWO-PARENT FAMILIES, AND OTHER AREAS OF WELFARE REFORM, for adoption.

Upon motion of Senator Martin of Guilford, the Senate adopts the Conference Report (33-12).

The President orders a message sent to the House of Representatives informing that Honorable Body of such action.

S.B. 247 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO WITHDRAW NORTH CAROLINA FROM THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT, TO LIMIT THE AUTHORITY OF THE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT AUTHORITY AND TO DIRECT THE RADIATION PROTECTION COMMISSION TO STUDY AND FORMULATE A PLAN FOR LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT, for concurrence in the House Committee Substitute bill.

Senator Horton offers a motion that the House Committee Substitute bill be re-referred to the Agriculture/Environment/Natural Resources Committee, which motion fails (4-40).

Without objection, Senator Clodfelter is excused from voting on the House Committee Substitute bill due to a conflict of interest.

The Senate concurs in the House Committee Substitute bill (42-2) and the measure is ordered enrolled and sent to the Governor by special message.

H.B. 162 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, as amended, temporarily displaced earlier.

Senator Miller offers Amendment No. 5 which is adopted (43-0).

Senator Miller offers Amendment No. 6 which is adopted (43-0).

The President grants a leave of absence for the remainder of today's Session to Senator Cooper.

The Senate Committee Substitute bill, as amended, passes its second (43-1) and third readings and is ordered engrossed and sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

CONFFERENCE REPORT

S.B. 365

Senator Balance, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon S.B. 365 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT DEATH ROW
To: The President of the Senate  
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 365, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DEATH ROW INMATES FROM CONTACTING THE FAMILIES OF THEIR VICTIMS, Third Edition Engrossed 7/15/99, submit the following report:

The Senate and House agree to the following amendment to the House Committee Substitute, Third Edition Engrossed 7/15/99, and the Senate concurs in the House Committee Substitute as amended:

on page 1, line 3  
by deleting the period at the end of the line and adding the following:

"AND TO REVISE THE LAW PROVIDING FOR THE ESTABLISHMENT OF THE DATE FOR EXECUTIONS."); and

on page 1, line 11,  
by rewriting that line to read:

"Section 2. G. S. 15-194 reads as rewritten:

§ 15-194. Time for execution.

In sentencing a capital defendant to a death sentence pursuant to G. S. 15A-2000(b), the sentencing judge need not specify the date and time the execution is to be carried out by the Department of Correction. The warden of the State penitentiary at Raleigh Secretary of Correction shall immediately schedule a date for the execution of the original death sentence not less that 30 days nor more than 45 60 days from the date of receiving written notification from the Attorney General of North Carolina or the district attorney who prosecuted the case of any one of the following:

(1) The United States Supreme Court has filed an opinion upholding the sentence of death following completion of the initial State and federal postconviction proceedings, if any;

(2) The mandate issued by the Supreme Court of North Carolina on direct appeal pursuant to N.C. R. App. P. 32(b) affirming the capital defendant’s death sentence and the time for filing a petition for writ of certiorari to the United States Supreme Court has expired without a petition being filed;

(3) The capital defendant, if indigent, failed to timely seek the appointment of counsel pursuant to G. S. 7A-451(c), or failed to file a timely motion for appropriate relief as required by G. S. 15A-1415(a);

(4) The superior court denied the capital defendant’s motion for appropriate relief, but the capital defendant failed to file a timely petition for writ of certiorari to the Supreme Court of North Carolina pursuant to N. C. R. App. P. 21(f);

(5) The Supreme Court of North Carolina denied the capital defendant’s petition for writ of certiorari pursuant to N. C. R. App. P. 21(f), or, if certiorari was granted, upheld the capital defendant’s death sentence, but the capital defendant failed to file a timely petition for writ of certiorari to the United States Supreme Court; or

(6) Following State postconviction proceedings, if any, the capital defendant failed to file a timely petition for writ of habeas corpus in the appropriate federal district court, or failed to timely appeal or petition an adverse habeas corpus decision to the United States Court of Appeals for the Fourth Circuit or the
United States Supreme Court.
The warden Secretary shall send a certified copy of the document fixing the date to the clerk of superior court of the county in which the case was tried or, if venue was changed, in which the defendant was indicted. The certified copy shall be recorded in the minutes of the court. The warden Secretary shall also send certified copies to the capital defendant, the capital defendant’s attorney, the district attorney who prosecuted the case, and the Attorney General of North Carolina.’

Section 3. This act is effective when it becomes law. Section 2 of this act applies to execution dates scheduled on or after the effective date of this act.”

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 20, 1999.

S/Frank W. Ballance, Jr.    S/Alma S. Adams
S/Charles W. Albertson     S/R. Phillip Haire
S/Patrick J. Ballantine    S/Rick L. Eddins
S/Ellie Kinnaird

Conferees for the Senate    Conferees for the
House of Representatives

Upon motion of Senator Ballance, the rules are suspended and the Conference Report is placed before the Senate for immediate consideration. The Conference Report is adopted (43-0) and a message is ordered sent, by special message, to the House of Representatives informing that Honorable Body of such action.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S.B. 222        House of Representatives

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on House Committee Substitute No. 2 for SB 222, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STATE AND LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS, CHARGE CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFERS FOR PAYMENT OF GOVERNMENT FEES, COSTS, AND DEBTS, TO ALLOW LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS, CHARGE CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFERS FOR PAYMENT OF PROPERTY TAXES, AND TO CREATE THE OFFICE OF INFORMATION TECHNOLOGY TO STRENGTHEN THE MANAGEMENT OF INFORMATION TECHNOLOGY IN STATE GOVERNMENT, ENHANCE ACCOUNTABILITY OF INFORMATION TECHNOLOGY EXPENDITURES, IMPROVE COST-EFFECTIVE INFORMATION TECHNOLOGY INVESTMENTS, INCREASE INFORMATION TECHNOLOGY EFFICIENCIES, AND CLARIFY AREAS OF RESPONSIBILITY FOR STATE

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INFORMATION TECHNOLOGY, to the end that when a similar action has been taken on part of the Senate, you may order the bill enrolled.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 222, the President orders the bill enrolled and sent to the Governor by special message.

The following special message is received from the House of Representatives:

H.B. 202
House of Representatives
July 20, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferences on Senate Committee Substitute for HB 202, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO PERMIT CERTAIN EMPLOYEE RETIREMENT PLANS TO HOLD SECURITIES AS A LICENSEE AND TO REVISE THE DEFINITION OF A FOREIGN PROFESSIONAL CORPORATION THAT MAY BE AUTHORIZED TO DO BUSINESS IN THIS STATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO ALLOW NONLICENSEE TO OWN UP TO FORTY-NINE PERCENT OF THE SHARES OF A PROFESSIONAL CORPORATION RENDERING CERTIFIED PUBLIC ACCOUNTANT SERVICES, to the end that when a similar action has been taken on part of the Senate, we will order the bill enrolled.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

The following special message is received from the House of Representatives:

H.B. 939
House of Representatives
July 20, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferences on Senate Committee Substitute for HB 939, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT THAT MAY BE IN CONTROVERSY IN SMALL CLAIMS COURT, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

The Senate recesses at 5:42 P.M. to reconvene at 6:30 P.M.

July 20, 1999
The Senate meets pursuant to recess and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

*The President grants leaves of absence for the remainder of today's Session to Senator Carpenter and Senator Gulley.*

*Upon the appearance of Senator Cooper in the Chamber, the President acknowledges his presence and the leave of absence granted previously is withdrawn.*

**REPORTS OF COMMITTEES (Continued)**

By Senator Rand for the Rules and Operations of the Senate Committee:

**H.B. 163** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS STUDY COMMISSIONS, AND TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, with an unfavorable report as to Committee Substitute bill, but favorable as to the proposed Senate Committee Substitute bill, with amendments.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 3470, which changes the title, upon concurrence, to read **H.B. 163** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS STUDY COMMISSIONS, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO AMEND OTHER LAWS and Amendments No. 1, No. 2, No. 3 and No. 4 are adopted and engrossed.

With unanimous consent, upon motion of Senator Rand, the proposed Senate Committee Substitute bill, with amendments, remains before the Senate for immediate consideration.

Senator Rand offers Amendment No. 1 which is adopted (42-0).

The Senate Committee Substitute bill, as amended, passes its second (43-0) and third readings and is ordered engrossed and sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

**SUPPLEMENTAL CALENDAR (Continued)**

**S.B. 437** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE OR THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND TO MAKE CHANGES IN STATUTES RELATING TO APPOINTMENTS TO PUBLIC OFFICE.

Senator Rand offers Amendment No. 1 which is adopted (42-0).

The Committee Substitute bill, as amended, passes its second (43-0) and third readings and is ordered engrossed and sent by special message to the House of Representatives.

**H.B. 160** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CHILD ABUSE THAT RESULTS IN SERIOUS BODILY INJURY OR PERMANENT LOSS OR IMPAIRMENT OF ANY MENTAL OR EMOTIONAL FUNCTION.

July 20, 1999
The President orders, without objection, the Senate Committee Substitute bill temporarily displaced.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

H.B. 160 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CHILD ABUSE THAT RESULTS IN SERIOUS BODILY INJURY OR PERMANENT LOSS OR IMPAIRMENT OF ANY MENTAL OR EMOTIONAL FUNCTION, temporarily displaced earlier.

The Senate Committee Substitute bill passes its third reading and is ordered sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

COMMITTEE REFERRAL RECALL

S.B. 120 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES RELATED TO UNDERAGE DRINKING, referred to the Rules and Operations of the Senate Committee on July 7.

Pursuant to Rule 47(a), Senator Rand offers a motion that the House Committee Substitute bill be withdrawn from the Rules and Operations of the Senate Committee and placed before the Senate for immediate consideration, which motion prevails with unanimous consent.

The President Pro Tempore orders the House Committee Substitute bill withdrawn from the Rules and Operations of the Senate Committee and places it before the Senate for immediate consideration, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (29-0) and the measure is ordered enrolled and sent to the Governor by special message.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S.B. 365

House of Representatives
July 20, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on House Committee Substitute for SB 365, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DEATH ROW INMATES FROM CONTACTING THE FAMILIES OF THEIR VICTIMS, AND TO REVISE THE LAW PROVIDING FOR THE ESTABLISHMENT OF THE DATE FOR EXECUTIONS, to the end that when a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 365, the President Pro Tempore orders the bill enrolled and sent to the Governor by special message.

July 20, 1999
The following special message is received from the House of Representatives:

S.B. 1134

House of Representatives
July 20, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferrees on House Committee Substitute for SB 1134, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE WORK FIRST LAW PERTAINING TO MAINTENANCE OF EFFORT, SUPPORT SERVICES, PAY-FOR-PERFORMANCE FOR TWO-PARENT FAMILIES, AND OTHER AREAS OF WELFARE REFORM, to the end that when a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 1134, the President Pro Tempore orders the bill enrolled and sent to the Governor by special message.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 17, AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO TOURISM RESORTS ON A STATEWIDE BASIS.

S.B. 568, AN ACT TO REMOVE THE EXCUSE REQUIREMENT FROM ONE-STOP ABSENTEE VOTING FOR THE GENERAL ELECTION HELD IN NOVEMBER OF EVEN-NUMBERED YEARS, TO ALLOW COUNTY BOARDS OF ELECTIONS TO DESIGNATE ADDITIONAL ONE-STOP SITES, AND TO MAKE CHANGES RELATED TO STREAMLINING THE ABSENTEE BALLOT PROCESS.

S.B. 881, AN ACT TO ESTABLISH THE CAMPAIGN REFORM ACT OF 1999.

S.B. 333, AN ACT RELATING TO THE MEMBERSHIP OF STATUTORILY CREATED DECISION-MAKING OR REGULATORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES; PROVIDING INTENT; PROVIDING POLICY WITH RESPECT TO THE APPOINTMENT OF MEMBERS TO SUCH BODIES TO ENCOURAGE PROPORTIONATE REPRESENTATION OF WOMEN; REQUIRING ANNUAL REPORTS; AND REQUIRING RETENTION OF CERTAIN INFORMATION REGARDING APPLICANTS.

S.B. 247, AN ACT TO WITHDRAW NORTH CAROLINA FROM THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT, TO LIMIT THE AUTHORITY OF THE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT AUTHORITY AND TO DIRECT THE


The President Pro Tempore grants a leave of absence for the remainder of today’s Session to Senator Moore.

Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A special message is received from the House of Representatives transmitting a joint resolution which is read the first time and disposed of, as follows:

H.J.R. 1489, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1999 GENERAL ASSEMBLY TO MEET IN 2000 AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION.

Referred to Rules and Operations of the Senate Committee.

The Senate recesses at 10:11 P.M. for the purpose of a Rules and Operations of the Senate Committee meeting to reconvene at 10:26 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

H.B. 202, AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO PERMIT CERTAIN EMPLOYEE RETIREMENT PLANS TO HOLD SECURITIES AS A LICENSEE AND TO REVISE THE DEFINITION OF A FOREIGN PROFESSIONAL CORPORATION THAT MAY BE AUTHORIZED TO DO BUSINESS IN THIS STATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO ALLOW NONLICENSEES TO OWN UP TO FOURTY-NINE PERCENT OF THE

July 20, 1999
SHARES OF A PROFESSIONAL CORPORATION RENDERING CERTIFIED PUBLIC ACCOUNTANT SERVICES.

H.B. 1135, AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S DWI TASK FORCE.

H.B. 291, AN ACT TO PROVIDE THAT THE GOVERNOR SHALL HAVE THE POWER TO PLACE INDIVIDUALS AND UNITS OR PARTS OF UNITS OF THE NORTH CAROLINA NATIONAL GUARD TO ASSIST WITH STATE INAUGURAL ACTIVITIES.

H.B. 478, AN ACT TO CREATE THE CRIMINAL OFFENSE OF THREATENING JUDGES, DISTRICT ATTORNEYS, AND OTHER COURT OFFICERS.

H.B. 644, AN ACT TO PROVIDE THAT A PUBLIC CONDEMNOR USING "QUICK TAKE" IN AN EMINENT DOMAIN ACTION SHALL INCLUDE A NOTICE OF OWNER'S RIGHTS IN THE NOTICE OF ACTION.

S.B. 7, AN ACT TO PROVIDE FOR THE POSTING OF DIRECTIONAL SIGNS TO AGRICULTURAL MARKETING AND PROCESSING FACILITIES.

S.B. 120, AN ACT TO INCREASE THE PENALTIES RELATED TO UNDERAGE DRINKING.

H.B. 939, AN ACT TO INCREASE THE AMOUNT THAT MAY BE IN CONTROVERSY IN SMALL CLAIMS COURT AND GIVE MAGISTRATES WHO ARE ATTORNEYS THAT ARE LICENSED TO PRACTICE LAW IN NORTH CAROLINA ADDITIONAL AUTHORITY TO ACCEPT BINDING WAIVERS OF COUNSEL IN CRIMINAL CASES AND CIVIL CONTEMPT CASES.

H.B. 1476, AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, TO EARMARK PART OF THE RESULTING REVENUE GAIN FOR TAX RESEARCH, TO CONFORM TO THE FEDERAL STATUTE OF LIMITATIONS FOR WILLFUL FAILURE TO COMPLY WITH STATE TAX LAWS, AND TO INCREASE THE AMOUNT OF TIME A TAXPAYER HAS TO PROTEST THE PAYMENT OF A TAX.

The Enrolling Clerk reports the following bill duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

H.B. 251, AN ACT TO REQUIRE PAYMENT OF DELINQUENT TAXES FOR THE TOWN OF BAKERSVILLE BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO THE DELINQUENT TAXES.

COMMITTEE REFERRAL RECALL

H.B. 623 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF PLEASANT GARDEN, referred to the Finance Committee on July 1.

Pursuant to Rule 47(a), Senator Kerr offers a motion that the Committee Substitute bill be withdrawn from the Finance Committee and placed before the Senate for immediate
consideration, which motion prevails with unanimous consent.

The President orders the Committee Substitute bill withdrawn from the Finance Committee and places it before the Senate for immediate consideration.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 33, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Wednesday, July 21, upon third reading.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.B. 163

House of Representatives

July 20, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute to HB 163, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS STUDY COMMISSIONS, AND TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

Upon motion of Senator Basnight, seconded by Senator Harris, the Senate adjourns at 10:39 P.M. to meet tomorrow, Wednesday, July 21, at 9:00 A.M.

ONE HUNDRED FIRST DAY

Senate Chamber

Wednesday, July 21, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Honorable Jeanne Lucas, Senator from Durham County, as follows:

"Father, life without You is not worth much! Our thanksgiving to You for allowing us to live life abundantly, always abounding in Your love.

"You have brought us from January, 1999 to July, 1999 with effective leadership and
cooperative fellowship, focused on the needs of this State and beyond. Bless these Your children as they prepare to leave from this place to be with family, friends, and community fellowship.

"Have mercy on our sick and give them Your peace. God the Father, God the Son, God the Holy Spirit, Amen."

With unanimous consent, the President Pro Tempore grants leaves of absence for today to Senator Gulley, Senator Jordan, Senator Perdue, and Senator Rucho.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Tuesday, July 20, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

**COMMITTEE REFERRAL RECALL**


Pursuant to Rule 47(a), Senator Rand offers a motion that the joint resolution be withdrawn from the Rules and Operations of the Senate Committee and placed before the Senate for immediate consideration, which motion prevails with unanimous consent.

The Chair orders the joint resolution withdrawn from the Rules and Operations of the Senate Committee and places it before the Senate for immediate consideration.

The joint resolution passes its second (36-0) and third readings and is ordered enrolled.

**ENROLLED BILLS**

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

**S.B. 1134, AN ACT TO MAKE CHANGES TO THE WORK FIRST LAW PERTAINING TO MAINTENANCE OF EFFORT, SUPPORT SERVICES, PAY-FOR-PERFORMANCE FOR TWO-PARENT FAMILIES, AND OTHER AREAS OF WELFARE REFORM.**

**S.B. 365, AN ACT TO PROHIBIT DEATH ROW INMATES FROM CONTACTING THE FAMILIES OF THEIR VICTIMS AND TO REVISE THE LAW PROVIDING FOR THE ESTABLISHMENT OF THE DATE FOR EXECUTIONS.**

**S.B. 222, AN ACT TO PROVIDE FOR STATE AND LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS, CHARGE CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFERS FOR PAYMENT OF GOVERNMENT FEES, COSTS, AND DEBTS, TO ALLOW LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS, CHARGE CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFERS FOR PAYMENT OF PROPERTY TAXES, AND TO CREATE THE OFFICE OF INFORMATION TECHNOLOGY TO STRENGTHEN THE MANAGEMENT OF INFORMATION TECHNOLOGY IN STATE GOVERNMENT, ENHANCE ACCOUNTABILITY OF INFORMATION TECHNOLOGY EXPENDITURES, IMPROVE COST-EFFECTIVE INFORMATION TECHNOLOGY INVESTMENTS, INCREASE INFORMATION TECHNOLOGY EFFICIENCIES, AND CLARIFY AREAS OF RESPONSIBILITY FOR STATE INFORMATION TECHNOLOGY.**

July 21, 1999
H.B. 160, AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CHILD ABUSE THAT RESULTS IN SERIOUS BODILY INJURY OR PERMANENT LOSS OR IMPAIRMENT OF ANY MENTAL OR EMOTIONAL FUNCTION.

H.B. 328, AN ACT TO MAKE TECHNICAL CORRECTIONS TO CERTAIN CRIMINAL LAWS AND TO AMEND THE CRIMINAL PENALTIES FOR CERTAIN CRIMINAL LAWS AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION AND OTHERS.

S.B. 437, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE OR THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND TO MAKE CHANGES IN STATUTES RELATING TO APPOINTMENTS TO PUBLIC OFFICE.

CALENDAR

A bill on today's Calendar is taken up and disposed of, as follows:

H.B. 623 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF PLEASANT GARDEN, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 36, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

The Senate recesses at 9:39 A.M. to reconvene at 11:30 A.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

ENROLLED BILLS

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

H.B. 162, AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS.

The Enrolling Clerk reports the following bill and resolution duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

H.J.R. 1488, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF

July 21, 1999
HENDERSON DAVID MABE, JR., A FORMER MEMBER OF THE HOUSE OF REPRESENTATIVES AND A FAMILY PHYSICIAN. (Res. 21)

H.B. 623, AN ACT TO AMEND THE CHARTER OF THE TOWN OF PLEASANT GARDEN.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.B. 163

House of Representatives
July 21, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute to HB 163, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS STUDY COMMISSIONS, AND TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, and requests conferees. The Speaker has appointed:

Representative Culpepper,
Representative Baddour, and
Representative Hackney

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be adjusted.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

APPOINTMENT OF CONFERENCE COMMITTEE

H.B. 163 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS STUDY COMMISSIONS, AND TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES.

Pursuant to a message received from the House of Representatives that the House fails to concur in the Senate Committee Substitute for H.B. 163, Senator Reeves offers a motion that the Senate appoint conferees, which motion prevails.

Senator Ballance, Deputy President Pro Tempore, announces the appointment of Senator Rand, Chairman, and Senator Cooper and Senator Hoyle as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

The President Pro Tempore grants leaves of absence for the remainder of today’s Session to Senator Metcalf and Senator Robinson.

July 21, 1999
Upon motion of Senator Dalton, the President Pro Tempore extends courtesies of the gallery to Dr. Wentai Liu, of North Carolina State University, Dr. Mark Humayun, of Johns Hopkins University, and Chris DeMarco, of North Carolina State University, inventors of Retinal Microchip Project to restore vision to the blind.

The Senate recesses at 11:41 A.M. to reconvene at 1:30 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

The President Pro Tempore grants a leave of absence for the remainder of today’s Session to Senator Martin of Guilford.

Upon the appearance of Senator Metcalf in the Chamber, the President Pro Tempore acknowledges his presence and the leave of absence granted previously is withdrawn.

The Senate recesses at 1:39 P.M. to reconvene at 3:30 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Upon the appearance of Senator Martin of Guilford in the Chamber, the President acknowledges his presence and the leave of absence granted previously is withdrawn.

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

H.B. 740, AN ACT CORRECTING AN ERROR IN A PROPERTY DESCRIPTION IN AN ACT REMOVING PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY. (Became law upon ratification, July 20, 1999 – S.L. 1999-325.)

H.B. 251, AN ACT TO REQUIRE PAYMENT OF DELINQUENT TAXES FOR THE TOWN OF BAKERSVILLE BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO THE DELINQUENT TAXES. (Became law upon ratification, July 20, 1999 – S.L. 1999-326.)

S.B. 1043, AN ACT TO PROVIDE FUNDS TO MEET THE REQUIREMENTS OF A CONSENT JUDGMENT UNDER THE INTANGIBLES TAX CASES. (Became law upon approval of the Governor, July 20, 1999 – S.L. 1999-327.)

The President grants a leave of absence for the remainder of today’s Session to Senator Shaw of Guilford.

July 21, 1999
CONFERECE REPORT

H.B. 163

Senator Rand, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon H.B. 163 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS STUDY COMMISSIONS, AND TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 163, A BILL TO BE ENTITLED AND ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS STUDY COMMISSIONS, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO AMEND OTHER LAWS, Senate Rules and Operations of the Senate Committee Substitute As Amended Adopted 7/20/99, 4th Edition Engrossed 7/20/99, submit the following report:

The House of Representatives and the Senate agree to the following amendment to the Senate Committee Substitute, Senate Rules and Operations of the Senate Committee Substitute As Amended Adopted 7/20/99, 4th Edition Engrossed 7/20/99, and the House concurs in the Senate Rules and Operations of the Senate Committee Substitute As Amended Adopted 7/20/99, 4th Edition Engrossed 7/20/99 as amended:

Delete the entire Senate Rules and Operations of the Senate Committee Substitute As Amended Adopted 7/20/99, 4th Edition Engrossed 7/20/99, and substitute the attached Proposed Conference Committee Substitute H163-PCCS1324-RN.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 21, 1999.

S/Tony Rand
S/Roy Cooper
S/David Hoyle

Conferees for the Senate

S/Bill Culpepper
S/Phil Baddour
S/Joe Hackney

Conferees for the House of Representatives

The text of the attached Proposed Conference Committee Substitute H163-PCCS1324-RN is as follows:

A BILL TO BE ENTITLED
AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS STUDY COMMISSIONS, TO DIRECT

July 21, 1999
STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND
COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO AMEND OTHER
LAWS.
The General Assembly of North Carolina enacts:

PART I.----TITLE
Section 1. This act shall be known as "The Studies Act of 1999".

PART II.----LEGISLATIVE RESEARCH COMMISSION
Section 2.1. The Legislative Research Commission may study the topics listed
below. When applicable, the bill or resolution that originally proposed the issue or study
and the name of the sponsor is listed. Unless otherwise specified, the listed bill or
resolution refers to the measure introduced in the 1999 Regular Session of the 1999
General Assembly. The Commission may consider the original bill or resolution in
determining the nature, scope, and aspects of the study. The following groupings are for
reference only:

(1) Governmental Agency and Personnel Issues:
   a. Defined contribution pension plan for State employees and
   b. State agencies' customer service quality assurance (H.B. 636 -
Owens).
   c. Administrative process for State employee grievances (H.B. 1014 -
Miller).
   d. State employee comprehensive compensation system (H.J.R. 1158 -
Nesbitt, Sherrill; S.J.R. 1031 - Reeves).
   e. Procurement card pilot program of the Department of
Administration, including its effectiveness and efficiency, costs
and benefits, impact on accounting, budgeting, and purchasing
history records, how to identify realized savings, and the
feasibility of statewide implementation of the program (Shaw of
Cumberland; Wainwright).
   f. Acquisition of additional parklands at Lake James State Park (S.B.
200 - Odom).
   g. State government construction projects' review and approval
process.
   h. Digitization of public records by the Division of State Archives
(Jeffus).
   i. Regulation of nondepository trust companies and authorization of
family trust companies (S.B. 94 - Warren).
   j. State tort liability and immunity (Walend, Nesbitt).

(2) Insurance and Managed Care Issues:
   a. Managed care issues, including any willing provider, patients'
rights, managed care entity liability, office of consumer advocacy
for insurance, prompt payment of health claims, and related issues
(S.B. 1089 - Harris, H.J.R. 1461 - Mosley).
   b. Mental health and chemical dependency parity (H.B. 713 -
Alexander; S.B. 836 - Martin of Pitt).
   c. Health reform recommendations of the Health Care Planning
Commission and its advisory committees (established by Section
1.2 of Chapter 529 of the 1993 Session Laws) that have not been
implemented but are still needed and other health reform issues
(Insko).

(3) Education Issues:
   c. Resolution of conflicts between boards of education and county commissioners.
   d. School boards review of applicable court orders (H.B. 790 - Gulley).
   e. Election, terms, and constitution of the Board of Governors of The University of North Carolina (H.B. 1242 - Haire).

(4) Human Resources and Health Issues:
   b. Biannual inspection and grading of adult care homes by county social services departments, including areas and services to be inspected and graded, penalties for failure to meet minimal grade levels, fiscal impact on county social services departments, posting of grade in the adult care home, and related issues (Earle and Sherrill).
   d. Central registry for living wills and organ donations (H.B. 406 - Fox).
   e. Animal vaccination administration (H.B. 595 - Owens; H.B. 329 - Tucker).
   g. Unvented gas heaters (S.B. 785 - Albertson).
   h. Hunger and nutrition (H.B. 1229 - Adams; S.B. 944 - Martin of Guilford).
   i. Spaying/neutering of dogs and cats, including funding (H.B. 819 - Hensley; S.B. 330 - Kinnaird).
   j. Causes and prevention of juvenile crime and delinquency (S.B. 914 - Rand).
   k. Child care subsidy issues including but not limited to: state implementation of federally mandated biennial market-rate surveys for the child care subsidy program and provider reimbursement formula, under the new five-star rated license, for the child care subsidy program (Mosley).
   l. Spinal manipulation treatment including comparison to spinal mobilization and similar treatments, utilization rates among health care professionals, complications and training.
   m. Defibrillators; use and liability (H.B. 1118 - Wright).
   n. Health professions scope of practice.

(5) Taxation and Economic Development Issues:
   a. Consolidated income tax returns by affiliated corporations, including the legal, fiscal, and other effects of consolidated or combined reporting (H.J.R. 491 - McManah).
   b. Impact of military bases on public services and taxes (Hurley and Warner).

(6) Environmental/Agricultural Issues:
   a. Wastewater system construction permits and related issues (H.B.
b. Red imported fire ants, including adverse impacts on health, environment, land use, and economy, and the feasibility of increasing control and eradication efforts (PLYLER, Warwick).

c. Apple industry, including marketing, production, effect of pesticide control, use of pesticides marketed in other countries, impact of imported apples and apple products, use of juice concentrate, and related issues (Justus).

d. Environmental impacts; sources of pollution (H.B. 1002 - Warwick).

e. Coastal beach movement; beach renourishment, and storm mitigation (H.B. 118 - Redwine; S.B. 54 - Ballantine).

(7) Labor/Employment Issues:


b. Employment security and unemployment insurance tax issues (H.B. 324 - C. Wilson; Hoyle, Kerr).

(8) Government Regulatory Issues:


b. Telephone solicitation (H.B. 1080 - Allen).

(9) Transportation Issues:


b. Toll roads.

c. Municipal participation in road funding.

d. Pedestrian ferry services (Basnight).

(10) Consumer protection issues:

a. Higher cost of credit including (Clodfelter):

1. A review of the licensing and regulatory supervision of credit sources subject to statutory interest or fee limitations other than the usury act (G.S. 24) and retail installment sales act (G.S. 25);

2. The adequacy of consumer protections afforded to borrowers of these lenders both in state and federal law;

3. Whether legal differences in loan terms, regulation and consumer protections of similar credit products offered by federally chartered sources of credit and those lenders licensed by state agencies should be addressed in state law to create parity in the credit market;

4. Whether programs exist or should be initiated to educate the public to promote personal financial literacy;

5. Whether marketplace competition, state regulations or law are sufficient to ensure the availability of lower-cost credit for high-risk borrowers who have improved their credit worthiness;

6. Whether consumers who seek high-cost credit are subjected to abusive lending practices or suffer adverse economic consequences as a result of obtaining high-cost loans.

b. Cash-out transactions used by some check-cashing businesses (S.B. 1137 - Martin of Guilford, Shaw of Guilford) and pawn shops.

c. Sale of structured settlements and the effects of Senate Bill 746.

e. Credit insurance and mortgage credit, including the licensing, 
regulation, and examination of mortgage brokers and mortgage 
lenders, financing of credit insurance premiums, and other aspects 
of the mortgage market relating to the availability of mortgage 
credit. These issues may be studied in conjunction with issues 
required to be studied under Senate Bill 1149 (1999 Session).

(11) Criminal laws issues:
   b. Prohibiting death sentence obtained on basis of race (S.B. 991 - Ballance).

(12) Real property issues:
   a. Development-rights transfer and the creation of development-
      rights banks (S.B. 1059 - Clodfelter).
   b. Ways to improve the quality of documents recorded in the office 
of the register of deeds (S.B. 873 - Dalton).

Section 2.2. Committee Membership. -- For each Legislative Research 
Commission committee created during the 1999-2001 biennium, the cochairs of 
the Legislative Research Commission shall appoint the committee membership.

Section 2.3. Reporting Date. -- For each of the topics the Legislative Research 
Commission decides to study under this Part or pursuant to G.S. 120-30.17(1), the 
Commission may report its findings, together with any recommended legislation, to the 
1999 General Assembly, 2000 Regular Session, or the 2001 General Assembly.

Section 2.4. Funding. -- From the funds available to the General Assembly, the 
Legislative Services Commission may allocate additional monies to fund the work of the 
Legislative Research Commission.

PART III.----NORTH CAROLINA TAX POLICY COMMISSION

Section 3.1. Commission Established. -- There is established a North Carolina 
Tax Policy Commission.

Section 3.2. Membership. -- The Commission shall consist of 15 members who 
shall represent, insofar as practicable, the diverse interests and geographic regions of the 
State and shall include individuals with expertise in tax policy, tax administration, and 
professional tax practice.

The Speaker of the House of Representatives shall appoint five members, as 
follows: two members of the General Assembly, one individual nominated by the North 
Carolina League of Municipalities, one individual who represents business taxpayers, and 
one public member.

The President Pro Tempore of the Senate shall appoint five members, as 
follows: two members of the General Assembly, one individual nominated by the North 
Carolina Association of County Commissioners, one individual who represents 
nonbusiness taxpayers, and one public member.

The Governor shall appoint five members, as follows: one individual who 
represents tax practitioners, one individual who represents nonprofit, charitable 
organizations, one individual who has demonstrated leadership and expertise in tax policy, 
one individual who represents senior citizens and one individual who represents small 
business taxpayers.

Appointments to the Commission shall be made no later than August 31, 1999. 
Vacancies shall be filled by the original appointing authority.

Section 3.3. Mission. -- The mission of the Commission is to study, examine,
and, if necessary, design a realignment of the State and local tax structure in accordance with a clear, consistent tax policy. This mission requires:

1. Establishing the principles of taxation upon which a sound State and local tax structure should be built for the 21st century.
2. Examining the current State and local tax structure to determine if it reflects these principles.
3. Recommending changes in the State and local tax structure to the extent it does, and does not, reflect these benchmark tax principles.
4. Recommending principles and practices to simplify and consolidate existing taxes to provide uniformity; to ease the administrative burden on the taxpayer; to maximize taxpayers' use of electronic tax payment and reporting methods; and to reduce the costs of collecting and administering taxes.

Section 3.4. Duties. -- The Commission shall:

1. Evaluate the current State and local tax base in terms of:
   a. Responsiveness of each base to the changing and emerging economies (e.g., from farming and manufacturing to services, commerce, such as Internet sales, and technology).
   b. Rates compared to other states.
   c. Cost of collecting each tax.
   d. Tax burden imposed on individuals and businesses in the State.
   e. Principles of taxation reflected in the tax.
2. Examine all current tax preferences, such as lower rates, exemptions, exclusions, and refunds, to determine their public policy purpose; examine the narrowing of the tax base that is a product of these preferences; and evaluate the resulting impact on taxpayers not eligible for these preferences.
3. Review tax changes made in the last 10 years to determine their impact on the State compared to their projected impact, and to assess any economic or demographic conditions on the horizon that may alter their impact.
4. Examine the impact of changing intergovernmental (federal-State-local) relationships upon funding among levels of government and the resulting impact upon tax policy; and examine how the State, counties, and cities will share a reduced federal funding role, when, in 2003, the Balanced Budget Act takes full effect and federal domestic spending is fully capped.
5. Examine the impact of changing interlocal, (city/county) service systems and the resulting effect on local tax policy; and examine how area-wide services, such as fire suppression, water-sewer, and recreation, should be financed and allocated.

Section 3.5. Report. -- The Commission shall submit a final report of its findings and recommendations by March 1, 2001, to the General Assembly, the Governor, and the citizens of the State. The Commission may also make an interim report, including recommended legislation, to the 2000 Regular Session of the 1999 General Assembly, and to the Governor and the citizens of the State. The report shall include draft legislation to implement its recommendations along with an analysis of the fiscal impact of each recommendation. The Commission shall terminate upon filing its final report.

Section 3.6. Expenses of Members. -- Members of the Commission shall receive per diem, subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as appropriate.

Section 3.7. Cochairs; Meetings. -- Cochairs of the Commission shall be
designated by the Speaker of the House of Representatives and the President Pro Tempore of the Senate from among their respective appointees. The Commission shall meet upon the call of the chairs. A majority of the members of the Commission shall constitute a quorum.

The Commission may meet during a regular or special session of the General Assembly, subject to approval of the Speaker of the House of Representatives and the President Pro Tempore of the Senate. The Legislative Services Commission shall grant adequate meeting space to the Commission in the State Legislative Building or the Legislative Office Building.

Section 3.8. Subcommittees. -- The Commission may appoint subcommittees of its members and other knowledgeable persons or experts to assist it. It may also appoint a Technical Advisory Board, if deemed desirable by its members to have an ongoing body of technical experts.

Section 3.9. Citizen Participation. -- The Commission shall establish a process of citizen education and participation that assures the citizens of North Carolina of the opportunity to be informed of and contribute to the work of the Commission.

Section 3.10. Staff. -- Within funds available, the Commission, after consultation with the Legislative Services Commission, shall employ a full-time Executive Director who shall report to the Commission and serve at its pleasure. The Executive Director shall be the Chief Executive Officer and may employ additional employees and contract for services, subject to approval of the Commission. Additional staff may be provided to the Commission by the Legislative Services Office.

Section 3.11. Powers. -- The Commission, while in the discharge of official duties, may exercise all the powers provided under the provisions of G.S. 120-19 through G.S. 120-19.4. The Commission may contract for consultant services as provided by G.S. 120-32.02, including revenue forecasting and estimating services from the Tax Research Division of the Department of Revenue.

Section 3.12. Cooperation by Government Agencies. -- The Commission may call upon any department, agency, institution, or officer of the State or any political subdivision of the State for facilities, data, or other assistance.

Section 3.13. Funding. -- The Legislative Services Commission shall allocate from the General Assembly reserves up to five hundred thousand dollars ($500,000) for the expenses of the Commission. The Commission may apply for, receive, and accept grants of non-State funds, or other contributions as appropriate to assist in the performance of its duties.

PART IV.—ELECTION LAWS STUDY COMMISSION (S.B. 882 - Gulley; H.B. 1402, H.B. 1073 - Alexander)

Section 4.1. There is created an Election Laws Revision Commission. The Commission shall be composed of 17 members. Twelve members shall be appointed as follows:

1. The President Pro Tempore of the Senate shall appoint four members, including at least one county board of elections member, with no more than three of the four affiliated with the same political party.

2. The Speaker of the House of Representatives shall appoint four members, including at least one county elections director, with no more than three of the four affiliated with the same political party.

3. The Governor shall appoint four members, including at least one county commissioner and at least one minority-party member of the State Board of Elections.

The Chair and the Executive Secretary-Director of the State Board of Elections shall be ex officio members. The State chairs of the three political parties whose nominees for
Governor received the largest number of votes in the most recent general election for Governor shall be ex officio members. All members of the Commission, whether appointed or ex officio, shall be voting members.

Section 4.2. The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair of the Commission from their appointees.

Section 4.3. The Election Laws Revision Commission shall study the following:

1. The election laws, policies, and procedures of the State.
2. The administration of those laws, policies, and procedures at the State and local levels and the responsibilities of those administrating these laws.
3. The election laws, policies, and procedures of other States and jurisdictions.
4. Federal and State case rulings impinging on these laws, policies, and practices.
5. Public funding of election campaigns, including the advisability and proper design of a system to allow public funds to be used to support the campaigns of candidates for Governor, Lieutenant Governor, other Council of State officers, and the General Assembly who agree to abide by fund-raising and spending limits.
6. APA exemption for the State Board of Elections.

Section 4.4. The Commission shall prepare and recommend to the General Assembly a comprehensive revision of the election laws of North Carolina that will accomplish the following:

1. Remove inconsistencies, inaccuracies, ambiguities, and outdated provisions in the law.
2. Incorporate in the law any desirable uncodified procedures, practices, and rulings of a general nature that have been implemented by the State Board of Elections or its Executive Secretary-Director.
3. Conform the statutory law to State and federal case law and to any requirements of federal statutory law and regulation.
4. Ensure the efficient and effective administration of elections in this State.
5. Continue the impartial, professional administration of elections, which the citizens of the State expect and demand.
6. Recodify the election laws, as necessary, to produce a comprehensive, clearly understandable structure of current North Carolina election law, susceptible to orderly expansion as necessary.

Section 4.5. With the prior approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional staff to assist in the work of the Election Laws Revision Commission and may provide for additional staffing by the State Board of Elections, Office of the Attorney General, and the Institute of Government. With prior approval of the State Board of Elections, the Election Laws Revision Commission may hold its meetings in the offices of the State Board. With the prior approval of the Legislative Services Commission, the Election Laws Revision Commission may hold its meetings in the State Legislative Building or the Legislative Office Building.

Section 4.6. The Commission shall submit a final written report of its findings and recommendations on or before the convening of the 2001 Session of the General Assembly and may submit a report to the 2000 Regular Session of the 1999 General Assembly. All reports shall be filed with the President Pro Tempore of the Senate and the Speaker of the House of Representatives, the Principal Clerks of the Senate and the House

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of Representatives, and the Legislative Librarian. Upon filing its final report, the Commission shall terminate.

Section 4.7. Members of the Commission shall be paid per diem, subsistence, and travel allowances as follows:

(1) Commission members who are also members of the General Assembly, at the rate established in G.S. 120-3.1;

(2) Commission members who are officials or employees of the State or local government agencies, at the rate established in G.S. 138-6;

(3) All other Commission members, at the rate established in G.S. 138-5.

Section 4.8. All State departments and agencies, local boards of elections, and local governments and their subdivisions shall cooperate with the Commission and, upon request, shall furnish to the Commission and its staff any information in their possession or available to them.

Section 4.9. From funds appropriated to the General Assembly, the Legislative Services Commission shall allocate funds for the expenses of the Election Laws Revision Commission.

PART V.——LEGISLATIVE STUDY COMMISSION ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES

Section 5.1. The Implementation Advisory Committee that was created by the Legislative Study Commission on Mental Health, Developmental Disabilities, and Substance Abuse Services may continue its work with the Developmental Disabilities Section of the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, Department of Health and Human Services, to update strategies of the Mental Health Study Commission's Developmental Disabilities Plan. The Implementation Advisory Committee may make its final report to the Legislative Study Commission on Mental Health, Developmental Disabilities, and Substance Abuse Services on or before July 1, 2000, and upon making its final report shall terminate unless extended by the Legislative Study Commission on Mental Health, Developmental Disabilities, and Substance Abuse Services (H.J.R. 627 - Alexander).

Section 5.2. The Legislative Study Commission on Mental Health, Developmental Disabilities, and Substance Abuse Services shall study whether and under what circumstances certain persons committed involuntarily to State psychiatric hospitals should be released under specific conditions. In conducting the study, the Commission shall consider the following:

(1) The target population for whom conditional release may be appropriate and necessary to protect public safety and enhance patient stability.

(2) The estimated number of persons who could qualify for conditional release.

(3) Criteria for conditional release that are clearly and narrowly defined to ensure that conditional release will apply only to the target population and will not be susceptible to being applied in an overinclusive manner.

(4) Costs of implementing conditional release, including the need for such additional resources at the area mental health authority level as medication, transportation, case management, and administrative start-up costs.

(5) The role, duties, and responsibilities of area mental health authorities, 24-hour facilities, courts, and law enforcement agencies. These roles, duties, and responsibilities should be sufficiently and clearly defined to ensure both efficient coordination and communication among these entities and continuity of care for respondents on conditional release.

(6) The qualifications necessary for personnel monitoring and supervising

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conditional release and providing treatment to respondents on conditional release.

(7) The mental health system issues and patient disabilities that currently contribute to patient noncompliance with recommended treatment, and treatment approaches and systems designs that would enhance patient compliance, mental health, and quality of life.

(8) Any other issues the Commission deems appropriate for the study (H.B. 298 - Hackney).

Section 5.3. The Legislative Study Commission on Mental Health, Developmental Disabilities, and Substance Abuse Services shall study the use of physical and mechanical restraints in certain facilities (S.B. 1086 - Phillips).

Section 5.4. The Commission shall report its findings and recommendations under this Part to the 1999 General Assembly, Regular Session 2000, not later than one week prior to its convening. The Commission's report may include recommended legislation for consideration by the 1999 General Assembly, Regular Session 2000.

PART VI.—FUTURE OF ELECTRIC SERVICE FUNDING CONTINUATION
(H.B. 777 - McComas; S.B. 266 - Hoyle)

Section 6.1. Section 10.1 of S.L. 1997-483 reads as rewritten:

"Section 10.1. Notwithstanding G.S. 62-302(d), all expenses during the 1997-98 and the 1998-99, 1998-99, and 1999-2000 fiscal years of the Study Commission on the Future of Electric Service in North Carolina, established in S.L. 1997-40, shall be reimbursed from funds in the Utilities Commission and Public Staff Fund. There is allocated initially one hundred thousand dollars ($100,000) from the Utilities Commission and Public Staff Fund to the General Assembly for the purpose of enabling the Study Commission on the Future of Electric Service in North Carolina to organize and begin its work. Upon the certification of the need for additional funds by the cochairs of the Study Commission on the Future of Electric Service in North Carolina for the work of the Commission, the Utilities Commission shall transfer the additional funds from the Utilities Commission and Public Staff Fund to the General Assembly for that purpose."

Section 6.2. This Part is effective retroactively to June 30, 1999.

PART VII.—STUDY COMMISSION ON AGING STUDIES

Section 7.1. The North Carolina Study Commission on Aging shall study the issue of annual immunization of residents and employees of nursing homes, adult care homes, and adult day care homes against influenza, and the immunization of residents every five years against pneumococcal disease. In conducting the study, the Commission shall consider the following:

(1) Requiring that facilities obtain the written, informed consent to immunization by residents and employees.
(2) Providing for exemptions from immunization on the basis of medical contraindication or religious belief.
(3) The dates by which annual immunizations should be administered.
(4) Methods for ensuring facility compliance with immunization requirements, including documentation of immunizations performed.
(5) Fiscal impact of providing immunizations.
(6) Any other matter the Commission deems relevant to the study (Insko).

Section 7.2. The North Carolina Study Commission on Aging shall study the rationale and appropriateness of present cost-sharing of nonfederal costs of Medicaid services for all State-County Special Assistance (S.B. 743 - Dalton).

Section 7.3. The Commission shall report its findings and recommendations
under this Part, including recommended legislation, to the 1999 General Assembly, Regular Session 2000, not later than May 1, 2000.

PART VIII.-----JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE/SEAFOOD LABELED AS TO ORIGIN (H.B. 953 - Smith)

Section 8.1. The Joint Legislative Commission on Seafood and Aquaculture shall study the desirability and feasibility of requiring seafood entering the State to be labeled as to its state or country of origin. The Joint Legislative Commission on Seafood and Aquaculture shall report its findings and recommendations, if any, to the 2000 Regular Session of the 1999 General Assembly.

PART IX.-----ENVIRONMENTAL REVIEW COMMISSION

Section 9.1. The Environmental Review Commission shall study motor vehicle emissions testing and maintenance requirements under Part III of Senate Bill 953 (1999 Regular Session) as they relate to individual counties and shall report its findings and recommendations to the 2000 Regular Session of the 1999 General Assembly (Gibson).

PART X.-----JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE STUDIES

Section 10.1. The Joint Legislative Transportation Oversight Committee shall study:

1. The issuance by the Division of Motor Vehicles of motor vehicle titles without recorded liens noted on the title in circumstances in which a lien should have been recorded on the motor vehicle title. The Committee shall review the issuance of titles that are applied for at a Motor Vehicle License Plate Agency operated by the Division of Motor Vehicles as well as motor vehicle titles that are applied for at a Motor Vehicle License Plate Agency operated by a private contractor (Plyler).


Section 10.2. The Joint Legislative Transportation Committee may report any findings and recommendations of its studies under this Part to the General Assembly prior to the convening of the 2000 Regular Session of the 1999 General Assembly, or prior to the convening of the 2001 General Assembly.

PART XI.-----CIVIL LITIGATION STUDY COMMISSION

Section 11.1.(a) The Civil Litigation Study Commission is created. The Commission shall consist of 18 voting members: six members to be appointed by the President Pro Tempore of the Senate, six members to be appointed by the Speaker of the House of Representatives, and six members to be appointed by the Chief Justice of the North Carolina Supreme Court. No more than four members appointed by the President Pro Tempore of the Senate and no more than four members appointed by the Speaker of the House of Representatives may be members of the General Assembly. No more than four of the members appointed by any one of the three appointing authorities may be members of the same political party.

Section 11.1.(b) The Commission shall:

1. Study all practices and procedures that affect the speed, fairness, and accuracy with which civil actions are disposed of in the trial divisions of the General Court of Justice, including the rules of civil procedure, rules of evidence, other relevant statutes, statewide and local court-adopted rules of practice and procedure, administrative rules, appellate opinions and all other relevant practices, customs, and traditions in the trial courts of North Carolina;

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(2) Devise and recommend improved practices and procedures that (i) reduce the time required to dispose of civil actions in the trial divisions; (ii) simplify pretrial and trial procedure; (iii) guarantee the fairness and impartiality with which the claims and defenses are heard and resolved; and (iv) increase the parties' and the public's satisfaction with the process of civil litigation;

(3) Raising the amount in controversy that determines the proper division for trial of civil actions and allowing counsel fees as part of costs in certain civil actions (S.B. 955 - Dalton);

(4) Requiring insurers to provide information prior to litigation requiring policy provisions and policy limits upon written request and giving an insurer who provides such information the option of initiating mediation with the person who sought the information (S.B. 24 - Dalton);

(5) Allowing prisoners who suffer death or total and permanent disability to receive compensation under the Workers' Compensation Act based on the minimum wage (S.B. 992 - Ballance);

(6) Public duty doctrine issues (Ballance).

Section 11.1.(c) The Commission may report to the General Assembly and the Chief Justice by making an interim report no later than the convening of the 2000 Regular Session and shall make a final report not later than March 1, 2001. The report shall be in writing and shall set forth the Commission's findings, conclusions, and recommendations, including any proposed legislation or court rules. Upon issuing its final report, the Commission shall terminate.

Section 11.1.(d) The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall each designate one of their appointees to serve as cochair. The Commission shall meet at such times and places as the cochairs designate. The facilities of the State Legislative Building and the Legislative Office Building shall be available to the Commission, subject to the approval of the Legislative Services Commission. Legislative members of the Commission shall be reimbursed for subsistence and travel expenses at the rates set forth in G.S. 120-3.1. Members of the Commission who are officers or employees of the State shall receive reimbursement for travel and subsistence expenses at the rates set forth in G.S. 138-6. All other members shall receive compensation and reimbursement for travel and subsistence expenses at the rates specified in G.S. 138-5.

Section 11.1.(e) The Commission may solicit, employ, or contract for technical assistance and clerical assistance, and may purchase or contract for the materials and services it needs. Subject to the approval of the Legislative Services Commission, the staff resources of the Legislative Services Commission shall be available to the Commission without cost except for travel, subsistence, supplies, and materials.

Section 11.2. Of the funds appropriated to the General Assembly, the Legislative Services Commission shall allocate funds to implement the provisions of this Part.

PART XII.----JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE STUDY

Section 12.1. The Joint Legislative Education Oversight Committee may study the concept of prekindergarten education including the Bright Beginnings Program in Mecklenburg County (Rucho).

Section 12.2. The Joint Legislative Education Oversight Committee may report to the General Assembly its findings and recommendations of this study not later than the convening of the 1999 General Assembly, 2000 Regular Session, or that of the 2001 General Assembly.
PART XIII.—REVENUE LAWS STUDY COMMITTEE

Section 13.1. The Revenue Laws Study Committee shall study the following issues:

(1) Regulation and practice of investment advisers including the following (S.B. 1010 - Hoyle; Braswell):
   a. Review and consider the current registration and notice filing procedures and fees required by State law and determine whether the law should be amended to require the disclosure of more information to potential clients of investment advisers to protect the consumers of the State;
   b. Consider whether there should be established in the Office of the Secretary of State an arbitration program that would administer arbitration of disputes, claims, or controversies arising out of contractual relationships between investment advisers and clients or between investment advisers and those who hold client accounts and clear security transactions. If the study determines that an arbitration program should be established, the proposal should include recommendations regarding the training of arbitrators, the composition of arbitration panels, a policy to make the program self-funding, and a schedule of fees for those who use arbitration services;
   c. Review the use of internet-based security transactions and how those transactions are regulated by the State and consider the establishment of a clearinghouse in the Office of the Secretary of State through which all internet-based security transactions would be monitored and recorded. If the study determines that a clearinghouse should be established, the proposal should include recommendations regarding the technology required to record those transactions effectively, while maintaining the security of corporate documents and records, and the cost of such technology; and
   d. Study any other relevant issues.

(2) Any necessary changes to the Shareholder Protection Act and the Business Corporation Act.

Section 13.2. The Revenue Laws Study Commission may report any findings and recommendations of its studies under this Part to the General Assembly prior to the convening of the 2000 Regular Session of the 1999 General Assembly, or prior to the convening of the 2001 General Assembly.

Section 13.3. From appropriations to the General Assembly, the Legislative Services Commission shall allocate funds for the expenses of the Revenue Laws Study Committee under this Part.

PART XIV.—JOB TRAINING STUDY COMMISSION

Section 14.1.(a) The General Assembly intends to reorganize the State's workforce development system to improve the delivery of job training programs and services in North Carolina.

Section 14.1.(b) There is created a Legislative Study Commission on Job Training Programs. The purpose of the Commission is to review State and federally funded job training programs and services currently in existence to determine the feasibility of eliminating or consolidating those which are duplicative, inefficient, or ineffective in carrying out their purposes and activities.

Section 14.1.(c) The Commission shall consist of six members appointed by the
Speaker of the House of Representatives, at least three of whom shall be members of the House of Representatives, and six members appointed by the President Pro Tempore of the Senate, at least three of whom shall be members of the Senate. The Speaker shall designate one Representative as cochair and the President Pro Tempore shall designate one Senator as cochair. Vacancies on the Commission shall be filled by the same appointing officer who made the initial appointment. The Commission shall expire upon delivering its final report.

The Commission, while in the discharge of official duties, may exercise all powers provided for under the provisions of G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Commission may meet at any time upon the joint call of the cochairs. The Commission may meet in the Legislative Building or the Legislative Office Building. The Commission may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02.

The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Commission in its work. The House of Representatives' and the Senate's Supervisors of Clerks shall assign clerical staff to the Commission, and the expenses relating to the clerical employees shall be borne by the Commission. Members of the Commission shall receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1, 138-5, or 138-6, as appropriate.

Section 14.1.(d) The Commission shall have the following powers and duties:

(1) To review State and federal laws, rules, and regulations pertaining to job training programs to determine the purpose of each program, the population served, and each program's annual outcomes in terms of type of training received, work search efforts, and job placement;

(2) To ascertain as far as possible the intention of the United States Congress with respect to continued funding of federally mandated job training programs and any changes in funding formulae;

(3) To review the amount of State and federal dollars appropriated for each job training program conducted in this State and to review federal requirements for continuous federal funding of the programs;

(4) To review the number of different State agencies that administer State and federal job training programs, the number of persons employed to implement each job training program, and the amount of State dollars needed annually to implement the program;

(5) To determine whether federally funded job training programs in this State may lawfully be abolished or reduced in size by the General Assembly, and the impact of such reduction or elimination;

(6) To conduct public hearings to receive citizen, State agency, and local government comment and experience with the job training programs;

(7) To conduct other studies or activities to aid the Commission in carrying out its purpose and duties, including reviewing reorganization and consolidation efforts in other states; and

(8) To ensure program evaluation and accountability for all workforce development programs and to create a comprehensive statewide focus on workforce development.

Section 14.1.(e) The Legislative Study Commission on Job Training Programs may report to the General Assembly, the Joint Legislative Commission on Governmental Operations, and the Joint Legislative Education Oversight Committee not later than the convening of the 1999 General Assembly, 2000 Regular Session, or that of the 2001 General Assembly. The report shall identify each job training program operating in the State and recommend whether each program should be expanded, continued without change, abolished, consolidated with another program, or otherwise modified, including

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implementation components.

Section 14.1.(f) All State departments and agencies and local governments and their subdivisions shall furnish the Commission with any information in their possession or available to them.

Section 14.1.(g) Of the funds appropriated to the General Assembly, the Legislative Services Commission shall allocate funds to implement the provisions of this Part.

PART XV.——COMMISSION ON IMPROVING THE ACADEMIC ACHIEVEMENT OF MINORITY AND AT-RISK STUDENTS (S.B. 943 - Martin of Guilford; S.B. 762 - CARTER; H.B. 1116 - WRIGHT; H.B. 536 - MOORE)

Section 15.1.(a) The Commission on Improving the Academic Achievement of Minority and At-Risk Students is created. The Commission shall consist of 22 members as follows:

1. Five senators and three public members appointed by the President Pro Tempore of the Senate;
2. Five representatives and three public members appointed by the Speaker of the House of Representatives; and
3. Six public members appointed by the Governor, who represent groups or individuals with knowledge and experience in advocating, educating, or assisting minority and at-risk students to achieve, at least one of whom is a representative of a statewide nonprofit education advocacy organization that advocates on behalf of minority and at-risk students and at least one of whom is a representative of a statewide organization that represents the interests of African-Americans. In making appointments to the Commission, the appointing officers shall ensure that African-American members have significant representation on the Commission.

Section 15.1.(b) Initial appointments to the Commission shall be made before September 15, 1999. The first meeting of the Commission shall be held no later than October 15, 1999.

Section 15.2. The President Pro Tempore of the Senate shall designate one senator as cochair and the Speaker of the House of Representatives shall designate one representative as cochair.

Section 15.3. The Commission shall be authorized to:
1. Gather accurate and reliable data and research information pertaining to the status of minority and at-risk students in the North Carolina public education system;
2. Identify and visit education programs and other efforts within and outside North Carolina that appear to be successful in yielding significant positive results for minority and at-risk students;
3. Consult with higher education faculty members and other persons who have been engaged in extensive research and observation related to these issues and encourage their direct involvement in the activities of the Commission;
4. Conduct hearings throughout the State for the purpose of obtaining meaningful information regarding successful education programs and efforts related to those concerns;
5. Identify, consult, and meet with representatives of national, regional, and State-level organizations and agencies that could be particularly helpful in addressing these concerns;
6. Devise recommendations as to steps that should be taken to address these

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concerns -- steps to be taken separately and collectively by:

a. State government agencies;
b. Local government agencies;
c. Public schools and higher education institutions;
d. Nonprofit organizations, including community-based organizations, with a particular emphasis on those with direct ties to families of these children and youth;
e. Foundations;
f. Religious institutes;
g. Civic organizations;
h. Business and industry; and
i. Other entities.

(7) Determine the extent and categories of fiscal and human resources needed to address the identified concerns.

(8) High school graduation standards, including adequacy of course requirements and related issues.

Section 15.4. In the study, particular emphasis should be placed on programs and efforts that have been successful in imparting:

(1) Improved educational achievement;
(2) Reduction of school discipline and behavioral problems;
(3) Reduction of minority and at-risk student dropout rates; and
(4) Improved relations between parents, schools, and students.

Section 15.5. The Commission shall make an interim report of its findings and recommendations to the General Assembly not later than the convening of the 2000 Regular Session of the 1999 General Assembly. The Commission shall submit to the General Assembly a final report of its findings and recommendations of this study not later than the convening of the 2001 General Assembly. Upon filing its final report, the Commission shall terminate.

Section 15.6. The Commission, while in the discharge of official duties, may exercise all the powers provided under the provisions of G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Commission may meet in the Legislative Building or the Legislative Office Building.

Section 15.7. Members of the Commission shall receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1.

Section 15.8. The Commission may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02. The Legislative Administrative Officer shall assign professional staff to assist in the work of the Commission. The House of Representatives' and the Senate's Supervisors of Clerks shall assign clerical staff to the Commission, upon the direction of the Legislative Services Commission. The expenses relating to the employees shall be borne by the Commission.

Section 15.9. When a vacancy occurs in the membership of the Commission, the vacancy shall be filled by the same appointing officer who made the initial appointment.

Section 15.10. All State departments and agencies and local governments and their subdivisions shall furnish the Commission with information in their possession or available to them.

Section 15.11. The Legislative Services Commission shall allocate funds available to the General Assembly to implement the provisions in this Part.

PART XVI.——JOINT SELECT COMMITTEE ON INFORMATION TECHNOLOGY STUDY USE OF INDIVIDUAL'S PERSONAL INFORMATION CONTAINED IN STATE DATABASES.

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Section 16.1. The Joint Select Committee on Information Technology shall study the extent to which an individual's personal information contained in all State databases, including the Division of Motor Vehicles, is accessible and used by nongovernmental entities and individuals, and the appropriateness of that accessibility and use.

Section 16.2. The Committee may report to the 2000 Session of the 1999 General Assembly and shall file a final report containing its findings and recommendations to the 2001 General Assembly not later than its convening.

PART XVII.——DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES STUDIES

Section 17.1. The Department of Environment and Natural Resources shall study:

(1) Issues related to evaluating and improving compliance with the Forest Practice Guidelines Related to Water Quality adopted by the Department of Environment and Natural Resources pursuant to G.S. 113A-52.1 (Kinnaird).

(2) Current procedures concerning permits issued for open burning in or near woodlands under the protection of the Department of Environment and Natural Resources under Article 4C of Chapter 113 of the General Statutes when the burning is to occur on five or more acres of land and shall determine whether more controls are needed in order to protect the public or the environment, or both (Thomas).

Section 17.2. The Department shall report its findings and recommendations, including any legislative proposals, to the Environmental Review Commission no later than March 1, 2000.

PART XVIII.——NORTH CAROLINA GOVERNMENT COMPETITION ACT REPEALED

Section 18.1. Article 74 of Chapter 143 is repealed.

PART XIX.——ERGONOMICS PROGRAM AND STUDY

Section 19.1.(a) No funds appropriated to the Department of Labor for the 1999-2000 fiscal year or for the 2000-2001 fiscal year shall be used, encumbered, or committed to implement or enforce an ergonomics standard.

Section 19.1.(b) The Legislative Study Commission on Occupational Musculoskeletal Disorders is created to study the causes, frequency, costs, and prevention of occupational musculoskeletal disorders including, but not limited to, sprains, strains, and repetitive motion disorders.

Section 19.1.(c) The Commission shall be comprised of 16 members. The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall appoint Cochair of the Commission. Appointments to the Commission shall be made as follows:

(1) The President Pro Tempore of the Senate shall appoint four members of the Senate and three members of the general public, one of whom shall be a representative of business or industry management, one of whom shall be a representative of labor, and one of whom shall be a member of the public-at-large.

(2) The Speaker of the House of Representatives shall appoint four members of the House and three members of the general public, one of whom shall be a representative of business or industry management, one of whom shall be a representative of labor, and one of whom shall be a member of the public-at-large.

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the public-at-large.

(3) The Commissioner of Labor shall appoint two members from the general public.

Section 19.1.(d) By April 1, 2000, the Commission shall report to the Joint Legislative Commission on Governmental Operations and to the Senate and House Appropriations Subcommittees on Natural and Economic Resources its findings regarding the prevention of occupational musculoskeletal disorders, including recommendations regarding an ergonomics standard.

Section 19.1.(e) Nothing in this section shall prohibit the Commissioner from using funds appropriated to the Department of Labor for the 1999-2000 fiscal year or for the 2000-2001 fiscal year to comply with federal law, participate in legislative study commissions, or continue voluntary ergonomics programs.

PART XX.----STATE BOARD OF DENTAL EXAMINERS TO DEVELOP PROCEDURES FOR LICENSURE-BY-CREDENTIAL FOR OUT-OF-STATE DENTISTS AND DENTAL ASSISTANTS; REPORT TO GENERAL ASSEMBLY (S.B. 665 - SOLES; H.B. 506 - BRASWELL AND GARDNER)

Section 20.1. The State Board of Dental Examiners shall study, consider, and develop procedures for allowing North Carolina to license-by-credential out-of-state licensed dentist and dental hygienist licensure applicants; it shall develop recommendations for any changes needed in the Dental Practice Act; and it shall prepare to submit proposed rules to implement a sound program for the new licensing pathway.

The Board shall determine how the new procedures should be authorized and developed for the Board to allow less burdensome and more timely entry into the State for qualified out-of-state licensed applicants, while at the same time continuing the same degree of protection of the public as is the case under the current law and procedures.

The Board shall report the results of its work, including any recommended statutory changes, to the General Assembly by May 15, 2000.

PART XXI.----JOINT SELECT COMMITTEE ON HIGHER EDUCATION FACILITIES NEEDS CREATION

Section 21.1.(a) The Joint Select Committee on Higher Education Facility Needs is created. The Committee shall consist of 20 members: 10 appointed by the President Pro Tempore of the Senate, and 10 appointed by the Speaker of the House of Representatives.

The President Pro Tempore of the Senate shall designate one appointee as cochair and the Speaker of the House of Representatives shall designate one appointee as cochair.

Section 21.1.(b) The Committee shall study the facility needs of The University of North Carolina and the North Carolina Community College System. In the course of study, the Committee shall consider:

(1) The "University of North Carolina Capital Equity and Adequacy Study and 10-Year Capital Need", by Eva Klein and Associates;
(2) The MGT of America report entitled "Funding Formula Study: Phase 3 and Phase 4 Reports-North Carolina Community College System";
(3) Any other relevant reports or studies on higher education facility needs;
(4) Alternative methods of funding identified facility needs;
(5) Repair and maintenance needs of higher education facilities;
(6) Construction systems to maximize efficiency in the construction of higher education facilities; and
(7) State laws and policies governing the construction, repair, and renovation of higher education facilities.

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Section 21.1.(c) The Committee may report its findings, and recommendations to the General Assembly upon the convening of the 2000 Regular Session or of the 2001 General Assembly. Upon filing its final report, the Committee shall terminate.

Section 21.1.(d) The Committee, while in the discharge of official duties, may exercise all the powers provided for under the provisions of G.S. 120-19, and G.S. 120-19.1 through G.S. 120-19.4. The Committee may meet at any time upon the joint call of the cochairs. The Committee may meet in the Legislative Building or the Legislative Office Building.

Section 21.1.(e) Members of the Committee shall receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1.

Section 21.1.(f) The Committee may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02. The Legislative Services Commission, through the Legislative Administrative Officer, shall assign professional staff to assist in the work of the Committee. The House of Representatives' and the Senate's Supervisor of Clerks shall assign clerical staff to the commission or committee, upon the direction of the Legislative Services Commission. The expenses relating to clerical employees shall be borne by the Committee.

Section 21.1.(g) When a vacancy occurs in the membership of the Committee the vacancy shall be filled by the same appointing officer who made the initial appointment.

Section 21.1.(h) All State departments and agencies and local governments and their subdivisions shall furnish the Committee with any information in their possession or available to them.

PART XXIA.——HOME RULE

Section 21A.1. The Legislative Research Commission may study the issue of home rule powers for cities and counties. Home rule is the delegation of additional power to take additional actions without approval of the General Assembly by local act. The Commission shall study the home rule granted by the Constitution or statutes of other states to ensure granting needed flexibility within a framework of safeguards and oversight.

The Commission may report to the 2001 General Assembly on the study authorized by this section.

PART XXIB. CHILDREN WITH SPECIAL NEEDS STUDY; REPEAL OF COMMISSION (H.B. 1455 - Boyd-McIntyre; H.B. 1195 - Rogers)

Section 21B.1. Article 12 of Chapter 120 of the General Statutes (G.S. 120-58 through 120-65) is repealed.

Section 21B.2. There is established the Study Commission on Children With Special Needs. The Commission shall consist of 18 members, appointed as follows:

(1) Seven persons appointed by the Speaker of the House of Representatives, four of whom shall be members of the House of Representatives, and three of whom shall be public members.

(2) Seven persons appointed by the President Pro Tempore of the Senate, four of whom shall be members of the Senate, and three of whom shall be public members.

(3) Four persons appointed by the Governor.

Each appointing authority shall assure insofar as possible that its appointees to the Commission reflect the composition of the North Carolina population with regard to ethnic, racial, age, and gender composition.

Section 21B.3. The Commission may:

(1) Pursue an in-depth study of the services provided by other states for
children with special needs.

(2) Collect and evaluate for comprehensiveness existing legislation in North Carolina that is relevant to programs for children with special needs, and pertinent reports, studies and findings from other states and national bodies.

(3) Collect and evaluate for comprehensiveness the reports and recommendations of the various agencies, councils, commissions, committees, and associations existing in North Carolina whose primary or partial duties are to make recommendations designed to affect services for children with special needs.

(4) Evaluate the progress of the State in meeting the service requirements for children with special needs.

In addition, the Commission shall study issues related to meeting the educational needs of children with special needs, particularly the alternative funding methods and the effects of the current twelve and one-half percent (12.5%) cap on funding for the education of children with special needs.

Section 21B.4. The Commission may make an interim report to the 1999 General Assembly, Regular Session 2000, upon its convening, and shall make its final report to the 2001 General Assembly upon its convening, and to the Governor. Upon submitting its final report, the Commission shall expire.

Section 21B.5. Upon approval of the Legislative Services Commission, the Legislative Services Officer shall assign appropriate professional staff from the Legislative Services Office of the General Assembly to assist with the study. The House of Representatives' and the Senate's Supervisors of Clerks shall assign clerical staff to the Commission, upon the direction of the Legislative Services Commission. The Commission may meet in the Legislative Building or the Legislative Office Building upon the approval of the Legislative Services Commission.

Section 21B.6. The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall each designate a cochair of the Commission. The Commission shall meet upon the call of the cochairs. A quorum of the Commission is 10 members. While in the discharge of its official duties, the Commission has the powers of a joint committee under G.S. 120-19 and G.S. 120-19.1. Members of the Commission shall receive per diem, subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as appropriate.

Section 21B.7. From funds appropriated to the General Assembly, the Legislative Services Commission shall allocate funds for the expenses of the Study Commission on Children With Special Needs.

PART XXII.—BILL AND RESOLUTIONS REFERENCES

Section 22.1. The listing of the original bill or resolution in this act is for reference purposes only and shall not be deemed to have incorporated by reference any of the substantive provisions contained in the original bill or resolution.

PART XXIII.—EFFECTIVE DATE AND APPLICABILITY

Section 23.1. Except as otherwise specifically provided, this act becomes effective July 1, 1999. If a study is authorized both in this act and the Current Operations Appropriations Act of 1999, the study shall be implemented in accordance with the Current Operations Appropriations Act of 1999 as ratified.

Upon motion of Senator Rand, the Senate adopts the Conference Report (36-0). A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

July 21, 1999
SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A special message is received from the House of Representatives transmitting a bill which is read the first time and disposed of, as follows:

S.B. 117 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE APPOINTMENTS BILL, for concurrence in the House Committee Substitute bill.

The rules are suspended and the House Committee Substitute bill is placed before the Senate for immediate consideration.

The Senate concurs in the House Committee Substitute bill (36-0) and the measure is ordered enrolled and sent to the Governor by special message.

COMMITTEE REFERRAL RECALL


Pursuant to Rule 47(a), Senator Rand offers a motion that the joint resolution be withdrawn from the Rules and Operations of the Senate Committee and placed before the Senate for immediate consideration, which motion prevails with unanimous consent.

The Chair orders the joint resolution withdrawn from the Rules and Operations of the Senate Committee and places it before the Senate for immediate consideration.

Senator Rand offers Amendment No. 1 which is adopted (36-0).

The joint resolution as amended, passes its second (36-0) and third readings and is ordered sent, by special message, to the House of Representatives, for concurrence in Senate Amendment No. 1.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A special message is received from the House of Representatives transmitting a bill which is read the first time and disposed of, as follows:

S.B. 1076 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROPERTY TAX ON CERTAIN VEHICLES LEASED OR RENTED UNDER RETAIL SHORT-TERM LEASES OR RENTALS AND TO REPLACE THE TAX REVENUE WITH A LOCAL TAX ON GROSS RECEIPTS DERIVED FROM RETAIL SHORT-TERM LEASES OR RENTALS, for concurrence in House Committee Substitute bill No. 2, which is placed on Calendar for Monday, May 8, 2000.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.B. 163

House of Representatives
July 21, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the

July 21, 1999
House has adopted the report of the Conferes on Senate Committee Substitute for HB 163, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS STUDY COMMISSIONS, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO AMEND OTHER LAWS, to the end that when a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 117, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE APPOINTMENTS BILL.

H.B. 163, AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS STUDY COMMISSIONS, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO AMEND OTHER LAWS.

The Enrolling Clerk reports the following resolution duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

H.J.R. 1489, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1999 GENERAL ASSEMBLY TO MEET IN 2000 AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION. (Res. 22)

CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

S.B. 953, AN ACT TO ENACT THE AMBIENT AIR QUALITY IMPROVEMENT ACT OF 1999. (Became law upon approval of the Governor, July 21, 1999 – S.L. 1999-328.)

H.B. 1160, AN ACT TO ENACT THE CLEAN WATER ACT OF 1999. (Became law upon approval of the Governor, July 21, 1999 – S.L. 1999-329.)

H.B. 303, AN ACT TO AMEND THE LAWS RELATING TO COMMERCIAL VEHICLE HIGHWAY SAFETY AND WORK ZONE SAFETY. (Became law upon approval of the Governor, July 21, 1999 – S.L. 1999-330.)

H.B. 623, AN ACT TO AMEND THE CHARTER OF THE TOWN OF PLEASANT GARDEN. (Became law upon ratification, July 21, 1999 – S.L. 1999-331.)

July 21, 1999
SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.J.R. 1489

House of Representatives
July 20, 1999

Mr. President:

Your are respectfully advised that the business of the House of Representatives has been concluded and the Body is ready to open the doors of the House for adjournment in accordance with HJR 1489, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1999 GENERAL ASSEMBLY TO MEET IN 2000 AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION.

Respectfully,
S/Denise Weeks (cwc)
Principal Clerk

Senator Basnight, President Pro Tempore, offers a motion pursuant to H.J.R. 1489 (Res. 22) that the Senate adjourn, in memory of John F. Kennedy, Jr.; his wife, Carolyn Bessette Kennedy; sister-in-law, Lauren Bessette; and their families, seconded by all Members present, to reconvene on Monday, May 8, 2000, at 12:00 Noon, which motion prevails.

DENNIS A. WICKER
President of the Senate

JANET B. PRUITT
Principal Clerk
ADDENDUM

SENATE JOURNAL

FIRST SESSION

1999
EDITOR'S NOTES

A number of bills and resolutions passed second reading and were read a third time on the same day.

Rule 50 states:

No bill on its third reading shall be acted upon out of the regular order in which it stands on the calendar, and no bill shall be acted upon on its third reading the same day on which it passed its second reading, unless so ordered by two-thirds of the membership of the Senate present and voting.

In order to comply with this Rule, no bill which has passed its second reading is read a third time except:

(1) when a member moves that the Rule be suspended and this motion prevails by at least a two-thirds vote of the membership of the Senate present and voting, or
(2) when the Chair determines that there is no objection from any member present, which constitutes unanimous consent that Rule 50 be suspended.

In these cases, the bill is read a third time and remains before the Senate for further consideration.

The phrase "without objection" appears throughout the Senate Journal. Upon a motion offered, this reflects a determination by the Chair that there is no objection from a member present, which constitutes unanimous consent, for the order of the Chair.

When a bill passes its second reading and remains on the Calendar for further consideration, unless indicated otherwise the measure is placed on the Calendar for the next legislative day in its regular order of business.

Rule 20(2) of the House of Representatives requires that "all measures affecting a fee imposed by the State or any subdivision thereof" are classified roll-call measures for the purpose of spreading the ayes and noes on the Journal. Though the Senate Rules do not require the same, the Rule of the House of Representatives is honored and the measures are considered as roll-call measures, unless ruled otherwise by the Presiding Officer.

The Presiding Officer of the Senate rules in a number of instances that "the bill does not require a call of the roll" or "requires a call of the roll." The ruling is made pursuant to the following citation which reads:

North Carolina Constitution—Article II

Sec. 23.—Revenue bills. No laws shall be enacted to raise money on the credit of the State, or to pledge the faith of the State directly or indirectly for the payment of any debt, or to impose any tax upon the people of the State or to allow the counties, cities, or towns to do so, unless the bill for the purpose shall have been read three several times in each house of the General Assembly and passed three
several readings, which readings shall have been on three different days, and shall have been agreed to by each house respectively, and unless the yeas and nays on the second and third readings of the bill shall have been entered on the journal.

The numerical figures which appear within parentheses throughout the Senate Journal represent the affirmative and negative votes cast and recorded electronically, pursuant to Rule 25. Copies of the voting print-out are on file in the Legislative Library and the original is deposited in the Division of Archives and History of the Department of Cultural Resources.

Janet B. Pruitt
Principal Clerk
CHAPTERED BILLS

The following bills were properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State after the 1999 Session adjourned on July 21:

S.B. 1149, AN ACT TO MODIFY PERMISSIBLE FEES WHICH MAY BE CHARGED IN CONNECTION WITH HOME LOANS SECURED BY FIRST MORTGAGE OR FIRST DEED OF TRUST, TO IMPOSE RESTRICTIONS AND LIMITATIONS ON HIGH-COST HOME LOANS, TO REVISE THE PERMISSIBLE FEES AND CHARGES ON CERTAIN LOANS, TO PROHIBIT UNFAIR OR DECEPTIVE PRACTICES BY MORTGAGE BROKERS AND LENDERS, AND TO PROVIDE FOR PUBLIC EDUCATION AND COUNSELING ABOUT PREDATORY LENDERS. (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-332.)


S.B. 10, AN ACT TO ENACT REFORMS IN THE LONG-TERM CARE INDUSTRY IN ORDER TO IMPROVE QUALITY OF CARE, INCREASE PROTECTION OF RESIDENTS, AND STRENGTHEN REGULATORY OVERSIGHT OF INDUSTRY PRACTICES. (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-334.)

S.B. 420, AN ACT TO CLARIFY THE DEALERS AND MANUFACTURERS LICENSING LAW. (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-335.)

S.B. 419, AN ACT TO CLARIFY MOTOR VEHICLE DEALER TRANSFER RIGHTS. (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-336.)

S.B. 55, AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES. (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-337.)

S.B. 290, AN ACT TO AMEND THE LOBBYING LAW. (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-338.)

S.B. 323, AN ACT TO EXTEND WATERFOWL HUNTING PRIVILEGES TO HOLDERS OF COMPREHENSIVE HUNTING LICENSES, TO INCREASE THE FEE CHARGED FOR MIGRATORY WATERFOWL LICENSES, AND TO INCREASE
THE APPLICATION FEE FOR MANAGED HUNTS FOR MIGRATORY WATERFOWL AND REQUIRE APPLICANTS TO FURNISH SATISFACTORY PROOF OF POSSESSION OF THE NECESSARY HUNTING LICENSE. (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-339.)

H.B. 276, AN ACT MAKING VARIOUS CHANGES TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA. (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-340.)

H.B. 1433, AN ACT TO PROVIDE FOR INDIVIDUALS TO PAY THEIR ANNUAL USE TAX WITH THEIR INCOME TAX FORMS, TO PROMOTE ELECTRONIC FILING, AND TO IMPROVE TAX COLLECTION. (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-341.)

H.B. 1472, AN ACT TO SIMPLIFY AND MODERNIZE TAX CREDITS FOR INVESTING IN RENEWABLE ENERGY SOURCES. (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-342.)

S.B. 513, AN ACT TO REQUIRE HEALTH BENEFIT PLANS THAT COVER PRESCRIPTION DRUGS TO ISSUE UNIFORM PRESCRIPTION DRUG IDENTIFICATION CARDS. (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-343.)

S.B. 785, AN ACT TO AMEND THE LAW REGARDING THE INSPECTION AND REGULATION OF LIQUEFIED PETROLEUM GASES. (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-344.)

S.B. 799, AN ACT TO INCREASE THE FEES COLLECTED BY THE NORTH CAROLINA BOARD OF PHYSICAL THERAPY EXAMINERS. (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-345.)

H.B. 1479, AN ACT TO AMEND THE NEWSPRINT RECYCLING TAX. (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-346.)

H.B. 253, AN ACT TO CHANGE THE NAME OF THE STATE INFORMATION PROCESSING SERVICES TO THE DIVISION OF INFORMATION TECHNOLOGY SERVICES AND TO REQUIRE THAT CERTAIN STATE AGENCY INFORMATION TECHNOLOGY PROJECTS MUST BE CERTIFIED BY THE INFORMATION RESOURCE MANAGEMENT COMMISSION. (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-347.)

S.B. 29, AN ACT TO REAUTHORIZE THE NORTH CAROLINA BOARD OF COSMETIC ART EXAMINERS TO ADOPT RULES FOR COSMETIC ART SCHOOLS, AND TO AUTHORIZE THE BOARD TO CHARGE APPLICANTS FOR LICENSURE THE ACTUAL COST OF EXAMINATION SERVICES. (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-348.)

S.B. 796, AN ACT AUTHORIZING THE STATE LICENSING BOARD FOR GENERAL CONTRACTORS TO OWN REAL PROPERTY AND TO PURCHASE EQUIPMENT AND LIABILITY INSURANCE. (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-349.)
H.B. 1085, AN ACT TO PERMIT THE USE OF TRANSITWAYS.  (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-350.)

H.B. 294, AN ACT TO AMEND THE LAW GOVERNING THE APPLICABILITY OF PREEXISTING CONDITION LIMITATIONS TO CERTAIN TYPES OF HEALTH INSURANCE POLICIES; TO PRESCRIBE STANDARDS FOR DISABILITY INCOME INSURANCE; TO CONFORM NORTH CAROLINA'S 1997 POSTMASTECTOMY RECONSTRUCTIVE SURGERY LAWS TO THE FEDERAL WOMEN'S HEALTH AND CANCER RIGHTS ACT OF 1998; TO UPDATE THE LAW ON VIATICAL SETTLEMENTS; TO AUTHORIZE THE WRITING OF FAMILY LEAVE CREDIT INSURANCE; TO CLARIFY THAT LOCAL GOVERNMENT INSURANCE RISK POOLS ARE SUBJECT TO INSURANCE LAWS IN CHAPTER 58 ONLY WHEN SPECIFICALLY REFERRED TO IN THOSE LAWS; TO MAKE CONFORMING CHANGES IN THE STATE HEALTH PLAN REIMBURSEMENT FOR PASTORAL COUNSELORS; AND TO MAKE A TECHNICAL CHANGE CONCERNING THE CLAIMS ACKNOWLEDGMENT STATUTE. (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-351.)

H.B. 1267, AN ACT PROTECTING PUBLIC SCHOOL EMPLOYEES WHO FILE WRITTEN COMPLAINTS ALLEGING SEXUAL HARASSMENT.  (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-352.)

H.B. 315, AN ACT TO PROVIDE THAT A MOTOR VEHICLE’S PROPERTY TAX VALUE IS DETERMINED AS OF JANUARY 1 PRECEDING THE DUE DATE OF THE TAX AND TO AUTHORIZE THE STOKES BOARD OF EQUALIZATION AND REVIEW TO MEET AFTER ITS FORMAL ADJOURNMENT.  (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-353.)

H.B. 924, AN ACT TO AUTHORIZE COMMUNITY MEDIATION CENTERS.  (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-354.)

S.B. 1004, AN ACT REVISION THE PROCEDURE USED BY THE NORTH CAROLINA BOARD FOR LICENSING OF GEOLOGISTS TO ADDRESS COMPLAINTS AND INVESTIGATIONS AND AUTHORIZING THE BOARD TO ASSESS CIVIL PENALTIES.  (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-355.)

S.B. 7, AN ACT TO PROVIDE FOR THE POSTING OF DIRECTIONAL SIGNS TO AGRICULTURAL MARKETING AND PROCESSING FACILITIES.  (Became law upon approval of the Governor, July 22, 1999 - S.L. 1999-356.)

S.B. 247, AN ACT TO WITHDRAW NORTH CAROLINA FROM THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT, TO LIMIT THE AUTHORITY OF THE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT AUTHORITY AND TO DIRECT THE RADIATION PROTECTION COMMISSION TO STUDY AND FORMULATE A PLAN FOR LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT.  (Became law upon approval of the Governor, July 26, 1999 - S.L. 1999-357.)

S.B. 365, AN ACT TO PROHIBIT DEATH ROW INMATES FROM CONTACTING THE FAMILIES OF THEIR VICTIMS AND TO REVISE THE LAW PROVIDING FOR
THE ESTABLISHMENT OF THE DATE FOR EXECUTIONS. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-358.)

S.B. 1134, AN ACT TO MAKE CHANGES TO THE WORK FIRST LAW PERTAINING TO MAINTENANCE OF EFFORT, SUPPORT SERVICES, PAY-FOR-PERFORMANCE FOR TWO-PARENT FAMILIES, AND OTHER AREAS OF WELFARE REFORM. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-359.)

S.B. 1115, AN ACT TO PROVIDE FOR WIDELY SHARED PROSPERITY BY AMENDING THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, BY PROVIDING ADDITIONAL TAX INCENTIVES FOR VARIOUS BUSINESSES, AND BY MAKING RELATED CHANGES. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-360.)

S.B. 170, AN ACT TO ESTABLISH A LIMIT ON THE TIME A PERSON CAN BE IMPRISONED FOR CIVIL CONTEMPT. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-361.)

S.B. 297, AN ACT TO MAKE TECHNICAL AND OTHER CHANGES REGARDING LIMITED PARTNERSHIPS AND THE NORTH CAROLINA REVISED UNIFORM LIMITED PARTNERSHIP ACT, TO CLARIFY THE LIMIT OF LIABILITY IN PROFESSIONAL ORGANIZATIONS, TO PROVIDE FOR THE REGISTRATION OF FOREIGN LIMITED LIABILITY PARTNERSHIPS, AND TO REQUIRE ANNUAL REPORTS BY LIMITED LIABILITY PARTNERSHIPS. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-362.)

S.B. 331, AN ACT TO REQUIRE REGISTRATION AS A SEX OFFENDER FOR CERTAIN ADDITIONAL OFFENSES. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-363.)

S.B. 370, AN ACT CLARIFYING WHEN WITNESS STATEMENTS OBTAINED PURSUANT TO THE ENFORCEMENT OF THE OCCUPATIONAL SAFETY AND HEALTH ACT MAY BE RELEASED. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-364.)

S.B. 394, AN ACT TO ALLOW PREMIUMS FOR INSURANCE COVERAGE TO BE PAID BY CREDIT CARD. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-365.)

S.B. 708, AN ACT ALLOWING COUNTIES TO PROVIDE AFFORDABLE HOUSING FOR PERSONS OF LOW AND MODERATE INCOME. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-366.)

S.B. 746, AN ACT TO CREATE THE NORTH CAROLINA STRUCTURED SETTLEMENT PROTECTION ACT. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-367.)

S.B. 776, AN ACT TO AMEND THE LAW EXEMPTING CERTAIN GOVERNMENTAL ENTITIES FROM STATE PURCHASE AND CONTRACT
S.B. 835, AN ACT TO REVISE THE LAW GOVERNING Mergers, Consolidations, and Conversions among Business Corporations, Nonprofit Corporations, and Unincorporated Entities, Including Limited Liability Companies and Partnerships, for the Purpose of Conforming the Laws with Those of Other States and Modern Business Practices; To Allow Conversion of a Mutual Insurance Company to a Stock Insurance Company; and To Permit Homeowner Associations to Distribute Surplus Funds. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-369.)

S.B. 888, AN ACT TO Amend THE LAWS REGARDING Controlled Substances. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-370.)

S.B. 929, AN ACT TO REVISE THE ABATEMENT OF Nuisance Statutes. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-371.)

S.B. 966, AN ACT RELATING TO THE AUTHORITY TO ENTER INTO Contracts FOR Conducting Municipal and County Building Inspections. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-372.)

S.B. 977, AN ACT TO ENHANCE THE AUTHORITY OF THE School Improvement Team WITH REGARD TO THE School Calendar AND TO REQUIRE Principals AND LOCAL boards of Education TO ESTABLISH School Improvement Teams. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-373.)

S.B. 995, AN ACT ESTABLISHING A TESTIMONIAL PRIVILEGE FOR Police Peer Support Group Counselors. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-374.)

S.B. 1018, AN ACT CONCERNING MARRIAGE LAWS. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-375.)


H.B. 279, AN ACT TO AUTHORIZE TOWNSHIP Hospitals STILL OPERATING UNDER PRE-1983 LAW TO LEVY ADDITIONAL Taxes AFTER A REFERENDUM, AND TO MODERNIZE PROVISIONS OF LAW APPLICABLE TO THEM. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-377.)

H.B. 1084, AN ACT TO AUTHORIZE COUNTIES TO ISSUE Bonds TO PURCHASE Land FOR MULTIPLE USE FOR PRESENT OR FUTURE COUNTY,
OPEN SPACE, COMMUNITY COLLEGE, AND PUBLIC SCHOOL PURPOSES. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-378.)


H.B. 1471, AN ACT TO ADJUST THE MATURITY DATE OF THE 1996 HIGHWAY BONDS TO REFLECT A CHANGE IN THE ESTIMATED COMPLETION DATE OF HIGHWAY TRUST FUND PROJECTS. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-380.)

H.B. 1233, AN ACT TO AMEND THE STRUCTURAL PEST CONTROL ACT. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-381.)

H.B. 1470, AN ACT ALLOWING THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS TO ENTER INTO AGREEMENTS WITH SPECIAL IMPAIRED DENTIST PEER REVIEW ORGANIZATIONS TO INCLUDE PROGRAMS FOR IMPAIRED DENTAL HYGIENISTS, TO COLLECT FEES TO FUND SUCH PROGRAMS, AND TO PROVIDE FOR REPRESENTATION FOR DENTAL HYGIENISTS ON THE STATEWIDE SUPERVISORY COMMITTEE. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-382.)

H.B. 1186, AN ACT TO REVISE THE LAW GOVERNING THE UNEARNED PREMIUM RESERVE OF DOMESTIC TITLE COMPANIES. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-383.)

S.B. 128, AN ACT TO CLARIFY THE LAW CONCERNING INTEREST ON MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO ALLOW INTEREST ON JUDGMENTS ON PENAL BONDS. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-384.)

H.B. 604, AN ACT TO CLARIFY THE CIRCUMSTANCES UNDER WHICH AN ATTORNEY-IN-FACT MAY MAKE GIFTS. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-385.)

H.B. 1120, AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO ENGAGE IN INSTALLMENT PURCHASE FINANCING AND TO ISSUE REVENUE ANTICIPATION NOTES AND TO VALIDATE PRIOR CONVEYANCES BY MUNICIPALITIES OR HOSPITAL AUTHORITIES OF HOSPITAL FACILITIES SERVING AS COLLATERAL IN A TRANSACTION INVOLVING NORTH CAROLINA MEDICAL CARE COMMISSION BONDS. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-386.)

H.B. 1154, AN ACT TO REQUIRE A ONE-YEAR SUSPENSION FOR ANY STUDENT WHO BRINGS OR POSSESSES A FIREARM OR EXPLOSIVE ON EDUCATIONAL PROPERTY OR AT A SCHOOL-SPONSORED CURRICULAR OR EXTRACURRICULAR ACTIVITY OFF EDUCATIONAL PROPERTY AND TO
MAKE OTHER CONFORMING CHANGES. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-387.)

S.B. 772, AN ACT TO AUTHORIZE THE CREATION OF MUNICIPAL SERVICE DISTRICTS IN CERTAIN CITIES FOR URBAN AREA REVITALIZATION PROJECTS. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-388.)

S.B. 251, AN ACT TO ALLOW THE HISTORIC REHABILITATION TAX CREDIT TO BE ALLOCATED BY A PASS-THROUGH ENTITY TO ITS OWNERS AND TO REQUIRE CORPORATIONS THAT ARE REQUIRED TO PAY FEDERAL-ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER TO PAY STATE-ESTIMATED INCOME TAX BY ELECTRONIC FUNDS TRANSFER. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-389.)

H.B. 1222, AN ACT TO IMPROVE THE STATE COURT SYSTEM BY CREATING A STATE JUDICIAL COUNCIL. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-390.)

S.B. 345, AN ACT TO REQUIRE THAT RECONSIDERATION AND APPEAL OF UTILIZATION REVIEW NONCERTIFICATION BE EVALUATED BY MEDICAL DOCTORS LICENSED TO PRACTICE IN THIS STATE. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-391.)

S.B. 499, AN ACT TO INCREASE THE FEES FOR REGISTRATION OF BOATS. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-392.)

S.B. 941, AN ACT TO UPDATE THE MANUFACTURED HOUSING BOARD STATUTES, TO PROVIDE FOR CONTINUING EDUCATION FOR LICENSEES, TO IMPROVE THE BUYER CANCELLATION LAW, AND TO UPDATE THE LAW ON MANUFACTURED HOME STANDARDS TO COMPLY WITH FEDERAL LAWS AND REGULATIONS. (Became law upon approval of the Governor, August 4, 1999 - S.L. 1999-393.)

H.B. 274, AN ACT TO AMEND THE LAW REGARDING CERTIFICATION AND EMPLOYMENT OF ASSISTANT PRINCIPALS. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-394.)

H.B. 163, AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS STUDY COMMISSIONS, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO AMEND OTHER LAWS. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-395.)

S.B. 1025, AN ACT TO REORGANIZE THE SUPERIOR COURT DIVISION BY EXPANDING THE NUMBER OF JUDICIAL DIVISIONS FROM FOUR TO EIGHT, TO AUTHORIZE PILOT PROGRAMS FOR ORGANIZATION AND MANAGEMENT OF THE TRIAL COURT, AND TO DIRECT THE USE OF FUNDS APPROPRIATED FOR IMPLEMENTATION OF THOSE PILOT PROGRAMS. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-396.)
S.B. 1099, AN ACT TO AMEND THE LAWS GOVERNING ALTERNATIVE SCHOOLS AND ALTERNATIVE LEARNING PROGRAMS SO AS TO IMPROVE THE QUALITY OF EDUCATIONAL SERVICES PROVIDED TO STUDENTS WHO ARE AT RISK OF ACADEMIC FAILURE AND TO INCREASE THE EDUCATIONAL EXPECTATIONS FOR THESE STUDENTS. ( Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-397.)

H.B. 478, AN ACT TO CREATE THE CRIMINAL OFFENSE OF THREATENING JUDGES, DISTRICT ATTORNEYS, AND OTHER COURT OFFICERS. ( Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-398.)

H.B. 685, AN ACT TO PROVIDE THAT A LAW ENFORCEMENT OFFICER MAY ARREST A PERSON ON PRIVATE PREMISES OR IN A VEHICLE IN ACCORDANCE WITH STATE LAW WITH A COPY OF THE ORIGINAL ARREST WARRANT OR ORDER. Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-399.)

S.B. 968, AN ACT TO AMEND THE LAW REGARDING THE WAIVER OF COMPETITIVE BIDDING AND TO REQUIRE BID PROTESTS INVOLVING CONTRACTS OVER A CERTAIN AMOUNT TO BE HANDLED BY THE DEPARTMENT OF ADMINISTRATION. ( Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-400.)

S.B. 348, AN ACT TO PROHIBIT THE MISUSE OF LASER DEVICES. ( Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-401.)

S.B. 547, AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A TELECOMMUNICATIONS RELAY SERVICE TO ASSIST DEAF AND HEARING IMPAIRED PERSONS, INCLUDING THOSE WHO ALSO HAVE VISION IMPAIRMENT. ( Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-402.)

S.B. 285, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE UNIVERSITY HEALTH SYSTEMS OF EASTERN CAROLINA SPECIAL REGISTRATION PLATES AND TO MODIFY THE SPECIAL REGISTRATION PLATES ISSUED TO MEMBERS OF THE JUDICIARY. ( Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-403.)

S.B. 254, AN ACT TO INCREASE VARIOUS OUTDOOR ADVERTISING PERMIT FEES, EXPAND CURRENT NOTIFICATION REQUIREMENTS, AND MODIFY AND UPDATE THE OUTDOOR ADVERTISING CONTROL ACT WITH RESPECT TO VENUE REQUIREMENTS, DEFINITIONS, AND PARTIES RESPONSIBLE FOR PAYMENT OF REMOVAL OF ILLEGAL OUTDOOR ADVERTISING. ( Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-404.)

S.B. 117, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE APPOINTMENTS BILL. ( Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-405.)
H.B. 1135, AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S DWI TASK FORCE. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-406.)

S.B. 284, AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO REVIEW STATE PROCUREMENT CONTRACT AWARDS BY BUSINESS SIZE CATEGORY AND TO REVIEW MEASURES TO ENCOURAGE PARTICIPATION BY SMALL AND MEDIUM-SIZED BUSINESSES IN STATE PROCUREMENT CONTRACTS. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-407.)

H.B. 328, AN ACT TO MAKE TECHNICAL CORRECTIONS TO CERTAIN CRIMINAL LAWS AND TO AMEND THE CRIMINAL PENALTIES FOR CERTAIN CRIMINAL LAWS AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION AND OTHERS. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-408.)

H.B. 438, AN ACT EXEMPTING HOUSING AUTHORITIES FROM REAL ESTATE LICENSURE REQUIREMENTS. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-409.)

H.B. 644, AN ACT TO PROVIDE THAT A PUBLIC CONDEMNOR USING "QUICK TAKE" IN AN EMINENT DOMAIN ACTION SHALL INCLUDE A NOTICE OF OWNER'S RIGHTS IN THE NOTICE OF ACTION. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-410.)

H.B. 939, AN ACT TO INCREASE THE AMOUNT THAT MAY BE IN CONTROVERSY IN SMALL CLAIMS COURT. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-411.)

H.B. 1010, AN ACT TO REGULATE COTTON GINS, COTTON WAREHOUSES, AND COTTON MERCHANTS. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-412.)

H.B. 1289, AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES, TO SET THE INSURANCE REGULATORY CHARGE, TO IMPOSE THE INSURANCE REGULATORY CHARGE ON SERVICE CORPORATIONS AND ON HEALTH MAINTENANCE ORGANIZATIONS IN THE YEAR 2000, TO ALLOW THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO IMPOSE FEES THAT REFLECT THE ACTUAL COST OF RENDERING THE SERVICE, AND TO LIMIT THE FEE THAT AN APPLICANT MUST PAY FOR A WATER QUALITY CERTIFICATION THAT IS REQUIRED FOR A PERMIT UNDER THE COASTAL AREA MANAGEMENT ACT OF 1974. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-413.)

H.B. 1466, AN ACT TO PROVIDE FOR WITHHOLDING OF NORTH CAROLINA INCOME TAXES FROM TAXABLE PENSIONS, ANNUITIES, AND DEFERRED COMPENSATION. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-414.)
H.B. 1476, AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, TO EARMARK PART OF THE RESULTING REVENUE GAIN FOR TAX RESEARCH, TO DIRECT THE STATE AUDITOR TO CONDUCT A PERFORMANCE AUDIT OF THE DEPARTMENT OF REVENUE, TO CONFORM TO THE FEDERAL STATUTE OF LIMITATIONS FOR WILLFUL FAILURE TO COMPLY WITH STATE TAX LAWS, AND TO INCREASE THE AMOUNT OF TIME A TAXPAYER HAS TO PROTEST THE PAYMENT OF A TAX. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-415.)

H.B. 885, AN ACT TO PROTECT CONSUMERS BY REQUIRING CONTRACTS FOR THE RENTAL OF SELF-SERVICE STORAGE TO CLEARLY STATE CERTAIN TERMS REGARDING THE IMPOSITION OF LATE FEES. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-416.)

S.B. 283, AN ACT TO IMPLEMENT TECHNOLOGICAL IMPROVEMENTS IN THE WAY PURCHASING OPPORTUNITIES ARE ADVERTISED. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-417.)

S.B. 877, AN ACT TO CLARIFY WHEN MEMBERS OF THE NORTH CAROLINA NATIONAL GUARD AND NORTH CAROLINA STATE GUARD ARE EMPLOYEES SUBJECT TO THE WORKERS' COMPENSATION ACT. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-418.)

H.B. 660, AN ACT TO CLARIFY THE DEFINITION OF COLLECTION AGENCY SO THAT THE IV-D CHILD ENFORCEMENT PROGRAM IS REGULATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-419.)

S.B. 974, AN ACT REGULATING THE RENTAL OF RESIDENTIAL PROPERTY FOR VACATION, LEISURE, OR RECREATIONAL PURPOSES, AND CLARIFYING THE RIGHTS AND OBLIGATIONS OF LANDLORDS AND TENANTS OF RESIDENTIAL PROPERTY. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-420.)

H.B. 278, AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO PROVIDE THAT THE ONE HUNDRED-DAY NONCHARGE PERIOD EXTENDS TO CERTAIN RECIPIENTS OF THE STATE'S WORK FIRST PROGRAM SEPARATED FOR A BONA FIDE INABILITY TO WORK. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-421.)

S.B. 233, AN ACT TO PROVIDE FOR THE TRANSMISSION AND FILING OF RIGHT-OF-WAY PLANS BY THE DEPARTMENT OF TRANSPORTATION AND TO PROVIDE THAT ANY FUNDS ALLOCATED IN A SPECIFIC YEAR TO A TRANSPORTATION DIVISION AND UNDER OR OVER OBLIGATED SHALL BE ADDED TO THE NEXT YEAR'S ALLOCATION TO THE TRANSPORTATION DIVISION. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-422.)
H.B. 1216, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE JUVENILE JUSTICE REFORM ACT OF 1998. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-423.)

H.B. 1072, AN ACT TO MAKE THE FOLLOWING TECHNICAL CORRECTIONS IN THE ELECTION LAWS: TO CLARIFY THE ROLE OF THE STATE BOARD OF ELECTIONS IN THE PROCESS OF ORDERING NEW ELECTIONS; TO CLARIFY THE APPEAL PROCESS IN CONTESTED ELECTIONS; TO REENACT AND RECODIFY PROVISIONS OF THE PRE-1995 VOTER REGISTRATION LAWS THAT WERE INADVERTENTLY DROPPED IN THE ENACTMENT OF ARTICLE 7A IN CHAPTER 163; TO CLARIFY THE STATUTES CONCERNING CANDIDATE VACANCIES IN THE NONPARTISAN ELECTION OF JUDGES; TO MAKE CLEANUP CHANGES AS A RESULT OF SESSION LAW 1999-31; TO CONFORM THE PETITION STATUTES TO COURT RULINGS AND MAKE OTHER TECHNICAL CHANGES; AND TO CORRECT MISCELLANEOUS MISCITATIONS AND ERRORS IN THE ELECTION STATUTES. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-424.)

S.B. 212, AN ACT TO AMEND CERTAIN STATUTES REGARDING THE NORTH CAROLINA BOARD OF MORTUARY SCIENCE AND MUTUAL BURIAL ASSOCIATIONS, AND MINIMUM BURIAL DEPTHS. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-425.)

H.B. 1074, AN ACT TO REQUIRE THAT A SIGNED VOTER REGISTRATION FORM BE DELIVERED TO THE BOARD OF ELECTIONS BY ANYONE DELEGATED THAT RESPONSIBILITY AND TO MAKE VIOLATION A CLASS 2 MISDEMEANOR; TO ESTABLISH THE CLASS 2 MISDEMEANOR OF AN ELECTION OFFICIAL OR EMPLOYEE ALTERING VOTER REGISTRATION RECORDS WITHOUT WRITTEN AUTHORIZATION; TO ALLOW COUNTIES TO USE A VOTING PLACE OUTSIDE THE PRECINCT; TO CREATE A PILOT PROGRAM TO ALLOW THE TEMPORARY USE OF TWO VOTING PLACES FOR THE SAME PRECINCT; TO ALLOW COUNTIES TO REQUIRE THAT ADEQUATE PARKING BE PROVIDED AT VOTING PLACES THAT ARE PUBLIC BUILDINGS; TO PROVIDE FOR SUPERVISION, ASSISTANCE, AND TRAINING BY THE STATE BOARD OF ELECTIONS FOR MUNICIPAL BOARDS OF ELECTIONS AND TO PROVIDE FOR REMEDIES; TO INCREASE MINIMUM COMPENSATION FOR COUNTY ELECTIONS DIRECTORS; TO LOWER THE THRESHOLD FOR A FULL-TIME ELECTIONS OFFICE; TO PROVIDE FOR CERTAIN DONATIONS TO POLITICAL PARTY HEADQUARTERS BUILDING FUNDS; AND TO CHANGE THE STATUTE CONCERNING A CANDIDATE'S SIGNATURE ON A FINANCE REPORT TO REFLECT TRADITIONAL PRACTICE. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-426.)

S.B. 1058, AN ACT AUTHORIZING THE STATE LICENSING BOARD FOR GENERAL CONTRACTORS TO INCLUDE COMPONENTS OF THE STATE BUILDING CODE IN THE EXAMINATION OFFERED BY THE BOARD AND GRANTING THE BOARD GREATER AUTHORITY WHEN DISCIPLINING LICENSEES WHO VIOLATE THE LAWS RELATED TO GENERAL CONTRACTOR LICENSURE. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-427.)
S.B. 292, AN ACT TO PROVIDE THAT CRIMINAL CASES IN SUPERIOR COURT SHALL BE CALENDARED PURSUANT TO ADMINISTRATIVE SETTINGS. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-428.)

S.B. 255, AN ACT TO CLARIFY STATE LAW REQUIRING STATE AGENCIES TO REDUCE THE NUMBER OF MENUS ON AUTOMATED PHONE SYSTEMS, TO REQUIRE ALL STATE AGENCIES TO INCLUDE THE AGENCY TELEPHONE NUMBER ON AGENCY LETTERHEAD, AND TO REQUIRE STATE AGENCIES TO REPORT ON THEIR COMPLIANCE WITH THIS ACT. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-429.)

S.B. 732, AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF CHIROPRACTIC EXAMINERS TO ASSESS LICENSEES CERTAIN COSTS AND LIMITING THE OWNERSHIP OF CHIROPRACTIC PRACTICES TO PERSONS LICENSED AS CHIROPRACTORS. (Became law upon approval of the Governor, August 5, 1999 - S.L. 1999-430.)

S.B. 437, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE OR THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND TO MAKE CHANGES IN STATUTES RELATING TO APPOINTMENTS TO PUBLIC OFFICE. (Became law upon approval of the Governor, August 9, 1999 - S.L. 1999-431.)

S.B. 25, AN ACT TO PROVIDE FOR ATTORNEY REPRESENTATION OF CHILDREN REPRESENTED BY GUARDIAN AD LITEM PROGRAM THROUGHOUT PROCEEDINGS OF THE CASE. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-432.)

S.B. 120, AN ACT TO INCREASE THE PENALTIES RELATED TO UNDERAGE DRINKING. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-433.)

S.B. 222, AN ACT TO PROVIDE FOR STATE AND LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS, CHARGE CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFERS FOR PAYMENT OF GOVERNMENT FEES, COSTS, AND DEBTS, TO ALLOW LOCAL GOVERNMENTS TO ACCEPT CREDIT CARDS, CHARGE CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFERS FOR PAYMENT OF PROPERTY TAXES, AND TO CREATE THE OFFICE OF INFORMATION TECHNOLOGY TO STRENGTHEN THE MANAGEMENT OF INFORMATION TECHNOLOGY IN STATE GOVERNMENT, ENHANCE ACCOUNTABILITY OF INFORMATION TECHNOLOGY EXPENDITURES, IMPROVE COST-EFFECTIVE INFORMATION TECHNOLOGY INVESTMENTS, INCREASE INFORMATION TECHNOLOGY EFFICIENCIES, AND CLARIFY AREAS OF RESPONSIBILITY FOR STATE INFORMATION TECHNOLOGY. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-434.)

S.B. 562, AN ACT TO REPEAL FORM AND RATE FILING FEES AND HMO ANNUAL REPORT FEES COLLECTED BY THE DEPARTMENT OF INSURANCE; TO INCREASE CERTAIN INSURANCE COMPANY LICENSE RENEWAL FEES COLLECTED BY THE DEPARTMENT OF INSURANCE; AND TO CLARIFY AN
EXAMINATION LAW PROVIDING FOR REIMBURSEMENT FOR DEPARTMENTAL EXPENSES. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-435.)

S.B. 829, AN ACT TO DIRECT THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY ISSUES RELATED TO PROHIBITING THE ERECTION OF OUTDOOR ADVERTISING ON A PORTION OF INTERSTATE HIGHWAY 40 AND TO IMPOSE A MORATORIUM PENDING THE COMMITTEE’S REPORT TO THE GENERAL ASSEMBLY. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-436.)

S.B. 830, AN ACT TO REGULATE AUTO REPAIRS. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-437.)

S.B. 1112, AN ACT TO PROMOTE ELECTRONIC COMMERCE BY REPEALING THE SALES TAX REGISTRATION FEE AND TO MAKE OTHER CHANGES TO THE TAX LAWS AND RELATED STATUTES. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-438.)

H.B. 120, AN ACT TO IMPROVE THE PROCEDURES FOR NOTIFYING OWNERS AND ADVERTISING TAX LIENS ON REAL PROPERTY. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-439.)

H.B. 202, AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO PERMIT CERTAIN EMPLOYEE RETIREMENT PLANS TO HOLD SECURITIES AS A LICENSEE AND TO REVISE THE DEFINITION OF A FOREIGN PROFESSIONAL CORPORATION THAT MAY BE AUTHORIZED TO DO BUSINESS IN THIS STATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO ALLOW NONLICENSEES TO OWN UP TO FORTY-NINE PERCENT OF THE SHARES OF A PROFESSIONAL CORPORATION RENDERING CERTIFIED PUBLIC ACCOUNTANT SERVICES. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-440.)

H.B. 247, AN ACT TO REGULATE FUNERAL PROCESSIONS AND TO CODIFY THE RULES OF THE ROAD WITH REGARD TO FUNERAL PROCESSIONS. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-441.)

H.B. 291, AN ACT TO PROVIDE THAT THE GOVERNOR SHALL HAVE THE POWER TO PLACE INDIVIDUALS AND UNITS OR PARTS OF UNITS OF THE NORTH CAROLINA NATIONAL GUARD TO ASSIST WITH STATE INAUGURAL ACTIVITIES. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-442.)

H.B. 512, AN ACT TO CERTIFY ASSISTED LIVING RESIDENCE ADMINISTRATORS. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-443.)

H.B. 661, AN ACT TO AMEND THE JUVENILE CODE TO REVISE THE COMMUNITY SERVICE DISPOSITIONAL ALTERNATIVE FOR JUVENILE OFFENDERS WHO HAVE BEEN ADJUDICATED DELINQUENT FOR LEVEL 2
OFFENSES. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-444.)

H.B. 937, AN ACT TO AMEND THE REGIONAL TRANSPORTATION AUTHORITY ACT CONCERNING JURISDICTION OF THE ENTIRE AREA OF THE COUNTY IN CERTAIN CIRCUMSTANCES AND MEMBERSHIP OF THE AUTHORITY, AND TO AUTHORIZE THE AUTHORITY TO CREATE SPECIAL TAX DISTRICTS WITHIN ITS JURISDICTION. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-445.)

H.B. 1173, AN ACT TO LIMIT DISCLOSURE OF PERSONAL INFORMATION CONTAINED IN APPLICATIONS FOR LICENSES ISSUED BY THE PRIVATE PROTECTIVE SERVICES BOARD AND THE ALARM SYSTEMS LICENSING BOARD AND TO AUTHORIZE THE ALARM SYSTEMS LICENSING BOARD TO ISSUE AN APPRENTICESHIP REGISTRATION PERMIT. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-446.)

H.B. 1209, AN ACT TO IMPROVE BOATING SAFETY BY AMENDING THE STATE LAW REGULATING PERSONAL WATERCRAFT OPERATION TO CONFORM WITH THE RECOMMENDATIONS OF THE NATIONAL ASSOCIATION OF STATE BOATING LAW ADMINISTRATORS AND TO OTHERWISE IMPROVE PERSONAL WATERCRAFT SAFETY. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-447.)

S.B. 1049, AN ACT TO AMEND AND CODIFY THE LAW THAT PROVIDES FOR COMPENSATORY MITIGATION AS AN ALTERNATIVE TO THE MAINTENANCE OF RIPARIAN BUFFERS AND THAT AUTHORIZES THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DELEGATE RESPONSIBILITY FOR THE IMPLEMENTATION AND ENFORCEMENT OF THE STATE'S RIPARIAN BUFFER PROTECTION REQUIREMENTS TO LOCAL GOVERNMENTS, AS RECOMMENDED BY THE NEUSE RIVER BUFFER RULES STAKEHOLDER ADVISORY COMMITTEE AND REQUESTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-448.)

H.B. 1279, AN ACT TO CREATE THE CRIMINAL OFFENSE OF FINANCIAL IDENTITY FRAUD AND TO ALLOW FOR THE RECOVERY OF DAMAGES FOR FINANCIAL IDENTITY FRAUD. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-449.)

H.B. 1246, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES TO ANIMAL LOVERS TO PROMOTE SPAYING AND NEUTERING OF DOGS AND CATS. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-450.)

H.B. 160, AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CHILD ABUSE THAT RESULTS IN SERIOUS BODILY INJURY OR PERMANENT LOSS OR IMPAIRMENT OF ANY MENTAL OR EMOTIONAL FUNCTION. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-451.)
H.B. 280, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER CHANGES TO THE MOTOR VEHICLE LAWS. (Became law upon approval of the Governor, August 10, 1999 - S.L. 1999-452.)

S.B. 881, AN ACT TO ESTABLISH THE CAMPAIGN REFORM ACT OF 1999. (Became law upon approval of the Governor, August 12, 1999 - S.L. 1999-453.)

H.B. 222, AN ACT TO STRENGTHEN THE LITTERING LAW BY INCREASING THE MINIMUM AND MAXIMUM FINES AND BY REQUIRING COMMUNITY SERVICE IF THE LITTER IS MORE THAN FIVE HUNDRED POUNDS, IS A HAZARDOUS WASTE, OR IS DISCARDED FOR COMMERCIAL PURPOSES. (Became law upon approval of the Governor, August 13, 1999 - S.L. 1999-454.)

S.B. 568, AN ACT TO REMOVE THE EXCUSE REQUIREMENT FROM ONE-STOP ABSENTEE VOTING FOR THE GENERAL ELECTION HELD IN NOVEMBER OF EVEN-NUMBERED YEARS, TO ALLOW COUNTY BOARDS OF ELECTIONS TO DESIGNATE ADDITIONAL ONE-STOP SITES, AND TO MAKE CHANGES RELATED TO STREAMLINING THE ABSENTEE BALLOT PROCESS. (Became law upon approval of the Governor, August 13, 1999 - S.L. 1999-455.)

H.B. 162, AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS. (Became law upon approval of the Governor, August 13, 1999 - S.L. 1999-456.)

S.B. 333, AN ACT RELATING TO THE MEMBERSHIP OF STATUTORILY CREATED DECISION-MAKING OR REGULATORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES; PROVIDING INTENT; PROVIDING POLICY WITH RESPECT TO THE APPOINTMENT OF MEMBERS TO SUCH BODIES TO ENCOURAGE PROPORTIONATE REPRESENTATION OF WOMEN; REQUIRING ANNUAL REPORTS; AND REQUIRING RETENTION OF CERTAIN INFORMATION REGARDING APPLICANTS. (Became law upon approval of the Governor, August 13, 1999 - S.L. 1999-457.)

H.B. 964, AN ACT TO REVISE THE MUNICIPAL INCORPORATION PROCESS SO AS TO PROVIDE MORE SCRUTINY. (Became law upon approval of the Governor, August 13, 1999 - S.L. 1999-458.)

H.B. 978, AN ACT TO AUTHORIZE THE OWNER OF A PRIVATE OR JOINT PRIVATE PIER AT WHITE LAKE STATE LAKE THAT WAS DAMAGED AS A RESULT OF A NATURAL DISASTER TO REBUILD THE PIER TO ITS CONDITION IMMEDIATELY PRECEDING THE DAMAGE, TO AUTHORIZE THE CONSTRUCTION OF ADDITIONAL BOAT STALLS ON A PIER AT WHITE LAKE STATE LAKE UNDER CERTAIN CIRCUMSTANCES, AND TO DELETE CERTAIN LANDS USED FOR THE FALLS LAKE STATE TRAIL FROM THE STATE PARKS SYSTEM AND REALLOCATE THOSE LANDS TO THE WILDLIFE RESOURCES COMMISSION. (Became law upon approval of the Governor, August 13, 1999 - S.L. 1999-459.)
S.B. 244, AN ACT TO ENACT THE NORTH CAROLINA UNCLAIMED PROPERTY ACT AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER CHANGES TO THE ESCHEATS LAWS. (Became law upon approval of the Governor, August 16, 1999 - S.L. 1999-460.)

S.B. 17, AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO TOURISM RESORTS ON A STATEWIDE BASIS. (Became law without approval of the Governor, August 21, 1999 - S.L. 1999-461.)

S.B. 607, AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE CERTAIN PERMITS. (Became law upon approval of the Governor, August 21, 1999 - S.L. 1999-462.)
APPENDIX

SENATE JOURNAL

FIRST SESSION

1999
NORTH CAROLINA GENERAL ASSEMBLY
SENATORIAL DISTRICTS
(G.S. 120-1)

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1st (1) **BEAUFORT** (Townships: Long Acre, Pantego, Washington: Tract 9905; Block Group 5 [522A, 528A]); **BERTIE** (Whites, Windsor 2); **CAMDEN**; **CHOWAN**; **CURRITUCK**; **DARE**; **HYDE**; **PASQUOTANK**; **PERQUIMANS**; **TYRRELL**; **WASHINGTON** (Plymouth 3, Scuppernong, Skinnersville).

2nd (1) **BERTIE** (Colerain 1, 2, Indian Woods, Merry Hill, Mitchells 1, 2, Roxobel, Snakebite, Windsor 1, Woodville); **GATES**; **HALIFAX** (Butterwood, Conoconnara, Enfield 1, 2, 3, Halifax, Hobgood, Hollister, Littleton 1, 2, Palmyra, Roseneath, Scotland Neck 1, 2, Weldon 1, 2, 3); **HERTFORD**; **NORTHAMPTON**; **VANCE** (Dabney, Middleburg, Townsville, Williamsboro); **WARREN**.


DISTRIBUTION OF SENATORIAL SEATS
(Seats) Townships, Precincts, Census Tracts, Block Groups


6th (1) EDGECOMBE (Precincts: 1–1, 1–2, 1–3, 1–4, 2–1, 3–1, 4–1, 5–1, 6–1, 7–1, 8–1, 10–1, 11–1, 12–1, 12–2, 12–4, 12–5); MARTIN (Goose Nest, Hamilton, Hassell, Jamesville, Poplar Point, Robersonville 1, 2, Williams, Williamston 1, 2. Tract: 9704: Block Group 2 [202], Tract 9705: Block Group 4 [413], Tract 9706: Block Group 1 [168A]); PITT (Arthur, Belvoir, Bethel, Falkland, Farmville East, Farmville West, Fountain; Precincts: Greenville 1, 2, 2 (noncontiguous), 3, 4); WASHINGTON (Lees Mill, Plymouth 1, 2); WILSON (Gardners; Precincts: Wilson B, E, F, G, H, N, Q).


8th (1) GREENE; LENOIR (Neuse, Pink Hill 1, 2, Trent 1, 2, Woodlalngton); WAYNE.
<table>
<thead>
<tr>
<th>DISTRICTS</th>
<th>COUNTIES</th>
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<tbody>
<tr>
<td>(Seats)</td>
<td>Township, Precincts, Census Tracts, Block Groups</td>
</tr>
</tbody>
</table>

9th (1) **BEAUFORT** (Townships: Bath, Chocowinity, Richland, Washington: Tract 9902: Block Group 1 [129B, 130B, 131–156, 157B, 158B, 159B, 160B, 175B, 176B, 185B, 186B, 187B, 189–191, 197], Block Group 2, Tracts: 9903, 9904); **LENOIR** (Contenea, Falling Creek, Institute, Kinston 3,4,5,9, Moseley Hall, Sandhill, Vance); **MARTIN** (Beargrass, Cross Roads, Griffins); **PITT** (Aydin East, Ayden West, Carolina, Chicod, Greenville 5,6,7,8,9,10,11,12,13, Grifton, Grimesland, Pactolus, Simpson, Swift Creek, Winterville East, Winterville West).

10th (1) **EDGECOMBE** (Precincts: 9–1, 12–3, 13–1, 14–1); **HALIFAX** (Faucett, Ringwood, Roanoke Rapids 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11); **NASH**; **WILSON** (Black Creek, Saratoga, Stantonsburg, Toisnot, Wilson A, C, D, I, M).


12th (2) **ALLEGHANY; ASHE; GUILFORD** (North Madison, South Madison, Stokesdale, North Washington, South Washington); **ROCKINGHAM; STOKES; SURRY; WATAUGA**.

13th (2) **DURHAM; GRANVILLE; PERSON** (Allensville, Cunningham–Chub Lake, Holloway, Mt. Tirzah, Roxboro City #1, 1A, 2, 3, 4, Woodsdale); **WAKE** (Buckhorn, Cedar Fork, House Creek #1, Leesville #1, 3, New Light #2, White Oak #2).

14th (2) **JOHNSTON** (North Elevation, South Elevation, Pleasant Grove); **WAKE** (Holly Springs, Little River 1, 2, Marks Creek 1, 2, Middle Creek 1, 2, Panther Branch, Raleigh 01–01 through 01–07, 01–09 through 01–23, 01–26, 01–27, 01–27 (part), 01–28 through 01–46, St. Mary’s 1, 2, 3, 4, 6, 7, St. Matthews 1, 2, 3, 4, Wake Forest 1, 2).

15th (1) **HARNETT; JOHNSTON** (North Banner, South Banner, West Banner, Bentonville, South Beulah, North Boon Hill, South Boon Hill, East Ingrams, West Ingrams, North Meadow, South Meadow, Micro, Pine Level); **LEE** (Cape Fear, Cumnock, Deep River, Jonesboro, East Sanford, West Sanford 1, 2, 3); **SAMPSON** (Kitty Fork, Newton Grove, Giddensville, Westbrook).

16th (2) **CHATHAM; LEE** (Greenwood, East Pocket, West Pocket); **MOORE; ORANGE; RANDOLPH** (Armory, North Asheboro, East Cedar Grove, West Cedar Grove, Coleridge, Deep River, Eastside, Falls, Franklinville, Grant, Liberty, Lindley Park, Loflin, McCrary, New Hope, Providence, East Ramseur, West Ramseur, East Randleman, West Randleman, Richland, South Pointe, Staley, Union, Westside, Worthville).

17th (2) **ANSON; HOKE** (Buchan, Fort Bragg, Puppy Creek, McCain, Rockfish); **MONTGOMERY; RICHMOND; SCOTLAND; STANLY** (For Township: Almond—see District 22); **UNION**.
<table>
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<tr>
<th>Districts</th>
<th>Counties</th>
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<tbody>
<tr>
<td>18th (1)</td>
<td>BLADEN (For Townships: Hollow, White Oak—see District 30); BRUNSWICK; COLUMBUS; NEW HANOVER (Wilmington 4, 5).</td>
</tr>
<tr>
<td>19th (1)</td>
<td>DAVIDSON (Abbotts Creek, Thomasville 8); GUILFORD (Bruce, Clay, North Center Grove, South Center Grove, Deep River, Fentress 1, 2, Friendship 1, Greene, Jamestown 3, Oak Ridge, Greensboro 20, 27A, 27B, 27C, 34A, 37A, 37B, 39, 41A, High Point 8, 16, 20, 23, 24); RANDOLPH (East Archdale, West Archdale, Back Creek, Concord, Level Cross, North New Market, South New Market, Prospect, Tabernacle, East Trinity, West Trinity).</td>
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<tr>
<td>20th (2)</td>
<td>FORSYTH (For Clemmons ville 2, 3—see District 38).</td>
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<tr>
<td>21st (1)</td>
<td>ALAMANCE; CASWELL; PERSON (Bushy Fork, Flat River, Hurdle Mills, Olive Hill).</td>
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<tr>
<td>22nd (1)</td>
<td>CABARRUS; ROWAN (Blackwelder Park, Bostian School, Bradshaw, S. China Grove, Enochville, East Kannapolis, West Kannapolis, East Landis, West Landis, Locke, Steele); STANLY (Township: Almond).</td>
</tr>
<tr>
<td>23rd (1)</td>
<td>DAVIDSON (Boone, Central, Cotton, Southmont, Lexington 1, 2, 4, Ward 1, 2, 3, 4, 5, 6, Tyro, Silver Hill); IREDELL (Barringer, Coddle Creek 1, 2, 3, Cool Springs, Eagle Mills, New Hope, Olin, Statesville 3, 4, 5, 6, Turnersburg, Union Grove); ROWAN (Cleveland, Faith (noncontiguous), Franklin, Hatters Shop, Milford Hills, Mt. Ulla, West Innes, Scotch Irish, Spencer, East Spencer, Trading Ford, Trading Ford (noncontiguous A), Unity, East Ward I, II, North Ward I, II, South Ward, West Ward I, II, III).</td>
</tr>
<tr>
<td>24th (1)</td>
<td>CUMBERLAND (Alder man, Black River, Brentwood, Cedar Creek, Cross Creek 4, 7, 8, 9, 10, 11, 12, 14, 15, 18, 20, 21, 22, 23, Cumberland 1, 2, Hope Mills 1, Judson, Linden, Long Hill, Manchester, Montclair, Pearces Mill 2, 3, 4, Seventy First 2, 3, Sherwood, Stedman, Vander, Wade).</td>
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<tr>
<td>25th (1)</td>
<td>CLEVELAND (Falston, Lawndale, Polkville, Shelby 4); GASTON (Armstrong, Ashbrook, Bessemer City 1, 2, Cherryville 1, 2, 3, Crowders Mtn., Dallas 1, 2, Firestone, Flint Groves, Gardner Park, Grier, Health Center, Highland, Landers Chapel, Memorial Hall, Lowell, McAdenville, Myrtle, Ranlo, Robinson, Sherwood, Tryon, Woodhill, Victory); LINCOLN (Crouse, Heavners, Lincolnton/North, Lincolnton/South, Lithuania, Love Memorial, Long Shoals, North Brook I/II).</td>
</tr>
<tr>
<td>26th (1)</td>
<td>CATAWBA; LINCOLN (Asbury, Boger City, Buffalo Shoals, Daniels/Vale, Hickory Grove, North Brook III, Pumpkin Center).</td>
</tr>
<tr>
<td>27th (2)</td>
<td>ALEXANDER; AVERY; BURKE (Drexel 1, 2, 3, Icard 1, 2, 3, 4, 5, Jonas Ridge, Linville1, Lovelady 1, 2, 3, 4, Lower Creek, Lower Fork, Morganton 7, Smoky Creek, Upper Creek, Upper Fork); CALDwell; MITCHELL; WILKES; YADKIN.</td>
</tr>
<tr>
<td>28th (2)</td>
<td>BUNCOMBE (For Broad River, Fairview, Limestone 2—see District 42); BURKE (Linville 2, Morganton 1, 3, 4, 5, 6, 8, 9, 10, Quaker Meadow 1, 2, Silver Creek 1, 2, 3, 4); MADISON; McDOWELL; YANCEY.</td>
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<td>DISTRICTS</td>
<td>COUNTIES</td>
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<tr>
<td>30th (1)</td>
<td>BLADEN (Townships: Hollow, White Oak); CUMBERLAND (Beaver Dam, Hope Mills 2); HOKE (Allendale, Antioch, Blue Springs, Raeford 1, 2, 3, 4, 5, Stonewall); ROBESON; SAMPSON (Roseboro, Lakewood).</td>
</tr>
<tr>
<td>31st (1)</td>
<td>GUILFORD (Gibsonville, Jamestown 1, 2, North Jefferson, South Jefferson, North Monroe, South Monroe, North Sumner, South Sumner, Whitsett, (GIB–G), Greensboro 3, 4, 5, 6, 7, 8, 9, 19, 25, 29, 30, 42, 44, 45, High Point 3, 5, 6, 7, 11, 12, 13, 18, 21, 22).</td>
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<tr>
<td>32nd (1)</td>
<td>GUILFORD (Friendship–2, Greensboro 1, 2, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24A, 24B, 24C, 26A, 26B, 28, 31, 32, 33, 34B, 35A, 35B, 35C, 36, 38, 40A, 40B, 41B, 43, High Point 1, 2, 4, 9, 10, 14, 15, 17, 19).</td>
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<tr>
<td>33rd (1)</td>
<td>MECKLENBURG (Long Creek 2, Charlotte Precincts: 11, 12, 13, 14, 16 (part), 22, 25, 27, 31, 39, 41, 42, 50, 52, 54, 55, 56, 57, 58, 59, 73, 75, 76, 77, 87, 92, 93, 97, 98).</td>
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<tr>
<td>34th (1)</td>
<td>IREDELL (Davidson 1) LINCOLN (Lowesville, Triangle); MECKLENBURG (Berryhill, Cornelius, Crab Orchard 2, Davidson, Huntersville, Lemly, Long Creek 1–North, Long Creek 1–South, Mallard Creek 1, 1 (part), 2, XMallard Creek–2 (noncontiguous), Oakdell, Paw Creek 1, 2, Steel Creek 1, 2, Charlotte Precincts: 4, 23, 24, 26, 40, 53, 60, 78, 79, 80, 81, 82, 89, 105).</td>
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<tr>
<td>35th (1)</td>
<td>MECKLENBURG (Clear Creek, Matthews 1, 2, 3, 4, Mint Hill 1, 2, 3, Pineville, Providence 1, 2, 3, Charlotte Precincts: 8, 19, 32, 36, 47, 48, 65, 66, 67, 68, 69, 70, 71, 72, 74, 83, 85, 86, 88, 90, 91, 93 (part), 94, 96, 100,102).</td>
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<tr>
<td>DISTRICTS (Seats)</td>
<td>COUNTIES</td>
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<tr>
<td>36th (1)</td>
<td>WAKE (Bartons Creek 1, 2, Cary 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, House Creek 2, 3, 4, 5, 6, Leesville 2, Meredith, Neuse 1, 2, New Light 1, St. Marys 5, Swift Creek 1, 2, 3, 4, White Oak 1).</td>
</tr>
<tr>
<td>37th (1)</td>
<td>CLEVELAND (Bethware, Boiling Springs, Casar, Grover, Holly Springs, East Kings Mountain, West Kings Mountain, Lattimore, Mooresboro–Youngs, Mulls, Pearl, Shanghai, Shelby 1, 2, 3, 5, 6, 7, Waco); RUTHERFORD.</td>
</tr>
<tr>
<td>38th (1)</td>
<td>DAVIDSON (Alleghany, Arcadia, Denton, Emmons, Hampton, Healing Springs, Holly Grove, Jackson Hill, Lexington 3, Liberty, Midway, Reeds, Reedy Creek, Silver Valley, Thomasville 1, 2, 3, 4, 5, 7, 9, 10, Welcome, Yadkin College); DAVIE; FORSYTH (Clemmons 2, 3); ROWAN (Barnhardt Mill, Bostian Crossroads, N. China Grove, Faith, Gold Knob, Granite Quarry, Morgan I, II, Rockwell, Sumner).</td>
</tr>
<tr>
<td>39th (1)</td>
<td>GASTON (Alexis, Belmont 1, 2, 3, Catawba Heights, Cramerton, High Shoals, Forest Heights, Gaston Day, South Gastonia, Lucia, Mt. Holly 1, 2, New Hope, Southpoint, Stanley 1, 2, Union); IREDELL (Bethany, Chambersburg, Coddle Creek 4, Concord, Davidson, Fallstown, Sharpsburg, Shiloh, Statesville 1, 2); LINCOLN (Denver, Iron Station, Salem, Westport).</td>
</tr>
<tr>
<td>40th (1)</td>
<td>MECKLENBURG (Crab Orchard 1, Charlotte Precincts: 1, 2, 3, 5, 6, 7, 9, 10, 15, 17, 18, 20, 21, 28, 29, 30, 33, 34, 35, 37, 38, 43, 44, 45, 46, 49, 51, 61, 62, 63, 64, 84, 95, 104).</td>
</tr>
<tr>
<td>41st (1)</td>
<td>CUMBERLAND (Beaver Lake, Cottonade, Cross Creek 1, 2, 3, 5, 6, 13, 16, 17, 19, 24, Eastover, Morganton Road 1, 2, Spring Lake, Seventy First 1, Westarea).</td>
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SENATE RESOLUTIONS
FIRST SESSION 1999

Adopted February 11, 1999 (See page 78)

S.R. 68, A SENATE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

Be it resolved by the Senate:

Section 1. The following procedures for nominating and electing members of the Board of Governors of The University of North Carolina are adopted:

I. COMMITTEE RESPONSIBILITIES.

1. It is the duty of the Senate Committee on Education/Higher Education (hereinafter referred to as the "Senate Committee") to choose nominees for each opening in each category of seats on the Board of Governors of The University of North Carolina to which the Senate is to elect members.

2. The Senate Committee shall receive suggestions of proposed candidates for nomination for election to the Board of Governors of The University of North Carolina through February 16, 1999. A Senator may propose as a candidate for nomination as many persons in a category as there are positions to fill in a category. In 1999 the total number of positions is eight. In order for a person to have standing to be considered as a candidate for nomination by the Senate Committee, that person must be formally proposed as a candidate for nomination by a member of the Senate. Only a written nomination on a form provided by the cochairs of the Senate Committee for that purpose and received in the Office of the Senate Principal Clerk no later than 5:00 p.m. on February 16, 1999, shall constitute formal proposal of a candidate. An individual cannot be a candidate for nomination or be nominated in more than one category.

3. A Senator may propose candidates for nomination only for the categories available for election by the Senate. In the 1999 Session, the Senate will elect:

(a) Two persons in the political minority party, for four-year terms; and

(b) Six persons in the at-large category, for four-year terms.

4. On or after February 17, 1999, the Senate Committee shall list all proposed candidates for nomination by category. The Senate Committee shall screen the proposed candidates for nomination as to their qualifications and background and may interview each one to make sure that suitable persons are nominated for each category. The Senate Committee shall as certain that each candidate for nomination is willing and able to serve and has no statutory disability. On completion of the screening process, the Senate Committee shall vote on each candidate proposed for nomination. If a sufficient number of nominees who are legally qualified are submitted in a category, then the slate of candidates shall list at least twice the number of candidates for the total seats open in a category. A candidate for nomination that receives the vote of a majority of those members of the Senate Committee present and voting shall become a nominee on the Senate ballot.

5. The cochairs of the Senate Committee shall ascertain whether the nominees for election by the Senate would serve if elected. Any nominee may withdraw without the approval of the sponsor.

6. Senate Committee nominees shall be placed before and recommended to the Senate for election.
II. ELECTIONS IN THE SENATE.

1. A ballot shall be prepared under the supervision of the cochairs of the Senate Committee for the use of the Senate.

2. The ballot shall list only the names of those nominees proposed by the Senate Committee who have consented to run and for whom the Senate is entitled to vote. Their names shall be arranged: (i) by category; and (ii) within each category, alphabetically by surname.

3. The Senate shall hold its election no later than the beginning of the daily session on February 18, 1999. Before the voting begins, one of the cochairs of the Senate Committee shall explain the voting rules, which are:

   (a) No nomination shall be received from the floor.

   (b) In order to be chosen, a nominee must receive the votes of a majority of all members present and voting in the nominee's category.

   (c) Each member present and voting shall vote for as many nominees as there are positions to be filled in each category, and any ballot not so marked shall be deemed void as to that category.

   (d) When fewer than two nominees in the political minority party category, or fewer than six nominees in the at-large category, receive the votes of a majority of all members present and voting for positions in those categories, a runoff to fill the open position or positions shall be conducted among the nominees who were not elected but who received the highest number of votes cast in each category, and the number of nominees eligible to be voted on in the runoff shall be twice the number of positions to be filled.

   (e) If there is a tie for the last position between two nominees who are eligible for the next runoff, both nominees shall be included in the next runoff balloting, even though there would be more than two nominees per available position, unless the deciding vote is cast in accordance with the North Carolina Constitution, Article II, Section 13.

   (f) If more than two nominees in the political minority party category, or more than six nominees in the at-large category, receive the votes of a majority of all members present and voting for positions in those categories, then the two nominees in the political minority party category, and the six nominees in the at-large category, receiving the highest number of votes in the category shall be deemed to have been chosen.

4. The Senators shall proceed to mark their ballots for the following:

   (a) Two persons in the political minority party category, for four-year terms; and

   (b) Six persons in the at-large category, for four-year terms. Every ballot shall be signed by the Senator casting it, and no unsigned ballots shall be counted.

5. The cochairs of the Senate Committee shall be responsible for canvassing the vote and declaring the results. All ballots shall be retained by the Principal Clerk as part of the permanent records of the Senate and shall be open for immediate public inspection.

6. When the cochairs of the Senate Committee have determined that the Senate has chosen two persons from the political minority party category, and six persons from the at-large category to serve as members of the Board of Governors for terms of four years, the President of the Senate shall declare those eight persons to have been elected.

7. The results of the election in the Senate shall then be sent by Special Messenger to the House of Representatives.

III. NOTIFICATION OF ELECTION RESULTS.

When the election process is complete, the cochairs of the Senate Committee shall notify the Secretary of the Board of Governors of The University of North Carolina of the
names of the persons elected by the Senate and the category and term for which each person was elected.

Section 2. This resolution is effective upon adoption.

Adopted February 15, 1999 (See page 80-82)

S.R. 42, A SENATE RESOLUTION HONORING THE ONE HUNDREDTH ANNIVERSARY OF THE FOUNDING OF SCOTLAND COUNTY.

Whereas, on February 20, 1899, Scotland County was formed from Richmond County; and
Whereas, Scotland County was named for the country of Scotland from which many of the early settlers of the area came; and
Whereas, Scotland County is known for its contributions to education, agriculture, and industry; and
Whereas, the citizens of Scotland County have been actively preparing for the county's centennial celebration; Now, therefore,
Be it resolved by the Senate:
Section 1. The North Carolina Senate honors the founders of Scotland County and joins the county's citizens in celebrating the county's one hundredth anniversary.
Section 2. The Principal Clerk shall transmit a certified copy of this resolution to the Chair of the Scotland County Board of County Commissioners.
Section 3. This resolution is effective upon adoption.

Adopted March 1, 1999 (See page 117-118)

S.R. 168, A SENATE RESOLUTION HONORING THE LIFE AND MEMORY OF NOAH GIBSON FOR WHOM THE TOWN OF GIBSON IS NAMED, ON THE TOWN'S ONE HUNDREDTH ANNIVERSARY.

Whereas, on February 28, 1999, and formally on April 16-18, 1999, the Town of Gibson in Scotland County will be celebrating 100 years of incorporation; and
Whereas, the Town of Gibson was named for Noah Gibson, a successful merchant and the first postmaster of the Town; and
Whereas, many of Noah Gibson's descendants continue to live in the Town of Gibson, the County of Scotland, and surrounding areas; and
Whereas, Gibson's 100th anniversary and Noah Gibson's contributions to the development of the Town are worthy of celebration and should be enjoyed and supported by all North Carolina citizens; Now, therefore,
Be it resolved by the Senate:
Section 1. The Senate honors the life and memory of Noah Gibson and urges the citizens of this State to participate in the activities commemorating the 100th anniversary of the Town of Gibson.
Section 2. The Principal Clerk shall transmit a certified copy of this resolution to the Mayor and the Town Manager of the Town of Gibson.
Section 3. This resolution is effective upon adoption.

Adopted April 6, 1999 (See page 272-273)

S.R. 750, A SENATE RESOLUTION HONORING THE TOWN OF LATTIMORE UPON ITS ONE HUNDREDTH ANNIVERSARY AND HONORING ITS FOUNDER, THE HONORABLE AUDLEY M. LATTIMORE.

Whereas, the Town of Lattimore in Cleveland County began as a village around 1886 and consisted of four houses located near the site of the crossing of two railroads, the
S.R. 763, A SENATE RESOLUTION COMMENDING ALAMANCE COUNTY ON ITS SESQUICENTENNIAL.

Whereas, the area that is known as Alamance County was once a part of Orange County and was originally settled around 1745 by English and Irish Quakers, Scots-Irish Presbyterians, and German Lutherans; and

Whereas, the people in the area felt that the Town of Hillsborough was too far to travel to conduct business and thought there was justification to divide Orange County into two counties; and

Whereas, on January 1, 1849, Representative Giles Mebane introduced a bill to establish Alamance County; and

Whereas, by popular vote, Alamance County was formed on April 24, 1849; and

Whereas, Alamance County has been home to many great citizens including Thomas M. Holt and Robert W. Scott, former Governors of North Carolina; B. Everett Jordan, former United States Senator; and W. Kerr Scott, former Governor and United States Senator; and

Whereas, Edwin M. Holt built the county's first textile mill and thereafter numerous textile mills were established in the County, making it one of the world's largest producers of textile products; and

Whereas, Alamance County is also recognized for being home to a number of companies that produce furniture, electronic equipment, and appliances and a major medical testing company and several packaging companies; and

Whereas, Alamance County has been represented by men and women in all wars fought by the United States, including the War Between the States; and

Whereas, Alamance County possesses a rich and valuable history; and

Whereas, the people of Alamance County are loyal, honest, and hardworking citizens who are proud of their past; and
Whereas, the citizens of Alamance County have been actively preparing for the County's Sesquicentennial Anniversary; Now, therefore,

Be it resolved by the Senate:

Section 1. The Senate commends Alamance County on its Sesquicentennial Anniversary and joins the County's citizens in celebrating this occasion.

Section 2. The Principal Clerk shall transmit a certified copy of this resolution to the Chair of the Alamance County Board of Commissioners and to the County Manager.

Section 3. This resolution is effective upon adoption.

Adopted May 13, 1999 (See page 515)

S.R. 1170, A SENATE RESOLUTION HONORING THE EARLY OFFICERS OF THE TOWN OF SHALLotte ON THE ONE HUNDREDTH ANNIVERSARY OF THE TOWN.

Whereas, on March 6, 1999, the Town of Shallotte in Brunswick County will be celebrating 100 years of incorporation; and

Whereas, the Town was named for the Shallotte River from which it is located; and

Whereas, the Town's first temporary officers included George Leonard as mayor; James Holmes, Charles Hemmingway, W.A. Frink, R.V. Leonard, and F.P. White as commissioners; McD. Turner as marshall; and John W. Moore as treasurer; and

Whereas, many of descendants of these first officers continue to live in the Town of Shallotte, the County of Brunswick, and surrounding areas; and

Whereas, the Town's 100th anniversary and the contributions made by these early officers to the development of the Town are worthy of celebration and should be enjoyed and supported by all North Carolina citizens; Now, therefore,

Be it resolved by the Senate:

Section 1. The Senate honors the life and memory of the Town of Shallotte's first officers and urges the citizens of this State to participate in the activities commemorating the 100th anniversary of the Town of Shallotte.

Section 2. The Principal Clerk shall transmit a certified copy of this resolution to the Mayor and the Town Manager of the Town of Shallotte.

Section 3. This resolution is effective upon adoption.

Adopted June 24, 1999 (See page 715)

S.R. 1038, A SENATE RESOLUTION HONORING THE FIFTIETH ANNIVERSARY OF THE TOWN OF SURF CITY.

Whereas, the General Assembly incorporated the Town of Surf City on March 23, 1949; and

Whereas, during World War II, residents in the area of Surf City leased land to the United States government allowing for gunnery practice and missile testing; and

Whereas, the attorney and entrepreneur Edgar Yow envisioned developing Topsail Island, contributing to the founding of Surf City; and

Whereas, Edgar Yow's vision permitted land ownership on Topsail Island creating a diverse area where 1,200 year-round residents currently live; and

Whereas, the Surf City's first governing body included D.N. Lucas, Gerald C. Mercer, and A.H. Ward; and

Whereas, many access Topsail Island by the swing bridge in Surf City rebuilt after Hurricane Hazel struck the Carolinas in October 1954 and remains one of the few swing bridges located on the East Coast; and
Whereas, Surf City's beaches, fishing piers, salt marshes, and other recreational activities attract many tourists making Surf City a popular vacation area for people in the Carolinas; and

Whereas, citizens of Surf City have weathered numerous storms and hurricanes in the 50 years as an incorporated town, but they continue to prosper; and

Whereas, the citizens of Surf City have been actively preparing for the Town's fiftieth anniversary; Now, therefore,

Be it resolved by the Senate:

Section 1. The North Carolina Senate congratulates the Town of Surf City and joins the Town in celebrating Surf City's fiftieth anniversary.

Section 2. The Principal Clerk shall transmit a certified copy of this resolution to the Mayor of the Town of Surf City.

Section 3. This resolution is effective upon adoption.

Adopted June 29, 1999 (See page 729)

S.R. 327, A BILL TO BE ENTITLED A SENATE RESOLUTION HONORING THE ONE HUNDREDTH ANNIVERSARY OF THE TOWN OF WRIGHTSVILLE BEACH.

Whereas, the Town of Wrightsville Beach was incorporated by the General Assembly on March 6, 1899; and

Whereas, Wrightsville Beach's early officers included Samuel Northop as Mayor, W.R. Kenan and Ernest Williams as Aldermen, and Thomas W. Davis as Clerk and Treasurer; and

Whereas, at the time of the Town's incorporation, 50 cottages and several hotels dotted the landscape of the Wrightsville Beach area; and

Whereas, Wrightsville Beach lies east of Wilmington in New Hanover County, just across the Intracoastal Waterway; and

Whereas, in earlier days, the trolley was the only means of transportation for those on the mainland to reach Wrightsville Beach; and

Whereas, the trolley served as a crucial delivery system for food, ice, and other supplies needed by the islanders and operated until 1934, at which time, a great fire destroyed the entire northern end of the island; and

Whereas, the Carolina Yacht Club, located in the heart of Wrightsville Beach, remains one of the oldest boating clubs in the United States, demonstrating the rich tradition of sailing in the Cape Fear area; and

Whereas, one of Wrightsville Beach's most legendary attractions included the Lumina, a grand pavilion that served as a gathering place for nearly 68 years and hosted such great entertainers as Louis Armstrong, Woody Herman, and Cab Calloway; and

Whereas, Wrightsville Beach's beautiful beaches, great sailing, water skiing, and other recreational activities cater to families with generations returning year after year; and

Whereas, the small year-round population of 3,050 continues to preserve the integrity of Wrightsville Beach, ensuring that the 12,000 summer visitors return every year; and

Whereas, today, the Wrightsville Beach Preservation Society holds an annual event commemorating the Town as it stood in the 1930s and 1940s; and

Whereas, the citizens of Wrightsville Beach have been actively preparing for the Town's 100th anniversary; Now, therefore,

Be it resolved by the Senate:
Section 1. The Senate congratulates the Town of Wrightsville Beach on its 100th anniversary and urges the citizens of this State to participate in the activities commemorating this historic occasion.

Section 2. The Principal Clerk shall transmit a certified copy of this resolution to the Mayor of the Town of Wrightsville Beach.

Section 3. This resolution is effective upon adoption.

Adopted July 19, 1999 (See page 985-988)

S.R. 1173, A SENATE RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES IREDELL FOR WHOM IREDELL COUNTY IS NAMED.

Whereas, James Iredell was born on October 5, 1751, at Lewes, Sussex, England; and

Whereas, in 1768, James Iredell was appointed comptroller of customs at Port Roanoke in Edenton, North Carolina, and after studying law also served as deputy king's attorney for Hertford, Perquimans, and Tyrrell Counties; and

Whereas, James Iredell served as a superior court judge from 1777 to 1778, as Attorney General of North Carolina from 1779 to 1781, as a delegate to the Constitutional Convention of 1788, and as an associate justice of the United States Supreme Court from 1790 to 1799; and

Whereas, James Iredell died in Edenton, North Carolina, in 1799; and

Whereas, Iredell County was formed in 1788 and named for James Iredell; Now, therefore,

Be it resolved by the Senate:

Section 1. The Senate honors the life and memory of James Iredell.

Section 2. The Principal Clerk shall transmit a certified copy of this resolution to the Chair of the Iredell County Board of Commissioners and to the Mayors of the Towns of Troutman, Mooresville, and Harmony, and the City of Statesville.

Section 3. This resolution is effective upon adoption.

Adopted July 19, 1999 (See page 988-989)

S.R. 1175, A SENATE RESOLUTION HONORING THE FIFTIETH ANNIVERSARY OF BENSON'S MULE DAYS FESTIVAL.

Whereas, for many generations, agriculture has played a significant role in the economic well-being of this State, the Town of Benson, and the surrounding areas; and

Whereas, the Mule Days Festival began in 1949 when Benson citizens, Nowell Smith and Willis McLamb, decided to honor the hardworking farmer and his most noble asset, the mule; and

Whereas, for fifty years, the Town of Benson and surrounding communities have honored the mule by observing the Mule Days Festival; and

Whereas, the Mule Days Festival has been an occasion to promote the farming heritage of this State and of the Benson area; and

Whereas, the Mule Days Festival has become one of the most popular festivals across the State and in the South; and

Whereas, the Town of Benson has proclaimed September 23-26, 1999, as the fiftieth anniversary of the Mule Days Festival; Now, therefore,

Be it resolved by the Senate:

Section 1. The Senate commends the Benson Chamber of Commerce for sponsoring the Mule Days Festival and salutes the many civic organizations for participating in the Festival.
Section 2. The Senate joins the Town of Benson in celebrating the fiftieth anniversary of the Mule Days Festival and encourages the people of this State to attend this event.

Section 3. The Principal Clerk shall transmit a certified copy of this resolution to the Mayor of the Town of Benson.

Section 4. This resolution is effective upon adoption.
EXECUTIVE ORDERS
of the
GOVERNOR OF THE STATE
OF NORTH CAROLINA

In compliance with G.S. 150A (Art. 5) and Chapter 479 (S.B. 1 [Sec. 152]) of the 1985 Session Laws, the Office of the Governor of the State of North Carolina has filed with the Senate Principal Clerk a copy of all Executive Orders issued following adjournment sine die of the Second Session 1998 of the 1997 General Assembly on October 29, 1998, through adjournment of the 1999 Session of the 1999 General Assembly on July 21, 1999, as follows.

The full text of Executive Orders 141 through 153 issued by Governor James B. Hunt, Jr., can be found in the Session Laws of the 1999 General Assembly.

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PLYMOUTH HIGH SCHOOL ARMY JUNIOR
RESERVE OFFICER TRAINING CORPS

Cadet Sergeant Major Lasheka Neal (Commander)
Cadet First Sergeant Rauslien Norman
Cadet Staff Sergeant Jermaine Gibson
Cadet Staff Sergeant Thomas Pittman
Cadet Private First Class Anthony Barrow

Alternates-
Cadet Staff Sergeant Dometrius Cox
Cadet Staff Sergeant Larry Henderson
Cadet Sergeant Erica Wright

Sergeant First Class (Retired) John A. Hall, Army Instructor

January 28, 1999 (See page 6)

THE UNIVERSITY OF NORTH CAROLINA LORELEIS

Lauren Boberg          Raleigh
Emily Williams         Raleigh
Michelle Timmerman     Wilmington
Susan Cline            Cramerton
Kristen Rivenbark      Wilmington
Jennifer Sinclair      Hendersonville
Courtney Atkins        Gastonia
Emily Easley           Durham
Carrie Roberts         Kannapolis
Jessica Lee            Charlotte
Leila Madani           Kinston, NY
RESOLUTIONS FROM OTHER STATES

COMMONWEALTH OF VIRGINIA
SENATE JOINT RESOLUTION NO. 487

Memorializing the Congress of the United States to either enact meaningful patient protections at the federal level with respect to employer self-funded plans or, in the absence of such federal action, amend the Employment Retirement Income Security Act (ERISA) of 1974 to grant authority to all individual states to monitor and regulate self-funded, employer-based health plans.

Agreed to by the Senate, February 25, 1999
Agreed to by the House of Delegates, February 25, 1999

WHEREAS, the McCarran-Ferguson Act, passed by the U.S. Congress in 1945, established a statutory framework whereby responsibility for regulating the insurance industry was left largely to the states; and

WHEREAS, the Employee Retirement Income Security Act (ERISA) of 1974 significantly altered this concept by creating a federal framework for regulating employer-based health, pension and welfare-benefit plans; and

WHEREAS, the provision of ERISA prevent states from directly regulating most employer-based health plans that are not deemed to be “insurance” for purposes of federal laws; and

WHEREAS, available data suggests that self-funding of employer-based health plans is increasing at a significant rate, among both large and small businesses; and

WHEREAS, between 1989 and 1993, the General Accounting Office estimates that the number of self-funded plan enrollees increased by about six million; and

WHEREAS, approximately 40-50 percent of the employer-based health plans are presently self-funded by employers, who retain most or all of the financial risk for their respective health plans; and

WHEREAS, as self-funding of health plans has grown, states have lost regulatory oversight of this growing portion of the health insurance market; and

WHEREAS, the federal government has been slow to enact meaningful patient protections such as mechanisms for the recovery of benefits due plan participants, recovery of compensatory damages from the fiduciary caused by its failure to pay benefits due under the plan, enforcement of the plan-participant’s rights under the terms of the plan, assurance of timely payment, and clarification of the plan-participant’s rights to future benefits under the terms of the plan; and

WHEREAS, in the absence of federal patient protections, state-level action is needed; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Congress of the United States be urged to either enact meaningful patient protections at the federal level with respect to employer self-funded plans or, in the absence of such federal action, amend the employment Retirement Income Security Act (ERISA) of 1974 to grant authority to all individual states to monitor and regulate self-funded, employer-based health plans; and, be it

RESOLVED FURTHER, That the Clerk of the Senate transmit copies of this resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, the President of the United States, the Secretary of the United States Department of Labor, the Congressional Delegation of Virginia, and to the
presiding officer of each house of each state’s legislative body so that they may be apprised of the sense of the General Assembly of Virginia in this matter.

COMMONWEALTH OF VIRGINIA
HOUSE JOINT RESOLUTION NO. 552

Memorializing the Congress of the United States to either enact meaningful patient protections at the federal level with respect to employer self-funded plans or, in the absence of such federal action, amend the Employee Retirement Income Security Act (ERISA) of 1974 to grant authority to all individual states to monitor and regulate self-funded, employer-based health plans.

Agreed to by the House of Delegates, February 23, 1999
Agreed to by the Senate, February 18, 1999

WHEREAS, the McCarran-Ferguson Act, Passed by the Congress of the United States in 1945, established a statutory framework whereby responsibility for regulating the insurance industry was left largely to the states; and

WHEREAS, the Employee Retirement Income Security Act (ERISA) of 1974 significantly altered this concept by creating a federal framework for regulating employer-based health, pension and welfare-benefit plans; and

WHEREAS, the provision of ERISA prevent states from directly regulating most employer-based health plans that are not deemed to be “insurance” for purposes of federal laws; and

WHEREAS, available data suggests that self-funding of employer-based health plans is increasing at a significant rate, among both large and small businesses; and

WHEREAS, between 1989 and 1993, the General Accounting Office estimates that the number of self-funded plan enrollees increased by about six million; and

WHEREAS, approximately 40-50 percent of the employer-based health plans are presently self-funded by employers, who retain most or all of the financial risk for their respective health plans; and

WHEREAS, as self-funding of health plans has grown, states have lost regulatory oversight of this growing portion of the health insurance market; and

WHEREAS, the federal government has been slow to enact meaningful patient protections such as mechanisms for the recovery of benefits due plan participants, recovery of compensatory damages from the fiduciary caused by its failure to pay benefits due under the plan, enforcement of the plan-participant’s rights under the terms of the plan, assurance of timely payment, and clarification of the plan-participant’s rights to future benefits under the terms of the plan; and

WHEREAS, in the absence of federal patient protections, state-level action is needed; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Congress of the United States be urged to either enact meaningful patient protections at the federal level with respect to employer self-funded plans or, in the absence of such federal action, amend the employee Retirement Income Security Act (ERISA) of 1974 to grant authority to all individual states to monitor and regulate self-funded, employer-based health plans; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates transmit copies of this resolution to the President of the United States, the Speaker of the United States
House of Representatives, the President of the United States Senate, the Secretary of the United States Department of Labor, the Congressional Delegation of Virginia, and to the presiding officer of each house of each state’s legislative body so that they may be apprised of the sense of the General Assembly of Virginia in this matter.

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**STATE OF MAINE**
In the year of Our Lord Nineteen Hundred and Ninety-Nine

**JOINT RESOLUTION MEMORIALIZING THE UNITED STATES SENATE TO RATIFY THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN.**

WHEREAS, We, your Memorialists, the Members of the One Hundred and Nineteenth Legislature of the State of Maine, now assembled, in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress, as follows:

WHEREAS, the United Nations Convention on the Elimination of All Forms of Discrimination Against Women was adopted by the United Nations General Assembly on December 18, 1979, became an international treaty on September 3, 1981 and as of December 1997 has been ratified or acceded to by 161 nations; and

WHEREAS, although the United States is considered a world leader in human rights, supports and has a position of leadership in the United Nations, was an active participant in the drafting and is a signatory of the convention, the United States is one of the few nations that have not ratified the treaty; and

WHEREAS, the spirit of the convention is rooted in the goals of the United Nations and the United States, which seek to affirm faith in fundamental human rights, in the dignity and worth of the person and in the equal rights of men and women; and

WHEREAS, the convention provides a comprehensive framework for challenging the various forces that have created and sustained discrimination based on sex against half of the world’s population and the 161 nations that have ratified the convention have agreed to follow the convention prescriptions; and

WHEREAS, although women have made major gains in the struggle for equality in social, business, political, legal and educational fields, there is much more to be accomplished; and through its support, leadership and prestige, the United States can help create a world where women are no longer discriminated against and have achieved one of the most fundamental of human rights, equality; now, therefore, be it

RESOLVED: That We, your Memorialists, request the President of the United States and the United States Congress to ratify the United Nations Convention on the Elimination of All Forms of Discrimination Against Women; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable William J. Clinton, President of the United States; the President of the United States Senate; the Speaker of the House of Representatives of the United States; the President of the Senate or the equivalent officer in the 49 other states; the Speaker of the House or the equivalent officer in the 49 other states; the United Nations Secretary-General, Kofi Annan; and each member of the Maine Congressional Delegation.

House of Representatives
Read and Adopted

In Senate Chamber
Read and Adopted
STATE OF MAINE
In the year of Our Lord Nineteen Hundred and Ninety-Nine

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS OF THE UNITED STATES TO RATIFY THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD

In Testimony Whereof, I have caused the seal of the State to be hereunto affixed. GIVEN under my hand at Augusta, this twenty-fifth day of March, in the year one thousand nine hundred and ninety-nine.

s/ Dan A. Gwadosky
Secretary of State

s/ Joseph W. Mayo
Clerk of the House

s/ Joy J. O'Brien
Secretary of the Senate

H.P. 1388

ATTEST:

s/ G. Steven Rowe
Speaker of the House of Representatives

ATTEST:

s/ Mark W. Lawrence
President of the Senate

Sponsored By:

Rep. Rosita Gagne
of Buckfield

Cosponsored By:

Sen. Sharon Treat
of Kennebec County

Rep. Elizabeth Townsend
of Portland

Rep. Scott W. Cowger
of Hallowell

Rep. Paul Volenik
of Brooklin

Rep. Pamela Henderson Hatch
of Skowhegan

Sen. Mary R. Cathcart
of Penobscot County

Speaker G. Steven Rowe
of Portland

President Mark W. Lawrence
of York County

Rep. Kathleen A. Stevens
of Orono

(SEAL)

Rep. Scott W. Cowger
of Hallowell

In the year of Our Lord Nineteen Hundred and Ninety-Nine
WE, your Memorialists, the members of the One Hundred and Nineteenth Legislature of the State of Maine, now assembled, in the First Regular Session, most respectfully present
and petition the President of the United States and the United States Congress, as follows:

WHEREAS, children’s rights require special protection and continuous improvement all over the world, as well as calling for the development and education of children in conditions of peace and security; and

WHEREAS, the United Nations has proclaimed that the period of childhood is entitled to special care and assistance; and

WHEREAS, the child should grow up in a family environment with happiness, love and understanding; and

WHEREAS, the child should be fully prepared to live the life of an individual in society; and

WHEREAS, the child should be brought up with dignity in a spirit of peace, tolerance, freedom, equality and solidarity; and

WHEREAS, in all countries of the world, there are children living in exceptionally difficult conditions; and

WHEREAS, it is important to have international cooperation in order to improve the living conditions of children in every country, in particular in the developing countries; and

WHEREAS, the United Nations Convention on the Rights of the Child has broken all records as the most widely ratified human rights treaty in history; and

WHEREAS, the convention is the most rapidly and widely adopted human rights treaty in history with 191 States Parties; and

WHEREAS, only 2 countries have not ratified this agreement, Somalia and the United States; and

WHEREAS, the uniqueness of the treaty is that it is the first legally binding international instrument to incorporate the full range of children’s human rights, which include civil and political rights as well as their economic, social and cultural rights, thus giving all rights equal emphasis; now, therefore, be it

RESOLVED: That We, your Memorialists, request the President of the United States and the United States Congress to ratify the United Nations Convention on the Rights of the Child; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable William J. Clinton, President of the United States; the President of the United States Senate; the Speaker of the House of Representatives of the United States; the United Nations Secretary-General Kofi Annan; each Member of the Maine Congressional Delegation; the Speaker of the House or the equivalent officer in the 49 other states; and the President of the Senate or the equivalent officer in the 49 other states.

House of Representatives  In Senate Chamber
Read and Adopted Read and Adopted
March 23, 1999 March 25, 1999
Sent up for Concurrence In Concurrence
s/Joseph W. Mayo s/ Joy J. O’Brien
Clerk of the House Secretary of the Senate

H.P. 1373
LEGISLATURE OF THE STATE OF IDAHO

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 129

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE, REPEALING, RESCINDING, CANCELING, VOIDING AND SUPERSEDEDING ANY AND ALL EXTANT APPLICATIONS BY THE LEGISLATURE OF THE STATE OF IDAHO HERETOFORE MADE DURING ANY SESSION THEREOF TO THE CONGRESS OF THE UNITED STATES OF AMERICA TO CALL A CONVENTION PURSUANT TO THE TERMS OF ARTICLE V OF THE UNITED STATES CONSTITUTION FOR PROPOSING ONE OR MORE AMENDMENTS TO THE CONSTITUTION AND URGING THE LEGISLATURES OF THE OTHER STATES TO DO THE SAME, REAFFIRMING THE REQUEST FOR AN AMENDMENT REQUIRING THAT FEDERAL OUTLAYS NOT EXCEED
RECEIPTS, AND DIRECTING COPIES OF THIS RESOLUTION BE SENT TO SPECIFIED PERSONS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature of the State of Idaho, acting with the best of intentions, has, at various times, and during various sessions, previously made applications to the Congress of the United States of America to call one or more conventions to propose either a single amendment concerning a specific subject or to call a general convention to propose an unspecified and unlimited number of amendments to the United States Constitution, pursuant to the provisions of Article V thereof; and

WHEREAS, former Justice of the United States of America Warren E. Burger, former Associate Justice of the United States Supreme Court Arthur J. Goldberg and other leading constitutional scholars agree that such a convention may propose sweeping changes to the Constitution, any limitations or restrictions purportedly imposed by the states in applying for such a convention or conventions to the contrary notwithstanding, thereby creating an imminent peril to the well-established rights of the citizens and the duties of various levels of government; and

WHEREAS, the Constitution of the United States of America has been amended many times in the history of this nation and may be amended many more times, without the need to resort to a constitutional convention, and has been interpreted for more than two hundred years and has been found to be a sound document which protects the lives and liberties of the citizens; and

WHEREAS, there is no need for, rather, there is great danger in, a new Constitution or in opening the Constitution to sweeping changes, the adoption of which would only create legal chaos in this nation and only begin the process of another two centuries of litigation over its meaning and interpretation.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature does hereby repeal, rescind, cancel, nullify, and supersede to the same effect as if they had never been passed, any and all extant applications by the Legislature of the State of Idaho to the Congress of the United States of America to call a convention to propose amendments to the Constitution of the United States of America, pursuant to the terms of Article V thereof, regardless of when or by which session or sessions of the Idaho Legislature such applications were made and regardless of whether such applications were for a limited convention to propose one or more amendments regarding one or more specific subjects and purposes or for a general convention to propose an unlimited number of amendments upon an unlimited number of subjects.


BE IT FURTHER RESOLVED that the Legislature of the State of Idaho urges the Legislatures of each and every state which has applied to Congress to call a convention for either a general or a limited constitutional convention, to repeal and rescind such applications.

BE IT FURTHER RESOLVED that, notwithstanding any other provision of this Resolution, the Legislature hereby reaffirms its request to the Congress of the United States of America to call a convention for the purpose of proposing one or more amendments regarding one or more specific subjects and purposes or for a general convention to propose an unlimited number of amendments upon an unlimited number of subjects.
States of America that the Congress of the United States propose an amendment to the Constitution of the United States of America requiring, in the absence of a national emergency, that the total of all federal outlays for any fiscal year shall not exceed the total of all federal receipts for that fiscal year, which amendment may also limit the power of Congress to increase federal taxes, and remit it to the several states for ratification.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to send copies of this Resolution to the Secretary of State of each state in the Union, to the presiding officers of both houses of the Legislatures of each state in the Union, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to the members of the Congress of the United States representing the State and people of Idaho, and the administrator of General Services, Washington, D.C.
**SENATE COMMITTEE ASSIGNMENTS**

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<td>Senator Albertson</td>
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<td>Vice Chair</td>
<td>Senator Gulley</td>
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<td>Vice Chair</td>
<td>Senator Horton</td>
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<tr>
<td>Vice Chair</td>
<td>Senator Robinson</td>
</tr>
<tr>
<td>Vice Chair</td>
<td>Senator Wellons</td>
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<tr>
<td>Ranking Minority</td>
<td>Senator Cochrane</td>
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<tr>
<td>Members</td>
<td>Senators Clodfelter, East, Garrou, Garwood, Hagan, Harris, Hartsell, Kinnaird, Martin of Guilford, Odom, Perdue, Phillips, Webster, Weinstein</td>
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| **APPROPRIATIONS/BASE BUDGET** | Tues/Wed/Thurs—643 LOB—8:30 AM |
| Co-Chair | Senator Perdue |
| Co-Chair | Senator Plyler |
| Co-Chair | Senator Odom |
| Vice Chair | Senator Allran |
| Vice Chair | Senator Cochrane |
| Vice Chair | Senator Forrester |
| Vice Chair | Senator Rand |

| **APPROPRIATIONS—DEPARTMENT OF TRANSPORTATION** | Tues/Wed/Thurs—1027 LB—8:30 AM |
| Chair | Senator Gulley |
| Vice Chair | Senator Albertson |
| Ranking Minority | Senator Carpenter |
| Members | Senators Clodfelter, Hoyle, Miller, Rucho |

| **APPROPRIATIONS—EDUCATION/HIGHER EDUCATION** | Tues/Wed/Thurs—414 LOB—8:30 AM |
| Co-Chair | Senator Dalton |
| Co-Chair | Senator Lee |
| Vice Chair | Senator Carter |
| Ranking Minority | Senator Hartsell |
| Members | Senators Garrou, Garwood, Hagan, Wellons |
APPROPRIATIONS—GENERAL GOVERNMENT
Tues/Wed/Thurs—1124 LB—8:30 AM
Chair
Senator Warren
Vice Chair
Senator Lucas
Ranking Minority
Senator Foxx
Members
Senators Allran, Harris, Kinnaird

APPROPRIATIONS—HUMAN RESOURCES
Tues/Wed/Thurs—422 LOB—8:30 AM
Chair
Senator Martin of Guilford
Vice Chair
Senator Dannelly
Ranking Minority
Senator Forrester
Members
Senators Kerr, Phillips, Purcell, Shaw of Cumberland

APPROPRIATIONS—JUSTICE AND PUBLIC SAFETY
Tues/Wed/Thurs—415 LOB—8:30 AM
Chair
Senator Jordan
Vice Chair
Senator Ballance
Ranking Minority
Senator East
Members
Senators Carrington, Rand

APPROPRIATIONS—NATURAL AND ECONOMIC RESOURCES
Tues/Wed/Thurs—423 LOB—8:30 AM
Chair
Senator Martin of Pitt
Vice Chair
Senator Weinstein
Ranking Minority
Senator Cochrane
Members
Senators Horton, Metcalf, Reeves, Robinson

CHILDREN & HUMAN RESOURCES
Wed—544 LOB—11:00 AM
Chair
Senator Lucas
Vice Chair
Senator Dannelly
Vice Chair
Senator Martin of Guilford
Vice Chair
Senator Purcell
Ranking Minority
Senator Forrester
Members
Senators Allran, Cochrane, East, Foxx, Garrou, Hagan, Kerr, Moore, Phillips, Warren, Wellons

COMMERCE
Tues/Thurs—1027 LB—11:00 AM
Chair
Senator Soles
Vice Chair
Senator Cochrane
Vice Chair
Senator Hoyle
Vice Chair
Senator Lee
Vice Chair
Senator Martin of Pitt
Vice Chair
Senator Warren
Ranking Minority
Senator Ballantine
Members
Senators Ballance, Carpenter, Carrington, Carter, Dalton, Forrester, Foxx, Jordan, Kerr, Metcalf, Moore, Plyler, Purcell, Rand, Reeves, Rucho, Shaw of Cumberland, Shaw of Guilford
EDUCATION/HIGHER EDUCATION  
Wed—414 LOB—10:00 AM  
Co-Chair Senator Dalton  
Co-Chair Senator Lee  
Vice Chair Senator Dannelly  
Vice Chair Senator Hartsell  
Vice Chair Senator Hoyle  
Vice Chair Senator Warren  
Ranking Minority Senator Allran  
Members Senators Carter, Cochrane, Cooper, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Horton, Lucas, Martin of Guilford, Perdue, Purcell, Robinson, Rucho

FINANCE  
Tues/Wed—544 LOB—1:30 PM  
Co-Chair Senator Hoyle  
Co-Chair Senator Kerr  
Vice Chair Senator Cooper  
Vice Chair Senator Shaw of Guilford  
Vice Chair Senator Soles  
Vice Chair Senator Weinstein  
Ranking Minority Senator Allran  
Members Senators Albertson, Ballantine, Clodfelter, Cochrane, Dalton, Dannelly, Foxx, Gulley, Harris, Hartsell, Lee, Metcalf, Miller, Moore, Perdue, Phillips, Purcell, Rand, Reeves, Shaw of Cumberland, Webster, Wellons

HEALTH CARE  
Wed—1124 LB—12:00 Noon  
Chair Senator Purcell  
Vice Chair Senator Lucas  
Vice Chair Senator Martin of Guilford  
Vice Chair Senator Metcalf  
Vice Chair Senator Phillips  
Ranking Minority Senator Rucho  
Members Senators Cooper, Dannelly, Forrester, Garwood, Hagan, Hartsell, Miller, Moore, Perdue, Warren, Weinstein

INFORMATION TECHNOLOGY  
Wed—1027 LB—12:00 Noon  
Chair Senator Reeves  
Vice Chair Senator Garrou  
Vice Chair Senator Rand  
Vice Chair Senator Shaw of Cumberland  
Ranking Minority Senator Horton  
Members Senators Carrington, Carter, Clodfelter, Cochrane, Foxx, Gulley, Harris, Hoyle, Jordan, Kerr, Lee, Martin of Pitt, Wellons
<table>
<thead>
<tr>
<th>Committee</th>
<th>Chair</th>
<th>Vice Chair</th>
<th>Vice Chair</th>
<th>Vice Chair</th>
<th>Ranking Minority</th>
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<tr>
<td><strong>INSURANCE</strong></td>
<td>Senator Wellons</td>
<td>Senator Harris</td>
<td>Senator Martin of Pitt</td>
<td>Senator Reeves</td>
<td>Senator Carrington</td>
<td>Senators Ballance, Ballantine, East, Metcalf, Miller, Rand, Webster</td>
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<tr>
<td><strong>JUDICIARY I</strong></td>
<td>Senator Cooper</td>
<td>Senator Clodfelter</td>
<td>Senator Hartsell</td>
<td>Senator Soles</td>
<td>Senator Carpenter</td>
<td>Senators Albertson, Allran, Ballantine, Carrington, Carter, Gulley, Hoyle, Lucas, Metcalf, Rand, Wellons</td>
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<tr>
<td><strong>JUDICIARY II</strong></td>
<td>Senator Miller</td>
<td>Senator Ballance</td>
<td>Senator Dalton</td>
<td>Senator Hagan</td>
<td>Senator Shaw of Guilford</td>
<td>Senators Forrester, Horton, Kerr, Kinnaird, Lee, Martin of Guilford, Moore, Robinson</td>
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<tr>
<td><strong>PENSIONS &amp; RETIREMENT AND AGING</strong></td>
<td>Senator Phillips</td>
<td>Senator Kinnaird</td>
<td>Senator Shaw of Cumberland</td>
<td>Senator Moore</td>
<td>Senators Albertson, Carpenter, Clodfelter, Jordan, Odom, Plyler, Shaw of Guilford, Weinstein</td>
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<tr>
<td><strong>RULES AND OPERATIONS OF THE SENATE</strong></td>
<td>Senator Rand</td>
<td>Senator Carrington</td>
<td>Senator Cooper</td>
<td>Senator Gulley</td>
<td>Senator Forrester</td>
<td>Senators Albertson, Dalton, Horton, Hoyle, Jordan, Kinnaird, Martin of Pitt, Metcalf, Plyler, Rucho, Soles</td>
</tr>
</tbody>
</table>
STATE AND LOCAL GOVERNMENT

Chair: Senator Kinnaird
Vice Chair: Senator Dalton
Vice Chair: Senator Jordan
Vice Chair: Senator Miller
Ranking Minority: Senator Webster
Members: Senators Albertson, Ballance, Clodfelter, Garwood, Horton, Robinson, Soles

TRANSPORTATION

Chair: Senator Shaw of Cumberland
Vice Chair: Senator Carpenter
Vice Chair: Senator Gulley
Vice Chair: Senator Lee
Ranking Minority: Senator Garwood
Members: Senators Carrington, Carter, Harris, Hartsell, Hoyle, Martin of Pitt, Odom, Plyler, Rand, Rucho, Shaw of Guilford

WAYS & MEANS

Chair: Senator Dannelly
Vice Chair: Senator Kerr
Vice Chair: Senator Lucas
Ranking Minority: Senator Allran
Members: Senators Ballance, Ballantine, Carrington, East, Hoyle, Martin of Pitt, Odom, Perdue, Plyler, Warren, Webster, Weinstein

SELECT COMMITTEE

SELECT COMMITTEE ON TOBACCO SETTLEMENT ISSUES

Chair: Senator Weinstein
Vice Chair: Senator Albertson
Vice Chair: Senator Perdue
Vice Chair: Senator Warren
Vice Chair: Senator Wellons
Ranking Minority: Senator Hartsell
Members: Senators Ballance, Carter, Cochrane, Dannelly, East, Forrester, Garrou, Gulley, Harris, Horton, Kerr, Martin of Pitt, Martin of Guilford, Metcalf, Purcell, Rand, Robinson, Soles

STATUTORY COMMITTEE

NEW LICENSING BOARDS, JOINT LEGISLATIVE

Chairman: Senator Miller
Members: Senators Hartsell, Martin of Pitt, Miller, Soles, Wellons
Representatives Bridgeman, Dockham, Insko, Michaux
SENATE STAFF

OFFICE OF THE PRESIDENT
Lieutenant Governor
Chief of Staff
Directors
   Communications
   Constituent Affairs
   Research and Policy
Scheduling
Executive Assistant
Special Assistant
Security
Dennis A. Wicker
Mack Paul
Bob Phillips
Syscret Evans
Kristen Guillory
Julie White
Greta Rogers
Felecia Hicks
Shirley Fowler
Trooper Andrew Haswell
Trooper Vann Burton

OFFICE OF THE PRESIDENT PRO TEMPORE
President Pro Tempore
General Counsel/Liaison
Communications Director
Director of Research
Executive Assistant
Legislative Outlook Coordinator
Special Assistants
  Legislative Affairs
  Citizen Affairs
  Communications and Research
  Receptionist
Page Program Coordinator Supervisor
Marc Basnight Norma Mills Rob Lamme Julia White Rolf Blizzard Angela Talton Phil Hayes Kyle Armentrout Scarlett Gardner Mary King Amy Piniak Lea Dunn Cindy Garrison Tonita Stephenson

OFFICE OF THE DEPUTY PRESIDENT PRO TEMPORE
Deputy President Pro Tempore
Administrative Assistant
Legal Counsel
Frank W. Ballance, Jr. Irma Avent Carlton Pressley

OFFICE OF THE SENATE MAJORITY LEADER
Majority Leader
Administrative Assistant
Legal Counsel
Roy Cooper III Susan Moore Joseph Lee

OFFICE OF THE SENATE MINORITY LEADER
Minority Leader
Administrative Assistant
Legislative Aide
Patrick Ballantine Luci Johnson Joel Raupe
OFFICE OF THE PRINCIPAL CLERK
Principal Clerk
Janet B. Pruitt
Administrative Clerks
Mona R. Fitzgerald
Tracie J. McLamb
Calendar Clerk
Beverly H. Allen
Assistant Calendar Clerks
Anna Avery
Sharon Gregory
Journal Clerk
Sonia B. Wiggins
Assistant Journal Clerks
Betty Morris Bridger
Susan Burkhead
Shawn Fry
Rennie Hobby
Betty Naylor
Quiana Quarles

READING CLERK
LeRoy Clark, Jr.

OFFICE OF THE SERGEANT-AT-ARMS
Sergeant-at-Arms
Cecil Goins
Deputy/Secretary
Martha Dunn
Assistants
Collis Brown
Mary Perry
Wes Faulk
Hubert Poole
Jon Fichett
Phil Riley
Michael Houser
George Robinson
Stanley Johnson
Ronald Spann
Archie McMillan
Richard Telfair
Charles Marsalis
Leslie Wright

OFFICE OF SENATE LEGISLATIVE ASSISTANTS
Dot Waugaman
Avent, Irma
Deputy President Pro Tempore
Ballance
Select Committee on Tobacco
Weinstein
Settlement Issues
Beason, Janet
Office of Director - substitute
Birdsong, Julia
Agriculture/Environment/Natural
Albertson
Resources
Blackwood, Gerry
Office of Director - substitute
Blake, Lorraine
Health Care
Blalock, Janet
Commerce, Majority Caucus Chair
Boone, Barbara
Office of Director - substitute
Bowles, Gerry
Pension & Retirement and Aging
Brothers, Nancy
Phillips
Bunn, Kristi
Rand
Caldwell, Wilma
Ruco
Canady, Anne
Warren
Campbell, Nancy
Perdue
Carpenter, Helen
Carpenter
Clark, Genie
Horton
Costello, Evelyn
Rand
Curry, Sally
Dalton
Rules & Operations of the Senate
<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
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<tbody>
<tr>
<td>David-Yerumo, Bernie</td>
<td>Majority Caucus Secretary;</td>
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<tr>
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<td>Children &amp; Human Resources</td>
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<tr>
<td>Davis, Kathy</td>
<td>Office of Director - substitute</td>
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<td>DeWitt, Sheila</td>
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<td>Drew, Frances</td>
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<td>Eldridge, Barbara</td>
<td>Office of Director, Page Coordinator</td>
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<td>Funderburk, Elaine</td>
<td>Appropriations on Natural and Economic</td>
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<td>Garrison, Cindy</td>
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<td>Nickerson, Janet</td>
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<td>Resar, Carol</td>
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<td>Robinson, Jean</td>
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<td>Soles, Anne</td>
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</table>

<p>| Lucas                |                                        |
| Carrington           |                                        |
| Shaw of Guilford     |                                        |
| Martin of Pitt       |                                        |
| Webster              |                                        |
| Hagan                |                                        |
| Lee                  |                                        |
| Kerr                 |                                        |
| Jordan               |                                        |
| Reeves               |                                        |
| Dannelly             |                                        |
| Martin of Guilford   |                                        |
| Wellons              |                                        |
| Harris               |                                        |
| Hartsell             |                                        |
| Ballantine           |                                        |
| Garwood              |                                        |
| Clodfelter           |                                        |
| Carter               |                                        |
| Basnight             |                                        |
| Garrou               |                                        |
| Soles                |                                        |
| Shaw of Cumberland   |                                        |
| Cooper               |                                        |
| Miller               |                                        |
| Foxx                 |                                        |
| Plyler               |                                        |
| Plyler               |                                        |
| Cooper               |                                        |
| Metcalf, Odom        |                                        |
| Hoyle                |                                        |
| Cochrane             |                                        |
| East                 |                                        |
| Gulley               |                                        |
| Robinson             |                                        |
| Foxx, Webster        |                                        |</p>
<table>
<thead>
<tr>
<th>Name</th>
<th>Office or Role</th>
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<tbody>
<tr>
<td>Sears, Sylvia</td>
<td>Kerr</td>
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<td>Spears, Vickie</td>
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<td>Sri, Tom</td>
<td>Dalton</td>
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<td>Stephenson, Tonita</td>
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<td>Talton, Angela</td>
<td>Basnight</td>
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<td>Taylor, Mary Lee</td>
<td>Weinstein</td>
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<td>Walker, Carole</td>
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<td>Wilson, Anne</td>
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<td>Harris</td>
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<td>Yates, Heidi</td>
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<td>Young, Kathie</td>
<td>Kinnaird</td>
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</table>

Office of Director, Page Supervisor

President Pro Tempore

Finance

Appropriations/Base Budget

State and Local Government
PRESIDENT OF THE SENATE APPOINTMENTS

The following appointments to Boards and Commissions were made during 1999 by the President of the Senate, The Honorable Dennis Wicker, Lieutenant Governor.

<table>
<thead>
<tr>
<th>Appointed</th>
<th>Expires</th>
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<tbody>
<tr>
<td><strong>BIOTECHNOLOGY CENTER, BOARD OF DIRECTORS</strong></td>
<td></td>
</tr>
<tr>
<td>Dr. Robert M. Bell</td>
<td>9/2/99</td>
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<tr>
<td>The Honorable Leo Mercer</td>
<td>9/2/99</td>
</tr>
<tr>
<td>Mr. John C. Reilly</td>
<td>9/2/99</td>
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<tr>
<td>The Honorable Carl J. Stewart, Jr.</td>
<td>9/2/99</td>
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<tr>
<td>Ms. Sandra Y. Yankwich</td>
<td>9/2/99</td>
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<td>7/31/2001</td>
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**CRIMINAL JUSTICE PARTNERSHIP ADVISORY BOARD**

G.S. 143B-272.6

Mrs. Kathy Hodges               | 7/22/99               |
Mr. Terry Sherrill              | 7/22/99               |
                                   | 6/30/2002             |
                                   | 6/30/2002             |

**ECONOMIC DEVELOPMENT COMMISSION, WESTERN NORTH CAROLINA REGIONAL**

G.S. 158-8.1

Mr. Conrad Burrell             | 8/9/99                |
                                   | 6/30/2003             |

**PUBLIC HEALTH STUDY COMMISSION**

G.S. 120-197

The Honorable Moses Carey, Jr. | 2/2/99                |

**RURAL ECONOMIC DEVELOPMENT CENTER**

Term: Pleasure of appointive authority.

The Honorable Jeanne Hopkins Lucas | 8/13/99               |
The Honorable Stephen M. Metcalf  | 8/13/99               |

**SENTENCING AND POLICY ADVISORY COMMISSION**

G.S. 164-37

Mr. Luther T. Moore           | 7/22/99               |
Ms Katherine P. Prescott     | 8/13/99               |
                                   | 6/30/2001             |
                                   | 6/30/2001             |

**VAGABOND SCHOOL OF THE DRAMA, INC./FLAT ROCK PLAYHOUSE BOARD OF TRUSTEES**

The Honorable McDaniel Robinson | 8/13/99               |
**PRESIDENT PRO TEMPORE APPOINTMENTS**

The following appointments and recommendations to Boards, Commissions, and Committees were made during 1999 by The Honorable Marc Basnight, Senate President Pro Tempore.

<table>
<thead>
<tr>
<th>Board/Committee</th>
<th>Appointed Date</th>
<th>Expires Date</th>
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</thead>
<tbody>
<tr>
<td><strong>ACUPUNCTURE LICENSING BOARD</strong> G.S. 90-453</td>
<td></td>
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<tr>
<td>Mr. Garland Wood</td>
<td>7/21/99</td>
<td>6/30/2002</td>
</tr>
</tbody>
</table>

| **ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE** G.S. 120-70.100 |                |                |
| Senator John H. Kerr III (Co-Ch)                       | 3/19/99        | 1/14/2001      |
| Senator Frank W. Ballance, Jr.                         | 3/19/99        | 1/14/2001      |
| Senator Virginia Foxx                                  | 3/19/99        | 1/14/2001      |
| Senator Oscar N. Harris                                | 9/27/99        | 1/14/2001      |
| Senator Fletcher L. Hartsell, Jr.                      | 3/23/99        | 1/14/2001      |
| Senator Brad Miller                                    | 3/19/99        | 1/14/2001      |
| Senator William R. Purcell                             | 3/19/99        | 1/14/2001      |
| Senator Hugh Webster                                   | 3/19/99        | 1/14/2001      |

| **ADVISORY BUDGET COMMISSION** G.S. 143-4             |                |                |
| Senator John A. Garwood                                | 3/19/99        | 1/31/2001      |
| Senator T. LaFontine Odom, Sr.                         | 3/19/99        | 1/31/2001      |
| Senator Beverly Eaves Perdue                           | 3/19/99        | 1/31/2001      |
| Senator Aaron W. Plyler                                | 3/19/99        | 1/31/2001      |
| Senator Ed Warren                                      | 3/19/99        | 1/31/2001      |

| **AGING, GOVERNOR'S ADVISORY COUNCIL** G.S. 143B-181  |                |                |
| Mrs. Eleanor Beasley                                   | 7/21/99        | 6/30/2003      |

| **AGING STUDY COMMISSION** G.S. 120-182               |                |                |
| Senator William R. Purcell (Co-Ch)                     | 10/6/99        | 6/30/2001      |
| Senator Charles Carter                                 | 10/6/99        | 6/30/2001      |
| Senator Charlie S. Dannelly                            | 10/6/99        | 6/30/2001      |
| Senator James Forrester                                | 10/6/99        | 6/30/2001      |
| Senator Oscar N. Harris                                | 10/6/99        | 6/30/2001      |
| Ms. Kimberly D. Berry                                  | 10/14/99       | 6/30/2001      |
| Mr. Ted W. Goins, Jr.                                  | 10/6/99        | 6/30/2001      |
| Mrs. Betty Britt Rising                                | 10/6/99        | 6/30/2001      |

<p>| <strong>AGRICULTURAL AND FORESTRY AWARENESS STUDY COMMISSION</strong> G.S. 120-150 | | |
| Mr. Vernon James                                       | 9/28/99        | 9/30/2001      |
| Mr. Ross W. Lampe                                      | 9/28/99        | 9/30/2001      |</p>
<table>
<thead>
<tr>
<th>Board/Committee</th>
<th>Appointed</th>
<th>Expires</th>
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<tr>
<td><strong>ALARM SYSTEMS LICENSING BOARD</strong></td>
<td>7/21/99</td>
<td>6/30/2002</td>
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<tr>
<td>G.S. 74D-49(b)</td>
<td>Mr. Ralph Brown</td>
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<td><strong>APPRAISAL BOARD</strong></td>
<td>7/21/99</td>
<td>6/30/2002</td>
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<tr>
<td>G.S. 93E-1-5</td>
<td>Mr. Henry E. Faircloth</td>
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<tr>
<td><strong>AQUACULTURE ADVISORY BOARD</strong></td>
<td>7/21/99</td>
<td>6/30/2002</td>
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<tr>
<td>G.S. 106-760</td>
<td>Senator Charles W. Albertson, Designee</td>
<td>12/31/2000</td>
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<tr>
<td><strong>ATHLETIC TRAINER EXAMINERS BOARD</strong></td>
<td>7/21/99</td>
<td>6/31/2001</td>
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<tr>
<td>G.S. 90-524</td>
<td>Dr. Donald D'Alessandro</td>
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<tr>
<td><strong>BLIND, CONSUMER AND ADVOCACY ADVISORY COMMITTEE</strong></td>
<td>8/17/99</td>
<td>6/30/2001</td>
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<tr>
<td>G.S. 143B-164</td>
<td>Senator Luther H. Jordan, Jr.</td>
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<td><strong>CANCER COORDINATION AND CONTROL ADVISORY COMMITTEE</strong></td>
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<td>6/30/2003</td>
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<tr>
<td>G.S. 130A-33.50</td>
<td>Senator Robert C. Carpenter</td>
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<td><strong>CAPITAL PLANNING COMMISSION</strong></td>
<td>3/12/99</td>
<td>1/31/2001</td>
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### President Pro Tempore Appointments

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### CHILDREN AND YOUTH STUDY COMMISSION

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### CHILDREN WITH SPECIAL NEEDS COMMISSION

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**CLEAN WATER MANAGEMENT TRUST FUND BOARD OF TRUSTEES**

G.S. 113-145.5(b)

- Mr. Allen Hardison 1/13/99 12/31/2002
- Ms. Claudette B. Weston 1/13/99 12/31/2002

**CODE OFFICIALS QUALIFICATION BOARD**

G.S. 143-151.9

- Mr. James D. Kennedy, Jr. 7/21/99 6/30/2003

**CORRECTIONS AND CRIME CONTROL JOINT LEGISLATIVE OVERSIGHT COMMITTEE**

G.S. 120-70.93 (Terms expire 2001 Convening)

| Senator Luther H. Jordan, Jr. (Co-Ch) 9/21/99 |  |
| Senator Frank W. Ballance, Jr. 9/21/99 |  |
| Senator Don W. East 9/21/99 |  |
| Senator Wib Gulley 9/21/99 |  |
| Senator Eleanor Kinnaird 9/21/99 |  |
| Senator T. LaFontine Odom, Sr. 9/21/99 |  |
| Senator Robert G. Shaw 9/21/99 |  |
| Senator Allen H. Wellons 9/21/99 |  |

**COURTS COMMISSION**

G.S. 7A-506

- Senator Patrick J. Ballantine 7/28/99 6/30/2003
- Senator Tony Rand (Resigned) 7/28/99 6/30/2003
- The Honorable T. W. Ellis, Jr. 7/28/99 6/30/2003

**COSMETIC ART EXAMINERS BOARD**

G.S. 88-13(b)

- Ms. Anna McCoy Smith 7/21/99 6/30/2002

**CRIME COMMISSION**

G.S. 143B-478

- Senator Eric M. Reeves 8/18/99 2/28/2001
- Senator Allen H. Wellons 8/18/99 2/28/2001

**CRIME VICTIMS COMPENSATION COMMISSION**

G.S. 15B-3

- Mr. John Gallaher, Sr. 7/21/99 6/30/2001

**CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION**

G.S. 17C-3

- Mr. Terry L. Waterfield 7/21/99 6/30/2001
President Pro Tempore Appointments

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CRIMINAL JUSTICE INFORMATION NETWORK GOVERNING BOARD
G.S. 143-661

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CRIMINAL JUSTICE PARTNERSHIP ADVISORY BOARD
G.S. 143B-272.6

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DIETETICS/NUTRITION BOARD
G.S. 90-353

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<td>Ms. Iliana Dubesiter</td>
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<td>Mr. Joseph K. Durham</td>
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<td>Ms. Jill Silverman</td>
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DOMESTIC VIOLENCE COMMISSION
G.S. 143B-394.15(c)(2)

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EARLY CHILDHOOD EDUCATION AND DEVELOPMENT INITIATIVES JOINT LEGISLATIVE OVERSIGHT COMMISSION
G.S. 120-70.90(1)

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ECONOMIC DEVELOPMENT BOARD
G.S. 143B-434

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<td>Mr. David P. Huskins</td>
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### Committee Appointments

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FIRST FLIGHT CENTENNIAL COMMISSION
G.S. 143-640

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<tr>
<td>Ms. Penny Leary-Smith</td>
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<td>Mr. William H. &quot;Bill&quot; Williams, Jr.</td>
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FORESTRY ADVISORY COUNCIL
G.S. 143B-309

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<td>Mr. J. W. Jones</td>
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FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA
H.B. 778, 1999 Session

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<td>Senator David W. Hoyle (Co-Ch)</td>
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<td>Senator James Forrester</td>
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<td>Senator Fletcher L. Hartsell, Jr.</td>
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<td>Mr. Melvin R. Daniels, Jr.</td>
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<td>Ms. Sheila Ogle</td>
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FUTURE STRATEGIES FOR NORTH CAROLINA JOINT LEGISLATIVE COMMITTEE
G.S. 120-84.6

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<td>Senator Aaron W. Plyler</td>
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<td>Senator Robert A. Rucho</td>
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GENERAL STATUTES COMMISSION
G.S. 164-14

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GLOBAL TRANSPARK AUTHORITY
G.S. 63A-3

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<td>Mrs. Jeanette Hyde</td>
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<td>Mr. Charles A. Hayes (Resigned)</td>
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### President Pro Tempore Appointments

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### GOVERNMENTAL OPERATIONS JOINT LEGISLATIVE COMMISSION

| Senator Charles W. Albertson | 8/18/99 | 1/15/2001 |
| Senator Patrick J. Ballantine | 2/18/99 | 1/15/2001 |
| Senator Frank W. Ballance, Jr. | 2/18/99 | 1/15/2001 |
| Senator James Forrester | 2/18/99 | 1/15/2001 |
| Senator Wib Gulley | 2/18/99 | 1/15/2001 |
| Senator Howard N. Lee | 2/18/99 | 1/15/2001 |
| Senator Jeanne H. Lucas | 8/18/99 | 1/15/2001 |
| Senator David W. Hoyle | 2/18/99 | 1/15/2001 |
| Senator T. LaFontine Odom, Sr. | 2/18/99 | 1/15/2001 |
| Senator Beverly Eaves Perdue | 2/18/99 | 1/15/2001 |
| Senator Aaron W. Plyler | 2/18/99 | 1/15/2001 |
| Senator Tony Rand | 2/18/99 | 1/15/2001 |
| Senator R. C. Soles, Jr. | 8/18/99 | 1/15/2001 |
| Senator Ed Warren | 2/18/99 | 1/15/2001 |
| Senator Allen H. Wellons | 2/18/99 | 1/15/2001 |

### GOVERNORS ADVOCACY COUNCIL ON PERSONS WITH DISABILITIES

| Mr. Bobby Bollinger | 7/21/99 | 6/30/2001 |
| Mr. Richard Clark | 7/21/99 | 6/30/2001 |
| Ms. Jo Anne Jeffries | 7/21/99 | 6/30/2001 |
| Mr. George Kernes | 7/21/99 | 6/30/2001 |
| Ms. Nancy McKeel | 7/21/99 | 6/30/2001 |
| Ms. Emily H. Moore | 7/21/99 | 6/30/2001 |
| Dr. Zebedee Taylor | 7/21/99 | 6/30/2001 |

### GOVERNOR'S COUNCIL ON PHYSICAL FITNESS AND HEALTH

| Senator Dan Robinson | 10/2/99 | 7/1/2001 |

### HEALTH CARE OVERSIGHT JOINT LEGISLATIVE COMMITTEE

<p>| Senator Tony Rand (Co-Ch) | 9/13/99 |
| Senator James Forrester | 9/13/99 |
| Senator Wib Gulley | 9/13/99 |
| Senator Fletcher L. Hartsell, Jr. | 9/13/99 |
| Senator Jeanne H. Lucas | 9/20/99 |
| Senator Beverly Eaves Perdue | 9/13/99 |
| Senator William R. Purcell | 9/13/99 |
| Senator Robert A. Rucho | 9/13/99 |</p>
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| **JUVENILE JUSTICE AND DELINQUENCY PREVENTION STATE ADVISORY COUNCIL** G.S. 147-33.70 |         |         |
| Senator Jeanne H. Lucas (Designee)                                      | 3/12/99   | 12/31/2001 |

| **LEGISLATIVE RESEARCH COMMISSION** G.S. 120-30.11                      |           |         |
| Senator Marc Basnight (Co-Ch)                                           | 2/25/99   | 12/31/2000 |

| **LEGISLATIVE SERVICES COMMISSION** G.S. 120-31                          |           |         |
| Senator Marc Basnight (Co-Ch)                                           | 2/25/99   | 12/31/2000 |
| Senator Virginia Foxx                                                   | 8/12/99   | 8/31/2000  |
| Senator R. L. Martin                                                    | 8/12/99   | 8/31/2000  |
| Senator Brad Miller                                                     | 8/12/99   | 8/31/2000  |
| Senator Eric Miller Reeves                                             | 8/12/99   | 8/31/2000  |
| Senator Larry Shaw                                                      | 8/12/99   | 8/31/2000  |

| **LIABILITY INSURANCE COMMISSION, OFFICERS AND EMPLOYEES** G.S. 58-32-1 |           |         |
| Mr. David Walker                                                        | 10/1/99   | 6/30/2003 |

| **LOCAL GOVERNMENT PARTNERSHIP COUNCIL** Executive Order No. 65         |           |         |
| Senator Frank W. Ballance, Jr.                                          | 3/19/99   | 1/31/2001 |
| Senator Aaron W. Plyler                                                  | 3/19/99   | 1/31/2001 |

<p>| <strong>MARTIN LUTHER KING, JR. COMMISSION</strong> G.S. 143B-426.34B                |           |         |
| Mr. Andrew McCall                                                       | 10/29/99  | 6/30/2003 |</p>
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<td>Mr. Mansfield Elmore</td>
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<td>Mr. Rhett A. Raynor</td>
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<td>Mr. George Jones</td>
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<td>Mr. Frank Evans</td>
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<tr>
<td>Senator Kay R. Hagan</td>
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<td>Ms. Wanda Boyette</td>
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<td>Ms. Kimberly D. Berry</td>
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<td><strong>PARKS AND RECREATION AUTHORITY</strong>&lt;br&gt;G.S. 143B-313.2&lt;br&gt;Mr. Troy Boyd</td>
<td>7/21/99</td>
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<td>Mr. Edwin C. Holbrook</td>
<td>7/21/99</td>
<td>6/30/2001</td>
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<td><strong>PARTNERSHIP FOR CHILDREN, INC. BOARD OF DIRECTORS</strong>&lt;br&gt;G.S. 143B-168.11&lt;br&gt;Mr. Jay Burrus</td>
<td>7/21/99</td>
<td>1/1/2002</td>
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<tr>
<td>Mrs. Susan Eaves</td>
<td>7/21/99</td>
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<td>Mr. C. Lorance Henderson</td>
<td>7/21/99</td>
<td>1/1/2002</td>
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<td><strong>PETROLEUM UNDERGROUND STORAGE TANK FUNDS COUNCIL</strong>&lt;br&gt;G.S. 143-215.940&lt;br&gt;Mrs. Anne Coan</td>
<td>7/21/99</td>
<td>6/30/2001</td>
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<td>Mr. Douglas E. Howey</td>
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<td>Mr. Thomas Mehder</td>
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<td>Mr. Keith Saltrick</td>
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<td>7/21/99</td>
<td>6/30/2001</td>
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<td><strong>PROPERTY TAX COMMISSION</strong>&lt;br&gt;G.S. 105-288&lt;br&gt;Mr. Terry Wheeler</td>
<td>7/21/99</td>
<td>6/30/2003</td>
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<td><strong>PUBLIC EMPLOYEE DEFERRED COMPENSATION PLAN</strong>&lt;br&gt;G.S. 143B-426.24&lt;br&gt;Mr. Drew King, Sr. (Resigned)</td>
<td>7/21/99</td>
<td>6/30/2001</td>
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<td>Mr. Robert Parker</td>
<td>9/3/99</td>
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<td><strong>PUBLIC TELECOMMUNICATIONS AGENCY</strong>&lt;br&gt;G.S. 143B-426.9(4)&lt;br&gt;Mr. Anthony M. Copeland</td>
<td>7/21/99</td>
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### RAILROAD, FUTURE OF THE NORTH CAROLINA

**H.B. 168, Section 27.25 (b)(2)**

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<tr>
<td>Walter H. Dalton (Co-Ch)</td>
<td>12/8/99</td>
<td>Final Report</td>
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<td>Charles Carter</td>
<td>12/8/99</td>
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<td>Linda Garrou</td>
<td>12/8/99</td>
<td>Final Report</td>
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<tr>
<td>Fletcher L. Hartsell, Jr.</td>
<td>12/8/99</td>
<td>Final Report</td>
</tr>
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<td>David W. Hoyle</td>
<td>12/8/99</td>
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<td>Howard N. Lee</td>
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### RAILROAD, NORTH CAROLINA BOARD OF DIRECTORS

**G.S. 124-6(b)**

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<td>Robert F. Bleeker</td>
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<td>Thomas P. Dillon</td>
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<td>Michael Weisel</td>
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### REAL ESTATE COMMISSION

**G.S. 93A-3**

<table>
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<td>Marsha H. Jordan</td>
<td>7/21/99</td>
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### REVENUE LAWS STUDY COMMITTEE

**G.S. 120-70.105**

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<tr>
<td>John H. Kerr III (Co-Ch)</td>
<td>3/19/99</td>
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<td>Betsy L. Cochrane</td>
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<td>Hugh Webster</td>
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<td>Leonard Jones</td>
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<td>J. Micah Pate III</td>
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### ROANOKE ISLAND COMMISSION

**G.S. 143B-131.2**

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<tr>
<td>Gus Granitzki</td>
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<td>Bobby Owens</td>
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<td>JoAnne Williams</td>
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### RULES REVIEW COMMISSION

**G.S. 143B-30.1**

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<td>John Arrowood</td>
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<td>Laura DeVan</td>
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<td>Jim Funderburke</td>
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<td>David Ray Twiddy</td>
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### SCHOOL OF SCIENCE AND MATHEMATICS BOARD OF TRUSTEES

**G.S. 116-233**

<table>
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<tr>
<td>David C. Smith</td>
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President Pro Tempore Appointments

**SCIENCE AND TECHNOLOGY BOARD**
G.S. 143B-426.31

Dr. Larry Watson 7/21/99 6/30/2001

**SEAFOOD AND AQUACULTURE JOINT COMMISSION**
G.S. 120-70.61

Senator Charles W. Albertson (Co-Ch) 3/25/99 1/31/2001
Senator Luther H. Jordan, Jr. 3/25/99 1/31/2001

**SEAFOOD INDUSTRIAL PARK AUTHORITY**
G.S. 113-315.25(d)

Mr. Russell H. Langley 7/21/99 6/30/2001

**SENTENCING AND POLICY ADVISORY COMMISSION**
G.S. 164-37

Senator Frank W. Ballance, Jr. 10/7/99 6/30/2001
Senator Wib Gulley 10/7/99 6/30/2001
Senator Brad Miller 10/7/99 6/30/2001
Ms. Lao S. Rupert 10/7/99 6/30/2001

**SMALL FAMILY FARM PRESERVATION COMMISSION**
H.B. 1472, 1998

Senator Charles W. Albertson (Co-Ch) 10/14/99 Final Report
Senator John A. Garwood 10/14/99 Final Report
Senator Allen H. Wellons 10/14/99 Final Report

**SMART GROWTH, GROWTH MANAGEMENT, AND DEVELOPMENT ISSUES COMMISSION**
H.B. 168, Sec. 16.7(c), 1999 Session Laws

Senator Howard N. Lee (Co-Ch) 10/2/99 1/15/2001
Senator Fletcher L. Hartsell, Jr. 10/2/99 1/15/2001
Senator Beverly Eaves Perdue 10/2/99 1/15/2001
Senator Allen H. Wellons 10/2/99 1/15/2001
Mayor Lucy T. Allen 10/5/99 1/15/2001
Commissioner Owen Ethridge 10/5/99 1/15/2001
Mr. Sam Hunter 10/5/99 1/15/2001
Mr. Charles Krautler 10/5/99 1/15/2001
Mr. Todd Mansfield 10/5/99 1/15/2001
Mayor Fred H. Niehoff, Jr. 10/5/99 1/15/2001
Dr. John O'Neil 10/5/99 1/15/2001
Mr. Roger Sheets 10/5/99 1/15/2001
Commissioner Darrell Williams 10/5/99 1/15/2001

**SOIL SCIENTISTS LICENSING BOARD**
G.S. 89F-4

Mr. John Phillips 7/21/99 6/30/2002
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<td>Senator Roy A. Cooper</td>
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<td>2/26/99</td>
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<td>Mr. Arthur H. Keeney III</td>
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<td>Ms. Linda Piron Foster</td>
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<td>Mr. Tyndall Lewis</td>
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<td>Mr. John Emrich</td>
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<td>SUBSTANCE ABUSE ADVISORY COUNCIL</td>
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<td>Ms. Pat Galbert</td>
<td>10/5/99</td>
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<td>Ms. April Whittemore</td>
<td>10/5/99</td>
<td>9/30/2003</td>
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<td>Mr. Selbert Wood, Jr.</td>
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<td>9/30/2003</td>
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President *Pro Tempore* Appointments

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<td>TEACHER ACADEMY BOARD OF TRUSTEES</td>
<td>Ms. Mona Alexander 7/21/99</td>
<td>6/30/2003</td>
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<td>Ms. Caroline Pearce 7/21/99</td>
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<td>TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN BOARD OF TRUSTEES</td>
<td>Ms. Althea Calloway 7/21/99</td>
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<td>Ms. Christie Knittel Mabry 7/21/99</td>
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<td>TEACHERS AND STATE EMPLOYEES RETIREMENT SYSTEM BOARD OF TRUSTEES</td>
<td>Mr. John H. Cilley IV 7/21/99</td>
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<td>TEACHING FELLOWS COMMISSION</td>
<td>Ms. Colleen Oliver Lanier 7/21/99</td>
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<td>Mr. O. L. Yates, Jr. 3/5/99</td>
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<td>TRANSPORTATION BOARD</td>
<td>Mrs. Louise McColl 8/10/99</td>
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<td>Mayor Rebecca Smothers 8/10/99</td>
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<td>Senator Wib Gulley (Co-Ch) 3/30/99</td>
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<td>Senator R. L. Martin 3/25/99</td>
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<td>Mr. David S. Bundy 3/5/99</td>
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<td>Mr. Mark Singleton 3/5/99</td>
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### President Pro Tempore Appointments

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<td>Ms. Beverly McCracken</td>
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### Utility Review Committee

G.S. 120-70.2

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<tr>
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<td>Senator Betsy L. Cochrane</td>
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<td>Senator Howard Lee</td>
<td>11/15/99</td>
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<td>Senator R. L. Martin</td>
<td>11/15/99</td>
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<td>Senator R. C. Soles, Jr.</td>
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### Vocational Rehabilitation Advisory Council

G.S. 143-548

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<tr>
<td>Mr. Wayne Daves</td>
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<td>Ms. Carolyn Dust</td>
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<td>Ms. Kimberly R. Floyd</td>
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### Wildlife Resources Commission

G.S. 143-240

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<tr>
<td>Mr. Russell Mohn Hull, Jr.</td>
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<td>Mr. John Edward Pechmann</td>
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<td>Mr. Eugene Price</td>
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### Wireless 911 Board

G.S. 62B-2

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<td>Ms. Belinda Gurkins</td>
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<tr>
<td>Mr. Richard N. Taylor</td>
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LEGISLATIVE RESEARCH COMMISSION
STUDY COMMITTEE APPOINTMENTS

The following appointments to Legislative Research Commission Study Committees were made during 1999 by the Honorable Marc Basnight, President Pro Tempore of the Senate and by the Honorable James B. Black, Speaker of the House of Representatives.

Senate President Pro Tempore
Speaker of the House of Representatives

ADMINISTRATIVE PROCESS FOR STATE EMPLOYEE GRIEVANCES

Senator Brad Miller (Co-Ch) Rep. Pryor A. Gibson III (Co-Ch)
Mr. David Cannon Rep. Robert J. Hensley, Jr.
Ms. Elizabeth G. McCrodden Rep. Margaret M. Jeffus
Mr. Jack Stone Rep. Larry W. Womble

(LRC Coordinator: Senator Jeanne H. Lucas)

ANIMAL TREATMENT PROCEDURES

Senator Eleanor Kinnaird (Co-Ch) Rep. Dewey Hill (Co-Ch)
Senator Virginia Foxx Rep. Julia Howard
Dr. Larry Cooper (Resigned) Rep. William C. Owens, Jr.
Dr. Kelli K. Ferris Rep. Russell E. Tucker
Mr. William A. Reppy, Jr. Ms. Michele Karwoski
Mr. Richard Robb Dr. Mark Green
The Honorable James D. Speed

(LRC Coordinator: Senator Ed Warren)

BAIL BOND LAWS

Senator Dan Robinson (Co-Ch) Rep. William T. Culpepper III (Co-Ch)
Senator T. Lafontine Odom, Sr. Rep. Walter G. Church, Sr.
Mr. James R. Lawrence, Jr. Rep. Scott E. Thomas
The Honorable C. Colon Willoughby, Jr. Mr. Michael Scofield

(LRC Coordinator: Senator R. L. Martin)

CAPITAL PUNISHMENT—MENTALLY RETARDED AND RACE BASIS

Senator Frank W. Ballance, Jr. (Co-Ch) Rep. Ronnie N. Sutton (Co-Ch)
Senator Larry Shaw Rep. Paul Luebke
Mr. James Coleman Rep. Carolyn B. Russell
Ms. Mary Howard Sutton

(LRC Coordinator: Senator R. L. Martin)
CENTRAL REGISTRY FOR LIVING WILLS AND ORGAN DONATIONS
Senator Luther H. Jordan, Jr. (Co-Ch)                     Rep. Stan Fox (Co-Ch)
Senator Hugh Webster                                      Rep. Daniel W. Barefoot
Mr. Lyman E. Hardee                                       Rep. Howard Hunter, Jr.
Mr. William T. Small                                      Rep. W. Eugene Wilson
(LRC Coordinator: Rep. Stephen W. Wood)

COASTAL BEACH MOVEMENT, BEACH RENOURISHMENT AND STORM MITIGATION
Mr. Raymond P. Sturza II (Co-Ch)                          Rep. Nurham O. Warick (Co-Ch)
Senator Robert G. Shaw                                     Rep. E. David Redwine
Mr. Ed Booker                                              Rep. Ronald L. Smith
Ms. Emily K. Farmer                                       Rep. Scott E. Thomas
Dr. John Fisher                                           The Honorable Joan Altman
Mr. Carl Huff                                              Mr. A.C. Hall
Mr. Earl Johnson, Jr.                                     Mr. Kenneth C. Harris
Mr. Sterling Webster
(LRC Coordinator: Senator Austin M. Allran)

CONSUMER PROTECTION
Senator Daniel G. Clodfelter (Co-Ch)                     Rep. J. William Hurley (Co-Ch)
Senator Luther H. Jordan, Jr.                             Rep. Leslie Cox
Senator Eleanor Kinnaird                                  Rep. Pryor A. Gibson III
Senator T. LaFontine Odom, Sr.                            Rep. Larry W. Womble
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SENATE JOURNAL

FIRST SESSION

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| S  | 770 | Community Mediation Centers (H 924)(Judiciary I Com) | 274. |
| H  | 979 | Modify Rights of Decedent's Spouse (Judiciary II Com) | 440. |

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| H  | 301 | Auctioneer Amendments (S.L. 1999-142.) | 332, 512, 520, 525, 539, 549, 554, 624. |
| S  | 129 | Repeal Uniform Commerical Code Article on Bulk Transfers (reref Finance Com) | 95, 445, 466, 468. |

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JOURNAL
OF THE
SENATE
OF THE
1999 GENERAL ASSEMBLY
OF THE
STATE OF NORTH CAROLINA
EXTRA SESSION
1999
OFFICERS AND MEMBERS
OF
THE SENATE OF THE NORTH CAROLINA
GENERAL ASSEMBLY
1999 SESSION
EXTRA SESSION 1999

DENNIS A. WICKER, President ............................................................... Sanford
MARC BASNIGHT, President Pro Tempore ........................................ Manteo
FRANK W. BALLANCE, JR., Deputy President Pro Tempore ............ Warrenton
JANET B. PRUITT, Principal Clerk .................................................. Raleigh
LEROY CLARK, JR., Reading Clerk .................................................. Wendell
CECIL GOINS, Sergeant-at-Arms .................................................. Raleigh

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<td>MARC BASNIGHT (D)</td>
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<td>CHARLES W. ALBERTSON (D)</td>
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R. C. SOLES, JR. (D) ......................................................... Tabor City
ROBERT G. SHAW (R) ...................................................... Greensboro
HAMILTON C. HORTON, JR. (R) ........................................ Winston-Salem
LINDA GARROU (D) .......................................................... Winston-Salem
HUGH WEBSTER (R) .......................................................... Yanceyville
FLETCHER L. HARTSELL, JR. (R) ........................................ Concord
JIM W. PHILLIPS, SR. (D) .................................................... Lexington
ANTHONY E. RAND (D) ..................................................... Winston-Salem
DAVID W. HOYLE (D) ........................................................ Dallas
AUSTIN M. ALLRAN (R) .................................................... Hickory
JOHN A. GARWOOD (R) .................................................. North Wilkesboro
KENNETH R. MOORE (R) .................................................. Lenoir
STEVE METCALF (D) ....................................................... Asheville
CHARLES CARTER (D) ...................................................... Asheville
DAN ROBINSON (D) .......................................................... Cullowhee
DAVID F. WEINSTEIN (D) .................................................. Lumberton
WILLIAM N. MARTIN (D) .................................................. Greensboro
KAY R. HAGAN (D) .......................................................... Greensboro
CHARLIE SMITH DANNELLY (D) ......................................... Charlotte
T. LAFONTINE ODOM, SR. (D) .............................................. Charlotte
ROBERT A. RUCHO (R) ...................................................... Matthews
JOHN H. CARRINGTON (R) ................................................ Raleigh
WALTER DALTON (D) ........................................................ Rutherfordton
BETSY L. COCHRANE (R) .................................................... Advance
JAMES FORRESTER (R) .................................................... Stanley
DANIEL G. CLODFELTER (D) ............................................... Charlotte
LARRY SHAW (D) ............................................................. Fayetteville
ROBERT C. CARPENTER (R) ............................................... Franklin
SENATE JOURNAL
EXTRA SESSION 1999

FIRST DAY

Senate Chamber
Wednesday, December 15, 1999

In accordance with law, as set forth in the Constitution of the State of North Carolina, and pursuant to the Proclamation issued by the Governor, The Honorable James B. Hunt, Jr., on December 9, 1999, the Senate of the 1999 General Assembly convenes in Extra Session at the hour of 9:00 A.M. in the Senate Chamber in the Legislative Building in the City of Raleigh.

The Honorable Dennis A. Wicker, Lieutenant Governor, presides and calls the Senate to order.

Prayer is offered by Dr. Jeffrey Wisdom, Pastor of Madison Avenue Baptist Church, Goldsboro, North Carolina, as follows:

“A young pastor and his wife were trying to make their money stretch, but times were tough. The small church that he was serving could not afford to pay him much, so there was not a lot of discretionary monies. So they decided that they would not spend any money unless they both agreed on the expenditure.

“One afternoon the young pastor came home and found his wife sitting in the bedroom with a new dress lying across her lap. When he saw the dress he lost his temper and began to holler, and she began to cry. The young pastor asked his wife, ‘How could you buy that dress? We do not have the money for that.’ Her only response was to say that the devil made her do it.

“With that, the young pastor began quoting scripture and reminded her that she could have resisted temptation by saying to the devil, ‘get behind me Satan.’ She assured her husband that she had done that, when he asked, ‘Well, what happened then?’ She began to cry again and said, ‘Well he said that it looked good from the back.’

“Let us pray. Dear God, help the members in this Chamber to make the right decisions this morning. There is a lot at stake. Money is involved, and they have to agree on how to spend it. The stakes are high; thousands of lives wait for their deliberations and decisions on relief for eastern North Carolina. Like most families, however, when it comes to matters of money, there never seems to be enough. So, again, help them to make the right decision. Moreover, at the end of the day, do not let anyone leave here saying, ‘The devil made me do it.’ Amen.

“God bless each of you, and from everyone east of this great Capital, thank you for your consideration of the lives and losses we have sustained.”

PLEDGE OF ALLEGIANCE

Led by the Lieutenant Governor, the members and guests remain standing and pledge allegiance to the flag of the United States of America.

The President instructs the Reading Clerk to read the Proclamation issued by Governor James B. Hunt, Jr., on December 9, 1999, as follows:
PROCLAMATION

WHEREAS, on September 16, 1999, Hurricane Floyd struck eastern North Carolina with severe rains, resulting in flooding of a catastrophic nature, displacing thousands of residents of eastern North Carolina and paralyzing the economy and the political subdivisions within the region; and

WHEREAS, on September 15, 1999, a State of Emergency was declared under G.S. 166A with a subsequent declaration of a state of emergency from the President, allowing North Carolina to receive federal disaster assistance in excess of $1 billion; and

WHEREAS, subsequent federal actions have allowed North Carolina to receive additional federal disaster assistance, again in excess of $1 billion; and

WHEREAS, there remain urgent unmet needs in the affected counties to help the population of eastern North Carolina, to revitalize the economic base within the region, and to assist the political subdivisions in stabilizing the services needed by the residents.

NOW, THEREFORE, I, James B. Hunt Jr., Governor of the State of North Carolina, pursuant to the authority granted to me by Article III, Section 5(7) of the Constitution of North Carolina and having sought and received the advice of the Council of State, find that the circumstances stated above constitute an extraordinary occasion within the meaning of Article III, Section 5(7) of the Constitution of North Carolina, and that immediate action by the General Assembly is required, and PROCLAIM that the General Assembly is hereby convened in an extra session for the purpose of authorizing the use of the Budget Stabilization Reserve and the remaining credit balance in the General Fund on June 30, 1999, and making changes in law necessary to expedite, recovery assistance in eastern North Carolina.

This extra session shall begin the 15th day of December 1999 at 9:00 a.m. and shall continue as provided by law and the rules of each House until both Houses shall have adjourned sine die.

Done in Raleigh, North Carolina, this the 9th day of December, 1999.

S/James B. Hunt Jr.
Governor

CALL OF THE ROLL

The President orders a call of the roll of the members of the Senate heretofore elected to the 1999 General Assembly and the following answer the call:


With forty-nine members present having properly received and subscribed to the Oath of Office, the President announces a quorum present.

December 15, 1999
The President grants a leave of absence for today to Senator Gulley.

OFFICERS

Without objection, the Officers of the 1999 Regular Session shall serve as the Officers of this Extra Session.

The President of the Senate extends courtesies of the floor to Betty Throught from Winterville, North Carolina who is serving the Senate as Nurse of the Day.

ADOPTION OF RULES

The President recognizes Senator Rand who submits Senate Resolution 1 which is read and disposed of as follows:

By Senator Rand:
S.R. 1, A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE EXTRA SESSION, 1999, OF THE GENERAL ASSEMBLY.
Upon motion of Senator Rand, the resolution is placed before the Senate for immediate consideration upon adoption.
Upon the appearance of Senator Gulley in the Chamber, the President acknowledges his presence and the leave of absence granted previously is withdrawn.
The text of Senate Resolution 1 is as follows:

A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE EXTRA SESSION, 1999, OF THE GENERAL ASSEMBLY.
Be it resolved by the Senate:
Section 1. The permanent rules of the 1999 Regular Session, with the following amendments, are the rules governing the Extra Session, 1999, of the General Assembly:
Rule 34.1. Committee of the Whole.
It shall be in order to move into the Committee of the Whole. The President Pro Tempore is chairman of the Committee of the Whole.
Rule 40. Introduction of bills.
Every bill introduced shall contain on the outside cover the title of the document and the name of the Senator or Senators presenting it. Bills shall be delivered by the primary sponsor of the document to the Senate Principal Clerk within one hour after adoption of this resolution. The Principal Clerk shall receive, number, and present said bill to the Senate for first reading.
Rule 40.1. Limitation on resolutions and bills.
The only resolutions that may be introduced or considered in the Senate are resolutions adjourning the Extra Session sine die. No bills, parts thereof, or amendments thereto may be introduced or considered in the Senate unless requested by the Governor's Proclamation dated December 9, 1999, convening the Extra Session: for the purpose of authorizing the use of the Budget Stabilization Reserve and the remaining credit balance in the General Fund on June 30, 1999, and making changes in law necessary to expedite, for recovery assistance in Eastern North Carolina. This rule may not be suspended.
Rule 41. (Reserved).
Rule 42. Reference of appropriation and finance bills.
(a) All bills introduced in the Senate providing for appropriations from the State, or any subdivision thereof shall, before being considered by the Senate, be referred to the Committee on Appropriations or the Committee of the Whole, and bills referred to other committees, other than the Committee of the Whole, carrying any such provisions shall be

December 15, 1999
reported to the Senate as being bills to be referred to the Appropriations Committee before proper action may be taken by the Senate.

**Rule 43. First reading; reference to committee.**

All bills introduced and all House bills received upon a message from the House of Representatives, upon presentation to the Senate, shall be read in the regular order of business by their number and title which shall constitute the first reading of the bill. The Chairman of the Rules and Operation of the Senate Committee or, in his absence, the Vice-Chairman of the Committee shall refer to a Senate committee all bills introduced in the Senate. Upon the referral being made, the Chairman of the Committee on Rules and Operation of the Senate shall notify the Principal Clerk of the Senate of the referral, and the Reading Clerk shall announce the referral of the bill. The Principal Clerk shall inform the Presiding Officer of the referral. The title and referral shall be entered upon the Journal.

**Rule 43.1. Second reading.**

All bills reported by committee shall be placed before the Senate for second reading and immediate consideration upon passage.

**Rule 50. Third reading requirements.**

When a bill or resolution has passed its second reading, it shall be placed on the calendar for immediate consideration on its third reading, unless prohibited by Article II, Section 23 of the Constitution.

**Rule 56.1. Amendments and committee substitutes adopted by the House to bills originating in the Senate.**

(a) Whenever the House has adopted an amendment or a committee substitute for a bill originating in the Senate, and has returned the bill to the Senate for concurrence in that amendment or committee substitute, the Senate may concur in that amendment or committee substitute on the same legislative day.

**Rule 59. (Reserved).**

Section 2. This resolution is effective upon adoption.

Senator Webster offers a motion that Senate Resolution 1 be temporarily displaced, which motion fails to prevail.

Upon motion of Senator Rand, Senate Resolution 1 is adopted (49-1).

### APPOINTMENT OF COMMITTEES

Senator Basnight, President *Pro Tempore*, announces that the Standing and Select Committees of the Senate heretofore appointed during the 1999 Regular Session, are hereby appointed to serve during this Extra Session.

The President orders a special message sent to the House of Representatives informing that Honorable Body that the Senate is organized and ready to proceed with the public business of the Extra Session of the 1999 General Assembly as stated in the Proclamation issued by the Governor.

### SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

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House of Representatives
December 15, 1999
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December 15, 1999
Mr. President:

It is ordered that a message be sent to the Senate informing your Honorable Body that the House of Representatives is organized and is now ready to proceed with the public business for the 1999 Extra Session.

Respectfully,
S/Denise Weeks
Principal Clerk

The following special message is received from the House of Representatives:

House of Representatives
December 15, 1999

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that pursuant to a Proclamation issued by Governor James B. Hunt, Jr., on November 29, 1999, Jennifer Weiss has been administered the oath of office as a Member of the House of Representatives for the remainder of the 1999 General Assembly. Representative Weiss has been seated to fill the vacancy created by the death of Representative Jane H. Mosley, from the Sixty-Third House District.

Respectfully,
S/Denise Weeks
Principal Clerk

LETTER FROM THE GOVERNOR

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
20301 MAIL SERVICE CENTER • RALEIGH, NC 27699-0301

James B. Hunt Jr.
Governor
December 14, 1999

Ms. Janet Pruitt
Principal Clerk
North Carolina Senate
Legislative Building
Raleigh, North Carolina 27603-5925

Dear Ms. Pruitt:

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

This shall serve as my official designation of Room 1030 within the Administration Building as the “Office of the Governor’s Legislative Counsel” as referenced in Section 1.

December 15, 1999
I hereby designate the following employees of the Governor's Office as the officials to whom delivery of bills can be made under the provisions of Section 2:

a. Wayne McDevitt;
b. Garland Garrett;
c. Kevin Howell; and,
d. Annette Ethridge;

Thank you for your attention to this matter.

My warmest personal regards.

Sincerely,

SV James B. Hunt Jr.

REPORT TO GENERAL ASSEMBLY

The following report received after adjournment of the First Regular Session of the 1999 General Assembly on July 21, 1999, from an agency directed to report to the General Assembly, is presented to the Senate and ordered placed on file in the Legislative Library:

The North Carolina Department of Health and Human Services submits the report on Article 1E, Chapter 90, North Carolina General Statutes “Certificate of Public Advantage”.

EXECUTIVE ORDERS

The following Executive Orders received after adjournment of the First Regular Session of the 1999 General Assembly on July 21, 1999, are received in the Office of the Principal Clerk, presented to the Senate, and read as follows:

Executive Order Number 154, Amending Executive Order Number 48 Concerning the State Commission on National and Community Service.

Executive Order Number 155, State of North Carolina Pilot Teleworking Project.

Executive Order Number 156, State Government Environmental Sustainability, Reduction of Solid Waste, and Procurement of Environmentally Preferable Products.

Executive Order Number 157, Mentoring Council.

Executive Order Number 158, Emergency Relief for Damage Caused by Hurricane Dennis.

Executive Order Number 159, Emergency Relief for Damage Caused by Hurricane Floyd.

Executive Order Number 160, Psychologists and Social Workers Licensed or Certified Out of State Permitted to Provide Crisis Counseling for Victims of Hurricane Floyd.

Executive Order Number 161, Request for Municipalities and Counties to Provide December 15, 1999
Mutual Aid and Assistance in Hurricane Floyd Relief and Recovery Efforts.

Executive Order Number 162, Extending Executive Order Number 159 Emergency Relief for Damage Caused by Hurricane Floyd.

Executive Order Number 163, Extending Qualified Immunity of Professional Engineers.

Executive Order Number 164, Delegation of Authority to Attorney General to Assist Local Governments in Hurricane Floyd Recovery Efforts.

Executive Order Number 165, Extending Executive Order Number 159 Emergency Relief for Damage Caused by Hurricane Floyd.

INTRODUCTION OF A BILL AND A RESOLUTION

A bill and a resolution filed for introduction are presented to the Senate, read the first time, and disposed of as follows:

By Senators Cooper, Albertson, Allran, Ballance, Ballantine, Carpenter, Carrington, Clodfelter, Cochrane, Dalton, Dannelly, East, Forrester, Foxx, Garwood, Hartsell, Horton, Hoyle, Jordan, Kerr, Lee, Lucas, Martin of Guilford, Martin of Pitt, Miller, Moore, Perdue, Phillips, Plyler, Purcell, Rand, Reeves, Robinson, Rucho, Shaw of Guilford, Soles, Warren and Webster:

S.B. 2, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS AND AMEND THE LAWS FOR RECOVERY ASSISTANCE IN EASTERN NORTH CAROLINA.

Referred to Committee of the Whole.

By Senator Rand:

S.J.R. 3, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 1999 EXTRA SESSION.

Pursuant to Rule 43, the joint resolution is ordered held in the Office of the Principal Clerk pending referral to committee.

PERSONAL PRIVILEGE

With unanimous consent, upon order of the President of the Senate, the remarks of Senator Odom, who rises to a point of personal privilege, are spread upon the Journal, as follows:

“Most of you know I’m somewhat proud of my grandchildren, and Jane and I would like to announce that we were blessed with our sixth and our seventh grandchildren within the last five days. Noah Yusuf Williford was born Saturday here in Raleigh, December the 11th. And then our seventh grandchild, William Curry Odom, was born in Charlotte yesterday. Six and seven, thank you.”

The Senate recesses at 9:46 A.M. to reconvene at 2:30 P.M.

December 15, 1999
The Senate meets pursuant to recess and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

The Senate recesses at 2:51 P.M. to reconvene at 6:00 P.M.

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

The President Pro Tempore grants a leave of absence for the remainder of today's Session to Senator Carpenter.

The Senate recesses at 6:15 P.M. to reconvene at 7:45 P.M.

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Upon motion of Senator Dannelly, seconded by Senator Lucas, the Senate adjourns at 7:50 P.M. to meet tomorrow, Thursday, December 16, at 10:00 A.M.

SECOND DAY

Senate Chamber
Thursday, December 16, 1999

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Prayer is offered by The Reverend W. P. Brown, Pastor of First Presbyterian Church, Rocky Mount, North Carolina, as follows:

"Friends, I would be remiss as a resident of eastern North Carolina and as a resident of the City of Rocky Mount, if I didn't take a moment to express a very profound word of thanks, a sincere word of thanks for the energies and the efforts that are yours, and that have been yours these past weeks and months and also those of your colleagues in the House and in the Governor's Office. The time, the energies, and the efforts that you have put into the matters before you in this called Session, we offer a deep, deep word of thanks and appreciation. Our congregation has twenty families who have yet to return to their homes. We are just a few miles down the road from a thousand new neighbors in the camper trailers in Fountain Industrial Park. We appreciate deeply your time and energies and your heart as you come to this meeting today.

"Inasmuch as we are a people who readily confess our need of a wisdom, our need of December 16, 1999
resources, our need of a Spirit far greater than our own, let us pray together:

"Eternal God, we give you thanks in the midst of this Holy Season for the reality of Emmanuel, God with us!

"Lead us, Heavenly Father, into a working knowledge of that truth, which is understood, not by logic always, as by poetry, by music, by souls in tune with the infinite and the eternal and the good.

"Strengthen in mind and in heart all who labor today in this place, all who will be striving to discern how best to be of service, how best to be neighbors to those in deep trouble.

"Bless, Lord, the deliberations of this Body that those who have begun this day in praise to You may come to its end with a mind and a heart at peace, through the saving grace of Him whose name is called ‘Wonderful Counselor, Mighty God, Everlasting Father, Prince of Peace’. Amen."

Senator Rand announces the Journal of yesterday, Wednesday, December 15, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

A special message received in the Office of the Principal Clerk from the House of Representatives transmitting a bill is presented to the Senate, read the first time, and disposed of, as follows:

**H.B. 2** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE HURRICANE FLOYD RECOVERY ACT OF 1999, MAKING FINDINGS AS TO DAMAGE CAUSED BY HURRICANE FLOYD CONCERNING ESTABLISHMENT OF THE HURRICANE FLOYD RESERVE FUND, MAKING APPROPRIATIONS TO THE HURRICANE FLOYD RESERVE FUND, AUTHORIZING TEMPORARY RULES FOR IMPLEMENTATION OF THIS ACT, AUTHORIZING ESTABLISHMENT OF NEW PROGRAMS, EXPANSION OF EXISTING PROGRAMS, AND MODIFICATION OF EXISTING PROGRAMS TO IMPLEMENT THIS ACT, AUTHORIZING TRANSFER OF FUNDS TO FEDERAL AGENCIES AND LOCAL GOVERNMENTS, AUTHORIZING TIME-LIMITED POSITIONS TO IMPLEMENT THIS ACT, AUTHORIZING ADVISORY COUNCILS TO ADVISE STATE AGENCIES ON RECOVERY EFFORTS, PROVIDING FOR TAX EXEMPTION OF BENEFITS CONCERNING A STUDY OF DISASTER COUNTIES TIER RANKINGS, CREATING A DISASTER RESPONSE AND RECOVERY COMMISSION, PROVIDING REPORTING REQUIREMENTS, PROVIDING FLEXIBILITY IN THE SCHOOL CALENDAR TO ACCOMMODATE EXTRAORDINARY CIRCUMSTANCES, AND EQUALIZING THE UNEMPLOYMENT INSURANCE WAITING PERIOD FOR ALL UNEMPLOYED FLOOD VICTIMS.

Referred to the Committee of the Whole.

**COMMITTEE OF THE WHOLE**

Senator Rand offers a motion that the Senate do now resolve itself into a Committee of the Whole, with Senator Basnight presiding, which motion prevails. The Senate sits as a Committee of the Whole to discuss **H.B. 2** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE HURRICANE FLOYD RECOVERY ACT OF 1999, MAKING FINDINGS AS TO DAMAGE CAUSED BY HURRICANE FLOYD
CONCERNING ESTABLISHMENT OF THE HURRICANE FLOYD RESERVE FUND, MAKING APPROPRIATIONS TO THE HURRICANE FLOYD RESERVE FUND, AUTHORIZING TEMPORARY RULES FOR IMPLEMENTATION OF THIS ACT, AUTHORIZING ESTABLISHMENT OF NEW PROGRAMS, EXPANSION OF EXISTING PROGRAMS, AND MODIFICATION OF EXISTING PROGRAMS TO IMPLEMENT THIS ACT, AUTHORIZING TRANSFER OF FUNDS TO FEDERAL AGENCIES AND LOCAL GOVERNMENTS, AUTHORIZING TIME-LIMITED POSITIONS TO IMPLEMENT THIS ACT, AUTHORIZING ADVISORY COUNCILS TO ADVISE STATE AGENCIES ON RECOVERY EFFORTS, PROVIDING FOR TAX EXEMPTION OF BENEFITS CONCERNING A STUDY OF DISASTER COUNTIES TIER RANKINGS, CREATING A DISASTER RESPONSE AND RECOVERY COMMISSION, PROVIDING REPORTING REQUIREMENTS, PROVIDING FLEXIBILITY IN THE SCHOOL CALENDAR TO ACCOMMODATE EXTRAORDINARY CIRCUMSTANCES, AND EQUALIZING THE UNEMPLOYMENT INSURANCE WAITING PERIOD FOR ALL UNEMPLOYED FLOOD VICTIMS.

Senator Cooper offers a motion that the Senate rise and report from the Committee of the Whole.

The Senate is called to order by The Honorable Marc Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

The Senate recesses at 11:36 A.M. to reconvene at 12:45 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

REPORT OF COMMITTEE

A bill is reported from the Committee of the Whole, read by its title, together with the report accompanying it and takes its place on the Calendar as follows:

By Senator Basnight for the Committee of the Whole:

H.B. 2 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE HURRICANE FLOYD RECOVERY ACT OF 1999, MAKING FINDINGS AS TO DAMAGE CAUSED BY HURRICANE FLOYD CONCERNING ESTABLISHMENT OF THE HURRICANE FLOYD RESERVE FUND, MAKING APPROPRIATIONS TO THE HURRICANE FLOYD RESERVE FUND, AUTHORIZING TEMPORARY RULES FOR IMPLEMENTATION OF THIS ACT, AUTHORIZING ESTABLISHMENT OF NEW PROGRAMS, EXPANSION OF EXISTING PROGRAMS, AND MODIFICATION OF EXISTING PROGRAMS TO IMPLEMENT THIS ACT, AUTHORIZING TRANSFER OF FUNDS TO FEDERAL AGENCIES AND LOCAL GOVERNMENTS, AUTHORIZING TIME-LIMITED POSITIONS TO IMPLEMENT THIS ACT, AUTHORIZING ADVISORY COUNCILS TO ADVISE STATE AGENCIES ON RECOVERY EFFORTS, PROVIDING FOR TAX EXEMPTION OF BENEFITS CONCERNING A STUDY OF DISASTER COUNTIES TIER RANKINGS, CREATING A DISASTER RESPONSE AND RECOVERY COMMISSION, PROVIDING REPORTING REQUIREMENTS, PROVIDING

December 16, 1999
FLEXIBILITY IN THE SCHOOL CALENDAR TO ACCOMMODATE EXTRAORDINARY CIRCUMSTANCES, AND EQUALIZING THE UNEMPLOYMENT INSURANCE WAITING PERIOD FOR ALL UNEMPLOYED FLOOD VICTIMS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1 the proposed Senate Committee Substitute bill 7281 is adopted and engrossed.

Upon motion of Senator Cooper, the Senate Committee Substitute bill remains before the Senate for immediate consideration.

The President grants a leave of absence for the remainder of today’s Session to Senator Jordan.

Senator Horton offers Amendment No. 1.

Senator Horton calls for the “ayes” and “noes” on the question. The call is sustained.

Amendment No. 1 fails of adoption (15-34).

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

With unanimous consent, upon motion on Senator Ballance, the remarks of the Senators are spread upon the Journal, as follows:

Senator East:

“Thank you, Mr. President. Ladies and gentlemen of the Senate, this bill is probably about, unlike a whole lot of other bills, we don’t know that it’s one hundred percent right, and probably it isn’t, and it’ll probably be all...some of the problems that we’ve heard about here this morning, but obviously we’re gonna vote this bill up. I don’t know of anybody who would vote against it. I just simply wanted to give you a little bit of my experience with this situation. I was sitting back up in the mountains high and dry and comfortable and I was reading the papers and watching TV, and wondering if I was getting the full story about this flooding situation. I talked to Senator Albertson’s wife one time and she, I told her of my concern and she suggested I come to Wallace, North Carolina and bring some sheets and towels and linens and bedspreads and that sort of thing because that’s what the people needed. My wife immediately set out to put a package together, and my wife is one of those folks, she does it right, she went to Walmart and bought the color-coordinated stuff and so we got good stuff, and I loaded up my ten-year-old pickup truck, and Senator Webster and myself headed down East one day, and I never will forget all the way down the road, Hugh and I talked a whole lot. We talked about money problems, we talked about political problems, we talked about family problems, we talked about all sorts of things, and that pretty much took up our time on the way down. Before I forget to tell you, on the way back I said ‘Hugh, forget everything we said on the way down here, ‘cause I don’t have any problems? These people have problems down here.’

“We, interestingly enough, were about to get off Interstate 40 down toward Wallace, North Carolina, and my ten-year-old pickup truck started making the dangnest racket you’ve ever heard, and the transmission fell out of my truck. We couldn’t go anywhere, and I knew not one soul in Wallace, North Carolina. I never met a person there from Wallace except Senator Albertson and his wife, and they lived pretty close by. I picked up my cellular phone and called Charlie Albertson’s house because he was the only person I knew down in that neighborhood and he was out of town. So I knew nobody in that neighborhood. We wound up down at a McDonald’s Restaurant there in downtown Wallace, and skipping around there and scratching our heads and trying to figure out how I’m going to get the 175 miles back home with a broken down truck. We went into the restaurant and we met a couple of fellows there and it turns out that these two fellows we met were retired members of the North Carolina Highway Patrol. One of these fellows, a
fellow named Dale Dixon who lives down in that neighborhood kind of took us under his wing. We told him what we were there for. He showed us all over, all over that area, and rode us around in the Wallace area, and we rode out the highway there towards Chinquapin, and saw some sights like I have never in my life seen before and hope I never see again. These folks, their belongings were laying out on the highway and on the road right-of-way, and they were waiting to go to the landfill. I'm talking about their furniture, their microwave ovens, their family Bibles, their collectibles, their grandchildren's photographs, and it's a very, very compelling sight to see all of that damage. And we, Hugh and I, got out and kicked around there in the country a little bit and talked to a few folks and I'll never in my life forget my conversation with a fellow named Raymond English. Raymond English is 92 years old. He lives in sight of where he was, a little cabin where he was born and raised in, owns a little farm there about a hundred and some few acres, 92 years old, now get that. And when we pulled up in Raymond English's driveway, and Hugh and I were standing out in the mud in this fellow's front yard, and there were two or three ladies there dragging Mr. English's stuff out to the curb of the road to be picked up. Mr. English was a very interesting fellow. He said 'You know, as bad as it is, it could have been worse because we're still alive.' And he, and Mr. English smiled and then the next minute a tear came out of his eye and he said 'You know, it's pretty tough to see your home where you've raised your family, and your grandkids, and lived there all your life, it's pretty tough to see it all washed away just overnight.' So I told Mr. English what I was there for, and I said, 'Mr. English, I've got, I brought some pretty nice stuff down here, and I've got it in three or four forty-gallons trash containers on the back of my truck, and I'd really like for you to have some of this stuff.' I told him I had some nice bed linens, sheets and towels and that sort of thing, and asked him if I could give him some of that, and he said 'You know I don't need that stuff right now.' He said 'I might sometime.' I said 'What do you mean you don't need it?' He said 'I don't need the bed linens because I don't have a bed.' Can you imagine a 92 year-old person, making a statement that no I don't need your bed linens because I don't have any where to put them.

"We had a very interesting day. This fellow Dale Dixon that I told you about, later on in the day, he carried us up to Wallace and we wound up at Bill English Ford in Wallace. I met Bill, and it was the first time I had ever seen him. I never showed Bill English any identification at all. I assume Dale Dixon told him kind of who Hugh and I were and what we were doing there. I told Mr. English, Bill English, I said 'Look, I want to hire you to haul my old broken down truck back to, back to the mountains.' He said 'No, I'm not going to haul your truck back.' I said 'Bill, I'm somewhat stranded.' He said 'You ain't stranded at all.' I said 'What do you mean?' He said 'I've got plenty of cars and trucks around here. You can have any of them you want.' And I insisted on renting one of his vehicles, and he said, 'No, I'm not gonna rent you anything. I'm going to loan it to you.' In a few minutes time, Bill English had hooked a trailer to a virtually new Ford pickup truck and said 'There it is. Take it and use it. Bring it back when you get done with it. Then get this. I was in a city where nobody knew me, and in about ten minutes time, this fellow had loaned me about forty thousand dollars worth of his equipment and said take it and use it and bring it back when you, when you get done with it. That kind of restored my faith in humanity.

"Well, that's kind of my story. We had a very interesting day there. We got a first-hand view of what went on down there. If you didn't go down there in person, if you flew over that scene, you really don't know the story because you couldn't smell those dead rotting animals and you could not feel those mosquitoes lighting on you. Without a doubt, there's going to be some problems in how the financial end of this thing is going to be handled, but you know we can't do anything else. We do have a Rainy Day Fund, and boy did it ever rain. Y'all vote for this bill. Thank you."

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Senator Ballantine:

"Ladies and gentlemen of the Senate, I’m glad you got to hear that testimony from Senator East. One final note to that story, Senator East ended up buying that Ford pickup truck. That’s true. Charlie, Mr. English is a pretty good salesman, isn’t he?

"But really, this bill is all about being compassionate, Senator Basnight. We worked pretty hard on this bill many, many times over in the mansion, and going up to D.C. on a bus. This bill is not perfect, but it is a great compromise. There are those that wanted a tax increase and those that didn’t. There are those that wanted to talk about tax-free zones, but we just couldn’t quite work that out. In the end, I think it’s important to realize that the legislature of North Carolina came to work. We rolled up our sleeves, and in a truly bipartisan manner, we came up with a package. Yes, it was scrutinized, somewhat rigorously, especially in the last few days. I don’t believe there is a soul in this Chamber that’s going to vote against this bill now, and I think we all should be proud about that. One thing I want to mention that hasn’t been mentioned. I want to give thanks and praise to people like Don East coming down to see for himself the problems that we’re all suffering. I want to thank those all across this State that have given their time, they’ve volunteered, they’ve contributed money, and it really does show, Senator East, how important friendship and good neighbors and the true human spirit is in the time of crisis. I think that this is the greatest supplemental package by any State in history, and I’ve looked at the floods in Grand Forks, North Dakota, Hurricane Andrew in Florida, and I believe that North Carolina has stepped up to the plate. We did get a lot from Congress, but this is a State relief package that is the largest of any State in history, and I think we have done the right thing for our people. I know a lot about hurricanes, being from Wilmington. This is the fourth or fifth hurricane that we’ve gone through, Senator Basnight, in the last four years, and it’s not pleasant. I want to thank New Hanover County. They’re one of the top two counties in the nation for disaster preparedness. They’re up for an award, and they may win and beat the top county. We’ve worked hard to prepare for these things.

"It is frightening to go through one of these hurricanes, especially Floyd. After a while, you sort of get numb to it. But Floyd was a category five hurricane at four o’clock in the morning, and I was up watching television hoping that it would go away. At first the forecasters predicted it was coming to Miami, and those of you in the western part of the State, I know how you feel because when it’s going to Miami, we don’t really think too much about it. Then the next thing we saw, it was coming to Savannah, and then Myrtle Beach, and then once again, it was going to come to Wilmington. So at four in the morning when you have a 155 mile-per-hour category five hurricane out there, you get worried. I’m sitting there in my boxer shorts telling my wife we need to get up, and we need to prepare even though we have batteries and flashlights and ice and coolers. This is worse than we’ve ever seen before. We’ve got to get all our porch furniture in the house, we’ve got to do everything we can. We’ve got to get our new baby and go to higher ground. We went into town and rode it out, but we were on higher ground and when I came back there was a huge tree through my roof. I had four feet of water and it really didn’t bother me. Just like Senator East said, like old man English said, there were a lot of people worse off than us. We were okay. But I just want to say once again how proud I am that we could do this in a bipartisan way. It’s going to mean a lot, not only to eastern North Carolina, but I think it shows a lot and it’s going to mean a lot and will benefit the entire State for many years to come. Thank you very much.”

Senator Kerr:

“I’d just like to say thanks on behalf of the people of eastern North Carolina, our Governor, Secretary Carlyle, Wayne McDevitt, and Billy Ray Hall, a wonderful guy from my county. Secretary Moore of the National Guard came in first to find rescue people to
save people; the Senators that came down, Senator Garrou personally, all you gentlemen and ladies that flew into eastern North Carolina; Senator Basnight. His staff, Rolf and Norma, and Billy Ray, I think crafted this whole package and worked weekends to get it together, and on behalf of my people, I say 'Thank you.' Of course, this is not a perfect bill. I don't think anything is perfection on this life, but it is a wonderful Christmas present to the people who are hurt. As Senator Lee has said, 'This gets us out of the ditch' and the only thing that I regret is the rebuilding of our State, the infrastructure, the highways, the things we've really got to do to get the economy going will have to be put off, put off to another day, and for that I'm sad. But I do thank all of you gentlemen and ladies who got on those helicopters that I'm scared to ride on and flew down, and saw Seven Springs and saw Tarboro, and on behalf of the people of eastern North Carolina, we thank you. Merry Christmas."

Senator Albertson:

"Thank you Mr. President and members of the Senate. I, too, want to arise to express my sincere gratitude and appreciation to all of you for your support. I won't go through the list and name all the people that I would like to. Senator Kerr has already done a good job of doing that. I would like to take this opportunity to express my appreciation to our House. I think all the members in the other Body except two voted for this package. But many of you have shown that you really cared about our people. You have come to Chinquapin and the northeast community and Pender County to show us that you really care, and I want to tell you what I've learned from this experience. One thing that I have learned anew, just how important it is for someone to know you're thinking about them in time of need and trouble. And Senator East you're right, you and Senator Webster did come down. Senator Odom, you might have an interest in knowing, sent an automobile to my district. He was kind enough to do that, and I shall never forget that. It's been a great experience in my life. I think I can truthfully say this hurricane, this disaster that we have experienced, has probably changed my life forever and I hope I can be a better person as a result of it.

"We have simply not had the courage since we've been here in this time of Christmas to impose a tax on our people, a temporary tax to fix this problem. And I think everyone of us in the Chamber knows what the picture looks like as far as our budget is concerned. I must say this to you. Since we've not had the courage to do this, I do hope that when we come back next spring, if the budget picture is not what we would like for it to be, I would hope that we would have the courage and the will to oppose any attempt, if there should be one, to impose a lottery on our people to help pay these expenses. Thank you."

Senator Cochrane:

"Ladies and gentlemen of the Senate, I want to bring a compliment to you and to the citizens of this State. In the second week after the flood, I went down east in a car, Senator Kerr. I didn't fly myself. In the course of a few days of being down there, I had lunch in a seafood kind of a restaurant with a lady from out of state who, when we talked about the kinds of things that were being brought east by those of us who live in the Piedmont and the mountains, made the comment to me. She said 'I find it rather extraordinary because I am confident that if this had happened in my State, the people in the other parts of the State would not have rallied to the degree that your citizens have.' She could not believe what she had been reading in the paper that day, at the trucks and the tonnage of things being sent, food stuff, the clothes, the volunteers going east from all parts of North Carolina to try to help our brethren. I wanted to share that with you so you'd understand there were people who watched us, and I think more lives, Senator Albertson, than just North Carolinians have been touched by the outpouring of support and charitable giving to our brethren down east. I think to remember the spirit of North

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Carolina, which we talk about all the time, is really alive and well, and hard times bring it to the forefront.”

Senator Purcell:

“I remember when we went down on the helicopter and took an eight-mile trip in Duplin County to see all of the furniture and people’s belongings piled on the road. That was an impression that I will never forget. But we went in a home there in Seven Springs where some volunteer group had come in to help this person whose house had been flooded, and they had cut the sheet rock off just above the flood line and removed the insulation. I asked the man, the owner, who had done that. He said it was a church group from Laurinburg. This made me very proud of the people back home and I thought about, as Senator Cochrane has said, the thousands of people from across North Carolina who have given so much to help their neighbors in eastern North Carolina, not only from North Carolina but across the nation. I think we should be very pleased with what we are doing here today. As Senator Ballantine has said, this is a great bipartisan effort. But I think, also, we need to say as Senator Cochrane has said, a great word of thanks to the great spirit of the people of North Carolina who have given so much to help the flood victims in eastern North Carolina.”

Senator Warren:

“Thank you, Mr. President. I would just like to make a few comments. Everything that has been said I agreed upon, but there’s a couple of things I have to mention. As Senator from Greenville and Kinston, Washington and Williamston, I could not get out of Greenville except by helicopter. I did request two hundred National Guard which came in the next morning because we were out of water and about to lose our current in the Greenville area, about 50,000 people. I was so fortunate that I was able to get a helicopter to fly over my district and drop down at the fire and rescue headquarters in each part of the county, or the churches, wherever people were. The first place I stopped was a place called Stokes, and guess who was there? People from Dare County were there serving lunch. They spent a week or so, about two weeks down there in that particular area. I went to another area and who was there, Rockingham County sent a group down. Almost all the area in Grifton, which was one of the worse in the State, this group from Mecklenburg County came down and cooked for a whole week, Senator Odom. They brought the equipment and everything down and served all the food there they wanted for an entire week in the town of Grifton, North Carolina. So I can’t say enough appreciation for what you’ve done for this part of the State, and being a part of it, and several other things and I’ll just mention to you the tobacco farmers. I think they had five tobacco warehouses there, Senator Kerr, that all were under water. Tobacco was all, water was above the tobacco in the warehouses and was not insured. I don’t know what’s going to happen to these farmers that had tobacco there, about three or four million pounds. And the warehousemen did not have it covered. In addition to that, we had, some of you saw the chicken processing places we had in the district where all the chickens were washed away in the building, and also one man lost in one farm two hundred and eighty cattle were drowned in that particular farm. He rode us one day around the county with the ABC to see what was happening. I guess what I’m saying is that we’re so grateful to all the people that helped us back, in this room today and also from all over the State of North Carolina, who came to our aid to help us under Governor Hunt’s initiative. I just want to thank each one of you, what you’ve done in helping us. We have a long way to go. The university had about two thousand students without a place to stay, and you know what happened to the football team. They were in South Carolina and stayed a week down there because they couldn’t come back in to do anything, and of course you know the rest

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of that story. But I just want to say thank you so much for helping us and continue to help us and we’ll all come out ahead. Thank you.”

Senator Basnight:

“If I may, Members of the Senate, it was in 1954, I believe, that Mom told us all, ‘Let’s get under the house, the windows are blowing in’ and it was in Manteo and we got under the house and the water came under the house. The wind came first, it came out of the east and the water had not moved up into the sounds, and it blew the windows out. So we got under the house where maybe there was better protection Then the water came with the wind and we had to come back into the house. I was young at that time but I’ll never forget it. And then in 1960, Mama said, ‘Let’s go downtown, Granddaddy needs us.’ So we went downtown to his store and Hurricane Donna came in that night and tore the windows out of the store, and we stood on the shelves to protect our ourselves and I can remember Granddaddy and the fury of the storm and all the violence and the punishment that it throws at you. Then I remember the calm of the storm when the eye came over Roanoke Island and Manteo and you could see the clearness of the night and the stars. You could strike a match and the flame would not even move. Then the storm came back when the wind came from the west. The water came again, and again it flooded the community I lived in. I remember going to Hatteras Island in a storm not long ago that hit Hatteras Island and just Hatteras Island and going to Ignatious Scarborough’s home and Ignatious lost everything in his home and he was in his 90’s, and seeing the sadness that you see in the eyes of a man who lived on the island all of his life and had seen many storms and lived through them. Hundreds of homes were under water. Cape Hatteras High School, elementary, and middle school were all combined together, totally flooded as never before, and the predictions were that water could never come so high. In the development of a community called Little Kinnakeet just north of Manteo when the ocean met the sound on Hatteras Island again from the fury of a hurricane, these are all disasters that stay imprinted on your mind and they always concerned you when you looked at the weather map and they spoke of Hatteras or Wilmington or Morehead City or any parts of our State and you know the destruction and the sadness and the fury that’s thrown as a result of these storms. Having lived and grown up with storms such as I have and the people of the outer banks have known through generation after generation, I thought I’d pretty well seen it all. But the day that I went to Windsor and went to a little settlement of homes and saw for the first time the magnitude, other than what we’d seen on TV and I, like you, not fully understanding the depth of the problem except what you saw as the river rose. But the day we went to Windsor and saw hundreds of homes, literally, and spoke to families and saw the destitution, the loss, the sorrow, and the hurt and started settling in that, this is something different than what we had experienced on the Outer Banks through times of the past. You saw more of the sadness. You saw despair and loss and hurt and discomfort. You saw all of what a community had accumulated through a life and another generation of life before them. Every picture, every memory, every part of their past was gone forevermore. The floors had buckled up, the stoves, the refrigerators, the hot water heaters, the beds, the sofas, everything that makes a life comfortable was in the front yard piled up for someone to haul away to a landfill, people with no insurance and a liability, a responsibility to pay back a loan that they couldn’t pay back, people who lost cars and trucks, their only means of transportation, children that had no birthday celebration and we stood with a child. Senator Soles reached in his pocket and took some money out. We all reached in and took money out and we gave to the little child for his birthday on the next day. He was to get his driver’s license. We all went away with the same tears as Senator East did and each and everyone of you, thank you for your contributions of your thought and your sorrow that you shared with each and everyone. There was a sadness like I hadn’t felt in my entire life, even though my

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granddaddy's store was destroyed and everything in it. He was able and in such a position to put it back together. There were huge losses, but not the losses that I saw in Tarboro, Princeville, Rocky Mount, through all the communities, Greenville and on to Kinston, and what we saw in John's hometown. What each and every one of us shared in the losses that people experienced will never be measured by this General Assembly or the people of this State. But what you do today in making the kind of contribution that you do in a record amount of time is something that we will always remember as an important part of the history of the life of the people this State. You came forward. You came forward with a nonpartisan effort that those people who have lost so very much rightfully deserve. To put us in this posture and this position, some people did some things that were beyond the call of duty. I believe our Governor could not have done any more. He badgered and barked at each and every one of us. He made us understand that we had to make sacrifices of ourselves. He brought us to Raleigh to fully understand the condition that our people were in, and he made proposals and recommendations to bring people out of these difficulties that they face today. We owe him a great gratitude of thanks, and there are people such as Billy Ray, and Rolf, and Norma who worked all through the days and the weekends. This is your staff, some of them. Rolf, I don't know how many trips you made to Washington or how long you stayed in these offices, but for that we and the North Carolina Senate thank you. We thank Billy Ray Hall. We thank Rick Carlyle and Bill Holman, and we thank each and every hero that stood in the water and through that turmoil and through that difficult time of rescuing people there in that frightful night and into the next day and the following night and the following day. We thank each and every person in this State that made contributions, those from Charlotte who cooked soup, for the Colington Fire Department from Kitty Hawk, or the Ashe County delegation that I saw outside Greenville cleaning houses and homes. I do not believe there was a county in the State that was not represented. All one hundred counties strong that did not make a contribution. Yes it was a tough and difficult day and yes there will be better times. But those times will include not just what we do today as a finalization and an ending to this terrible misery. It will be what we do as we prepare ourselves for the years to come that will make this region of eastern North Carolina whole again and productive and prosperous as it should be.

The Senate Committee Substitute bill passes its second reading (49-0) and third reading with Members standing, and is ordered sent by special message to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A special message received in the Office of the Principal Clerk from the House of Representatives transmitting a joint resolution is presented to the Senate, read the first time, and disposed of, as follows:

H.J.R. 3 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 1999 EXTRA SESSION.

Upon motion of Senator Rand, the Committee Substitute joint resolution is placed before the Senate for immediate consideration.

The President grants a leave of absence for the remainder of today's Session to Senator Carrington.

Upon the appearance of Senator Jordan in the Chamber, the President acknowledges his presence and the leave of absence granted previously is withdrawn.

The joint resolution passes its second (36-0) and third readings and is ordered enrolled.

December 16, 1999
ENROLLED BILLS

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

H.B. 2, AN ACT TO ENACT THE HURRICANE FLOYD RECOVERY ACT OF 1999, MAKING FINDINGS AS TO DAMAGE CAUSED BY HURRICANE FLOYD CONCERNING ESTABLISHMENT OF THE HURRICANE FLOYD RESERVE FUND, MAKING APPROPRIATIONS TO THE HURRICANE FLOYD RESERVE FUND, AUTHORIZING TEMPORARY RULES FOR IMPLEMENTATION OF THIS ACT, AUTHORIZING ESTABLISHMENT OF NEW PROGRAMS, EXPANSION OF EXISTING PROGRAMS, AND MODIFICATION OF EXISTING PROGRAMS TO IMPLEMENT THIS ACT, AUTHORIZING TRANSFER OF FUNDS TO FEDERAL AGENCIES AND LOCAL GOVERNMENTS, AUTHORIZING TIME-LIMITED POSITIONS TO IMPLEMENT THIS ACT, AUTHORIZING ADVISORY COUNCILS TO ADVISE STATE AGENCIES ON RECOVERY EFFORTS, PROVIDING FOR TAX EXEMPTION OF BENEFITS CONCERNING A STUDY OF DISASTER COUNTIES TIER RANKINGS, CREATING A DISASTER RESPONSE AND RECOVERY COMMISSION, PROVIDING REPORTING REQUIREMENTS, PROVIDING FLEXIBILITY IN THE SCHOOL CALENDAR TO ACCOMMODATE EXTRAORDINARY CIRCUMSTANCES, AND EQUALIZING THE UNEMPLOYMENT INSURANCE WAITING PERIOD FOR ALL UNEMPLOYED FLOOD VICTIMS.

The Enrolling Clerk reports the following resolution duly ratified, properly enrolled and presented to the Office of the Secretary of State:

H.J.R. 3, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 1999 EXTRA SESSION. (Res. 1)

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

House of Representatives
December 16, 1999

Mr. President:

It is ordered that a message be sent to the Senate respectively advising your Honorable Body that the House of Representatives has concluded the public business before it and stands ready to adjourn sine die pursuant to Committee Substitute for H.J.R. 3, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 1999 EXTRA SESSION.

Respectfully,
S/Denise Weeks
Principal Clerk

Senator Basnight offers a motion, seconded by Senator Lucas and Senator Soles, that the Senate of the 1999 General Assembly, sitting in Extra Session do now adjourn, sine die, which motion prevails.

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Pursuant to the message that the House of Representatives has concluded the business before it and having notified that Honorable Body that the Senate has concluded the business before it, the President of the Senate declares that the Senate stands ready for adjournment, sine die. The President orders the doors of the Senate Chamber opened.

With the motion to adjourn sine die heretofore offered by Senator Basnight having prevailed, the President of the Senate, Lieutenant Governor Dennis A. Wicker, declares the Senate of the 1999 General Assembly sitting in Extra Session, 1999, adjourned at 2:58 P.M., sine die.

DENNIS A. WICKER  
President of the Senate

JANET B. PRUITT  
Principal Clerk of the Senate

December 16, 1999
The following bill was properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State after the Extra Session 1999 adjourned on December 16:

H.B. 2, AN ACT TO ENACT THE HURRICANE FLOYD RECOVERY ACT OF 1999, MAKING FINDINGS AS TO DAMAGE CAUSED BY HURRICANE FLOYD CONCERNING ESTABLISHMENT OF THE HURRICANE FLOYD RESERVE FUND, MAKING APPROPRIATIONS TO THE HURRICANE FLOYD RESERVE FUND, AUTHORIZING TEMPORARY RULES FOR IMPLEMENTATION OF THIS ACT, AUTHORIZING ESTABLISHMENT OF NEW PROGRAMS, EXPANSION OF EXISTING PROGRAMS, AND MODIFICATION OF EXISTING PROGRAMS TO IMPLEMENT THIS ACT, AUTHORIZING TRANSFER OF FUNDS TO FEDERAL AGENCIES AND LOCAL GOVERNMENTS, AUTHORIZING TIME-LIMITED POSITIONS TO IMPLEMENT THIS ACT, AUTHORIZING ADVISORY COUNCILS TO ADVISE STATE AGENCIES ON RECOVERY EFFORTS, PROVIDING FOR TAX EXEMPTION OF BENEFITS, CONCERNING A STUDY OF DISASTER COUNTIES TIER RANKINGS, CREATING A DISASTER RESPONSE AND RECOVERY COMMISSION, PROVIDING REPORTING REQUIREMENTS, PROVIDING FLEXIBILITY IN THE SCHOOL CALENDAR TO ACCOMMODATE EXTRAORDINARY CIRCUMSTANCES, AND EQUALIZING THE UNEMPLOYMENT INSURANCE WAITING PERIOD FOR ALL UNEMPLOYED FLOOD VICTIMS. (Became law upon approval of the Governor, December 16, 1999 – S.L. 1999-463 Extra Session.)

EDITOR'S NOTES

A bill and a resolution passed second reading and were read a third time on the same day, pursuant to Senate Rule 50.

Rule 50 in the Senate Rules adopted for the Extra Session 1999 states:

"When a bill or resolution has passed its second reading, it shall be placed on the calendar for immediate consideration on its third reading, unless prohibited by Article II, Section 23 of the North Carolina Constitution."

The numerical figures which appear within parentheses throughout the Senate Journal represent the affirmative and negative votes cast and recorded electronically, pursuant to Rule 25. Copies of the voting print-out are on file in the Legislative Library and the original is deposited in the Division of Archives and History of the Department of Cultural Resources.

SENATE DISTRICTS

A complete listing of the North Carolina Senatorial Districts can be found in the Addendum of the 1999 Senate Journal, First Session, 1999.
STANDING COMMITTEES

The Chairmen, Vice-Chairmen, Ranking Minority Members, and Members of the Standing Committees appointed to serve for the First Regular Session of the 1999 General Assembly were announced as appointed to serve for the 1999 Extra Session. A complete listing can be found on Page 1108 of the Senate Journal, First Session 1999.

Janet B. Pruitt
Principal Clerk
APPENDIX

SENATE JOURNAL

1999 SESSION

EXTRA SESSION

1999
EXECUTIVE ORDERS
of the
GOVERNOR OF THE STATE
OF NORTH CAROLINA

In compliance with G.S. 150A (Art. 5) and Chapter 479 (S.B. 1 [Sec. 152]) of the 1985 Session Laws, of the Office of the Governor of the State of North Carolina has filed with the Senate Principal Clerk a copy of all Executive Orders issued following adjournment of the 1999 Regular Session of the 1999 General Assembly on July 21, 1999, through adjournment sine die of the 1999 Extra Session of the 1999 General Assembly on December 16, 1999, as follows.

The full text of Executive Orders 154 through 164 issued by Governor James B. Hunt, Jr., can be found in the Session Laws of the 1999 Session.

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</thead>
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<td>Lieutenant Governor</td>
<td>Dennis A. Wicker</td>
</tr>
<tr>
<td>Chief of Staff</td>
<td>Mack Paul</td>
</tr>
<tr>
<td>Directors</td>
<td></td>
</tr>
<tr>
<td>Communications</td>
<td>Bob Phillips</td>
</tr>
<tr>
<td>Constituent Affairs</td>
<td>Syscret Evans</td>
</tr>
<tr>
<td>Research and Policy</td>
<td>Kristen Guillory</td>
</tr>
<tr>
<td>Scheduling</td>
<td>Julie White</td>
</tr>
<tr>
<td>Executive Assistant</td>
<td>Greta Rogers</td>
</tr>
<tr>
<td>Special Assistant</td>
<td>Felecia Hicks</td>
</tr>
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<td>Security</td>
<td>Shirley Fowler</td>
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<td>Trooper Andrew Haswell</td>
</tr>
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<td></td>
<td>Trooper Vann Burton</td>
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### OFFICE OF THE PRESIDENT PRO TEMPORE

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<td>President Pro Tempore</td>
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<td>General Counsel/Liaison</td>
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</tr>
<tr>
<td>Communications Director</td>
<td>Rob Lammé</td>
</tr>
<tr>
<td>Director of Research</td>
<td>Julia White</td>
</tr>
<tr>
<td>Executive Assistant</td>
<td>Rolf Blizzard</td>
</tr>
<tr>
<td>Legislative Outlook Coordinator</td>
<td>Phil Hayes</td>
</tr>
<tr>
<td>Special Assistants</td>
<td></td>
</tr>
<tr>
<td>Legislative Affairs</td>
<td>Kyle Armentrout</td>
</tr>
<tr>
<td>Citizen Affairs</td>
<td>Scarlett Gardner</td>
</tr>
<tr>
<td>Communications and Research</td>
<td>Mary King</td>
</tr>
<tr>
<td>Receptionist</td>
<td>Amy Piniak</td>
</tr>
<tr>
<td>Page Program Coordinator</td>
<td>Lea Dunn</td>
</tr>
<tr>
<td>Supervisor</td>
<td>Cindy Garrison</td>
</tr>
<tr>
<td></td>
<td>Tonita Stephenson</td>
</tr>
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<th>Name</th>
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</thead>
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<td>Deputy President Pro Tempore</td>
<td>Frank W. Ballance, Jr.</td>
</tr>
<tr>
<td>Administrative Assistant</td>
<td>Irma Avent</td>
</tr>
<tr>
<td>Legal Counsel</td>
<td>Carlton Pressley</td>
</tr>
</tbody>
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<th>Name</th>
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</thead>
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<td>Majority Leader</td>
<td>Roy Cooper III</td>
</tr>
<tr>
<td>Administrative Assistant</td>
<td>Susan Moore</td>
</tr>
<tr>
<td>Legal Counsel</td>
<td>Joseph Lee</td>
</tr>
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<th>Name</th>
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<td>Minority Leader</td>
<td>Patrick Ballantine</td>
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<tr>
<td>Administrative Assistant</td>
<td>Luci Johnson</td>
</tr>
<tr>
<td>Legislative Aide</td>
<td>Joel Raupe</td>
</tr>
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Principal Clerk
Janet B. Pruitt
Administrative Clerks
Mona R. Fitzgerald
Tracie J. McLamb
Calendar Clerk
Beverly H. Allen
Assistant Calendar Clerk
Sharon Gregory
Journal Clerk
Sonia B. Wiggins
Assistant Journal Clerks
Betty Morris Bridger
Rennie Hobby

READING CLERK
LeRoy Clark, Jr.

OFFICE OF THE SERGEANT-AT-ARMS
Sergeant-at-Arms
Cecil Goins
Deputy/Secretary
Martha Dunn
Assistants
Hubert Poole
Jon Fichett
George Robinson
Stanley Johnson
Ronald Spann
Charles Marsalis
Richard Telfair
Mary Perry

OFFICE OF SENATE LEGISLATIVE ASSISTANTS
Dot Waugaman
Director
Avent, Irma
Deputy President Pro Tempore
Ballance
Select Committee on Tobacco
Weinstein
Settlement Issues
Bagley, Dee
Agriculture/Environment/Natural
Birdsong, Julia
Resources
Albertson
Blake, Lorraine
Health Care
Blalock, Janet
Commerce, Majority Caucus Chair
Soles
Pension & Retirement and Aging
Blowes, Gerry
Rucho
Brothers, Nancy
Foxx
Bubenik, Jenifer
Canady, Anne
Perdue
Carpenter, Helen
Carpenter
Clark, Genie
Horton
Costello, Evelyn
Rand
David-Yerumo, Bernie
Lucas
Davis, Kathy
Carrington
DeWitt, Sheila
Shaw of Guilford
Eldridge, Barbara
Foxx
Garrison, Cindy
Kinnaird
Gooden, Carolyn
Martin of Pitt
Hartsell, Evelyn
Kerr
Haywood, Gloria
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Hodge, Dee
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Hodge, Joyce
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Rules & Operations of the Senate
Majority Caucus Secretary;
Children & Human Resources
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<td>Johnson, Luci</td>
<td>Ballantine</td>
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<td>Jordan, Martha</td>
<td>Garwood</td>
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<td>Joyner Wanda</td>
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<td>Kendall, June</td>
<td>Carter</td>
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<td>King, Margaret</td>
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<td>Office of Director – substitute</td>
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<td>King, Mary</td>
<td>Basnight</td>
<td>President Pro Tempore</td>
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<td>Lawler, Carole</td>
<td>Garrou</td>
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<td>Leatherman, Joan</td>
<td>Soles</td>
<td>Majority Caucus Chair; Commerce</td>
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<td>Lee, Barbara</td>
<td>Shaw of Cumberland</td>
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<td>Melton, Ken</td>
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<td>Cooper</td>
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<td>East</td>
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<td>Gulley</td>
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<td>Robinson</td>
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<td>Robinson, Jean</td>
<td>Webster</td>
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<td>Soles, Anne</td>
<td>Dalton</td>
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<td>Sri, Tom</td>
<td>Lee</td>
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<td>Stoddard, Betty</td>
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<td>Whitener, Angela</td>
<td>Hoyle</td>
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<td>Williams, Penny</td>
<td>Odom</td>
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<td>Woodlief, Meredith</td>
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PAPER SERIES

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Co-Sponsor ............................................................................... 2.

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Senator Kenneth R. Moore

ALEXANDRIA COUNTY—District 12—Senator Don W. East
Senator Virginia Foxx

ALLRAN, SENATOR AUSTIN M. ..................... 26th District—Catawba, Lincoln (part).

Committee Assignments—
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Primary Sponsor ......................................................................... (None).
Co-Sponsor ............................................................................... 2.

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Senator William R. Purcell

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Senator Virginia Foxx

avery county—District 27—Senator John A. Garwood
Senator Kenneth R. Moore

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Co-Sponsor ................................................................................. 2.

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New Hanover (part), Onslow (part), Pender (part).
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District 2—Senator Frank W. Ballance, Jr.
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District 30—Senator David F. Weinstein
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  Senator Steve Metcalf
District 42—Senator Robert C. Carpenter

BURKE COUNTY—District 27—Senator John A. Garwood
  Senator Kenneth R. Moore
District 28—Senator Charles Carter
  Senator Steve Metcalf

CABARRUS COUNTY—District 22—Senator Fletcher L. Hartsell, Jr.

CALDWELL COUNTY—District 27—Senator John A. Garwood
  Senator Kenneth R. Moore

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  Jackson (part), Macon (part), Polk, Transylvania (part).
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  Committee Assignments—
    Standing................................................................................................................. 8.
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    Standing................................................................................................................. 8.
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    Primary Sponsor ............................................................................................... (None).
    Co-Sponsor ......................................................................................................... 2.

CARTER, SENATOR CHARLES .............. 28th District—Buncombe (part), Burke (part),
  Madison, McDowell, Yancey.
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    Co-Sponsor ......................................................................................................... (None).

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District 30—Senator David F. Weinstein
District 41—Senator Larry Shaw
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District 38—Senator Betsy L. Cochrane

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DAVIE COUNTY—District 38—Senator Betsy L. Cochrane

DUPLIN COUNTY—District 5—Senator Charles W. Albertson

H 2 Hurricane Floyd Recovery Act of 1999

DURHAM COUNTY—District 13—Senator Wib Gulley
Senator Jeanne Hopkins Lucas

H 2 Hurricane Floyd Recovery Act of 1999

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Co-Sponsor....................................................................................... 2.

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No. 163 ................................................................. 11, 31.
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No. 165 ................................................................. 11, 32.

FORRESTER, SENATOR JAMES ...................... 39th District—Gaston (part), Iredell (part),
                                                  Lincoln (part).
Committee Assignments—
   Standing ................................................................. 8.
Bills and Resolutions—(Senate Bills)
   Primary Sponsor .................................................. (None).
   Co-Sponsor ............................................................. 2.

FORSYTH COUNTY—District 20—Senator Linda Garrou
   Senator Hamilton C. Horton, Jr
   District 38—Senator Betsy L. Cochrane

H  2 Hurricane Floyd Recovery Act of 1999

FOXX, SENATOR VIRGINIA .................................. 12th District—Alleghany, Ashe,
                                                        Guilford (part), Rockingham,
                                                        Stokes, Surry, Watauga.

FRAKLIN COUNTY—District 11—Senator Allen H. Wellons

H  2 Hurricane Floyd Recovery Act of 1999

GARROU, SENATOR LINDA .................................. 20th District—Forsyth (part)
Committee Assignments—
   Standing ................................................................. 8.
Bills and Resolutions—(Senate Bills)
   Primary Sponsor .................................................. (None).
   Co-Sponsor ............................................................. 2.

GARWOOD, SENATOR JOHN A. .................. 27th District—Alexander, Avery, Burke (part),
                                           Caldwell, Mitchell, Wilkes, Yadkin.
Committee Assignments—
   Standing ................................................................. 8.
Bills and Resolutions—(Senate Bills)
   Primary Sponsor .................................................. (None).
   Co-Sponsor ............................................................. 2.

GASTON COUNTY—District 25—Senator David W. Hoyle
   District 39—Senator James Forrester
GATES COUNTY—District 2—Senator Frank W. Ballance, Jr.

H 2 Hurricane Floyd Recovery Act of 1999
   (S.L. 1999-463-Extra Session) ................................... 13, 14, 22, 27.

GOINS, CECIL (See Sergeant-at-Arms.)

GOVERNOR (The Honorable James B. Hunt Jr.)
   Proclamation Issued to Convene Extra Session ................................... 6.

GRAHAM COUNTY—District 42—Senator Robert C. Carpenter

GRANVILLE COUNTY—District 13—Senator Wib Gulley
   Senator Jeanne Hopkins Lucas

H 2 Hurricane Floyd Recovery Act of 1999
   (S.L. 1999-463-Extra Session) ................................... 13, 14, 22, 27.

GREENE COUNTY—District 8—Senator John H. Kerr III

H 2 Hurricane Floyd Recovery Act of 1999
   (S.L. 1999-463-Extra Session) ................................... 13, 14, 22, 27.

GUILFORD COUNTY—District 12—Senator Don W. East
   Senator Virginia Foxx
   District 19—Senator Robert G. Shaw
   District 31—Senator William N. Martin
   District 32—Senator Kay R. Hagan

H 2 Hurricane Floyd Recovery Act of 1999
   (S.L. 1999-463-Extra Session) ................................... 13, 14, 22, 27.

GULLEY, SENATOR WIB ................................. 13th District—Durham, Granville,
   Person (part), Wake (part).

   Absent of Leave .................................................. 7 (portion).

   Committee Assignments—
      Standing ......................................................... 8.

   Bills and Resolutions—(Senate Bills)
      Primary Sponsor .............................................. (None).
      Co-Sponsor ..................................................... (None).

HAGAN, SENATOR KAY R. ............................. 32nd District—Guilford (part).

   Committee Assignments—
      Standing ......................................................... 8.

   Bills and Resolutions—(Senate Bills)
      Primary Sponsor .............................................. (None).
      Co-Sponsor ..................................................... (None).

HALIFAX COUNTY—District 2—Senator Frank W. Ballance, Jr.
   District 10—Senator Roy A. Cooper III

H 2 Hurricane Floyd Recovery Act of 1999
   (S.L. 1999-463-Extra Session) ................................... 13, 14, 22, 27.

HARNETT COUNTY—District 15—Senator Oscar N. Harris

HARRIS, SENATOR OSCAR N........................................... 15th District—Harnett, Johnston (part),
                            Lee (part), Sampson (part).

               Committee Assignments—
                   Standing...................................................................... 8.
               Bills and Resolutions—(Senate Bills)
                   Primary Sponsor .......................................................... (None).
                   Co-Sponsor ..................................................................... (None).

HARTSELL, SENATOR FLETCHER L., JR. ......................... 22nd District—Cabarrus,
                                                        Rowan (part), Stanly (part).

               Committee Assignments—
                   Standing...................................................................... 8.
               Bills and Resolutions—(Senate Bills)
                   Primary Sponsor .......................................................... (None).
                   Co-Sponsor ..................................................................... 2.

HAYWOOD COUNTY—District 29—Senator Dan Robinson
                District 42—Senator Robert C. Carpenter

HENDERSON COUNTY—District 29—Senator Dan Robinson
                District 42—Senator Robert C. Carpenter

HERTFORD COUNTY—District 2—Senator Frank W. Ballance, Jr.

H 2 Hurricane Floyd Recovery Act of 1999
(S.L. 1999-463-Extra Session) ................................................. 13, 14, 22, 27.

HOKE COUNTY—District 17—Senator Aaron W. Plyler
                Senator William R. Purcell
                District 30—Senator David F. Weinstein

H 2 Hurricane Floyd Recovery Act of 1999
(S.L. 1999-463-Extra Session) ................................................. 13, 14, 22, 27.

HORTON, SENATOR HAMILTON C., JR. ......................... 20th District—Forsyth (part).

               Committee Assignments—
                   Standing...................................................................... 8.
               Bills and Resolutions—(Senate Bills)
                   Primary Sponsor .......................................................... (None).
                   Co-Sponsor ..................................................................... 2.

HOYLE, SENATOR DAVID W ................................. 25th District—Cleveland (part), Gaston (part),
                                                     Lincoln (part).

               Committee Assignments—
                   Standing...................................................................... 8.
               Bills and Resolutions—(Senate Bills)
                   Primary Sponsor .......................................................... (None).
                   Co-Sponsor ..................................................................... 2.
HUNT, THE HONORABLE JAMES B., JR., Governor (See Governor.)

HYDE COUNTY—District 1—Senator Marc Basnight
   H 2  Hurricane Floyd Recovery Act of 1999
      (S.L. 1999-463-Extra Session)...................13, 14, 22, 27.

IREDELL COUNTY—District 23—Senator Jim W. Phillips, Sr.
   District 34—Senator T. LaFontine Odom, Sr.
   District 39—Senator James Forrester

JACKSON COUNTY—District 29—Senator Dan Robinson
   District 42—Senator Robert C. Carpenter

JOHNSTON COUNTY—District 11—Senator Allen H. Wellons
   District 14—Senator Brad Miller
   Senator Eric Miller Reeves
   District 15—Senator Oscar N. Harris
   H 2  Hurricane Floyd Recovery Act of 1999
      (S.L. 1999-463-Extra Session)...................13, 14, 22, 27.

JONES COUNTY—District 5—Senator Charles W. Albertson
   District 7—Senator Luther H. Jordan, Jr.
   H 2  Hurricane Floyd Recovery Act of 1999
      (S.L. 1999-463-Extra Session)...................13, 14, 22, 27.

JORDAN, SENATOR LUTHER HENRY, JR................7th District—Jones (part),
   Lenoir (part), New Hanover (part), Onslow (part), Pender (part).
   Absent of Leave..................................15 (portion), 21 (withdrawn).
   Committee Assignments—
      Standing...........................................8.
   Bills and Resolutions—(Senate Bills)
      Primary Sponsor....................................(None).
      Co-Sponsor..........................................2.

JOURNAL APPROVAL.....................................13.

KERR, SENATOR JOHN H. III......................8th District—Greene, Lenoir (part), Wayne.
   Committee Assignments—
      Standing...........................................8.
   Remarks Spread
      Hurricane Floyd Recovery........................17.
   Bills and Resolutions—(Senate Bills)
      Primary Sponsor....................................(None).
      Co-Sponsor..........................................2.

KINNAIRD, SENATOR ELEANOR....................16th District—Chatham, Lee (part), Moore,
   Orange, Randolph (part).
   Committee Assignments—
      Standing...........................................8.
KINNAIRD, SENATOR ELEANOR (continued)
Bills and Resolutions—(Senate Bills)
Primary Sponsor ........................................................... (None).
Co-Sponsor ................................................................. (None).

LEE COUNTY—District 15—Senator Oscar N. Harris
District 16—Senator Howard N. Lee
Senator Eleanor Kinnaird
H  2 Hurricane Floyd Recovery Act of 1999

LEE, SENATOR HOWARD N. ......................... 16th District—Chatham, Lee (part), Moore,
Orange, Randolph (part).
Committee Assignments—
Standing ...................................................................... 8.
Bills and Resolutions—(Senate Bills)
Primary Sponsor ........................................................... (None).
Co-Sponsor ................................................................. 2.

LENOIR COUNTY—District 7—Senator Luther H. Jordan, Jr.
District 8—Senator John H. Kerr III
District 9—Senator Ed N. Warren
H  2 Hurricane Floyd Recovery Act of 1999

LIEUTENANT GOVERNOR (Dennis A. Wicker; See President of the Senate.)

LINCOLN COUNTY—District 25—Senator David W. Hoyle
District 26—Senator Austin M. Allran
District 34—Senator T. LaFontine Odom, Sr.
District 39—Senator James Forrester

LUCAS, SENATOR JEANNE HOPKINS ................. 13th District—Durham, Granville,
Person (part), Wake (part).
Adjournment Motion Second ........................................ 12, 22.
Committee Assignments—
Standing ...................................................................... 8.
Bills and Resolutions—(Senate Bills)
Primary Sponsor ........................................................... (None).
Co-sponsor ................................................................. 2.

MACON COUNTY—District 29—Senator Dan Robinson
District 42—Senator Robert C. Carpenter

MADISON COUNTY—District 28—Senator Charles Carter
Senator Steve Metcalf

MARTIN COUNTY—District 6—Senator R. L. Martin
District 9—Senator Ed N. Warren
H  2 Hurricane Floyd Recovery Act of 1999
MARTIN, SENATOR R. L. .......................... 6th District—Edgecombe (part), Martin (part), Pitt (part), Washington (part), Wilson (part).

Committee Assignments—
Standing................................................. 8.

Bills and Resolutions—(Senate Bills)
Primary Sponsor ...................................... (None).
Co-Sponsor................................................ 2.

MARTIN, SENATOR WILLIAM N. ................. 31st District—Guilford (part).

Committee Assignments—
Standing................................................. 8.

Bills and Resolutions—(Senate Bills)
Primary Sponsor ...................................... (None).
Co-Sponsor................................................ (None).

METCALF, SENATOR STEVE ....................... 28th District—Buncombe (part), Burke (part), Madison, McDowell, Yancey.

Committee Assignments—
Standing................................................. 8.

Bills and Resolutions—(Senate Bills)
Primary Sponsor ...................................... (None).
Co-Sponsor................................................ (None).

MCDOWELL COUNTY—District 28—Senator Charles Carter
                              Senator Steve Metcalf

MECKLENBURG COUNTY—District 33—Senator Charlie Smith Dannelly
District 34—Senator T. LaFontine Odom, Sr.
District 35—Senator Robert A. Rucho
District 40—Senator Daniel G. Clodfelter

MILLER, SENATOR BRAD .......................... 14th District—Johnston (part), Wake (part).

Committee Assignments—
Standing................................................. 8.

Bills and Resolutions—(Senate Bills)
Primary Sponsor ...................................... (None).
Co-Sponsor................................................ 2.

MITCHELL COUNTY—District 27—Senator John A. Garwood
                              Senator Kenneth R. Moore

MONTGOMERY COUNTY—District 17—Senator Aaron W. Plyler
                              Senator William R. Purcell

    H    2 Hurricane Floyd Recovery Act of 1999
          (S.L. 1999-463-Extra Session)...................... 13, 14, 22, 27.

MOORE COUNTY—District 16—Senator Howard N. Lee
                              Senator Eleanor Kinnaird

    H    2 Hurricane Floyd Recovery Act of 1999
          (S.L. 1999-463-Extra Session)...................... 13, 14, 22, 27.
MOORE, SENATOR KENNETH R........27th District—Alexander, Avery, Burke (part), Caldwell, Mitchell, Wilkes, Yadkin.

Committee Assignments—
Standing.......................... 8.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .................. (None).
Co-Sponsor .......................... 2.

NASH COUNTY—District 10—Senator Roy A. Cooper III
H 2 Hurricane Floyd Recovery Act of 1999
    (S.L. 1999-463-Extra Session).......................... 13, 14, 22, 27.

NEW HANOVER COUNTY—District 4—Senator Patrick J. Ballantine
District 7—Senator Luther H. Jordan, Jr.
District 18—Senator R. C. Soles, Jr.
H 2 Hurricane Floyd Recovery Act of 1999
    (S.L. 1999-463-Extra Session).......................... 13, 14, 22, 27.

NORTHAMPTON COUNTY—District 2—Senator Frank W. Ballance, Jr.
H 2 Hurricane Floyd Recovery Act of 1999
    (S.L. 1999-463-Extra Session).......................... 13, 14, 22, 27.

NURSE OF THE DAY
Throught, Betty, Winterville, NC .................................. 7.

ODOM, SENATOR T. LAFONTINE, SR...........34th District—Iredell (part), Lincoln (part), Mecklenburg (part).

Committee Assignments—
Standing.......................... 8.
Remarks Spread
The Birth of Two New Grandchildren.......................... 11.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .................. (None).
Co-Sponsor .......................... (None).

OFFICERS OF THE SENATE.............................. 3.

ONSLOW COUNTY—District 4—Senator Patrick J. Ballantine
District 5—Senator Charles W. Albertson
District 7—Senator Luther H. Jordan, Jr.
H 2 Hurricane Floyd Recovery Act of 1999
    (S.L. 1999-463-Extra Session).......................... 13, 14, 22, 27.

ORANGE COUNTY—District 16—Senator Howard N. Lee
Senator Eleanor Kinnaird
H 2 Hurricane Floyd Recovery Act of 1999
    (S.L. 1999-463-Extra Session).......................... 13, 14, 22, 27.

PAMLICO COUNTY—District 3—Senator Beverly Eaves Perdue
H 2 Hurricane Floyd Recovery Act of 1999
    (S.L. 1999-463-Extra Session).......................... 13, 14, 22, 27.
PASQUOTANK COUNTY—District 1—Senator Marc Basnight
H  2  Hurricane Floyd Recovery Act of 1999

PENDER COUNTY—District 4—Senator Patrick J. Ballantine
     District 5—Senator Charles W. Albertson
     District 7—Senator Luther H. Jordan, Jr.
H  2  Hurricane Floyd Recovery Act of 1999

PERDUE, SENATOR BEVERLY EAVES ...................... 3rd District—Carteret (part),
                                                      Craven, Pamlico.
   Committee Assignments—
     Standing .................................................. 8.
   Bills and Resolutions—(Senate Bills)
     Primary Sponsor ......................................... (None).
     Co-Sponsor ................................................ 2.

PERQUIMANS COUNTY—District 1—Senator Marc Basnight
H  2  Hurricane Floyd Recovery Act of 1999

PERSON COUNTY—District 13—Senator Wib Gulley
   Senator Jeanne Hopkins Lucas
     District 21—Senator Hugh Webster
H  2  Hurricane Floyd Recovery Act of 1999

PHILLIPS, SENATOR JIM W., SR. .................... 23rd District—Davidson (part), Iredell (part),
                                                      Rowan (part).
   Committee Assignments—
     Standing .................................................. 8.
   Bills and Resolutions—(Senate Bills)
     Primary Sponsor ......................................... (None).
     Co-Sponsor ................................................ 2.

PITT COUNTY—District 6—Senator R. L. Martin
     District 9—Senator Ed N. Warren
H  2  Hurricane Floyd Recovery Act of 1999

PLYLER, SENATOR AARON W. .................... 17th District—Anson, Hoke (part), Montgomery,
                                                      Richmond, Scotland, Stanly (part), Union.
   Committee Assignments—
     Standing .................................................. 8.
   Bills and Resolutions—(Senate Bills)
     Primary Sponsor ......................................... (None).
     Co-Sponsor ................................................ 2.

POLK COUNTY—District 42—Senator Robert C. Carpenter
PRAYERS OFFERED TO OPEN SESSION
Wisdom, The Reverend Jeffrey, Goldsboro, NC ........................................ 5.

PRESIDENT OF THE SENATE (Lieutenant Governor, Dennis A. Wicker)
Adjournment Sine Die Declared ............................................................ 23.
Journal Signature .................................................................................. 23.
Pledge of Allegiance................................................................................ 5.
Presides Daily Session ................................................................. 5, 12, 14, 21.
Quorum Declared .................................................................................. 6.
Recess Declared ..................................................................................... 11, 12.

PRESIDENT PRO TEMPORE, (See Basnight, Senator Marc.)
Presides
Committee of the Whole .................................................................... 13.
Daily Session ......................................................................................... 12, 14, 15.

PRINCIPAL CLERK—Janet B. Pruitt
Renewal of Election ................................................................................ 3.
Editors Notes ......................................................................................... 27.
Journal Signature .................................................................................. 23.

PROCLAMATION FROM THE GOVERNOR ............................................. 6.

PRUITT, JANET B. (See Principal Clerk.)

PURCELL, SENATOR WILLIAM R. .................................. 17th District—Anson, Hoke (part),
Montgomery, Richmond, Scotland, Stanly (part), Union.
Committee Assignments—
Standing ............................................................................................ 8.
Remarks Spread
Hurricane Floyd Recovery .................................................................. 19.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .................................................................................. (None).
Co-Sponsor ............................................................................................ 2.

RAND, SENATOR ANTHONY E. ................. 24th District—Cumberland (part).
Journal Approval .................................................................................. 13.
Committee Assignments—
Standing ............................................................................................ 8.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .................................................................................. 1, 3.
Co-Sponsor ............................................................................................ 2.

RANDOLPH COUNTY—District 16—Senator Eleanor Kinnaird
Senator Howard N. Lee
District 19—Senator Robert G. Shaw
H 2 Hurricane Floyd Recovery Act of 1999
(S.L. 1999-463-Extra Session) ............................................................ 13, 14, 22, 27.
READING CLERK—LeRoy Clark, Jr.
Renewal of Election.......................................................... 7.
Call of the Roll ............................................................... 6.

REEVES, SENATOR ERIC MILLER .......... 14th District—Johnston (part), Wake (part).
Committee Assignments—
Standing............................................................................. 8.
Bills and Resolutions—(Senate Bills)
Primary Sponsor ...................................................................(None).
Co-Sponsor .............................................................................. 2.

REPORTS (Submitted to General Assembly.)
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RESOLUTIONS, JOINT
S 3 Adjournment Sine Die/1999 Extra Session (Res. 1) ...................... 11.

RESOLUTIONS, SENATE

RICHMOND COUNTY—District 17—Senator Aaron W. Plyler
Senator William R. Purcell
H 2 Hurricane Floyd Recovery Act of 1999
(S.L. 1999-463-Extra Session)....................................................... 13, 14, 22, 27.

ROBESON COUNTY—District 30—Senator David F. Weinstein
H 2 Hurricane Floyd Recovery Act of 1999
(S.L. 1999-463-Extra Session)....................................................... 13, 14, 22, 27.

ROBINSON, SENATOR DAN ............. 29th District—Haywood (part), Henderson (part),
                                          Jackson (part), Macon (part),
                                          Swain, Transylvania (part).
Committee Assignments—
Standing............................................................................. 8.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....................................................................(None).
Co-Sponsor .............................................................................. 2.

ROCKINGHAM COUNTY—District 12—Senator Don W. East
Senator Virginia Foxx
H 2 Hurricane Floyd Recovery Act of 1999
(S.L. 1999-463-Extra Session)....................................................... 13, 14, 22, 27.

ROWAN COUNTY—District 22—Senator Fletcher L. Hartsell, Jr.
District 23—Senator Jim W. Phillips, Sr.
District 38—Senator Betsy L. Cochrane
H 2 Hurricane Floyd Recovery Act of 1999
(S.L. 1999-463-Extra Session)....................................................... 13, 14, 22, 27.
RUCHO, SENATOR ROBERT A.............................. 35th District—Mecklenburg (part).
committee assignments—
standing................................. 8.
bills and resolutions—(Senate Bills)
primary sponsor......................... (None).
co-sponsor............................... 2.

RUTHERFORD COUNTY—District 37—Senator Walter Dalton

SAMPSON COUNTY—District 5—Senator Charles W. Albertson
District 15—Senator Oscar N. Harris
District 30—Senator David F. Weinstein
H 2 Hurricane Floyd Recovery Act of 1999
(S.L. 1999-463-Extra Session).................. 13, 14, 22, 27.

SCOTLAND COUNTY—District 17—Senator Aaron W. Plyler
Senator William R. Purcell
H 2 Hurricane Floyd Recovery Act of 1999
(S.L. 1999-463-Extra Session).................. 13, 14, 22, 27.

SENATE RULES
S 1 Permanent Rules/Extra Session 1999 (Adopted).................. 7.

SENATE STAFF ........................................... 33.

SERGEANT-AT-ARMS—Cecil Goins
Renewal of Election............................. 7.

SHAW, SENATOR LARRY............................. 41st District—Cumberland (part).
committee assignments—
standing................................. 8.
bills and resolutions—(Senate Bills)
primary sponsor......................... (None).
co-sponsor............................... (None).

SHAW, SENATOR ROBERT G. .......... 19th District—Davidson (part), Guilford (part), Randolph (part).
committee assignments—
standing................................. 8.
bills and resolutions—(Senate Bills)
primary sponsor......................... (None).
co-sponsor............................... 2.

SOLES, SENATOR R. C., JR.................. 18th District—Bladen (part), Brunswick, Columbus, New Hanover (part).
adjournment motion second............... 22.
committee assignments—
standing................................. 8.
bills and resolutions—(Senate Bills)
primary sponsor......................... (None).
co-sponsor............................... 2.
STANLY COUNTY—District 17—Senator Aaron W. Plyler  
Senator William R. Purcell  
District 22—Senator Fletcher L. Hartsell, Jr.

H  2  Hurricane Floyd Recovery Act of 1999  

STOKES COUNTY—District 12—Senator Don W. East  
Senator Virginia Foxx

H  2  Hurricane Floyd Recovery Act of 1999  

STUDIES

H  2  Hurricane Floyd Recovery Act of 1999  

SURRY COUNTY—District 12—Senator Don W. East  
Senator Virginia Foxx

SWAIN COUNTY—District 29—Senator Dan Robinson

TAXATION [G. S. 105]

H  2  Hurricane Floyd Recovery Act of 1999  

TRANSYLVANIA COUNTY—District 29—Senator Dan Robinson  
District 42—Senator Robert C. Carpenter

TYRRELL COUNTY—District 1—Senator Marc Basnight

H  2  Hurricane Floyd Recovery Act of 1999  

UNION COUNTY—District 17—Senator Aaron W. Plyler  
Senator William R. Purcell

H  2  Hurricane Floyd Recovery Act of 1999  

VANCE COUNTY—District 2—Senator Frank W. Ballance, Jr.  
District 11—Senator Allen H. Wellons

H  2  Hurricane Floyd Recovery Act of 1999  

WAKE COUNTY—District 13—Senator Wib Gulley  
Senator Jeanne Hopkins Lucas  
District 14—Senator Brad Miller  
Senator Eric Miller Reeves  
District 36—Senator John H. Carrington

H  2  Hurricane Floyd Recovery Act of 1999  
WARREN COUNTY—District 2—Senator Frank W. Ballance, Jr.

H 2 Hurricane Floyd Recovery Act of 1999
(S.L. 1999-463-Extra Session).................................................. 13, 14, 22, 27.

WARREN, SENATOR ED N. ........................................ 9th District—Beaufort (part), Lenoir (part), Martin (part), Pitt (part).

Committee Assignments—
Standing............................................................................... 8.
Remarks Spread
Hurricane Floyd Recovery.................................................... 19.
Bills and Resolutions—(Senate Bills)
Primary Sponsor ....................................................................... (None).
Co-Sponsor................................................................................ 2.

WASHINGTON COUNTY—District 1—Senator Marc Basnight
District 6—Senator R. L. Martin

H 2 Hurricane Floyd Recovery Act of 1999
(S.L. 1999-463-Extra Session).................................................. 13, 14, 22, 27.

WATAUGA COUNTY—District 12—Senator Don W. East
Senator Virginia Foxx

WAYNE COUNTY—District 8—Senator John H. Kerr III

H 2 Hurricane Floyd Recovery Act of 1999
(S.L. 1999-463-Extra Session).................................................. 13, 14, 22, 27.

WEBSTER, SENATOR HUGH .......... 21st District—Alamance, Caswell, Person (part).

Committee Assignments—
Standing............................................................................... 8.
Bills and Resolutions—(Senate Bills)
Primary Sponsor ....................................................................... (None).
Co-Sponsor................................................................................ 2.

WEINSTEIN, SENATOR DAVID F..... 30th District—Bladen (part), Cumberland (part), Hoke (part), Robeson, Sampson (part).

Committee Assignments—
Standing............................................................................... 8.
Bills and Resolutions—(Senate Bills)
Primary Sponsor ....................................................................... (None).
Co-Sponsor................................................................................ (None).

WELLONS, SENATOR ALLEN H. .......... 11th District—Franklin, Johnston (part), Vance (part), Wilson (part).

Committee Assignments—
Standing............................................................................... 8.
Bills and Resolutions—(Senate Bills)
Primary Sponsor ....................................................................... (None).
Co-Sponsor................................................................................ (None).

WILKES COUNTY—District 27—Senator John A. Garwood
Senator Kenneth R. Moore
WILSON COUNTY—District 6—Senator R. L. Martin
       District 10—Senator Roy A. Cooper III
       District 11—Senator Allen H. Wellons
H  2 Hurricane Floyd Recovery Act of 1999
   (S.L. 1999-463-Extra Session)......................13, 14, 22, 27.

YADKIN COUNTY—District 27—Senator John A. Garwood
              Senator Kenneth R. Moore

YANCEY COUNTY—District 28—Senator Charles Carter
              Senator Steve Metcalf