<table>
<thead>
<tr>
<th>DISTRICT</th>
<th>NAME OF SENATOR</th>
<th>CITY OF RESIDENCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>MARC BASNIGHT (D)</td>
<td>Manteo</td>
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<td>2</td>
<td>FRANK W. BALLANCE, JR. (D)</td>
<td>Warrenton</td>
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<tr>
<td>3</td>
<td>BEVERLY EAVES PERDUE (D)</td>
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<td>4</td>
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<td>5</td>
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<td>6</td>
<td>R. L. MARTIN (D)</td>
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<td>8</td>
<td>JOHN H. KERR III (D)</td>
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<td>9</td>
<td>ED N. WARREN (D)</td>
<td>Greenville</td>
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<td>10</td>
<td>ROY A. COOPER III (D)</td>
<td>Rocky Mount</td>
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<td>11</td>
<td>ALLEN H. WELLONS (D)</td>
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<td>12</td>
<td>DON W. EAST (R)</td>
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<td>13</td>
<td>VIRGINIA FOXX (R)</td>
<td>Banner Elk</td>
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<td>14</td>
<td>WIB GULLEY (D)</td>
<td>Durham</td>
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<td>15</td>
<td>JEANNE HOPKINS LUCAS (D)</td>
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<td>16</td>
<td>BRAD MILLER (D)</td>
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<td>17</td>
<td>ERIC MILLER REEVES (D)</td>
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<td>18</td>
<td>OSCAR N. HARRIS (D)</td>
<td>Benson</td>
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<td>ELEANOR KINNAIRD (D)</td>
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<td>HOWARD N. LEE (D)</td>
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<td>AARON W. PLYLER (D)</td>
<td>Monroe</td>
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<td>WILLIAM R. PURCELL (D)</td>
<td>Laurinburg</td>
</tr>
</tbody>
</table>
18 R. C. SOLES, JR. (D) ........................................ Tabor City
19 ROBERT G. SHAW (R) ......................................... Greensboro
20 HAMILTON C. HORTON, JR. (R) ............................. Winston-Salem
   LINDA GARROU (D) ......................................... Winston-Salem
21 HUGH WEBSTER (R) ........................................... Yanceyville
22 FLETCHER L. HARTSELL, JR. (R) ......................... Concord
23 JIM W. PHILLIPS, SR. (D) ................................. Lexington
24 ANTHONY E. RAND (D) ..................................... Fayetteville
25 DAVID W. HOYLE (D) ........................................ Dallas
26 AUSTIN M. ALLRAN (R) ..................................... Hickory
27 JOHN A. GARWOOD (R) ..................................... North Wilkesboro
   KENNETH R. MOORE (R) .................................. Lenoir
28 STEVE METCALF (D) ......................................... Asheville
   CHARLES CARTER (D) ....................................... Asheville
29 DAN ROBINSON (D) .......................................... Cullowhee
30 DAVID F. WEINSTEIN (D) ................................. Lumberton
31 WILLIAM N. MARTIN (D) .................................. Greensboro
32 KAY R. HAGAN (D) .......................................... Greensboro
33 CHARLIE SMITH DANNELLY (D) ......................... Charlotte
34 T. LAFONTINE ODOM, SR. (D) ......................... Charlotte
35 ROBERT A. RUCHO (R) ................................... Matthews
36 JOHN H. CARRINGTON (R) ............................... Raleigh
37 WALTER DALTON (D) ....................................... Rutherfordton
38 BETSY L. COCHRANE (R) .................................. Advance
39 JAMES FORRESTER (R) ..................................... Stanley
40 DANIEL G. CLODFELTER (D) ............................... Charlotte
41 LARRY SHAW (D) ............................................ Fayetteville
42 ROBERT C. CARPENTER (R) ............................... Franklin
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 March 30, 2000, 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 The Reverend Sally Bates, Senate Chaplain, as follows:

"Great God, You created all life and You have blessed it and called it 'good'. You have set us in a world that reaches further than our vision, and runs deeper than our wisdom and understanding. All this You have entrusted to our care, all creatures, all plants, all riches and resources. "We are especially mindful of Your gifts which have been prone to abuse under our stewardship. We must confess that we are uneasy at the way Your blessings to us, which started out so benign, can so easily turn threatening and oppressive. While tobacco profits have brought much affluence to our State, we know that tobacco has also stolen from us our health and our well being. What started out in many instances as sweet prosperity has now turned into bitterness. "Today we convene not to appoint blame or to lament the choices we have made, but to protect our fellow citizens who are facing a catastrophic threat. Give us a spirit of unity today, Oh God, and direct our deliberations in ways that will keep our self interests in service to Your divine concerns. Help us always to speak the truth, especially when it comes to speaking the truth about You. We pray in Your Holy Name, Amen."

PLEDGE OF ALLEGIANCE

Led by the President, 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 March 30, 2000, as follows:

PROCLAMATION

WHEREAS, massive punitive damage awards have the potential to cause widespread economic harm within the communities of the State and even the State as a whole; and

April 5, 2000
WHEREAS, simple fairness requires before such harm is visited upon the State and its citizens that the opportunity for full appellate review be assured; and

WHEREAS, state law does not presently provide adequate protection against these potential harms and assure full opportunity for appeal.

NOW, THEREFORE, I, James B. Hunt Jr., Governor of the State of North Carolina, pursuant to the authority granted by me by Article III, Section 5(7) of the Constitution of North Carolina, 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 PROCLAIM that the General Assembly is hereby convened in an extra session for the purpose of considering the adoption of a state law setting a maximum appeal bond amount for non-compensatory damages at $25 million.

This extra session shall begin the 5th day of April 2000 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 30th day of March, 2000.

S/James B. Hunt Jr.
Governor

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

CALL OF THE ROLL

The President directs the Reading Clerk to call the roll of the members of the Senate heretofore elected to the 1999 General Assembly and the following answer the call:


With the members present having properly received and subscribed to the Oath of Office, the President announces a quorum present.

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, 2000, OF THE GENERAL ASSEMBLY.

Upon motion of Senator Rand, the resolution is placed before the Senate for immediate consideration upon adoption.

April 5, 2000
The text of Senate Resolution 1 is as follows:

A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE EXTRA SESSION, 2000, 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, 2000, 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 March 30, 2000, convening the Extra Session: for the purpose of considering the adoption of a State law setting a maximum appeal bond for noncompensatory damages at twenty-five million dollars ($25,000,000). 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 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 occur in that amendment or committee substitute on the same legislative day.

Rule 59. (Reserved).
   Section 2. This resolution is effective upon adoption.

Upon motion of Senator Rand, Senate Resolution 1 is adopted (47-0).

OFFICERS

Without objection, the Officers of the 1999 Regular Session shall serve as the Officers of this 2000 Extra Session.

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 2000 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:

House of Representatives
April 5, 2000

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 February 24, 2000, John D. Hall has been administered the oath of office as a Member of the House of Representatives for the remainder of the 1999 General Assembly. Representative Hall has been seated to fill the vacancy created by the resignation of Representative Thomas C. Hardaway, from the Seventh District.

It is further ordered to inform your Honorable Body that pursuant to a Proclamation issued by Governor James B. Hunt, Jr., on March 21, 2000, that Jimmie E. Ford has been administered the oath of office as a Member of the House of Representatives for the remainder of the 1999 General Assembly. Representative Ford has been seated to fill the vacancy created by the resignation of Representative Jerry Braswell, from the Ninety-Seventh District.

Respectfully,
S/Denise Weeks
Principal Clerk

April 5, 2000
Mr. President:

Pursuant to a Proclamation issued by Governor James B. Hunt, Jr., on March 30, 2000, it is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives is organized and is now ready to proceed with the public business of the 2000 Extra Session.

Respectfully,

S/Denise Weeks
Principal Clerk

INTRODUCTION OF A BILL

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


S.B. 2, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STAY OF ENFORCEMENT OF CIVIL JUDGMENTS FOR DAMAGES IN ADDITION TO OR IN EXCESS OF COMPENSATORY DAMAGES UPON THE POSTING OF A BOND IN AN AMOUNT UP TO A MAXIMUM OF TWENTY-FIVE MILLION DOLLARS FOR THE AMOUNT OF NONCOMPENSATORY DAMAGES PLUS AN ADDITIONAL AMOUNT EQUAL TO THE AMOUNT OF THE AWARD FOR COMPENSATORY DAMAGES.

Referred to the Committee of the Whole.

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

EXECUTIVE ORDERS

The following Executive Orders received after adjournment of the Extra Session of the 1999 General Assembly, on December 16, 1999, are presented to the Senate, read, and ordered filed in the Office of the Senate Principal Clerk, as follows: (See Appendix.)

Executive Order Number 166, Extending Executive Orders.

Executive Order Number 167, Emergency Relief for Damage Caused by January 2000 Winter Storm.

REPORTS TO GENERAL ASSEMBLY

The following reports received after adjournment of the Extra Session of the 1999 General Assembly, on December 16, 1999, from boards, commissions, and agencies directed to report to the General Assembly, are presented to the Senate and ordered placed

April 5, 2000
The North Carolina Department of Health and Human Services submits the report from the Study Commission on Aging.

The Office of Juvenile Justice, along with the Subcommittee of the North Carolina Sentencing and Policy Advisory Commission, submits the report of the Study Commission on the Juvenile Justice Reform Act.

The North Carolina Department of Health and Human Services, along with the North Carolina Study Commission on Aging, submits the Annual Report on the Status and Effectiveness of Support Our Students (SOS), pursuant to G.S. 143B-152.7.

RESOLUTION FROM ANOTHER STATE

The following resolution received from another State after adjournment of the Extra Session of the General Assembly on December 16, 1999, is presented to the Senate and ordered filed in the Office of the Principal Clerk (See Appendix):

Vermont Senate Joint Resolution Number 78, relating to the need for national leadership to address the high cost of medically necessary prescription drugs.

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.

COMMITTEE OF THE WHOLE

The Senate sits as a Committee of the Whole to discuss S.B. 2, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STAY OF ENFORCEMENT OF CIVIL JUDGMENTS FOR DAMAGES IN ADDITION TO OR IN EXCESS OF COMPENSATORY DAMAGES UPON THE POSTING OF A BOND IN AN AMOUNT UP TO A MAXIMUM OF TWENTY-FIVE MILLION DOLLARS FOR THE AMOUNT OF NONCOMPENSATORY DAMAGES PLUS AN ADDITIONAL AMOUNT EQUAL TO THE AMOUNT OF THE AWARD FOR COMPENSATORY DAMAGES.

Senator Rand offers a motion that the Senate rise and report from the Committee of the Whole, which motion prevails.

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

Senator Rand offers a motion that the Senate stand in recess for fifteen minutes, which motion prevails.

The Senate recesses at 9:41 A.M. to reconvene at 9:56 A.M.

RECESS

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.
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 Rand for the Committee of the Whole:

S.B. 2, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STAY OF ENFORCEMENT OF CIVIL JUDGMENTS FOR DAMAGES IN ADDITION TO OR IN EXCESS OF COMPENSATORY DAMAGES UPON THE POSTING OF A BOND IN AN AMOUNT UP TO A MAXIMUM OF TWENTY-FIVE MILLION DOLLARS FOR THE AMOUNT OF NONCOMPENSATORY DAMAGES PLUS AN ADDITIONAL AMOUNT EQUAL TO THE AMOUNT OF THE AWARD FOR COMPENSATORY DAMAGES, with a favorable report.

The bill remains before the Senate for immediate consideration.

Senator Rand announces a pair vote. If Senator Gulley were present he would vote "no"; Senator Rand votes "aye".

Senator Lucas and Senator Reeves did not answer the previous call of the roll, but are present in the Chamber to vote.

The bill passes its second (47-1) and third readings and is ordered sent by special message to the House of Representatives.

INTRODUCTION OF A JOINT RESOLUTION

Senator Rand submits a joint resolution to the Senate for introduction, which is read the first time, and disposed of, as follows:

By Senator Rand:

S.J.R. 3, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2000 EXTRA SESSION.

The joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second (49-0) and third readings and is ordered sent by special message to the House of Representatives.

The Senate recesses at 10:32 A.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, who presides in the absence of the Lieutenant Governor.

ENROLLED BILLS

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

S.B. 2, AN ACT TO ALLOW THE STAY OF ENFORCEMENT OF CIVIL JUDGMENTS FOR DAMAGES IN ADDITION TO OR IN EXCESS OF COMPENSATORY DAMAGES UPON THE POSTING OF A BOND IN AN AMOUNT UP TO A MAXIMUM OF TWENTY-FIVE MILLION DOLLARS FOR THE AMOUNT OF NONCOMPENSATORY DAMAGES PLUS AN ADDITIONAL AMOUNT EQUAL
TO THE AMOUNT OF THE AWARD FOR COMPENSATORY DAMAGES.

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

S.J.R. 3, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2000 EXTRA SESSION. (Res. 1)

There being no further business to come before the Senate, the President Pro Tempore orders a message sent to the House of Representatives informing that Honorable Body that the Senate has concluded the business for which it was convened into Extra Session by Proclamation of the Governor and stands ready to adjourn this Extra Session 2000 of the 1999 General Assembly, sine die.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
April 5, 2000

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 S.J.R. 3, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2000 EXTRA SESSION.

Respectfully,
S/Dayne Weeks
Principal Clerk

Senator Rand offers a motion that the Senate of the 1999 General Assembly, sitting in Extra Session 2000 do now adjourn sine die, which motion prevails.

The President Pro Tempore of the Senate, Senator Marc Basnight, declares the Senate of the 1999 General Assembly sitting in Extra Session 2000, adjourned at 1:08 P.M., sine die.

DENNIS A. WICKER
President of the Senate

JANET B. PRUITT
Principal Clerk of the Senate

April 5, 2000
The following bill was properly enrolled, signed by the Governor, assigned the following Chapter Number, and presented to the Office of the Secretary of State after the Extra Session 2000 adjourned sine die on April 5:

S.B. 2, AN ACT TO ALLOW THE STAY OF ENFORCEMENT OF CIVIL JUDGMENTS FOR DAMAGES IN ADDITION TO OR IN EXCESS OF COMPENSATORY DAMAGES UPON THE POSTING OF A BOND IN AN AMOUNT UP TO A MAXIMUM OF TWENTY-FIVE MILLION DOLLARS FOR THE AMOUNT OF NONCOMPENSATORY DAMAGES PLUS AN ADDITIONAL AMOUNT EQUAL TO THE AMOUNT OF THE AWARD FOR COMPENSATORY DAMAGES. (Became law upon approval of the Governor, April 5, 2000 — S.L. 2000- 1.)

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 2000 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 printout 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, Second Session 2000.

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 2000 Extra Session. A complete listing can be found on Page 556 of the 1999 Senate Journal, Second Session 2000.

Janet B. Pruitt
Principal Clerk
APPENDIX

SENATE JOURNAL

1999 SESSION

EXTRA SESSION

2000
VINDICATA

LUCRORUM EPITOME

PRAECLARA CCXCIII

1662
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 Extra Session of the 1999 General Assembly, on December 16, 1999.

The full text of Executive Orders 166 and 167 issued by Governor James B. Hunt, Jr., can be found in the Session Laws of the 2000 General Assembly.

<table>
<thead>
<tr>
<th>Executive Order</th>
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<td>166</td>
<td>Extending Executive Orders:</td>
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<tr>
<td></td>
<td>Executive Order No. 2, Small Business Council.</td>
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<td></td>
<td>Executive Order No. 11, Governor's Council of Fiscal Advisors.</td>
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<td>Executive Order No. 15, Coordinating Committee on the Americans with Disabilities Act.</td>
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<td>Executive Order No. 16, The Geographic Information Coordinating Council and the Center for Geographic Information and Analysis.</td>
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<td>Executive Order No. 43, North Carolina State Health Coordinating Council.</td>
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<td>Executive Order No. 45, Governor's Initiative to Strengthen North Carolina Historically Black Colleges and Universities.</td>
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<td>Executive Order No. 50, North Carolina Sports Development Commission.</td>
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<td>Executive Order No. 51, North Carolina Film Council.</td>
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<td></td>
<td>Executive Order No. 75, Creation of Regional Councils and a coordinating Council to Support Sound Environmental Management in the Albemarle-Pamlico Estuarine Study Region.</td>
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</tbody>
</table>

| 167             | Emergency Relief for Damage Caused by January 2000 Winter Storm. |
|                 | January 28, 2000 |
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 Vann Burton
Trooper Andrew Haswell

OFFICE OF THE PRESIDENT PRO TEMPORE

President Pro Tempore
General Counsel/Liaison
Communications Director
Director of Research
Executive Assistant
Special Assistants:
Legislative Affairs
Citizen Affairs
Communications and Research
Receptionist
Legislative Assistants
Page Program:
Coordinator
Supervisor

Marc Basnight
Norma Mills
Rob Lammé
Rolf Blizzard
Angela Talton
Scarlette Gardner
Mary King
Amy Piniak
Lea Dunn
Reyna Walters
Louise Stowe
Cindy Garrison
Tonita Stephenson

OFFICE OF THE DEPUTY PRESIDENT PRO TEMPORE

Deputy President Pro Tempore
Administrative Assistant

Frank W. Ballance, Jr.
Irma Avent

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
Administrative Clerks

Calendar Clerk
Assistant Calendar Clerk
Journal Clerk
Assistant Journal Clerks

Janet B. Pruitt
Mona R. Fitzgerald
Tracie J. McLamb
Beverly H. Allen
Elaine Tant
Sonia B. Wiggins
Betty Morris Bridger
Rennie Hobby
Jonathan Kennedy
Betty Naylor

READING CLERK

LeRoy Clark, Jr.

OFFICE OF THE SERGEANT-AT-ARMS

Sergeant-at-Arms
Deputy/Secretary
Assistants

Cecil Goins
Martha Dunn
Jon Fichett
Hubert Poole
Stanley Johnson
George Robinson
Archie McMillan
Ronald Spann
Charles Marsalis
Richard Telfair
Mary Perry
Leslie Wright

OFFICE OF SENATE LEGISLATIVE ASSISTANTS

Dot Waugaman
Avent, Irma
Bagley, Dee
Birdsong, Julia
Bishop, Gail
Blake, Lorraine
Blalock, Janet
Brothers, Nancy
Caldwell, Wilma
Canady, Anne
Carpenter, Helen
Clark, Genie
Costello, Evelyn
David-Yerumo, Bernie

Ballance
Weinstein
Albertson
Garrou
Purcell
Soles
Phillips
Warren
Perdue
Carpenter
Horton
Rand

Carrington
Shaw of Guilford
Garwood
Clodfelter
Martin of Pitt
Carter
Kerr

Health Care
Commerce, Majority Caucus Chair
Pension & Retirement and Aging
Appropriations on General Government
Appropriations
Rules & Operations of the Senate
Majority Caucus Secretary;
Children & Human Resources
Page Coordinator, Office of Director
Appropriations on Natural and Economic Resources
Finance
Haywood, Gloria          Jordan          Appropriations on Justice & Public Safety
Hedspeth, Becky          Reeves          Information Technology
Hodge, Dee               Dannelly        Ways & Means
Hodge, Joyce             Martin of Guilford Appropriations on Human Resources
Hogan, Peggy Anne        Wellons         Insurance
Holshouser, Vera         Hagan           Minority Leader
Johnson, Gerry           Hartsell        President Pro Tempore
Johnson, Luci            Ballantine       Transportation
King, Margaret           Moore           Judiciary II
King, Mary               Basnight        Appropriations
Lee, Barbara             Shaw of Cumberland Majority Leader; Judiciary I
McMillan, Cornelia       Miller          Assistant, Office of Director
Misner, Pat              Plyler          Appropriations on Transportation
Moore, Susan             Cooper          Page Supervisor, Office of Director
Murphy, Sarah            Foxx            President Pro Tempore
Nelson, Sharon           Metcalf
Parrish, Claudette       Cochrane
Porter, Phyllis          East
Pulley, Nancy            Gulley
Resar, Carol             Robinson        Appropriations/Base Budget
Robinson, Jean           Robinson
Soles, Anne              Webster
Spears, Vickie           Perdue
Soles, Anne              Webster
Sri, Tom                 Dalton
Stephenson, Tonita        Lee
Stoddard, Betty          Basnight
Talton, Angela           Rucho
Wade, Susan              Allran
Walker, Carole           Forrester
Watson, Mary             Dalton
Whitener, Angela         Hoyle           Finance
Williams, Penny          Odom
Wilson, Anne             Harris
Woodlief, Meredith       Harris
Young, Kathie            Kinnaird        State and Local Government
RESOLUTION FROM ANOTHER STATE

State of Vermont
Senate Chamber
(SEAL)
Montpelier, Vermont
Joint Senate Resolution

By Senators, Morrissey, Sears, Ankeney, Bloomer, Brownell, Canns, Chard, Crowley, Cummings, Doyle, Greenwood, Ide, Leddy, MacDonald, Maynard, Mazza, McCormack, Munt, Ptashnik, Riehle, Rivers, and Shumlin,

J.R.S. 78. Joint resolution relating to the need for national leadership to address the high cost of medically necessary prescription drugs.

Whereas, medically necessary prescription drugs are unaffordable for many Americans, especially seniors, the disabled, and the uninsured, and

Whereas, prescription drugs are a major factor in escalating health care cost inflation trends for private and public health insurance plans, and state Medicaid programs, and

Whereas, the United States stands virtually alone among the major economies of the world in recognizing and protecting the legitimate patent rights of companies that discover new prescription drugs, but in placing no reciprocal obligations on such companies to provide reasonable and affordable access to those patented drugs, and

Whereas, the United States Congress has enacted legislation protecting its financial interests in connection with prescription drug costs, such as through the Medicaid rebate program and through the Federal Supply Schedule for the veterans' health benefit plan, but has refused to grant similar powers to the states to allow them to protect their interests and the health and welfare of their citizens, and

Whereas, while states are aggressively pursuing promising strategies to lower prescription drug prices, the federal government can address the problem of high prescription drug costs more easily than the states because of the multistate and international nature of the pharmaceutical industry, and the complex marketplace for prescription drugs, and

Whereas, the problem of high prescription drug costs is a national problem calling for leadership at the national level, now therefore be it

RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES:

That the State of Vermont hereby calls upon the United States Congress and the President to lead the nation, and immediately address the problem of high prescription drug costs for all Americans, and be it further

Resolved: That the Secretary of State is directed to send a copy of this resolution the House and the Senate of each State, with a request that a similar resolution be adopted in each of the 50 states no later than July 1, 2000, and with notification that Vermont will
undertake to deliver on July 4, 2000, a copy of all resolutions to the United States Congress, the President of the United States, and the Congressional Delegation of each of the States that have adopted the resolution.

s/ Douglas A. Racine
PRESIDENT OF THE SENATE

Michael J. Obuchowski
SPEAKER OF THE HOUSE OF REPRESENTATIVES

ATTESTED TO:
s/ David A. Gibson
Secretary of the Senate
NUMERICAL INDEX

SENATE JOURNAL

1999 SESSION

EXTRA SESSION

2000
SENATE NUMERICAL INDEX

The final action is noted following the title. The Chapter Number of the 2000 Session Laws is reflected.

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SENATE JOURNAL

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ALPHABETICAL INDEX

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ALAMANCE COUNTY—District 21—Senator Hugh Webster

ALBERTSON, SENATOR CHARLES W. ............... 5th District—Duplin, Jones (part), Onslow (part), Pender (part), Sampson (part).

Committee Assignments—
Standing......................................................................................................................... 8.

Bills and Resolutions Sponsored—
Primary Sponsor ........................................................................................................... (None).
Co-Sponsor ................................................................................................................... 2.

ALEXANDER COUNTY—District 27—Senator John A. Garwood
Senator Kenneth R. Moore

ALLEGHANY COUNTY—District 12—Senator Don W. East
Senator Virginia Foxx

ALLRAN, SENATOR AUSTIN M. ...................... 26th District—Catawba, Lincoln (part).

Committee Assignments—
Standing......................................................................................................................... 8.

Bills and Resolutions Sponsored—
Primary Sponsor ........................................................................................................... (None).
Co-Sponsor ................................................................................................................... 2.

ANSON COUNTY—District 17—Senator Aaron W. Plyler
Senator William R. Purcell

ASHE COUNTY—District 12—Senator Don W. East
Senator Virginia Foxx

AVERY COUNTY—District 27—Senator John A. Garwood
Senator Kenneth R. Moore

BALLANCE, SENATOR FRANK W., JR. .......... 2nd District—Bertie (part), Gates, Halifax (part), Hertford, Northampton, Vance (part), Warren.

Committee Assignments—
Standing......................................................................................................................... 8.

Bills and Resolutions Sponsored—
Primary Sponsor ........................................................................................................... (None).
Co-Sponsor ................................................................................................................... (None).
BALLANTINE, SENATOR PATRICK J. .................................. 4th District—Carteret (part),  
                                                    New Hanover (part), Onslow (part), Pender (part).

Committee Assignments—
Standing............................................................................. 8.

Bills and Resolutions Sponsored—
Primary Sponsor .................................................................. (None).
Co-Sponsor ............................................................................ 2.

BAS NIGHT, SENATOR MARC (President Pro Tempore) ............. 1st District—
                                                  Beaufort (part), Bertie (part), Camden,  
                                                  Chowan, Currituck, Dare, Hyde, Pasquotank,  
                                                  Perquimans, Tyrrell, Washington (part).

Committees—
Ex-Officio Member - All Standing........................................ 8.

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Bills and Resolutions Sponsored—
Primary Sponsor .................................................................. (None).
Co-Sponsor ............................................................................ (None).

BEAUFORT COUNTY—District 1—Senator Marc Basnight  
                      District 9—Senator Ed N. Warren

BERTIE COUNTY—District 1—Senator Marc Basnight  
                 District 2—Senator Frank W. Ballance, Jr.

BLADEN COUNTY—District 18—Senator R. C. Soles, Jr.  
                      District 30—Senator David F. Weinstein

BRUNSWICK COUNTY—District 18—Senator R. C. Soles, Jr.

BUNCOMBE COUNTY—District 28—Senator Charles Carter  
                      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

CALL OF THE ROLL ...................................................................... 6.

CAMDEN COUNTY—District 1—Senator Marc Basnight
CARPENTER, SENATOR ROBERT C. .......................... 42nd District—Buncombe (part), Cherokee, Clay, Graham, Haywood (part), Henderson (part), Jackson (part), Macon (part), Polk, Transylvania (part).

Committee Assignments—
Standing......................................................... 8.

Bills and Resolutions Sponsored—
Primary Sponsor .................................................. (None).
Co-Sponsor ......................................................... 2.

CARRINGTON, SENATOR JOHN H. .......................... 36th District—Wake (part).
Committee Assignments—
Standing.......................................................... 8.

Bills and Resolutions Sponsored—
Primary Sponsor .................................................. (None).
Co-Sponsor ......................................................... (None).

CARTER, SENATOR CHARLES .............................. 28th District—Buncombe (part), Burke (part), Madison, McDowell, Yancey.

Committee Assignments—
Standing.......................................................... 8.

Bills and Resolutions Sponsored—
Primary Sponsor .................................................. (None).
Co-Sponsor ......................................................... 2.

CARTERET COUNTY—District 3—Senator Beverly Eaves Perdue
District 4—Senator Patrick J. Ballantine

CASWELL COUNTY—District 21—Senator Hugh Webster

CATAWBA COUNTY—District 26—Senator Austin M. Allran

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CHATHAM COUNTY—District 16—Senator Eleanor Kinnaird
Senator Howard N. Lee

CHEROKEE COUNTY—District 42—Senator Robert C. Carpenter

CHOWAN COUNTY—District 1—Senator Marc Basnight

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CLARK, LEROY, JR. (Reading Clerk)

CLAY COUNTY—District 42—Senator Robert C. Carpenter

CLEVELAND COUNTY—District 25—Senator David W. Hoyle
District 37—Senator Walter Dalton
CLODFELTER, SENATOR DANIEL G. .................. 40th District—Mecklenburg (part).
Committee Assignments—
Standing ................................................................. 8.
Bills and Resolutions Sponsored—
Primary Sponsor ................................................... (None).
Co-Sponsor ............................................................... (None).

COCHRANE, SENATOR BETSY L. .................. 38th District—Davidson (part), Davie, Forsyth (part), Rowan (part).
Committee Assignments—
Standing ................................................................. 8.
Bills and Resolutions Sponsored—
Primary Sponsor ................................................... (None).
Co-Sponsor ............................................................... 2.

COLUMBUS COUNTY—District 18—Senator R. C. Soles, Jr.

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COOPER, SENATOR ROY A. III ............... 10th District—Edgecombe (part), Halifax (part), Nash, Wilson (part).
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Standing ................................................................. 8.
Bills and Resolutions Sponsored—
Primary Sponsor ................................................... (None).
Co-Sponsor ............................................................... (None).

CRAVEN COUNTY—District 3—Senator Beverly Eaves Perdue

CUMBERLAND COUNTY—District 24—Senator Anthony E. Rand
District 30—Senator David F. Weinstein
District 41—Senator Larry Shaw

CURRITUCK COUNTY—District 1—Senator Marc Basnight

DALTON, SENATOR WALTER .................... 37th District—Cleveland (part), Rutherford.
Committee Assignments—
Standing ................................................................. 8.
Bills and Resolutions Sponsored—
Primary Sponsor ................................................... (None).
Co-Sponsor ............................................................... 2.

DANIELLY, SENATOR CHARLIE SMITH ......... 33rd District—Mecklenburg (part).
Committee Assignments—
Standing ................................................................. 8.
DANNELLY, SENATOR CHARLIE SMITH (continued)

Bills and Resolutions Sponsored—
  Primary Sponsor ................................................................. (None).
  Co-Sponsor ............................................................................ 2.

DARE COUNTY—District 1—Senator Marc Basnight

DAVIDSON COUNTY—District 19—Senator Robert G. Shaw
  District 23—Senator Jim W. Phillips, Sr.
  District 38—Senator Betsy L. Cochrane

DAVIE COUNTY—District 38—Senator Betsy L. Cochrane

DUPLIN COUNTY—District 5—Senator Charles W. Albertson

DURHAM COUNTY—District 13—Senator Wib Gulley
  Senator Jeanne Hopkins Lucas

EAST, SENATOR DON W........................................... 12th District—Alleghany, Ashe, Guilford (part),
  Rockingham, Stokes, Surry, Watauga.

Committee Assignments—
  Standing ................................................................................. 8.

Bills and Resolutions Sponsored—
  Primary Sponsor ........................................................................ (None).
  Co-Sponsor .............................................................................. 2.

EDGECOMBE COUNTY—District 6—Senator R. L. Martin
  District 10—Senator Roy A. Cooper III

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FORRESTER, SENATOR JAMES ...................... 39th District—Gaston (part), Iredell (part),
  Lincoln (part).

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Bills and Resolutions Sponsored—
  Primary Sponsor ........................................................................ (None).
  Co-Sponsor ............................................................................... 2.
FORSYTH COUNTY—District 20—Senator Linda Garrou  
   Senator Hamilton C. Horton, Jr  
   District 38—Senator Betsy L. Cochrane

FOXX, SENATOR VIRGINIA ........................................ 12th District—Alleghany, Ashe,  
   Guilford (part), Rockingham,  
   Stokes, Surry, Watauga.

Committee Assignments—  
   Standing........................................................................ 8.

Bills and Resolutions Sponsored—  
   Primary Sponsor................................................................... (None).
   Co-Sponsor........................................................................... 2.

FRANKLIN COUNTY—District 11—Senator Allen H. Wellons

GARROU, SENATOR LINDA ........................................ 20th District—Forsyth (part)  
   Committee Assignments—  
      Standing........................................................................ 8.
   Bills and Resolutions Sponsored—  
      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 Sponsored—  
   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.

GOINS, CECIL (Sergeant-at-Arms)

GOVERNOR (The Honorable James B. Hunt Jr.)  
   Proclamation Issued to Convene Extra Session...................... 5.

GRAHAM COUNTY—District 42—Senator Robert C. Carpenter

GRANVILLE COUNTY—District 13—Senator Wib Gulley  
   Senator Jeanne Hopkins Lucas

GREENE COUNTY—District 8—Senator John H. Kerr III

GUILFORD COUNTY—District 12—Senator Don W. East  
   Senator Virginia Foxx
GUILFORD COUNTY  District 19—Senator Robert G. Shaw
District 31—Senator William N. Martin
District 32—Senator Kay R. Hagan

GULLEY, SENATOR WIB ........................................................................ 13th District—Durham, Granville,
Person (part), Wake (part).
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Standing ............................................................................................... 8.
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Bills and Resolutions Sponsored—
Primary Sponsor ................................................................................ (None).
Co-Sponsor ............................................................................................ (None).

HAGAN, SENATOR KAY R. ................................................................. 32nd District—Guilford (part).
Committee Assignments—
Standing ............................................................................................... 8.
Bills and Resolutions Sponsored—
Primary Sponsor ................................................................................ (None).
Co-Sponsor ............................................................................................ 2.

HALIFAX COUNTY—District 2—Senator Frank W. Ballance, Jr.
District 10—Senator Roy A. Cooper III

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 Sponsored—
Primary Sponsor ................................................................................ (None).
Co-Sponsor ............................................................................................ 2.

HARTSELL, SENATOR FLETCHER L., JR. ............................... 22nd District—Cabarrus,
Rowan (part), Stanly (part).
Committee Assignments—
Standing ............................................................................................... 8.
Bills and Resolutions Sponsored—
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.
HOKE COUNTY—District 17—Senator Aaron W. Plyler
   Senator William R. Purcell
District 30—Senator David F. Weinstein

HORTON, SENATOR HAMILTON C., JR. ..................20th District—Forsyth (part).
Committee Assignments—
   Standing................................................................. 8.
Bills and Resolutions Sponsored—
   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 Sponsored—
   Primary Sponsor..................................................... (None).
   Co-Sponsor............................................................. 2.

HUNT, THE HONORABLE JAMES B., JR., Governor

HYDE COUNTY—District 1—Senator Marc Basnight

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

JONES COUNTY—District 5—Senator Charles W. Albertson
   District 7—Senator Luther H. Jordan, Jr.

JORDAN, SENATOR LUTHER HENRY, JR. ..........7th District—Jones (part),
   Lenoir (part), New Hanover (part), Onslow (part), Pender (part).
Committee Assignments—
   Standing................................................................. 8.
Bills and Resolutions Sponsored—
   Primary Sponsor..................................................... (None).
   Co-Sponsor............................................................. 2.

KERR, SENATOR JOHN H. III ...............8th District—Greene, Lenoir (part), Wayne.
Committee Assignments—
   Standing................................................................. 8.
KERR, SENATOR JOHN H. III (continued)
Bills and Resolutions Sponsored—
   Primary Sponsor .................................................. (None).
   Co-Sponsor .......................................................... 2.

KINNAIRD, SENATOR ELEANOR .......... 16th District—Chatham, Lee (part), Moore, Orange, Randolph (part).

   Committee Assignments—
   Standing .............................................................. 8.
   Bills and Resolutions Sponsored—
   Primary Sponsor .................................................. (None).
   Co-Sponsor .......................................................... (None).

LEE COUNTY—District 15—Senator Oscar N. Harris
   District 16—Senator Howard N. Lee
   Senator Eleanor Kinnaird

LEE, SENATOR HOWARD N. ........... 16th District—Chatham, Lee (part), Moore, Orange, Randolph (part).

   Committee Assignments—
   Standing .............................................................. 8.
   Bills and Resolutions Sponsored—
   Primary Sponsor .................................................. (None).
   Co-Sponsor .......................................................... (None).

LENOIR COUNTY—District 7—Senator Luther H. Jordan, Jr.
   District 8—Senator John H. Kerr III
   District 9—Senator Ed N. Warren

LIEUTENANT GOVERNOR—Dennis A. Wicker

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 ..................................
   Committee Assignments—
   Standing .............................................................. 8.
   Bills and Resolutions Sponsored—
   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

MARTIN, SENATOR R. L. 6th District—Edgecombe (part), Martin (part), Pitt (part), Washington (part), Wilson (part).

Committee Assignments—
Standing................................................................. 8.
Bills and Resolutions Sponsored—
Primary Sponsor ................................................. (None).
Co-Sponsor ............................................................ 2.

MARTIN, SENATOR WILLIAM N. 31st District—Guilford (part).

Committee Assignments—
Standing................................................................. 8.
Bills and Resolutions Sponsored—
Primary Sponsor ................................................. (None).
Co-Sponsor ............................................................ 2.

METCALF, SENATOR STEVE 28th District—Buncombe (part), Burke (part), Madison, McDowell, Yancey.

Committee Assignments—
Standing................................................................. 8.
Bills and Resolutions Sponsored—
Primary Sponsor ................................................. (None).
Co-Sponsor ............................................................ 2.

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 Sponsored—
Primary Sponsor ................................................. (None).
Co-Sponsor ............................................................ (None).

MITCHELL COUNTY—District 27—Senator John A. Garwood
Senator Kenneth R. Moore

MONTGOMERY COUNTY—District 17—Senator Aaron W. Plyler
Senator William R. Purcell

MOORE COUNTY—District 16—Senator Howard N. Lee
Senator Eleanor Kinnaird
MOORE, SENATOR KENNETH R........ 27th District—Alexander, Avery, Burke (part), Caldwell, Mitchell, Wilkes, Yadkin.

Committee Assignments—
Standing..................................................... 8.
Bills and Resolutions Sponsored—
Primary Sponsor........................................... (None).
Co-Sponsor.................................................... (None).

NASH COUNTY—District 10—Senator Roy A. Cooper III

NEW HANOVER COUNTY—District 4—Senator Patrick J. Ballantine
   District 7—Senator Luther H. Jordan, Jr.
   District 18—Senator R. C. Soles, Jr.

NORTHAMPTON COUNTY—District 2—Senator Frank W. Ballance, Jr.

ODOM, SENATOR T. LAFONTINE, SR....................... 34th District—Iredell (part), Lincoln (part), Mecklenburg (part).

Committee Assignments—
Standing..................................................... 8.
Bills and Resolutions Sponsored—
Primary Sponsor........................................... (None).
Co-Sponsor.................................................... (None).

OFFICERS OF THE SENATE........................................ 8.

ONSLOW COUNTY—District 4—Senator Patrick J. Ballantine
   District 5—Senator Charles W. Albertson
   District 7—Senator Luther H. Jordan, Jr.

ORANGE COUNTY—District 16—Senator Howard N. Lee
   Senator Eleanor Kinnaird

PAMLICO COUNTY—District 3—Senator Beverly Eaves Perdue

PASQUOTANK COUNTY—District 1—Senator Marc Basnight

PENDER COUNTY—District 4—Senator Patrick J. Ballantine
   District 5—Senator Charles W. Albertson
   District 7—Senator Luther H. Jordan, Jr.

PERDUE, SENATOR BEVERLY EAVES...................... 3rd District—Carteret (part), Craven, Pamlico.

Committee Assignments—
Standing..................................................... 8.
Bills and Resolutions Sponsored—
Primary Sponsor........................................... (None).
Co-Sponsor.................................................... (None).

PERQUIMANS COUNTY—District 1—Senator Marc Basnight
PERSON COUNTY—District 13—Senator Wib Gulley
           Senator Jeanne Hopkins Lucas
District 21—Senator Hugh Webster

PHILLIPS, SENATOR JIM W., SR. ........ 23rd District—Davidson (part), Iredell (part), Rowan (part).

Committee Assignments—
    Standing................................................................. 8.
Bills and Resolutions Sponsored—
    Primary Sponsor.................................................................. (None).
    Co-Sponsor ........................................................................ 2.

PITC COUNTY—District 6—Senator R. L. Martin
           District 9—Senator Ed N. Warren

PLYLER, SENATOR AARON W. ....... 17th District—Anson, Hoke (part), Montgomery, Richmond, Scotland, Stanly (part), Union.

Committee Assignments—
    Standing........................................................................... 8.
Bills and Resolutions Sponsored—
    Primary Sponsor.................................................................. (None).
    Co-Sponsor ........................................................................ 2.

POLK COUNTY—District 42—Senator Robert C. Carpenter

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PRESIDENT OF THE SENATE (Lieutenant Governor, Dennis A. Wicker)
    Journal Signature............................................................ 12.
    Pledge of Allegiance......................................................... 5.
    Presides Daily Session..................................................... 5.
    Quorum Declared .......................................................... 6.

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    Adjournment Sine Die Declared......................................... 12.
    Presides
        Committee of the Whole................................................ 10.
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    Renewal of Election..................................................... 8.
    Editors Notes................................................................... 15.
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PRUITT, JANET B. (Principal Clerk)
PURCELL, SENATOR WILLIAM R. .................................. 17th District—Anson, Hoke (part), Montgomery, Richmond, SCOTLAND, Stanly (part), Union.

Committee Assignments—
Standing .................................................................................. 8.

Bills and Resolutions Sponsored—
Primary Sponsor ......................................................................... (None).
Co-Sponsor .................................................................................. 2.

RAND, SENATOR ANTHONY E. ........................................... 24th District—Cumberland (part).

Adjournment Motion ..................................................................... 12.

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Primary Sponsor ......................................................................... 1, 3.
Co-Sponsor .................................................................................. (None).

RANDOLPH COUNTY—District 16—Senator Eleanor Kinnaird
Senator Howard N. Lee
District 19—Senator Robert G. Shaw

READING CLERK—LeRoy Clark, Jr.

Renewal of Election .................................................................... 8.
Call of the Roll ............................................................................. 6.

REEVES, SENATOR ERIC MILLER ............ 14th District—Johnston (part), Wake (part).

Committee Assignments—
Standing .................................................................................. 8.

Bills and Resolutions Sponsored—
Primary Sponsor ......................................................................... (None).
Co-Sponsor .................................................................................. (None).

REPORTS (Submitted to General Assembly.)
Department of Health and Human Services, Study Commission on Aging ................. 10.
The Office of Juvenile Justice, along with the Subcommittee of the North Carolina Sentencing and Policy Advisory Commission, Study Commission on the Juvenile Justice Reform Act .................................................. 10.
Department of Health and Human Services, along with the North Carolina Study Commission on Aging, Annual Report on the Status and Effectiveness of the Support Our Students (SOS), pursuant to G.S. 143B-152.7 ....................... 10.

RESOLUTIONS FROM OTHER STATES
Vermont Senate Joint Resolution 78 ................................................................. 10, 23.

RESOLUTIONS, JOINT
S 3 Adjournment Sine Die/2000 Extra Session (Res. 1) .................................. 12, 27.

RESOLUTIONS, SENATE
S 1 Permanent Rules/Extra Session 2000 (Adopted) .................................. 6, 27.
RICHMOND COUNTY—District 17—Senator Aaron W. Plyler
Senator William R. Purcell

ROBESON COUNTY—District 30—Senator David F. Weinstein

ROBINSON, SENATOR DAN .................. 29th District—Haywood (part), Henderson (part), Jackson (part), Macon (part), Swain, Transylvania (part).

Committee Assignments—
Standing......................................................................................... 8.

Bills and Resolutions Sponsored—
Primary Sponsor ............................................................................... (None).
Co-Sponsor ......................................................................................... (None).

ROCKINGHAM COUNTY—District 12—Senator Don W. East
Senator Virginia Foxx

ROWAN COUNTY—District 22—Senator Fletcher L. Hartsell, Jr.
District 23—Senator Jim W. Phillips, Sr.
District 38—Senator Betsy L. Cochrane

RUCHO, SENATOR ROBERT A .................. 35th District—Mecklenburg (part).

Committee Assignments—
Standing......................................................................................... 8.

Bills and Resolutions Sponsored—
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

SCOTLAND COUNTY—District 17—Senator Aaron W. Plyler
Senator William R. Purcell

SENATE RULES

SENATE STAFF .................................................................................. 20.

SERGEANT-AT-ARMS—Cecil Goins
Renewal of Election........................................................................... 8.

SHAW, SENATOR LARRY .................................................. 41st District—Cumberland (part).
Committee Assignments—
Standing......................................................................................... 8.
SHAW, SENATOR LARRY (continued)
Bills and Resolutions Sponsored—
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 Sponsored—
Primary Sponsor ................................................................. (None).
Co-Sponsor ........................................................................ 2.

SOLES, SENATOR R. C., JR. .............18th District—Bladen (part), Brunswick, Columbus, New Hanover (part).
Committee Assignments—
Standing............................................................................. 8.
Bills and Resolutions Sponsored—
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.

STOKES COUNTY—District 12—Senator Don W. East
Senator Virginia Foxx

STUDIES

SURRY COUNTY—District 12—Senator Don W. East
Senator Virginia Foxx

SWAIN COUNTY—District 29—Senator Dan Robinson

TAXATION [G. S. 105]

TRANSYLVANIA COUNTY—District 29—Senator Dan Robinson
District 42—Senator Robert C. Carpenter

TYRRELL COUNTY—District 1—Senator Marc Basnight

UNION COUNTY—District 17—Senator Aaron W. Plyler
Senator William R. Purcell

VANCE COUNTY—District 2—Senator Frank W. Ballance, Jr.
District 11—Senator Allen H. Wellons
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

WARREN COUNTY—District 2—Senator Frank W. Ballance, Jr.

WARREN, SENATOR ED N. ....................... 9th District—Beaufort (part), Lenoir (part),
   Martin (part), Pitt (part).
Committee Assignments—
   Standing................................................................. 8.
Bills and Resolutions Sponsored—
   Primary Sponsor .................................................. (None).
   Co-Sponsor .................................................................. 2.

WASHINGTON COUNTY—District 1—Senator Marc Basnight
   District 6—Senator R. L. Martin

WATAUGA COUNTY—District 12—Senator Don W. East
   Senator Virginia Foxx

WAYNE COUNTY—District 8—Senator John H. Kerr III

WEBSTER, SENATOR HUGH ............. 21st District—Alamance, Caswell, Person (part).
Committee Assignments—
   Standing................................................................. 8.
Bills and Resolutions Sponsored—
   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 Sponsored—
   Primary Sponsor .................................................. (None).
   Co-Sponsor .................................................................. 2.

WELLONS, SENATOR ALLEN H .......... 11th District—Franklin, Johnston (part),
   Vance (part), Wilson (part).
Committee Assignments—
   Standing................................................................. 8.
Bills and Resolutions Sponsored—
   Primary Sponsor .................................................. (None).
   Co-Sponsor .................................................................. 2.

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

YADKIN COUNTY—District 27—Senator John A. Garwood
    Senator Kenneth R. Moore

YANCEY COUNTY—District 28—Senator Charles Carter
    Senator Steve Metcalf
JOURNAL
OF THE
SENATE
OF THE
1999 GENERAL ASSEMBLY
OF THE
STATE OF NORTH CAROLINA
SECOND SESSION
2000
OFFICERS AND MEMBERS
OF
THE SENATE OF THE NORTH CAROLINA
GENERAL ASSEMBLY
1999 SESSION
SECOND SESSION 2000

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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<tr>
<th>DISTRICT</th>
<th>NAME OF SENATOR</th>
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<td>MARC BASNIGHT (D)</td>
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<td>FRANK W. BALLANCE, JR. (D)</td>
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SENATE JOURNAL
SECOND SESSION
2000

ONE HUNDRED SECOND DAY
Senate Chamber
Monday, May 8, 2000

The Senate meets at 12:00 Noon pursuant to adjournment as provided by Resolution 22, 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:

"'In the beginning, God'... Gracious Lord, we give You thanks that You are in our beginnings and in our end. We seek Your blessing on the beginning of this Legislative Session, knowing that in Your beginnings You had a plan, a purpose and a Will. In the beginning You acted in total freedom. You calmed the chaos. You called Abraham. You gave us the law and sent us Your prophets when we had turned from You. You work powerfully through history to accomplish Your purposes in creation.

"Sovereign God, we thank You for the promise that although not all that happens is right or just, still You work for good in all things with those who love You. You are able to recycle our sin and neglect, turning what is cursed into what is blessed. You are the Lord of history who does all things well. Help us to be reassured and strengthened by this truth in all our dealings this day. We pray in Your Holy Name. Amen."

PLEDGE OF ALLEGIANCE

Led by the President, members and guests remain standing and pledge allegiance to the flag of the United States of America.

NATIONAL ANTHEM

The President directs the Sergeant-At-Arms to open the doors of the Senate and escort the members of The Sea Notes from the Outer Banks, Dare County, North Carolina, to the Well of the Senate. The President recognizes The Sea Notes who sing the National Anthem and two additional songs. (See Appendix.)

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

Senator Basnight, President Pro Tempore, announces the Journal of Wednesday, July 21, 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.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

It is ordered that a message be sent your Honorable Body with the information that pursuant to a Proclamation issued by acting Governor Dennis A. Wicker on May 8, 2000, Roger West has been administered the oath of office as a Member of the House of Representatives for the remainder of the 1999 General Assembly. Representative West has been seated to fill the vacancy created by the resignation of Representative James C. Carpenter, from the Fifty-Third District.

Respectfully,
S/Denise Weeks
Principal Clerk

EXECUTIVE ORDERS

The following Executive Orders received after the adjournment of the Extra Session 2000, of the 1999 General Assembly, on Wednesday, April 5, 2000, are presented to the Senate, read, and ordered filed in the Office of the Senate Principal Clerk, as follows (See Appendix.):

Executive Order Number 168, Community Service Leave for State Employees.

Executive Order Number 169, Governor’s Public Management Fellowship Program.

REPORT TO GENERAL ASSEMBLY

The following report received after adjournment of the Extra Session 2000 of the 1999 General Assembly, on Wednesday, April 5, 2000, from a Board, Commission, or Agency directed to report to the General Assembly, is presented to the Senate and ordered placed on file in the Legislative Library:

Pursuant to N.C.G.S. §7A-801, the Administrative Office of the Courts (AOC) submits the annual report on the status of the North Carolina Drug Treatment Court (DTC) Program.

RESOLUTION FROM ANOTHER STATE

The following resolution received from another State after adjournment of the Extra Session 2000 of the 1999 General Assembly on Wednesday, April 5, 2000, is presented to the Senate and ordered filed in the Office of the Principal Clerk (See Appendix.):

Commonwealth of Virginia - Senate Joint Resolution No. 98, Memorializing the Congress of the United States to amend that portion of the Trade Act of 1974 establishing the North American Free Trade Agreement Transitional Adjustment Assistance Program to extend the maximum time period for receipt of benefits from 52 weeks to 78 weeks.

The President of the Senate extends courtesies of the floor to Dr. Don Clarence Chaplin from Burlington, North Carolina, who is serving the Senate as Doctor of the Day, and to Dr. Pet Pruden from Wilson, North Carolina, who is serving the Senate as Nurse of the Day.

May 8, 2000
With unanimous consent, the President grants a leave of absence for today to Senator Carter.

Upon motion of Senator Weinstein of Robeson County, the President extends the courtesies of the gallery to Dr. Melinda Weinstein, daughter of Senator Weinstein.

The President of the Senate extends the privileges of the floor to Ralph Hunt, former Senator from Durham County, and to Richard Conder, former Senator from Richmond County.

CALENDAR

A bill on today's Calendar is taken up 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, upon second reading.

With unanimous consent, upon motion of Senator Ballantine, House Committee Substitute bill No. 2 is withdrawn from today's Calendar and is placed on the Calendar for tomorrow, Tuesday, May 9, upon second reading.

SENATE PAGES

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

Meagan Bridges, Wagram; Demario Donte' Butler, Charlotte; Joseph M. Dadetto, Fayetteville; Leslie Dickens, Rocky Mount; Jason A. Dixon-Acosta, Burlington; Carson Elizabeth Fuller, Hickory; Crystal Diane Lefidwrgie, Selma; Emily Marriner, Roper; Rachael Ward Menius, Asheboro; Travis Gene Page, Cherryville; Misty Hope Phelps, Milton; William M. Phillips, Leasburg; Eric Pulley, Middlesex; Benjamin Rauscher, Milton; Timothy Rauscher, Milton; Zachary Richard Russell, Candler; Noah Lee Sharpe, Leasburg; Brandon Fairfield Watts, Cary; and Sarah Elizabeth Wilson, Raleigh.

Upon motion of Senator Rand, seconded by Senator Harris, the Senate adjourns at 12:31 P.M. to meet tomorrow, Tuesday, May 9, at 2:00 P.M.

ONE HUNDRED THIRD DAY

Senate Chamber
Tuesday, May 9, 2000

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 God, who feeds the hungry and satisfies the thirsty, we have no need that You cannot meet. Your comfort lifts us up when we are distressed, and Your power humbles us when we are proud. Your courage strengthens us when we are afraid, and Your peace calms us when we are embattled.

“Your faithfulness is no accident. And our faith in You is not born of chance. We test You at every turn. We bargain with You, tempt You, abandon You, blame You. It is doubtful we would tolerate such behavior from another colleague, yet You continue to forgive us. Your patience is a match for Your understanding, for You understand the pain that drives us to despair.

“Take away our hurts, oh God, and bury them deep within the tomb that will one day spring forth with new life and new springs of water. Then Lord, we will see and understand together, that this is Your doing. We have been reborn with all of creation, and it is marvelous in our eyes. Thank You, oh God, for this promise of eternal spring. Amen.”

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

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Monday, May 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. James Bowman III, from Chapel Hill, North Carolina, who is serving the Senate as Doctor of the Day, and to Janet Wolfe from Cary, 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 Carpenter, Carter, Cochrane, Dannelly, Forrester, Harris and Purcell:

S.B. 1176, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON REQUIREMENTS PERTAINING TO THE REIMBURSEMENT RATE FOR THE RESPITE CARE PROGRAM.

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

By Senators Lee, Ballance, Dalton, Dannelly, Garrou, Hagan, Harris, Lucas, Martin of Guilford, Odom, Perdue, Phillips, Purcell, Rand, Reeves, Shaw of Cumberland and Wellons:

S.B. 1177, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN AND ENHANCE THE CURRICULUM FOR CHARACTER EDUCATION AND TO APPROPRIATE FUNDS TO IMPLEMENT THE CURRICULUM.

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

By Senators Martin of Guilford, Albertson, Ballance, Dannelly, Gulley, Hagan, Kerr, May 9, 2000
Lee, Martin of Pitt, Perdue and Phillips:

**S.B. 1178**, 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 Rand, Forrester, Hagan, Lucas, Phillips and Purcell:

**S.B. 1179**, A BILL TO BE ENTITLED AN ACT TO STANDARDIZE REPORTING REQUIREMENTS FOR HEALTH CARE PERSONNEL REGISTRY, AND TO ALLOW ADVERSE ACTION ON A FACILITY LICENSE FOR FAILURE TO COMPLY WITH REPORTING REQUIREMENTS.

Referred to Health Care Committee.

By Senator Rand:

**S.B. 1180**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE WORTHLESS CHECK PROGRAM TO CUMBERLAND COUNTY AND TO FUND INFORMATION TECHNOLOGY COSTS ASSOCIATED WITH THE WORTHLESS CHECK PROGRAM.

Referred to Appropriations/Base Budget Committee.

By Senators Rand, Cooper and Perdue:

**S.B. 1181**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SPECIAL REGISTRATION PLATE ACCOUNT FEE FROM THE LEGION OF VALOR SPECIAL REGISTRATION PLATES.

Referred to Finance Committee.

By Senators Jordan, Ballance, Dannelly, Horton, Lucas, Shaw of Cumberland and Soles:

**S.B. 1182**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE 1898 WILMINGTON RACE RIOT COMMISSION AND TO APPROPRIATE FUNDS TO SUPPORT THE COMMISSION.

Referred to Appropriations/Base Budget Committee.

By Senators Dalton, Carter, Garrou, Hartsell, Kerr, Lee, Metcalf and Wellons:

**S.B. 1183**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE FUTURE OF THE NORTH CAROLINA RAILROAD STUDY COMMISSION.

Referred to Commerce Committee.


**S.B. 1184**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A VOLUNTARILY FUNDED STATEWIDE SPAY/NEUTER PROGRAM TO PROVIDE EDUCATION ON THE BENEFITS OF SPAYING AND NEUTERING PETS AND TO PROVIDE FINANCIAL ASSISTANCE TO COUNTIES AND CITIES OFFERING LOW-INCOME PERSONS REDUCED-COST SPAY/NEUTER SERVICES FOR DOGS AND CATS.

Referred to Finance Committee.

May 9, 2000
By Senators Perdue, Albertson, Carter, Clodfelter, Cooper, Dannelly, Garrou, Gulley, Hagan, Harris, Hoyle, Jordan, Kerr, Kinnaird, Lucas, Martin of Guilford, Martin of Pitt, Metcalf, Miller, Phillips, Plyler, Rand, Reeves, Robinson, Shaw of Cumberland, Soles, Warren, Weinstein and Wellons:

**S.B. 1185**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT THE EXCELLENT SCHOOLS ACT.

Referred to Appropriations/Base Budget Committee.

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

**S.B. 1186**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT STUDENTS ADDRESSING TEACHERS AND OTHER SCHOOL EMPLOYEES USE RESPECTFUL FORMS OF ADDRESS SUCH AS "MA'AM", "SIR", OR AN APPROPRIATE TITLE FOLLOWED BY A SURNAME AND TO APPROPRIATE FUNDS TO PROVIDE AND ENHANCE INSTRUCTION IN CHARACTER EDUCATION.

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

**CALENDAR**

A bill on today's Calendar is taken up 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, 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 negative: None.

The House Committee Substitute bill No. 2 remains on the Calendar for tomorrow, Wednesday, May 10, upon third reading.

**APPOINTMENT OF COMMITTEE**

The President *Pro Tempore* announces the establishment of the Appropriations Subcommittee on Information Technology. The members are as follows:

Senator Reeves, Chair; Senator Garrou, Vice-Chair; Senator Foxx, Ranking Minority Member; Senator Clodfelter, Senator Metcalf, and Senator Moore.

May 9, 2000
Upon motion of Senator Basnight, seconded by Senator Ballantine, the Senate adjourns at 2:20 P.M. to meet tomorrow, Wednesday, May 10, at 1:00 P.M.

ONE HUNDRED FOURTH DAY

Senate Chamber
Wednesday, May 10, 2000

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 mercy, You have promised us that if we would abide in the same Spirit of Your great love, we would live as if in one body. And so it is, we strive to be one complex Body here in the Senate, many diverse parts great and small, but one spirit and one purpose. Scripture tells us that within this spiritual body, if one rejoices, all rejoice, and if one suffers, all suffer together. The eye cannot work without the hand, and the hand cannot work without the feet.

"Father God, we are distressed this day, all of us, because several of our Legislative Assistants have been called away from work. They are sick, or hospitalized, or attending to loved ones who are in crisis. We experience their burdens as if they were our own. We pray earnestly for them as if it were ourselves we were praying for. We lift up Carol Resar, Martha Jordan, Phyllis Porter and Cathy Davis. They are sorely missed by this Body which is diminished by their absence. We ask that You would send Your healing Spirit to minister to them, and grant them Your peace and assurance. We pray 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, Tuesday, May 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. Cynthia Hampton from Henderson, North Carolina, who is serving the Senate as Doctor of the Day, and to Jennifer Constantian from Durham, 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. 1187, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF LAUREL PARK.
Referred to Finance Committee.
By Senator Cochrane:
S.B. 1188, A BILL TO BE ENTITLED AN ACT TO FURTHER ADJUST THE SHARE CERTAIN CITIES RECEIVE FROM THE STATE GROSS RECEIPTS TAXES ON ELECTRIC POWER COMPANIES AND TELEPHONE COMPANIES.
Referred to Finance Committee.

By Senators Hartsell, Cochrane and Phillips:
S.B. 1189, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF CHINA GROVE TO ALLOW THE TOWN TO OPERATE UNDER THE COUNCIL-MANAGER FORM OF GOVERNMENT.
Referred to State and Local Government Committee.

By Senator Ballantine:
S.B. 1190, A BILL TO BE ENTITLED AN ACT TO ANNEX A TRACT TO THE TOWN OF CAROLINA BEACH AND TO ALLOW STREET ASSESSMENTS WITHOUT PETITION IN THAT TRACT.
Referred to Finance Committee.

By Senators Weinstein, Allran, Carpenter, Dalton, Garrou, Lucas, Martin of Pitt, Reeves, Robinson and Warren:
S.B. 1191, A BILL TO BE ENTITLED AN ACT TO PROVIDE CONSUMERS WITH CONTROL OVER TELEPHONE SOLICITATION CALLS TO THEIR HOMES.
Referred to Information Technology Committee.

By Senators Rand, Forrester, Hagan, Lucas, Metcalf, Phillips and Purcell:
S.B. 1192, A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FROM STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORY FOR CERTAIN APPLICANTS FOR EMPLOYMENT IN ADULT CARE HOMES, NURSING HOMES, AND HOME CARE AGENCIES, AND TO IMPOSE A CRIMINAL PENALTY FOR FALSIFYING INFORMATION ON EMPLOYMENT APPLICATIONS.
Referred to Judiciary I Committee.

By Senator Garwood:
S.B. 1193, A BILL TO BE ENTITLED AN ACT TO RESOLVE A BOUNDARY OVERLAP BETWEEN THE RONDA AND ROARING RIVER VOLUNTEER FIRE TAX DISTRICTS IN WILKES COUNTY AND TO VALIDATE CERTAIN ACTIONS.
Referred to Finance Committee.

By Senators Plyler, Dalton, Lee, Odom, Perdue and Purcell:
S.B. 1194, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE STATE'S PURCHASING PROGRAM AND THEREBY REDUCE THE COST OF OBTAINING GOODS AND SERVICES.
Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Gulley and Horton:
S.B. 1195, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION, IN COOPERATION WITH LOCAL ELECTED OFFICIALS, TO ESTABLISH RURAL TRANSPORTATION PLANNING ORGANIZATIONS TO PLAN RURAL TRANSPORTATION SYSTEMS AND TO
ADVISE THE DEPARTMENT ON RURAL TRANSPORTATION POLICY.
Referred to Transportation Committee.

By Senators Gulley, Clodfelter, Hagan and Horton:
S.B. 1196, A BILL TO BE ENTITLED AN ACT TO EXCLUDE FEDERAL CONGESTION MITIGATION AND AIR QUALITY FUNDS FROM THE DISTRIBUTION FORMULA FOR FUNDS EXPENDED ON TRANSPORTATION.
Referred to Appropriations/Base Budget Committee.

By Senators Gulley, Hoyle and Kerr:
S.B. 1197, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CONSTRUCTION OF UP TO THREE PRIVATELY FUNDED AND THREE PUBLICLY FUNDED TOLL ROAD OR BRIDGE PROJECTS.
Referred to Finance Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Gulley and Lucas:
S.B. 1198, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN MANAGER OF BUTNER TO ADMINISTER ITS ANNUAL POWELL BILL STATE STREET AID ALLOCATION.
Referred to Transportation Committee.

By Senator Gulley:
S.B. 1199, A BILL TO BE ENTITLED AN ACT TO AMEND NORTH CAROLINA LAW CONCERNING USE OF IGNITION INTERLOCK DEVICES BY REPEAT DWI OFFENDERS AND POSSESSION OF OPEN CONTAINERS IN VEHICLES TO COMPLY WITH FEDERAL LAW AND AVOID A MANDATORY TRANSFER OF FEDERAL HIGHWAY FUNDS.
Referred to Judiciary II Committee.

By Senator Gulley:
S.B. 1200, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL VOLUNTARY MUNICIPAL PARTICIPATION IN ROAD CONSTRUCTION.
Referred to Finance Committee.

S.B. 1201, A BILL TO BE ENTITLED AN ACT TO REQUIRE RETAIL FOOD ESTABLISHMENTS TO STAMP OR ATTACH LABELS TO PREPACKAGED MEATS AND OTHER PERISHABLE FOODS SHOWING THE RECOMMENDED LAST DAY OF SALE.
Referred to Commerce Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

S.B. 1202, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DIVISION OF VETERANS AFFAIRS TO FUND THE VOLUNTARY

May 10, 2000
CONTRIBUTION OF THE STATE OF NORTH CAROLINA TOWARD THE CONSTRUCTION OF THE NATIONAL WORLD WAR II MEMORIAL IN WASHINGTON, D.C.

Referred to Appropriations/Base Budget Committee.

By Senator Soles:
S.B. 1203, 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. 1204, 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. 1205, 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. 1206, A BILL TO BE ENTITLED AN ACT RELATING TO THE 18TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

CALENDAR

A bill on today's Calendar is taken up 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, upon third reading.

The Senate concurs in House Committee Substitute bill No. 2 on its third reading by roll-call vote, ayes 44, noes 0, as follows:


Voting in the negative: None.

The House Committee Substitute bill No. 2 is ordered enrolled and sent to the Governor.

Upon motion of Senator Basnight, seconded by Senator Wellons, the Senate adjourns at 1:14 P.M. to meet tomorrow, Thursday, May 11, at 10:30 A.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 eternity, we have hardly started the short Legislative Session when already there is considerable talk about the end. Will we adjourn on time? Can our colleagues across the hall line up the votes necessary to assure that our deliberations will not go on 'ad infinitum'?

“Oh God, You have planted in us a deep devotion to our legislative work, but You have also given us a great love for our families and we revel in the promise of leisure time. The welcomed sight of the rocking chair on the front porch of the mountain cabin and the sounds of pounding surf and laughing gulls are memories we would like to savor again, sooner rather than later.

“Teach us, Oh God, in the days ahead, the arts of compromise and restraint, the beauty of brevity, and the necessity of closure. And maybe then we will be able to enjoy both a fruitful Session and a generous vacation. This we ask in Your Holy Name. Amen.”

With unanimous consent, the President grants leaves of absence for today to Senator Gulley, Senator Metcalf, and Senator Martin of Guilford.

Senator Rand announces the Journal of yesterday, Wednesday, 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.

The President of the Senate extends courtesies of the floor to Dr. Edwin Tomlin from Harrisburg, North Carolina, who is serving the Senate as Doctor of the Day, and to Gail Cardon from Fletcher, 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. 1076, 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.

INTRODUCTION OF BILLS

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

May 11, 2000
By Senator Weinstein:

S.B. 1207, A BILL TO BE ENTITLED AN ACT RELATING TO THE 30TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Weinstein:

S.B. 1208, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF LUMBERTON.
Referred to Rules and Operations of the Senate Committee.

By Senators Odom, Carpenter, Cochrane and Foxx:

S.B. 1209, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA FOOD BANKS.
Referred to Appropriations/Base Budget Committee.

By Senator Odom:

S.B. 1210, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE "SUPPORT PUBLIC SCHOOLS" SPECIAL REGISTRATION PLATES.
Referred to Finance Committee.

By Senator Odom:

S.B. 1211, A BILL TO BE ENTITLED AN ACT TO ALLOW SERVICE OF PROCESS BY PUBLICATION IN MOTOR VEHICLE LIEN CASES IN SMALL CLAIMS COURT, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION.
Referred to Judiciary I Committee.

By Senators Carter, Cooper, Dalton, Kerr, Lee, Lucas, Phillips and Weinstein:

S.B. 1212, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PILOT PROGRAMS FOR THE USE OF ALTERNATIVE LEARNING PROGRAMS AND JUVENILE DAY REPORTING CENTERS AS A REQUIRED PLACEMENT FOR SUSPENDED STUDENTS.
Referred to Education/Higher Education Committee.

By Senator Ballantine:

S.B. 1213, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL COURT OFFICIALS TO RESPOND TO ADVERSE WEATHER AND OTHER EMERGENCY SITUATIONS BY CANCELING COURT SESSIONS AND CLOSING COURT OFFICES AND TO AUTHORIZE THE CHIEF JUSTICE TO EXTEND STATUTES OF LIMITATIONS AND OTHER COMPARABLE DEADLINES IN RESPONSE TO CATASTROPHIC CONDITIONS, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION.
Referred to Judiciary I Committee.

By Senators Plyler and Purcell:

S.B. 1214, A BILL TO BE ENTITLED AN ACT AMENDING THE STATUTORY DEFINITION OF "SUBDIVISION" FOR THE PURPOSE OF SUBDIVISION REGULATION IN RICHMOND COUNTY.
Referred to State and Local Government Committee.

May 11, 2000
By Senators Dannelly, Albertson, Ballance, Carpenter, Carter, Cochrane, Forrester, Gulley, Harris, Lee, Lucas, Martin of Guilford, Martin of Pitt, Perdue, Phillips, Purcell and Reeves:

S.B. 1215, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES PERTAINING TO MEDICAL CARE COMMISSION AUTHORITY TO ADOPT RULES REGULATING ADULT CARE HOMES AND SOCIAL SERVICES COMMISSION AUTHORITY TO ADOPT RULES PERTAINING TO PUBLIC ASSISTANCE PROGRAMS.

Referred to Health Care Committee.


S.B. 1216, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE "DUCKS UNLIMITED" SPECIAL REGISTRATION PLATES.

Referred to Finance Committee.

By Senators Phillips, Albertson, Ballance, Carpenter, Carter, Clodfelter, Cooper, Dalton, Dannelly, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Hoyle, Jordan, Kerr, Kinnaird, Lee, Lucas, Martin of Guilford, Martin of Pitt, Purcell, Rand, Robinson, Warren, Weinstein and Wellons:

S.B. 1217, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, AND TO DIRECT THE OVERSIGHT COMMITTEE TO DEVELOP A PLAN TO REFORM THE STATE SYSTEM FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

Referred to Health Care Committee and upon a favorable report, re-referred to the Rules and Operations of the Senate Committee.

By Senator Purcell:

S.B. 1218, A BILL TO BE ENTITLED AN ACT RELATING TO THE 17TH SENATORIAL DISTRICT.

Referred to Rules and Operations of the Senate Committee.

By Senator Purcell:

S.B. 1219, A BILL TO BE ENTITLED AN ACT RELATING TO THE 17TH SENATORIAL DISTRICT.

Referred to Rules and Operations of the Senate Committee.

By Senator Purcell:

S.B. 1220, A BILL TO BE ENTITLED AN ACT RELATING TO THE 17TH SENATORIAL DISTRICT.

Referred to Rules and Operations of the Senate Committee.

ADDITIONAL SPONSOR

Senator Cooper requests to be added as a sponsor of previously introduced legislation:

S.B. 1192, A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FROM STATE AND NATIONAL REPOSITORIES OF

May 11, 2000
CRIMINAL HISTORY FOR CERTAIN APPLICANTS FOR EMPLOYMENT IN ADULT CARE HOMES, NURSING HOMES, AND HOME CARE AGENCIES, AND TO IMPOSE A CRIMINAL PENALTY FOR FALSIFYING INFORMATION ON EMPLOYMENT APPLICATIONS.

Upon motion of Senator Basnight, seconded by Senator Shaw of Guilford, the Senate adjourns at 10:38 A.M. to meet Monday, May 15, at 7:00 P.M.

ONE HUNDRED SIXTH DAY

Senate Chamber
Monday, May 15, 2000

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, we thank You for the great hunger You have created in us, the hunger to know and experience Your living presence with us. We pray that You would give to us inquiring minds and hearts this day. Fill us with the desire for Your light. Set us on fire with a passion to see the world as You do. Help us not to be too easily satisfied with what we already know, rather keep impressing on us what it is we do not know.

‘Prod us to keep finding out and exploring the deep places of Your wisdom. Confront us with Your divine disappointment over the world as we have experienced it, and awaken in us Your godly delight in the new world as You are recreating it.

‘If at all possible, lead us to these understandings together so that we might be strengthened as one Body when the great ‘ah ha!’ of Holy revelation settles comfortably in our hearts. This we ask in Your Gracious Name, Amen.”

With unanimous consent, the President grants leaves of absence for tonight to Senator Gulley, Senator Hartsell, Senator Hoyle, Senator Perdue, and Senator Webster.

Senator Basnight, President Pro Tempore, announces the Journal of Thursday, 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. Daniel Bernstein from Henderson, North Carolina, who is serving the Senate as Doctor of the Day.

DISMISSAL OF CONFEREES

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

May 15, 2000

Senator Basnight announces that the Senate Conferees appointed on July 13, 1999, in the 1999 Regular Session, to resolve the differences in the House Committee Substitute bill No. 2 are hereby dismissed. The new conferees appointed today, Monday, May 15, are as follows:


**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 Carpenter, Allran, Dannelly, Forrester, Hartsell, Lucas, Martin of Guilford, Martin of Pitt, Phillips and Purcell:

**S.B. 1221**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE USE OF RESTRAINTS, SECLUSION, AND OTHER PROCEDURES IN CERTAIN FACILITIES, TO REQUIRE THE REPORTING OF DEATHS IN CERTAIN FACILITIES AND IMPOSING PENALTIES FOR FAILURE TO REPORT, AND TO AUTHORIZE THE GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES TO HAVE ACCESS TO INFORMATION ABOUT THE DEATHS.

Referred to Health Care Committee.

By Senators Purcell and Plyler:

**S.B. 1222**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF LAURINBURG TO LEVY SPECIAL ASSESSMENTS FOR STREET OR SIDEWALK IMPROVEMENTS WITHOUT PETITION.

Referred to Finance Committee.

By Senator Soles:

**S.B. 1223**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT CREDIT INSURANCE MAY BE PAID ON A LEVEL CHARGE MONTHLY BASIS WITHOUT VIOLATING THE LAW RELATING TO CONSUMER PROTECTIONS IN CERTAIN HOME LOANS.

Referred to Commerce Committee.

By Senator Albertson:

**S.B. 1224**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON LEG-GRIPPING TRAPS IN DUPLIN COUNTY.

Referred to State and Local Government Committee.
By Senators Garwood and Moore:
S.J.R. 1225, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF REVEREND EDGAR TUFTS, FOUNDER OF LEES-MCRAE COLLEGE IN BANNER ELK, ON THE ONE HUNDREDTH ANNIVERSARY OF THE COLLEGE.
Referred to Rules and Operations of the Senate Committee.

By Senators Perdue and Purcell:
S.B. 1226, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR OSTEOPOROSIS AWARENESS AND PREVENTION.
Referred to Finance Committee.

By Senators Plyler, Dalton, Lee, Odom, Perdue and Purcell:
S.B. 1227, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE PROFESSIONALISM AND EFFICIENCIES IN THE STATE PURCHASING PROGRAM BY TRAINING AND CERTIFYING GOVERNMENT PROCUREMENT PERSONNEL AND BY EXPANDING THE NUMBER OF PURCHASERS USING THE PROGRAM.
Referred to Finance Committee.

By Senators Plyler and Purcell:
S.R. 1228, A SENATE RESOLUTION HONORING THE LIFE AND MEMORY OF LORD GEORGE ANSON FOR WHOM ANSON COUNTY IS NAMED UPON THE COUNTY'S 250TH ANNIVERSARY.
Referred to Rules and Operations of the Senate Committee.

By Senator Martin of Pitt:
S.B. 1229, A BILL TO BE ENTITLED AN ACT RELATING TO THE 6TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senators Martin of Pitt, Albertson, Clodfelter, Hoyle and Purcell:
S.B. 1230, A BILL TO BE ENTITLED AN ACT TO ALLOW MEDICAL DOCTORS AND OTHER HEALTH CARE PERSONNEL TO TAKE A JUVENILE SUSPECTED OF BEING ABUSED OR NEGLECTED INTO TEMPORARY CUSTODY.
Referred to Judiciary II Committee.

By Senator Martin of Pitt:
S.B. 1231, A BILL TO BE ENTITLED AN ACT RELATING TO THE 6TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senators Miller, Lucas, Reeves and Wellons:
S.B. 1232, A BILL TO BE ENTITLED AN ACT CLARIFYING STATE EMPLOYEES' ELIGIBILITY FOR FAMILY AND MEDICAL LEAVE BENEFITS.
Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Miller and Carpenter:
S.B. 1233, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATE TORT CLAIM LIMIT AND STATE LIABILITY UNDER THE DUTY TO DEFEND STATE EMPLOYEES LIABILITY AND TO PROVIDE FOR THE FUNDING OF
STATE TORT LIABILITY CLAIMS IN EXCESS OF ONE HUNDRED FIFTY THOUSAND DOLLARS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION.

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

By Senators Purcell, Albertson, Carpenter, Carter, Cochrane, Dannelly, Garrou, Garwood, Kerr, Kinnaird, Lucas, Odom, Perdue, Robinson and Weinstein:

S.B. 1234, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ADULT CARE HOMES AND NURSING HOMES ENSURE THAT RESIDENTS AND EMPLOYEES ARE IMMUNIZED AGAINST INFLUENZA VIRUS AND THAT RESIDENTS ARE ALSO IMMUNIZED AGAINST PNEUMOCOCCAL DISEASE.

Referred to Health Care Committee.


S.B. 1235, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE BIRTH DEFECT MONITORING PROGRAM.

Referred to Appropriations/Base Budget Committee.

SENATE PAGES

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

Rebecca Hope Best, Kenansville; Cody Butler, Graham; Jayme Canty, Raleigh; Ashley Edwards, Durham; Rachel Garner, Wake Forest; Stephen Bradley Garner, Wake Forest; Michael Graham Garner, Wake Forest; Erika P. Heyder, Powells Point; Kenyaetta Norwood, Durham; Antisha De-Vaye Peterkin, Raeford; DeWayne Lamont Smith, Raeford; Jennifer Stephenson, Dunn; Jacob Elliott Stockwell, Raleigh; Antanette Thomas, Wendell; Annie Lloyd Wallace, Raleigh; and Elizabeth Whitley, Raleigh.

ADDITIONAL SPONSOR

Senator Foxx requests to be added as a sponsor of previously introduced legislation:

S.J.R. 1225, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF REVEREND EDGAR TUFTS, FOUNDER OF LEES-MCRAE COLLEGE IN BANNER ELK, ON THE ONE HUNDREDTH ANNIVERSARY OF THE COLLEGE.

S.B. 1226, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR OSTEOPOROSIS AWARENESS AND PREVENTION.

Upon motion of Senator Basnight, seconded by Senator Reeves, the Senate adjourns at 7:22 P.M. to meet tomorrow, Tuesday, May 16, at 2:00 P.M.
ONE HUNDRED SEVENTH DAY

Senate Chamber
Tuesday, May 16, 2000

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:

“Our Heavenly Father, please forgive us for noticing it, but in the economy of Your Kingdom, there seems to be a great deal of wasted effort. Scripture tells us that much of the seed sown by the farmer fell haplessly on dry and rocky soil. The hungry birds gobbled up what wasn’t blown away by the wind and, in the end, only a handful of seed took root in good soil. So much waste. So much room for crop failure.

“In our work, there are days when so much of our effort seems just as futile. There are great needs out there and there are so few of us gathered here and so little time. There is so much room for failure. But oh God, is there not also so much opportunity for Your Grace to prosper the harvest where we least expect it?

“Gracious Lord, take what we have, our positions, our possessions, and our passions, and use them for the building up of Your Kingdom. May our attempts to be faithful to You not be wasted. Even though the results of our work may not bear fruit in this Session, keep us committed to the task of constantly sowing seeds in hope, always leaving the harvest up to You. This we ask in Your Holy Name, Amen.”

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

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Monday, May 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. Francis Stranick from Charlotte, North Carolina, who is serving the Senate as Doctor of the Day, and to Donna White from Clayton, North Carolina, who is serving the Senate as Nurse of the Day.

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 Phillips and Carpenter:


Referred to Pensions & Retirement and Aging Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

May 16, 2000
By Senators Plyler and Purcell:

S.R. 1237, A SENATE RESOLUTION HONORING THE ONE HUNDREDTH ANNIVERSARY OF THE TOWN OF MOUNT GILEAD.

Pursuant to Rule 43, the resolution is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Plyler and Purcell:

S.B. 1238, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF MONROE.

Referred to Finance Committee.

By Senator Rand:

S.B. 1239, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF FAYETTEVILLE OR THE COUNTY OF CUMBERLAND.

Referred to Rules and Operations of the Senate Committee.

By Senator Rand:

S.B. 1240, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CUMBERLAND OR THE CITY OF FAYETTEVILLE.

Referred to Rules and Operations of the Senate Committee.

By Senators Moore, Carter, Garwood and Metcalf:

S.B. 1241, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF CALDWELL, THE COUNTY OF BURKE, THE CITY OF LENOIR, AND THE CITY OF MORGANTON TO JOINTLY ESTABLISH AN AIRPORT AUTHORITY AND TO PROVIDE FOR THE JOINT MAINTENANCE AND CONTINUING OPERATION OF THE EXISTING AIRPORT NOW OPERATED BY THE MORGANTON-LENOIR AIRPORT AUTHORITY.

Referred to Finance Committee.

By Senators Wellons and Martin of Guilford:

S.B. 1242, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE INDEPENDENT LIVING PROGRAM.

Referred to Appropriations/Base Budget Committee.

By Senators Lee, Carter, Dalton, Dannelly, Garrou, Garwood, Hagan, Hartsell, Lucas, Martin of Guilford, Reeves, Rucho and Wellons:

S.B. 1243, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO REQUIRE THE STATE BOARD OF EDUCATION TO REPORT ANNUALLY ON THE REPORT CARDS AND TO DIRECT THE EDUCATION CABINET TO STUDY VARIOUS HIGH SCHOOL PROGRAMS.

Referred to Education/Higher Education Committee.

By Senators Lee, Carter, Dalton, Dannelly, Garrou, Garwood, Hagan, Hartsell, Lucas, Martin of Guilford, Metcalf, Reeves, Rucho and Wellons:

S.B. 1244, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE STATE BOARD OF EDUCATION AS THE STATE EDUCATION AGENCY RESPONSIBLE FOR ADMINISTERING THE QUALIFIED ZONE ACADEMY BOND PROGRAM.

Referred to Education/Higher Education Committee and upon a favorable report, re-referred to the Finance Committee.

May 16, 2000
By Senators Kinnaird, Odom and Robinson:

S.B. 1245, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND VARIOUS COMMISSIONS RESPONSIBLE FOR THE PROTECTION OF THE ENVIRONMENT TO DELEGATE RESPONSIBILITY FOR THE IMPLEMENTATION OF CERTAIN PROGRAMS TO UNITS OF LOCAL GOVERNMENT.

Referred to Agriculture/Environment/Natural Resources Committee.

By Senator Garrou:

S.B. 1246, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CITY OF WINSTON-SALEM TO ASSIST WITH THE DEVELOPMENT OF THE AIRPORT BUSINESS PARK.

Referred to Appropriations/Base Budget Committee.

By Senators Garrou, Cochrane and Kerr:

S.B. 1247, 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 CENTER AT OLD SALEM.

Referred to Appropriations/Base Budget Committee.

By Senator Odom:

S.B. 1248, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG.

Referred to Rules and Operations of the Senate Committee.

By Senator Odom:

S.B. 1249, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF CHARLOTTE.

Referred to Rules and Operations of the Senate Committee.

By Senator Odom:

S.B. 1250, A BILL TO BE ENTITLED AN ACT RELATING TO THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION.

Referred to Rules and Operations of the Senate Committee.

By Senator Odom:

S.B. 1251, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWNS OF CORNELIUS, DAVIDSON, AND HUNTERSVILLE.

Referred to Rules and Operations of the Senate Committee.

By Senator Odom:

S.B. 1252, A BILL TO BE ENTITLED AN ACT TO CREATE A TAX INCENTIVE FOR THE REDEVELOPMENT OF BROWNFIELDS PROPERTIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to Agriculture/Environment/Natural Resources Committee and upon a favorable report, re-referred to the Finance Committee.

By Senators Odom, Harris and Robinson:

S.B. 1253, A BILL TO BE ENTITLED AN ACT TO REQUIRE SUPERVISION OF FIRST-YEAR BAIL BONDSMEN AND RUNNERS; TO MAKE IT A CLASS I FELONY FOR A PERSON TO ACT AS A RUNNER OR BAIL BONDSMAN

May 16, 2000
WITHOUT OBTAINING AND MAINTAINING THE REQUIRED LICENSE OR FOR A BONDSMAN TO KNOWINGLY AND WILLFULLY FAIL TO RETURN ANY COLLATERAL SECURITY VALUED AT MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS; TO REQUIRE THAT COLLATERAL SECURITY IN THE FORM OF CASH OR NEGOTIABLE INSTRUMENTS BE HELD IN TRUST ACCOUNTS; TO PROVIDE FOR THE DISPOSITION OF OUTSTANDING BAIL BOND OBLIGATIONS UPON THE DEATH OR TERMINAL ILLNESS OF A BAIL BONDSMAN; AND TO INCREASE THE MINIMUM SECURITIES DEPOSIT REQUIRED OF PROFESSIONAL BONDSMEN.

Referred to Judiciary II Committee.

By Senators Martin of Guilford, Albertson, Carpenter, Clodfelter, Dannelly, Horton, Lucas, Martin of Pitt, Phillips, Plyer, Purcell, Warren and Weinstein:

S.B. 1254, A BILL TO BE ENTITLED AN ACT TO REQUIRE PARITY IN HEALTH INSURANCE COVERAGE FOR MENTAL ILLNESS AND CHEMICAL DEPENDENCY TREATMENT.

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

By Senators Martin of Guilford, Albertson, Ballance, Carter, Clodfelter, Dannelly, Garrou, Garwood, Lucas, Phillips, Plyer, Purcell, Robinson, Rucho, Warren and Weinstein:

S.B. 1255, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE COMMISSION ON IMPROVING THE ACADEMIC ACHIEVEMENT OF MINORITY AND AT-RISK STUDENTS 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, TO DIRECT THE STATE BOARD OF EDUCATION TO STUDY ISSUES RELATED TO CLOSING THE ACHIEVEMENT GAP, TO MAKE PERMANENT THE COMMISSION, TO APPROPRIATE FUNDS TO SUPPORT THE HISTORICALLY MINORITY COLLEGE AND UNIVERSITY INITIATIVE TO CLOSE THE ACHIEVEMENT GAP, AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS ACT.

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

By Senators Martin of Guilford, Carpenter, Lucas, Purcell, Warren, Weinstein and Wellons:

S.B. 1256, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR BEGINNINGS FOR PARENTS OF CHILDREN WHO ARE DEAF OR HARD OF HEARING, INC.

Referred to Appropriations/Base Budget Committee.

By Senators Martin of Guilford, Albertson, Carpenter, Carter, Clodfelter, Dannelly, Foxx, Kinnaird, Lee, Lucas, Phillips, Plyer, Purcell, Robinson, Warren, Weinstein and Wellons:

S.B. 1257, A BILL TO BE ENTITLED AN ACT TO DECRIMINALIZE ABANDONMENT OF AN INFANT UNDER CERTAIN CIRCUMSTANCES AND TO MODIFY SOME PROCEDURES INVOLVING ABANDONED JUVENILES.

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

May 16, 2000
By Senators Martin of Guilford, Albertson, Carpenter, Dannelly, Foxx, Lucas, Phillips, Purcell, Rucho, Warren, Weinstein and Wellons:

S.B. 1258, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE THE MEDICAID REIMBURSEMENT RATE FOR DENTAL CARE FOR ELIGIBLE CHILDREN, TO APPROPRIATE FUNDS TO ENHANCE EFFORTS TO EXPAND DENTAL CARE FOR LOW-INCOME POPULATIONS IN THE STATE, AND TO ESTABLISH A TASK FORCE TO MAKE RECOMMENDATIONS TO IMPROVE ACCESS TO DENTAL CARE.

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

By Senator Reeves:

S.B. 1259, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE WORLD TRADE CENTER NORTH CAROLINA TO SUPPORT INTERNATIONAL TRADE EDUCATION PROGRAMS FOR SMALL-AND MEDIUM-SIZED BUSINESSES IN THE STATE.

Referred to Appropriations/Base Budget Committee.

By Senators Reeves and Dalton:

S.B. 1260, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC RECORDS LAW TO PROTECT THE INTEGRITY OF ELECTRONIC RECORDS WITHIN THE STATE'S COMPUTER SYSTEMS.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Reeves, Carter, Garwood, Kerr, Lucas, Metcalf, Miller and Wellons:

S.B. 1261, A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYEE COMPENSATION AND PERFORMANCE EVALUATION PROVISIONS OF THE STATE PERSONNEL ACT, CHAPTER 126 OF THE GENERAL STATUTES, AND APPROPRIATING FUNDS FOR FULL IMPLEMENTATION OF THE STATE COMPENSATION PLAN.

Referred to State and Local Government Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Dannelly, Albertson, Ballance, Lee, Lucas, Martin of Guilford, Odom, Plyler, Soles and Warren:

S.B. 1262, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE OMEGA PSI PHI FRATERNITY SPECIAL LICENSE PLATES.

Referred to Finance Committee.

By Senators Dannelly, Albertson, Ballance, Clodfelter, Lee, Lucas, Martin of Guilford, Odom, Plyler, Rucho, Soles, Warren and Weinstein:

S.B. 1263, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF CHARLOTTE TO USE WHEEL LOCKS TO ENFORCE PARKING ORDINANCES.

Referred to State and Local Government Committee.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

May 16, 2000
Mr. President:

It is ordered that a message be sent your Honorable Body with the information that Representatives Holmes, Jarrell, Morgan, Nesbitt, Smith, Sutton, and Warner have been added as conferees on House Committee Substitute # 2 for S.B. 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 G. Weeks
Principal Clerk

RECOGNITION OF THE STATE 3-A BASKETBALL CHAMPIONS

Upon motion of Senator Hartsell, privileges of the floor are extended to the State 3-A Championship Basketball Team from Central Cabarrus High School. This is the first state basketball championship team from Cabarrus County whose members have also been cited for academic excellence, as well as athletic ability. The Sergeant-at-Arms is directed to escort the guests to the Well of the Senate. The guests are received with a standing ovation.

The members of the team are Daniel Bagnasio, Jeremiah Buck, Nathan Cranford, Brian Duley, David Hardy, Stephen Knorr, Mickey Mickens, Doug Naumann, Jake Roberts, Clayton Russell, Steve Shear, Maurice Stafford, Quintin Thomas, Jamar Wright; Scott Brewer, Coach; and Jessica Foust, Trainer.

The Senate recesses at 2:21 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

CONFERENCE REPORT

S.B. 912

May 16, 2000
Senator Rand, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon 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, 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 912, 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, House Committee Substitute #2 Favorable 7/9/99, submit the following report:

The Senate and House of Representatives agree to the following amendment to the House Committee Substitute #2 Favorable 7/9/99, and the Senate concurs in the House Committee Substitute #2 Favorable 7/9/99, as amended:

Delete the entire House Committee Substitute #2 Favorable 7/9/99, and substitute the attached Proposed Conference Committee Substitute S912-PCCSX6734-LC.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: May 16, 2000.

S/Anthony E. Rand  
S/Charles W. Albertson  
S/Frank W. Ballance, Jr.  
S/Patrick J. Ballantine  
S/James B. Black  
S/George W. Miller, Jr.  
S/Paul Luebke  
S/Gordon P. Allen, Sr.

May 16, 2000
The text of the attached Proposed Conference Committee Substitute, S912-PCCSX6734-LC is as follows:

A BILL TO BE ENTITLED
AN ACT (1) TO AUTHORIZE THE ISSUANCE OF THREE BILLION ONE 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

May 16, 2000
COLLEGES FOR CAPITAL IMPROVEMENTS AND (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.

The General Assembly of North Carolina enacts:

Section 1. This act shall be known as the Michael K. Hooker Higher Education Facilities Financing Act.

Section 1.1. The General Assembly finds that although The University of North Carolina is one of the State's most valuable assets, the current facilities of the University have been allowed to deteriorate due to decades of neglect and have unfortunately fallen into a state of disrepair because of inadequate attention to maintenance. It is the intent of the General Assembly to reverse this trend and to provide a mechanism to assure that the University's capital assets are adequately maintained. The General Assembly commits to responsible stewardship of these assets to protect their value over the years, as follows:

(1) The Board of Governors of The University of North Carolina shall require each constituent and affiliated institution to monitor the condition of its facilities and their needs or repair and renovation, and to assure that all necessary maintenance is carried out within funds available.

(2) The Board of Governors shall report annually to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Education Oversight Committee on the condition of the University's capital facilities, the repair, renovation, and maintenance projects being undertaken, and all needs for additional funding to maintain the facilities.

(3) It is the intent of the General Assembly to assure that adequate oversight, funding, and accountability are continually provided so that the capital facilities of the University are properly maintained to preserve the level of excellence the citizens of this State deserve. To this end, the Joint Legislative Education Oversight Committee shall report to the General Assembly annually its recommendations for legislative changes to implement this policy.

Section 1.2. The General Statutes are amended by adding a new Chapter to read:

"Chapter 116D.

"Higher Education Bonds.

"ARTICLE 1.

"General Provisions.

"§ 116D-1. Definitions.

The following definitions apply in this Chapter:

(1) Board of Governors. -- The Board of Governors of the University.

(2) Capital facility. -- Any one or more of the following for the University or for a community college:

a. One or more buildings, utilities, structures, or other facilities or property developments, including streets and landscaping, and the acquisition of equipment and furnishings in connection therewith.

b. Additions, extensions, enlargements, renovations, and improvements to existing buildings, utilities, structures, or other
facilities or property developments, including streets and landscaping.

c. Land or an interest in land.

d. Other infrastructure.

The term includes, without limitation, classroom buildings, laboratory buildings, research facilities, libraries, physical education facilities, continuing education centers, student cafeterias, and activity facilities, including sports facilities, student and faculty housing facilities, and administrative office facilities.

(3) Cost. -- Any of the following in financing the cost of capital facilities and special obligation bond projects, as authorized by this Chapter:

a. The cost of constructing, reconstructing, renovating, repairing, enlarging, acquiring, and improving capital facilities and special obligation bond projects, including the acquisition of land, rights-of-way, easements, franchises, equipment, furnishings, and other interests in real or personal property acquired or used in connection with a capital facility or special obligation bond project.

b. The cost of engineering, architectural, and other consulting services as may be required.

c. The cost of providing personnel to ensure effective project management.

d. Finance charges, reserves for debt service, and interest prior to and during construction.

e. Administrative expenses and charges incurred by the State in connection with the administration of a bond program created under this Chapter.

f. The cost of bond insurance, investment contracts, credit enhancement, and liquidity facilities, interest-rate swap agreements or other derivative products, financial and legal consultants, and related costs of bond and note issuance.

g. The cost of reimbursing the State for any payments made for any cost described in this subdivision.

h. Any other costs and expenses necessary or incidental to the purposes of this Chapter.

(4) Credit facility. -- An agreement entered into by the State Treasurer on behalf of the State with a bank, savings and loan association or other banking institution, an insurance company, reinsurance company, surety company or other insurance institution, a corporation, investment banking firm or other investment institution, or any financial institution or other similar provider of a credit facility, which provider may be located within or without the United States, and providing for prompt payment of all or any part of the principal or purchase price (whether at maturity, presentment or tender for purchase, redemption or acceleration), redemption premium, if any, and interest on any bonds or notes payable on demand or tender by the owner, in consideration of the State's agreeing to repay the provider of the credit facility in accordance with the terms and provisions of the agreement.

(5) Fiscal period. -- A fiscal biennium or a fiscal year of the fiscal biennium.

(6) Fiscal year. -- The fiscal year of the State beginning on July 1 of one calendar year and ending on June 30 of the next calendar year.

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(7) Par formula. -- A provision or formula adopted by the State to provide for the adjustment, from time to time, of the interest rate or rates borne or provided for by any bonds or notes, including:
   a. A provision providing for an adjustment so that the purchase price of bonds or notes in the open market would be as close to par as possible.
   b. A provision providing for an adjustment based upon a percentage or percentages of a prime rate or base rate, which percentages may vary or be applied for different periods of time.
   c. A provision that the State Treasurer determines is consistent with this Chapter and will not materially and adversely affect the financial position of the State and the marketing of bonds or notes at a reasonable interest cost to the State.

(8) Securities issued under this Chapter. -- Any of the following:
   a. University improvement general obligation bonds, refunding bonds, notes, and refunding notes issued under Article 2 of this Chapter.
   b. Special obligation bonds, bond anticipation notes, and refunding bonds issued under Article 3 of this Chapter.
   c. Community college general obligation bonds, refunding bonds, notes, and refunding notes issued under Article 4 of this Chapter.

(9) State. -- The State of North Carolina.

(10) State Treasurer. -- The incumbent Treasurer, from time to time, of the State.

(11) University. -- The University of North Carolina and its constituent and affiliated institutions, including, without limitation, the University of North Carolina Center for Public Television, the University of North Carolina Health Care System, the North Carolina School of Science and Mathematics, and the North Carolina Arboretum.

   (a) Signatures. -- Should any officer whose signature or facsimile signature appears on securities issued under this Chapter cease to be that officer before the delivery of the securities, the signature or facsimile signature shall nevertheless have the same validity for all purposes as if the officer had remained in office until delivery of the securities. Securities issued under this Chapter may bear the facsimile signatures of persons, who at the actual time of the execution of the securities were the proper officers to sign any security although at the date of the security those persons may not have been officers.
   (b) Tax Exemption. -- Securities issued under this Chapter shall at all times be free from taxation by the State or any political subdivision or any of their agencies, excepting estate, inheritance, or gift taxes, income taxes on the gain from the transfer of the securities, and franchise taxes. The interest on the securities is not subject to taxation as income.
   (c) Investment Eligibility. -- Securities issued under this Chapter are securities in which all of the following may invest, including capital in their control or belonging to them: public officers, agencies, and public bodies of the State and its political subdivisions, insurance companies, trust companies, investment companies, banks, savings banks, savings and loan associations, credit unions, pension or retirement funds, other financial institutions engaged in business in the State, executors, administrators, trustees, and other fiduciaries. Securities issued under this Chapter are securities which may properly and legally be deposited with and received by any officer or agency of the State or a political subdivision of the State for any purpose for which the deposit of bonds or notes of the State or any political subdivision is now or may later be authorized by law.

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(d) Inconsistent Laws. -- All general, special, or local laws that are inconsistent with this Chapter do not apply to this Chapter.

"§ 116D-3. Reports.

(a) Board of Governors. -- The Board of Governors shall report to the Joint Legislative Commission on Governmental Operations by September 15 of each year, and more frequently as the Commission requests, on the following:

1. University Improvement General Obligation Bonds. -- The Board of Governors shall report on projects funded by university improvement general obligation bonds under Article 2 of this Chapter, including the total project costs, the amount to be funded from the bonds, the expenditures to date from the bonds and other sources, and the percentage of each project completed. Each annual report shall include estimated operating costs for each project begun in the preceding fiscal year, including proposed sources of funds and anticipated dates for occupancy. Operating costs shall be projected for a period of at least 20 years from the date of anticipated project completion.

2. Special Obligation Bonds. -- The Board of Governors shall report on special obligation bonds issued under Article 3 of this Chapter, including the amount of debt, itemized for each institution of the University, by bond issue, and by project. The report shall include schedules of debt service requirements and actual payments, as well as evidence of compliance with additional financial covenants required by bond documents. The report shall identify the trends and current revenue streams of the sources of obligated resources pledged for each bond issue.

(b) Treasurer. -- Upon issuance of university improvement general obligation bonds under Article 2 of this Chapter or community college general obligation bonds under Article 4 of this Chapter, the Treasurer shall forward a schedule of required payments of principal and interest over the life of the bonds to the Director of the Budget, with copies to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division. The Treasurer shall report to the Joint Legislative Commission on Governmental Operations by September 15 of each year, and more frequently as the Commission requests, on the university improvement general obligation bonds issued under Article 2 of this Chapter and community college general obligation bonds issued under Article 4 of this Chapter, including the annual debt service requirements over the remainder of the life of the bonds.

(c) Community Colleges. -- The Community Colleges System Office shall report quarterly to the Joint Legislative Education Oversight Committee on the projects funded from community college general obligation bonds. Each report shall include the total project costs, the amount to be funded from the bonds, the expenditures to date from the bonds and other sources, and the percentage of each project completed.

"ARTICLE 2.

"General Obligation Bonds for Financing
Capital Facilities for The University of North Carolina.


This Article may be cited as the University Improvement General Obligation Bonds Finance Act.


The following definitions apply in this Article:

1. Bonds. -- Bonds authorized to be issued under this Article, including refunding bonds.

2. Notes. -- Notes issued under this Article.
(3) University improvement general obligation bonds. -- Bonds authorized to be issued under this Article, including refunding bonds.


Subject to a favorable vote of a majority of the qualified voters of the State who vote on the question of issuing university improvement general obligation bonds in the election held as provided by law, the State Treasurer may, by and with the consent of the Council of State, issue and sell, at one time or from time to time, university improvement general obligation bonds of the State to be designated 'State of North Carolina University Improvement General Obligation Bonds', with any additional designations as may be determined to indicate the issuance of bonds from time to time, or notes of the State. Except as otherwise provided by this Article, the aggregate amount of bonds and notes issued pursuant to this Article shall not exceed two billion five hundred million dollars ($2,500,000,000). The bonds and notes shall be issued in the following years up to the following amounts:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Aggregate Amount</th>
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<tbody>
<tr>
<td>2000-2001</td>
<td>$201,600,000</td>
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<tr>
<td>2001-2002</td>
<td>241,900,000</td>
</tr>
<tr>
<td>2002-2003</td>
<td>483,900,000</td>
</tr>
<tr>
<td>2003-2004</td>
<td>483,900,000</td>
</tr>
<tr>
<td>2004-2005</td>
<td>564,500,000</td>
</tr>
<tr>
<td>2005-2006</td>
<td>524,200,000</td>
</tr>
</tbody>
</table>

If less than the aggregate amount of bonds or notes authorized to be issued in a fiscal year is issued in that fiscal year, the balance for that fiscal year may be issued in any subsequent fiscal year. Refunding bonds and notes issued pursuant to G.S. 116D-11(f) shall not be included in the limitation on the aggregate amount of bonds and notes that may be issued pursuant to this Article.

The proceeds of bonds or notes issued under this Article shall be applied to finance the cost of improvement, construction, and acquisition of capital facilities for the University or to refund any outstanding bonds or notes issued under this Article. The capital facilities to be improved, constructed, or acquired with the proceeds of bonds or notes shall be determined as provided in G.S. 116D-9.


The capital facilities to be financed in whole or in part with the proceeds of university improvement general obligation bonds shall be set forth in legislation enacted from time to time by the General Assembly. This legislation shall also provide for voter approval of the bonds to finance the capital facilities and shall become effective only upon approval by the voters. The proceeds of university improvement general obligation bonds shall not be expended to pay the costs of any capital facilities other than those set forth in that legislation.

"§ 116D-10. Faith and credit.

The faith and credit and taxing power of the State are hereby pledged for the payment of the principal of and the interest on bonds and notes. The State retains the right to amend any provision of this Article to the extent it does not impair any contractual right of a bond owner.

"§ 116D-11. Issuance of bonds and notes.

(a) Terms and Conditions. -- Bonds or notes may bear any dates, may be serial or term bonds or notes, or any combination of these, may mature in any amounts and at any times, not exceeding 25 years from their dates, may be payable at any places, either within or without the United States, in any coin or currency of the United States that at the time of payment is legal tender for payment of public and private debts, may bear interest at any rates, which may vary from time to time, and may be made redeemable before maturity, at the option of the State or otherwise as may be provided by the State, at any
prices, including a price greater than the face amount of the bonds or notes, and under any
terms and conditions, all as may be determined by the State Treasurer, by and with the
consent of the Council of State.

(b) Signatures; Form and Denomination; Registration. -- Bonds or notes may be
issued in certificated or uncertificated form. If issued in certificated form, bonds or notes
shall be signed on behalf of the State by the Governor or shall bear the Governor's
facsimile signature, shall be signed by the State Treasurer or shall bear the State
Treasurer's facsimile signature, and shall bear the Great Seal of the State or a facsimile of
the Seal impressed or imprinted on them. If bonds or notes bear the facsimile signatures
of the Governor and the State Treasurer, the bonds or notes shall also bear a manual
signature which may be that of a bond registrar, trustee, paying agent, or designated
assistant of the State Treasurer. The form and denomination of bonds or notes, including
the provisions with respect to registration of the bonds or notes and any system for their
registration, shall be as the State Treasurer may determine in conformity with this Article.

(c) Manner of Sale; Expenses. -- Subject to the approval by the Council of State as to
the manner in which bonds or notes shall be offered for sale, whether at public or private
sale, whether within or without the United States, and whether by publishing notices in
certain newspapers and financial journals, mailing notices, inviting bids by
correspondence, negotiating contracts of purchase or otherwise, the State Treasurer is
authorized to sell bonds or notes at one time or from time to time at any rates of interest,
which may vary from time to time, and at any prices, including a price less than the face
amount of the bonds or notes, as the State Treasurer may determine. All expenses
incurred in the preparation, sale, and issuance of bonds or notes shall be paid by the State
Treasurer from the proceeds of bonds or notes or other available moneys.

(d) Application of Proceeds. -- The proceeds of any bonds or notes shall be used
solely for the purposes for which the bonds or notes were issued and shall be disbursed in
the manner and under the restrictions, if any, that the Council of State may provide in the
resolution authorizing the issuance of, or in any trust agreement securing, the bonds or
notes.

Any additional moneys which may be received by means of a grant or grants from the
United States or any agency or department thereof or from any other source to aid in
financing the cost of a capital facility may be disbursed, to the extent permitted by the
terms of the grant or grants, without regard to any limitations imposed by this Article.

(e) Notes; Repayment. -- By and with the consent of the Council of State, the State
Treasurer is authorized to borrow money and to execute and issue notes of the State for the
same, but only in the following circumstances and under the following conditions:

<table>
<thead>
<tr>
<th>Condition</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>For anticipating the sale of bonds, the issuance of which the Council of State has approved, if the State Treasurer considers it advisable to postpone the issuance of the bonds.</td>
</tr>
<tr>
<td>(2)</td>
<td>For the payment of interest on or any installment of principal of any bonds then outstanding, if there are not sufficient funds in the State treasury with which to pay the interest or installment or principal as they respectively become due.</td>
</tr>
<tr>
<td>(3)</td>
<td>For the renewal of any loan evidenced by notes authorized in this Article.</td>
</tr>
<tr>
<td>(4)</td>
<td>For the purposes authorized in this Article.</td>
</tr>
<tr>
<td>(5)</td>
<td>For refunding bonds or notes as authorized in this Article.</td>
</tr>
</tbody>
</table>

Funds derived from the sale of bonds or notes may be used in the payment of any bond
anticipation notes issued under this Article. Funds provided by the General Assembly for
the payment of interest on or principal of bonds shall be used in paying the interest on or
principal of any notes and any renewals thereof, the proceeds of which have been used in
paying interest on or principal of the bonds.

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(f) Refunding Bonds and Notes. -- By and with the consent of the Council of State, the State Treasurer is authorized to issue and sell refunding bonds and notes for the purpose of refunding bonds or notes issued pursuant to this Article and to pay the cost of issuance of the refunding bonds or notes. The refunding bonds and notes may be combined with any other issues of State bonds and notes similarly secured. Refunding bonds or notes may be issued at any time prior to the final maturity of the debt or obligation to be refunded. The proceeds from the sale of any refunding bonds or notes shall be applied to the immediate payment and retirement of the bonds or notes being refunded or, if not required for the immediate payment of the bonds or notes being refunded, the proceeds shall be deposited in trust to provide for the payment and retirement of the bonds or notes being refunded and to pay any expenses incurred in connection with the refunding. Money in a trust fund may be invested in (i) direct obligations of the United States government, (ii) obligations the principal of and interest on which are guaranteed by the United States government, (iii) obligations of any agency or instrumentality of the United States government if the timely payment of principal and interest on the obligations is unconditionally guaranteed by the United States government, or (iv) certificates of deposit issued by a bank or trust company located in the State if the certificates are secured by a pledge of any of the obligations described in (i), (ii), or (iii) above having an aggregate market value, exclusive of accrued interest, equal at least to the principal amount of the certificates so secured. This section does not limit the duration of any deposit in trust for the retirement of bonds or notes being refunded but that have not matured and are not presently redeemable, or if presently redeemable, have not been called for redemption.

(g) University Improvement Bonds Fund. -- The proceeds of university improvement general obligation bonds and notes, including premium thereon, if any, except the proceeds of bonds the issuance of which has been anticipated by bond anticipation notes or the proceeds of refunding bonds or notes, shall be placed by the State Treasurer in a special fund to be designated 'University Improvement Bonds Fund'. Moneys in the University Improvement Bonds Fund shall be used for the purposes set forth in this Article.

Any additional moneys that may be received by means of a grant or grants from the United States of America or any agency or department thereof or from any other source to aid in financing the cost of any university improvements authorized by this Article may be placed by the State Treasurer in the University Improvement Bonds Fund or in a separate account or fund and shall be disbursed, to the extent permitted by the terms of the grant or grants, without regard to any limitations imposed by this act.

The proceeds of university improvement general obligation bonds and notes may be used with any other moneys made available by the General Assembly for the making of university improvements, including the proceeds of any other State bond issues, whether previously made available or which may be made available after the effective date of this Article. The proceeds of university improvement bonds and notes shall be expended and disbursed under the direction and supervision of the Director of the Budget. The funds provided by this Article for university improvements shall be disbursed for the purposes provided in this Article upon warrants drawn on the State Treasurer by the State Controller, which warrants shall not be drawn until requisition has been approved by the Director of the Budget and which requisition shall be approved only after full compliance with the Executive Budget Act, Article 1 of Chapter 143 of the General Statutes.

"§ 116D-12. Variable rate demand bonds and notes.

(a) In fixing the details of bonds and notes, the State Treasurer may provide that the bonds and notes may:

1) Be made payable from time to time on demand or tender for purchase by the owner, if a credit facility supports the bonds or notes, unless the State
Treasurer specifically determines that a credit facility is not required
upon a finding and determination by the State Treasurer that the absence
of a credit facility will not materially and adversely affect the financial
position of the State and the marketing of the bonds or notes at a
reasonable interest cost to the State.

(2) Be additionally supported by a credit facility.
(3) Be made subject to redemption or a mandatory tender for purchase prior
to maturity.
(4) Bear interest at rates that may vary from any periods of time, as may be
provided in the proceedings providing for the issuance of the bonds or
notes, including, without limitation, any variations as may be permitted
pursuant to a par formula.
(5) Be made the subject of a remarketing agreement whereby an attempt is
made to remarket bonds or notes to new purchasers prior to their
presentment for payment to the provider of the credit facility or to the
State.

(b) If the aggregate principal amount payable by the State under a credit facility is in
excess of the aggregate principal amount of bonds or notes secured by the credit facility,
whether as a result of the inclusion in the credit facility of a provision for the payment
of interest for a limited period of time or the payment of a redemption premium, or for any
other reason, then the amount of authorized but unissued bonds or notes during the term of
the credit facility shall not be less than the amount of the excess, unless the payment of the
excess is otherwise provided for by agreement of the State executed by the State
Treasurer.


The State Treasurer may authorize, execute, obtain, or otherwise provide for bond
insurance, investment contracts, credit and liquidity facilities, interest rate swap
agreements and other derivative products, and any other related instruments and matters
the State Treasurer determines are desirable in connection with the issuance of bonds or
notes. The State Treasurer is authorized to employ and designate any financial
consultants, underwriters, and bond attorneys to be associated with any bond issue under
this Article as the State Treasurer considers necessary.

"ARTICLE 3.

"Special Obligation Bonds for Improvements to the
Facilities of The University of North Carolina.

The purpose of this Article is to authorize the Board of Governors of The University
of North Carolina to issue special obligation bonds, payable from obligated resources, but
with no pledge of taxes or the faith and credit of the State or any agency or political
subdivision of the State, to pay the cost, in whole or in part, of improvements to the
facilities of the University.

The following definitions apply in this Article:

(1) Existing facilities. -- Buildings and facilities then existing that generate
income or receipts to the Board of Governors that are pledged, under the
provisions of a resolution authorizing the issuance of the special
obligation bonds under this Article, to the payment of the bonds.

(2) Institution. -- Each of the institutions enumerated in G.S. 116-2, and any
affiliated institutions of the University, including, without limitation, the
University of North Carolina Center for Public Television, the University
of North Carolina Health Care System, the North Carolina School of
Science and Mathematics, and the North Carolina Arboretum.

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(3) Obligated resources. -- Any sources of income or receipts of the Board of Governors or the institution at which a special obligation bond project is or will be located that are designated by the Board as the security and source of payment for bonds issued under this Article to finance a special obligation bond project, including, without limitation, any of the following:

a. Rents, charges, or fees to be derived by the Board of Governors or the institution from any activities conducted at the institution.

b. Earnings on the investment of the endowment fund of the institution at which a special obligation project will be located, to the extent that the use of the earnings will not violate any lawful condition placed by the donor upon the part of the endowment fund that generates the investment earnings.

c. Funds to be received under a contract or a grant agreement, including 'overhead costs reimbursement' under a grant agreement, entered into by the Board of Governors or the institution to the extent the use of the funds is not restricted by the terms of the contract or grant agreement or the use of the funds as provided in this Article does not violate the restriction.

Obligated resources do not include funds appropriated to the Board of Governors or the institution from the General Fund by the General Assembly from funds derived from general tax and other revenues of the State, and obligated resources do not include tuition payment by students.

(4) Special obligation bonds. -- Bonds issued under this Article to finance the cost of a special obligation project, which bonds are secured by and payable from obligated resources designated by the Board of Governors at the time the issuance of the bonds is authorized in accordance with this Article.

(5) Special obligation bond project. -- Any capital facilities located or to be located at an institution for the purpose of carrying out the mission of that institution and designated specifically by the Board of Governors as a 'special obligation bond project' for purposes of this Article. A special obligation bond project need not necessarily consist of buildings or facilities that are expected to generate 'self-liquidating revenues' to the Board of Governors or the institution from direct rentals, charges, or fees from the services provided by the building or facility, and may include facilities such as classroom buildings, administration buildings, research facilities, libraries, and equipment that do not produce direct, or indirect, income to the Board of Governors or the institution.

"§ 116D-23. Credit and taxing power of State not pledged; statement on face of bonds.

Special obligation bonds issued under this Article shall not constitute a debt or liability of the State or any political subdivision of the State or a pledge of the faith and credit of the State or of any political subdivision of the State. Special obligation bonds shall be secured solely by the obligated resources pledged to their payment. All of the special obligation bonds shall contain on their face a statement to the effect that neither the State nor the Board of Governors is obligated to pay the bonds or the interest on the bonds except from the obligated resources pledged for payment and that neither the faith and credit nor the taxing power of the State or of any political subdivision or instrumentality of the State is pledged to the payment of the principal of or the interest on the bonds. The issuance of special obligation bonds under this Article does not directly or indirectly or
contingently obligate the State or any political subdivision of the State to levy or to pledge any taxes for the bonds.


The Board of Governors is authorized, subject to the requirements of this Article, to do all of the following:

(1) Determine the location and character of any special obligation bond project, to acquire, construct, and provide the project, and to maintain, repair, and operate and enter into contracts for the management, lease, use, or operation of all or any portion of any special obligation bond project and any existing facilities.

(2) Issue special obligation bonds to pay all or any part of the cost of a special obligation bond project, and to fund or refund any bonds previously issued by the Board of Governors to finance facilities designated as a special obligation bond project.

(3) Fix and revise from time to time and charge and collect fees, rates, rents, charges, and other income for the use of and for the services furnished by the institution that are designated as obligated resources in connection with a special obligation bond issue.

(4) Establish and enforce, and to agree through any resolution or trust agreement authorizing or securing bonds under this Article to make and enforce, rules for the use of and services rendered by the institution of the income or receipts to be obtained from the use or services designated as obligated resources in connection with a special obligation bond issue.

(5) Acquire, hold, lease, and dispose of real and personal property in the exercise of its powers and the performance of its duties and to lease all or any part of a special obligation bond project and any existing facilities for any periods of years, not exceeding 40 years, upon any terms and conditions as the Board of Governors determines, subject to the provisions of G.S. 143-341.

(6) Employ consulting engineers, attorneys, accountants, construction and financial experts, superintendents, managers, and any other employees and agents as may be necessary in its judgment in connection with a special obligation bond project and existing facilities, and to fix their compensation.

(7) Enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this Article.

(8) Receive and accept from any federal, State, or other public agency and any private agency, person, or other entity donations, loans, grants, aid, or contributions of any money, property, labor, or other things of value for a special obligation bond project or any other services provided by the institution that is designated as the obligated resource in connection with a special obligation bond issue, and to agree to apply and use them in accordance with the terms and conditions under which they are provided.

(9) Do all acts and things necessary or convenient to carry out the powers granted by this Article.

"§ 116D-25. Consultation with the Joint Legislative Commission on Governmental Operations.

Whenever this Article requires the approval of the Director of the Budget of an action, the Director of the Budget may consult with the Joint Legislative Commission on Governmental Operations before giving approval.

(a) Authority. -- The Board of Governors may issue, subject to the approval of the Director of the Budget, at one time or from time to time, special obligation bonds of the Board of Governors for the purpose of paying all or any part of the cost of acquiring, constructing, or providing a special obligation project. Before issuing special obligation bonds, the Board of Governors shall first adopt a resolution (i) setting forth the designation by the Board of Governors that the buildings or facilities to be financed by the bond issue are the special obligation bond project being financed and (ii) designating the obligated resources that will secure and be the source of payment of the special obligation bonds to be issued. The Board of Governors shall not issue any special obligation bonds unless the Board of Governors finds that sufficient obligated resources are reasonably expected to be available (i) to pay the principal and interest on the special obligation bonds proposed to be issued, (ii) to create and maintain any reserves for the payment of the special obligation bonds, to the extent the Board of Governors is required to maintain reserves for this purpose by the terms of the trust agreement or resolution authorizing the issuance of the special obligation bonds, and (iii) to provide for the maintenance and operation of the facilities that are to generate the obligated resources to the extent the Board of Governors is required to maintain those facilities by the terms of the trust agreement or resolution authorizing the issuance of the special obligation bonds. Notwithstanding any other provision of this Article, the proceeds of special obligation bonds to be secured by obligated resources derived from the operation of or activities at one institution may not be applied to finance a special obligation project to be located at another institution.

(b) Approval Required. -- The Board of Governors shall not issue any special obligation bonds for a project at an institution unless the board of trustees of that institution has approved the issuance of bonds for that project. The Board of Governors shall not issue special obligation bonds under this Article until the effective date of legislation enacted by the General Assembly authorizing the undertaking of the special obligation bond project to be financed and fixing the maximum aggregate principal amount of special obligation bonds that shall be issued for that purpose. In submitting proposed special obligation bond projects to the General Assembly for approval, the Board of Governors shall submit information on the need for each project, project costs, estimates of increased operating costs upon completion, estimated debt service requirements, and the sources and amounts of obligated resources to be pledged for the repayment of the bonds. If the obligated resources to repay the bonds or to operate the proposed project potentially involve increased costs to students or to the General Fund, these costs shall be identified in the Board of Governors' submission.

Except as provided in this Article, special obligation bond projects may be undertaken, special obligation bonds may be issued, and other powers vested in the Board of Governors under this Article may be exercised by the Board without obtaining the consent of any department, division, commission, board, bureau, or agency of the State and without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions, or things which are specifically required by this Article.

(c) Term; Form. -- The special obligation bonds of each issue shall be dated, shall mature at any times not exceeding 25 years from their dates, shall bear interest at any rates as may be determined by the Board of Governors, and may be redeemable before maturity at the option of the Board, at any prices and under any terms and conditions as may be fixed by the Board prior to the issuance of the special obligation bonds. The Board of Governors shall determine the form and manner of execution of the special obligation bonds and shall fix the denominations of the special obligation bonds and the places of payment of principal and interest, which may be at any bank or trust company within or
without the State. Notwithstanding any of the other provisions of this Article or any recitals in any special obligation bonds issued under the provisions of this Article, all special obligation bonds shall be negotiable instruments under the laws of this State, subject only to the provisions for registration in a resolution authorizing the issuance of the special obligation bonds or a trust agreement securing the bonds. The Board of Governors may sell the special obligation bonds in any manner, at public or private sale, and for any price, as it may determine to be for its best interests.

(d) Proceeds; Additional Bonds. -- The proceeds of the special obligation bonds of each issue shall be used solely for the purpose for which the bonds have been authorized and shall be disbursed in the manner and under such restrictions, if any, as the Board of Governors may provide in the resolution authorizing the issuance of the bonds or in the trust agreement securing them. Unless otherwise provided in the authorizing resolution or in the trust agreement securing the special obligation bonds, if the proceeds of the special obligation bonds, by error of estimates or otherwise, are less than the cost of the special obligation bond project, additional bonds may in like manner be issued to provide the amount of the deficit and shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued for the same purpose.

The resolution providing for the issuance of special obligation bonds, and any trust agreement securing them, may also contain limitations upon the issuance of additional special obligation bonds as the Board of Governors considers proper, and the additional special obligation bonds must be issued under the restrictions and limitations prescribed by the resolution or trust agreement.

(e) Temporary Bonds; Notes. -- Before preparing definitive bonds, the Board of Governors may, under like restrictions, issue interim receipts or temporary bonds exchangeable for definitive bonds when the bonds have been executed and are available for delivery. The Board may also provide for the replacement of any bonds which become mutilated, destroyed, or lost.

The Board of Governors may enter into or negotiate a note with an acceptable bank or trust company in lieu of issuing special obligation bonds for the financing of special obligation bond projects covered under this Article. The terms and conditions of any note of this nature shall be in accordance with the terms and conditions surrounding issuance of the special obligation bonds.

(f) Bond Anticipation Notes. -- The Board of Governors may issue, subject to the approval of the Director of the Budget, at one time or from time to time, bond anticipation notes of the Board of Governors in anticipation of the issuance of special obligation bonds authorized by this Article. The principal of and the interest on these notes shall be payable solely from the proceeds of special obligation bonds or renewal notes or, in the event bond or renewal note proceeds are not available, from the obligated resources designated for their payment. The notes of each issue shall be dated, shall mature at any times not exceeding two years from their dates, shall bear interest at any rates as may be determined by the Board of Governors, and may be redeemable before maturity, at the option of the Board of Governors, at any prices and under any terms and conditions as may be fixed by the Board of Governors prior to the issuance of the notes. The Board shall determine the form and the manner of execution of the notes and shall fix the denominations of the notes and the places of payment of principal and interest, which may be at any bank or trust company within or without the State. Notwithstanding any of the other provisions of this Article or any recitals in any notes issued under the provisions of this Article, all notes shall be negotiable instruments under the laws of this State, subject only to the provisions for registration in a resolution authorizing the issuance of the notes or any trust agreement securing the bonds in anticipation of which the notes are being issued. The Board of

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Governors may sell the notes in any manner, at public or private sale, and for any price, as it may determine to be for its best interests.

The proceeds of the notes of each issue shall be used solely for the purpose for which the special obligation bonds in anticipation of which the notes are being issued have been authorized, and the note proceeds shall be disbursed in any manner and under any restrictions as the Board of Governors may provide in the resolution authorizing the issuance of the notes or bonds or in the trust agreement securing the special obligation bonds.

The resolution providing for the issuance of notes, and any trust agreement securing the special obligation bonds in anticipation of which the notes are being authorized, may also contain limitations upon the issuance of additional notes as the Board of Governors considers proper, and such additional notes shall be issued under the restrictions and limitations prescribed by the resolution or trust agreement. The Board may also provide for the replacement of any notes which shall become mutilated, destroyed, or lost.

Except as provided in this Article, notes may be issued under this Article and other powers vested in the Board of Governors under this Article may be exercised by the Board without obtaining the consent of any department, division, commission, board, bureau, or agency of the State and without any other proceedings or the happening of any other conditions or things than those proceedings, conditions, or things which are specifically required by this Article.

Unless the context indicates otherwise, the word 'bonds', wherever used in this Article, include the words 'bond anticipation notes'.

"§ 116D-27. Trust agreement; money received deemed trust funds; insurance; remedies.

(a) Trust Agreement Securing Bonds. -- In the discretion of the Board of Governors and subject to the approval of the Director of the Budget, any special obligation bonds issued under this Article may be secured by a trust agreement by and between the Board of Governors and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the State. The trust agreement or the resolution providing for the issuance of special obligation bonds may pledge or assign the obligated resources designated as security for the special obligation bonds, but shall not convey or mortgage any property of the institution. The trust agreement or resolution providing for the issuance of special obligation bonds may contain provisions for protecting and enforcing the rights and remedies of the holders of the special obligation bonds that are reasonable and proper and not in violation of law, including covenants setting forth the duties of the Board of Governors in relation to the acquisition, construction, or provision of any of the charging and collecting of any rates, fees, or charges that have been designated as obligated resources, the maintenance, repair, operation, and insurance of any property of the institution, and the custody, safeguarding, and application of all moneys. It shall be lawful for any bank or trust company incorporated under the laws of the State which may act as depositary of the proceeds of special obligation bonds or funds securing special obligation bonds to furnish any indemnifying bonds or to pledge any securities as may be required by the Board of Governors. A trust agreement or resolution may set forth the rights and remedies of the holders of the special obligation bonds and the rights, remedies, and immunities of the trustee or trustees, if any, and may restrict the individual right of action by the holders. In addition to the foregoing, a trust agreement or resolution may contain other provisions the Board of Governors considers reasonable and proper for the security of the holders. All expenses incurred in carrying out the provisions of the trust agreement or resolution may be treated as a part of the cost of the special obligation bond projects for which the special obligation bonds are issued or as an expense of operation of the special obligation bond project.
(b) Trust Funds. -- All moneys received pursuant to the authority of this Article, whether as proceeds from the sale of bonds, or as obligated resources, are trust funds to be held and applied solely as provided in this Article. The Board of Governors may provide for the payment of all or part of the proceeds of the sale of the special obligation bonds and the obligated resources to any officer, board, or depository that it may designate for their custody, and may provide for their method of disbursement, with any safeguards and restrictions it may determine. Any officer with whom, or any bank or trust company with which, moneys are deposited shall act as trustee of the moneys and shall hold and apply them for the purposes of this Article, subject to any requirements provided in this Article and in the resolution or trust agreement, authorizing or securing the special obligation bonds.

(c) Insurance. -- Notwithstanding the provisions of any other law, the Board of Governors may carry insurance on any special obligation bond projects and any existing facilities in any amounts and covering any risks it considers advisable.

(d) Remedies. -- Any holder of special obligation bonds issued under this Article and the trustees under a trust agreement, except to the extent the rights given in this section may be restricted by the trust agreement or the resolution authorizing the issuance of the special obligation bonds, may, either at law or in equity, by suit, action, mandamus, or other proceedings, protect and enforce any and all rights under the laws of the State or granted under this Article or under the trust agreement or resolution, and may enforce and compel the performance of all duties required by this Article or by the trust agreement or resolution to be performed by the Board of Governors or by any of its officers, including the fixing, charging, and collecting of obligated resources.

"§ 116D-28. Fixing and collecting obligated resources."

(a) Board to Provide Sufficient Resources. -- For the purpose of aiding in the financing of a special obligation bond project and to provide security to the owners of the special obligation bonds issued to finance the special obligation bond project, the Board of Governors is authorized, to the extent the generation of the obligated resources is in the control of the Board, to fix, revise from time to time, charge, and collect the rents, charges, fees, or other revenues constituting the obligated resources. Fees and other revenue sources constituting obligated resources may be imposed or increased only with the approval of the Board of Governors. As long as any special obligation bonds issued under this Article and payable from those obligated resources are outstanding, the obligated resources, to the extent within the control of the Board of Governors, shall be so fixed and adjusted, with relation to other funds available, as to provide funds pursuant to the requirements of the resolution or trust agreement authorizing or securing the special obligation bonds and at least sufficient to pay the principal of and the interest on the special obligation bonds as they become due and payable, to assure the continued collection of the obligated resources, and to create and maintain reserves for these purposes. A sufficient amount of the obligated resources, except any part that may be necessary to pay the cost of maintenance, repair, and operation, and to provide reserves for these purposes and for renewals, replacements, extensions, enlargements, and improvements as may be provided for in the resolution authorizing the issuance of the special obligation bonds or in the trust agreement securing the same, shall be set aside at regular intervals as may be provided in the resolution or trust agreement authorizing the issuance of the special obligation bonds in a sinking fund which is hereby pledged to, and charged with, the payment of the principal of and the interest on the special obligation bonds as they become due and the redemption price or the purchase price of special obligation bonds retired by call or purchase as provided in the resolution or trust agreement. This pledge shall be valid and binding from the time it is made, the obligated resources so pledged and thereafter received by the Board of Governors shall immediately be subject to the lien of the pledge without any physical delivery of the pledge or further
act, and the lien of the pledge shall be valid and binding as against all parties having
claims of any kind in tort, contract, or otherwise against the Board of Governors,
irrespective of whether the parties have notice of the pledge. Neither the resolution nor
any trust agreement by which a pledge is created need be filed or recorded except in the
records of the Board of Governors. The use and disposition of moneys to the credit of the
sinking fund shall be subject to the provisions of the resolution authorizing the issuance of
the special obligation bonds or of the trust agreement securing the bonds.

(b) State Pledge. -- The State pledges to, and agrees with, the holders of any special
obligation bonds or notes issued by the Board of Governors pursuant to this Article that as
long as any of the special obligation bonds or notes are outstanding and unpaid, the State
will not limit or alter the rights vested in the Board of Governors at the time of issuance of
the special obligation bonds or notes to set the terms and conditions of the special
obligation bonds or notes and to fulfill the terms of any agreements made with the
bondholders or noteholders. The State shall in no way impair the rights and remedies of
the bondholders or noteholders until the special obligation bonds or notes and all costs and
expenses in connection with any action or proceedings by or on behalf of the bondholders
or noteholders are fully paid, met, and discharged.

"§ 116D-29. Vesting powers in committee.

The Board of Governors may authorize its budget and finance committee to sell any
special obligation bonds which the Board has, with the approval of the Director of the
Budget, authorized to be issued under this Article in any manner and under any limitations
or conditions as the Board prescribes and to perform other functions under this Article the
Board determines.


The Board of Governors may, subject to the approval of the Director of the Budget,
issue from time to time refunding bonds for the purpose of refunding any bonds by the
Board under this Article or under any Article of Chapter 116 of the General Statutes,
including the payment of any redemption premium on them and any interest accrued or to
accrue to the date of redemption of the bonds refunded. The Board of Governors is further
authorized, subject to the approval of the Director of the Budget, to issue from time to
time refunding bonds for the combined purpose of (i) refunding any bonds issued by the
Board under this Article or under any Article of Chapter 116 of the General Statutes,
including the payment of any redemption premium on them and any interest accrued or to
accrue to the date of redemption of the bonds, and (ii) paying all or any part of the cost of
acquiring or constructing any additional special obligation bond projects.

This Article, as applicable, governs the issuance of refunding bonds, their maturities
and other details, the rights and remedies of their holders, and the rights, powers,
privileges, duties, and obligations of the Board of Governors with respect to them.


This Article provides an additional and alternative method for the doing of the things
authorized and is supplemental and additional to powers conferred by other laws,
including G.S. 116-175 to G.S. 116-185, inclusive and G.S. 116-197 and G.S. 116-198,
and is not in derogation of or repealing any powers now existing under any other law,
whether general, special, or local. The issuance of special obligation bonds or refunding
bonds under this Article, however, need not comply with the requirements of any other
law applicable to the issuance of bonds.

"ARTICLE 4.

"§ 116D-41. Short title.

This Article may be cited as the Community College Facilities General Obligation
Finance Act.

"§ 116D-42. Definitions.

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The following definitions apply in this Article:

(1) Bonds. -- Bonds authorized to be issued under this Article, including refunding bonds.

(2) Community college. -- Defined in G.S. 115D-2.

(3) Community college general obligation bonds. -- Bonds authorized to be issued under this Article, including refunding bonds.

(4) Community Colleges System Office. -- The North Carolina Community Colleges System Office, created by Article 1 of Chapter 115D of the General Statutes, or if the Community Colleges System Office is abolished or otherwise divested of its functions under this Article, the public body succeeding it in its principal functions, or upon which are conferred by law the rights, powers, and duties given by this Article to the Community Colleges System Office.

(5) Notes. -- Notes issued under this Article.


Subject to a favorable vote of a majority of the qualified voters of the State who vote on the question of issuing community college general obligation bonds in the election held as provided by law, and upon the application of the Community Colleges System Office, the State Treasurer may, by and with the consent of the Council of State, issue and sell, at one time or from time to time, community college general obligation bonds of the State to be designated 'State of North Carolina Community College General Obligation Bonds', with any additional designations as may be determined to indicate the issuance of bonds from time to time, or notes of the State. Except as otherwise provided by this Article, the aggregate amount of bonds and notes issued pursuant to this Article shall not exceed six hundred million dollars ($600,000,000). The bonds and notes shall be issued in the following years up to the following amounts:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Aggregate Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000-2001</td>
<td>$ 48,400,000</td>
</tr>
<tr>
<td>2001-2002</td>
<td>58,100,000</td>
</tr>
<tr>
<td>2002-2003</td>
<td>116,100,000</td>
</tr>
<tr>
<td>2003-2004</td>
<td>116,100,000</td>
</tr>
<tr>
<td>2004-2005</td>
<td>135,500,000</td>
</tr>
<tr>
<td>2005-2006</td>
<td>125,800,000</td>
</tr>
</tbody>
</table>

If less than the aggregate amount of bonds or notes authorized to be issued in a fiscal year is issued in that fiscal year, the balance for that fiscal year may be issued in any subsequent fiscal year. Refunding bonds and notes issued pursuant to G.S. 116D-46(f) shall not be included in the limitation on the aggregate amount of bonds and notes that may be issued pursuant to this Article.

The proceeds of bonds or notes issued under this Article shall be applied to finance the cost of grants to be made by the State to community colleges to finance the cost of capital facilities for the community college or to refund any outstanding bonds or notes issued under this Article. The capital facilities to be improved, constructed, or acquired with the proceeds of bonds or notes shall be determined as provided in G.S. 116D-44.

"§ 116D-44. Designation of capital facilities and preconditions to bond issuance.

The capital facilities to be financed in whole or in part with the proceeds of community college general obligation bonds shall be described in legislation enacted from time to time by the General Assembly. This legislation shall also provide for voter approval of the bonds to finance the capital facilities and shall become effective only upon approval by the voters. The proceeds of community college general obligation bonds shall not be expended to pay the costs of any capital facilities other than those described in that legislation.

"§ 116D-45. Faith and credit.
The faith and credit and taxing power of the State are hereby pledged for the payment of the principal of and the interest on bonds and notes. The State retains the right to amend any provision of this Article to the extent it does not impair any contractual right of a bond owner.

§ 116D-46. Issuance of bonds and notes.

(a) Terms and Conditions. -- Bonds or notes may bear any dates, may be serial or term bonds or notes, or any combination of these, may mature in any amounts and at any times, not exceeding 25 years from their dates, may be payable at any places, either within or without the United States, in any coin or currency of the United States that at the time of payment is legal tender for payment of public and private debts, may bear interest at any rates, which may vary from time to time, and may be made redeemable before maturity, at the option of the State or otherwise as may be provided by the State, at any prices, including a price greater than the face amount of the bonds or notes, and under any terms and conditions, all as may be determined by the State Treasurer, by and with the consent of the Council of State.

(b) Signatures; Form and Denomination; Registration. -- Bonds or notes may be issued in certificated or uncertificated form. If issued in certificated form, bonds or notes shall be signed on behalf of the State by the Governor or shall bear the Governor's facsimile signature, shall be signed by the State Treasurer or shall bear the State Treasurer's facsimile signature, and shall bear the Great Seal of the State or a facsimile of the Seal impressed or imprinted on them. If bonds or notes bear the facsimile signatures of the Governor and the State Treasurer, the bonds or notes shall also bear a manual signature which may be that of a bond registrar, trustee, paying agent, or designated assistant of the State Treasurer. The form and denomination of bonds or notes, including the provisions with respect to registration of the bonds or notes and any system for their registration, shall be as the State Treasurer may determine in conformity with this Article.

(c) Manner of Sale; Expenses. -- Subject to the approval by the Council of State as to the manner in which bonds or notes shall be offered for sale, whether at public or private sale, whether within or without the United States, and whether by publishing notices in certain newspapers and financial journals, mailing notices, inviting bids by correspondence, negotiating contracts of purchase or otherwise, the State Treasurer is authorized to sell bonds or notes at one time or from time to time at any rates of interest, which may vary from time to time, and at any prices, including a price less than the face amount of the bonds or notes, as the State Treasurer may determine. All expenses incurred in the preparation, sale, and issuance of bonds or notes shall be paid by the State Treasurer from the proceeds of bonds or notes or other available moneys.

(d) Application of Proceeds. -- The proceeds of any bonds or notes shall be used solely for the purposes for which the bonds or notes were issued and shall be disbursed in the manner and under the restrictions, if any, that the Council of State may provide in the resolution authorizing the issuance of, or in any trust agreement securing, the bonds or notes.

Any additional moneys which may be received by means of a grant or grants from the United States or any agency or department thereof or from any other source to aid in financing the cost of a capital facility may be disbursed, to the extent permitted by the terms of the grant or grants, without regard to any limitations imposed by this Article.

(e) Notes; Repayment. -- By and with the consent of the Council of State, the State Treasurer is authorized to borrow money and to execute and issue notes of the State for the same, but only in the following circumstances and under the following conditions:

(1) For anticipating the sale of bonds the issuance of which the Council of State has approved, if the State Treasurer considers it advisable to postpone the issuance of the bonds.

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(2) For the payment of interest on or any installment of principal of any bonds then outstanding, if there are not sufficient funds in the State treasury with which to pay the interest or installment or principal as they respectively become due.

(3) For the renewal of any loan evidenced by notes authorized in this Article.

(4) For the purposes authorized in this Article.

(5) For refunding bonds or notes as authorized in this Article.

Funds derived from the sale of bonds or notes may be used in the payment of any bond anticipation notes issued under this Article. Funds provided by the General Assembly for the payment of interest on or principal of bonds shall be used in paying the interest on or principal of any notes and any renewals thereof, the proceeds of which have been used in paying interest on or principal of the bonds.

(f) Refunding Bonds and Notes. -- By and with the consent of the Council of State, the State Treasurer is authorized to issue and sell refunding bonds and notes for the purpose of refunding bonds or notes issued pursuant to this Article and to pay the cost of issuance of the refunding bonds or notes. The refunding bonds and notes may be combined with any other issues of State bonds and notes similarly secured. Refunding bonds or notes may be issued at any time prior to the final maturity of the debt or obligation to be refunded. The proceeds from the sale of any refunding bonds or notes shall be applied to the immediate payment and retirement of the bonds or notes being refunded or, if not required for the immediate payment of the bonds or notes being refunded, the proceeds shall be deposited in trust to provide for the payment and retirement of the bonds or notes being refunded and to pay any expenses incurred in connection with the refunding. Money in a trust fund may be invested in (i) direct obligations of the United States government, (ii) obligations the principal of and interest on which are guaranteed by the United States government, (iii) obligations of any agency or instrumentality of the United States government if the timely payment of principal and interest on the obligations is unconditionally guaranteed by the United States government, or (iv) certificates of deposit issued by a bank or trust company located in the State if the certificates are secured by a pledge of any of the obligations described in (i), (ii), or (iii) above having an aggregate market value, exclusive of accrued interest, equal at least to the principal amount of the certificates so secured. This section does not limit the duration of any deposit in trust for the retirement of bonds or notes being refunded but that have not matured and are not presently redeemable, or if presently redeemable, have not been called for redemption.

(g) Community College Bonds Fund. -- The proceeds of community college general obligation bonds and notes, including premium thereon, if any, except the proceeds of bonds the issuance of which has been anticipated by bond anticipation notes or the proceeds of refunding bonds or notes, shall be placed by the State Treasurer in a special fund to be designated 'Community College Bonds Fund'. Moneys in the Community College Bonds Fund shall be used for the purposes set forth in this Article.

Any additional moneys that may be received by means of a grant or grants from the United States of America or any agency or department thereof or from any other source to aid in financing the cost of any community college capital facilities authorized by this Article may be placed by the State Treasurer in the Community College Bonds Fund or in a separate account or fund and shall be disbursed, to the extent permitted by the terms of the grant or grants, without regard to any limitations imposed by this act.

The proceeds of community college general obligation bonds and notes may be used with any other moneys made available by the General Assembly for the making of grants to community colleges for capital facilities, including the proceeds of any other State bond issues, whether previously made available or which may be made available after the

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effective date of this Article. The proceeds of community college bonds and notes shall be expended and disbursed under the direction and supervision of the Director of the Budget. The funds provided by this Article for grants to community colleges shall be disbursed for the purposes provided in this Article upon warrants drawn on the State Treasurer by the State Controller, which warrants shall not be drawn until requisition has been approved by the Director of the Budget and which requisition shall be approved only after full compliance with the Executive Budget Act, Article 1 of Chapter 143 of the General Statutes.

"§ 116D-47. Variable rate demand bonds and notes.
(a) In fixing the details of bonds and notes, the State Treasurer may provide that the bonds and notes may:

(1) Be made payable from time to time on demand or tender for purchase by the owner, if a credit facility supports the bonds or notes, unless the State Treasurer specifically determines that a credit facility is not required upon a finding and determination by the State Treasurer that the absence of a credit facility will not materially and adversely affect the financial position of the State and the marketing of the bonds or notes at a reasonable interest cost to the State.

(2) Be additionally supported by a credit facility.

(3) Be made subject to redemption or a mandatory tender for purchase prior to maturity.

(4) Bear interest at rates that may vary from any periods of time, as may be provided in the proceedings providing for the issuance of the bonds or notes, including, without limitation, any variations as may be permitted pursuant to a par formula.

(5) Be made the subject of a remarketing agreement whereby an attempt is made to remarket bonds or notes to new purchasers prior to their presentment for payment to the provider of the credit facility or to the State.

(b) If the aggregate principal amount payable by the State under a credit facility is in excess of the aggregate principal amount of bonds or notes secured by the credit facility, whether as a result of the inclusion in the credit facility of a provision for the payment of interest for a limited period of time or the payment of a redemption premium, or for any other reason, then the amount of authorized but unissued bonds or notes during the term of the credit facility shall not be less than the amount of the excess, unless the payment of the excess is otherwise provided for by agreement of the State executed by the State Treasurer.

The State Treasurer may authorize, execute, obtain, or otherwise provide for bond insurance, investment contracts, credit and liquidity facilities, interest rate swap agreements and other derivative products, and any other related instruments and matters the State Treasurer determines are desirable in connection with the issuance of bonds or notes. The State Treasurer is authorized to employ and designate any financial consultants, underwriters, and bond attorneys to be associated with any bond issue under this Article as the State Treasurer considers necessary.

"§ 116D-49. Procurement of capital facilities.
Any laws, rules, or regulations of the State that relate to the acquisition and construction of capital facilities shall apply to the capital facilities financed pursuant to this Article."

Section 2. Proceeds of University Improvement General Obligation Bonds. -- (a) The proceeds of university improvement general obligation bonds and notes, including any premium thereon, except the proceeds of university improvement general obligation
bonds the issuance of which has been anticipated by bond anticipation notes or the proceeds of refunding bonds or notes, shall be allocated and expended for paying the cost of university capital facilities, to the extent and as provided in Article 2 of Chapter 116D of the General Statutes, as enacted by this act and subject to change as provided in this act, as follows:

<table>
<thead>
<tr>
<th>Constituent or Affiliated Institution or Board of Governors Capital Improvement</th>
<th>Projected Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appalachian State University</td>
<td></td>
</tr>
<tr>
<td>Central Library Complex</td>
<td>$47,586,800</td>
</tr>
<tr>
<td>Science Building - Completion of Interior Laboratories &amp; Academic Space</td>
<td>1,260,000</td>
</tr>
<tr>
<td>Rankin Science Bldg. - Comprehensive Renovation</td>
<td>11,157,000</td>
</tr>
<tr>
<td>Living &amp; Learning Center - Academic Portion</td>
<td>4,022,800</td>
</tr>
<tr>
<td>Visual Arts Center/Education</td>
<td></td>
</tr>
<tr>
<td>Outreach Center – Renovation</td>
<td>4,374,700</td>
</tr>
<tr>
<td>Smith-Wright Hall Classroom Bldg. - Comprehensive Renovation</td>
<td>1,636,100</td>
</tr>
<tr>
<td>Founders Hall - Comprehensive Renovation</td>
<td>1,044,100</td>
</tr>
<tr>
<td>Walker Hall Classroom Bldg. - Comprehensive Renovation</td>
<td>1,733,800</td>
</tr>
<tr>
<td>B.B. Dougherty Hall - Comprehensive Renovation</td>
<td>1,000,000</td>
</tr>
<tr>
<td>Water System Improvements</td>
<td>2,866,200</td>
</tr>
<tr>
<td>Land Acquisition</td>
<td>829,300</td>
</tr>
<tr>
<td>Technology Infrastructure Expansion</td>
<td>4,838,900</td>
</tr>
<tr>
<td><strong>Total Appalachian State University</strong></td>
<td><strong>$82,349,700</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>East Carolina University</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Science Laboratories &amp; Technology Bldg. - Replacement for Flanagan Science Building</td>
<td>$55,125,300</td>
</tr>
<tr>
<td>Flanagan Bldg. - Renovation &amp; Conversion for General Academic Use</td>
<td>13,421,300</td>
</tr>
<tr>
<td>Nursing, Allied Health &amp; Developmental Evaluation Clinic Complex - Replace Rivers &amp; Belk Buildings &amp; Relocate to Medical School</td>
<td>46,882,500</td>
</tr>
<tr>
<td>Expansion &amp; Renovation of the Old Nursing Bldg.</td>
<td>14,685,500</td>
</tr>
<tr>
<td>Belk Bldg. - Comprehensive Renovation &amp; Conversion from Allied Health to General Academic</td>
<td>7,791,300</td>
</tr>
<tr>
<td>Classroom Improvements - Technology Upgrades &amp; Renovation (Speight, Brewster, Rivers, General Classroom Bldg., Rawl &amp; Austin)</td>
<td>3,648,400</td>
</tr>
<tr>
<td>Academic Space Requirements - Teaching Laboratories</td>
<td>5,250,000</td>
</tr>
<tr>
<td>Medical School - Addition of Library &amp; Study Space</td>
<td>12,600,000</td>
</tr>
<tr>
<td>&quot;Old Cafeteria&quot; Office Bldg. - Comprehensive Renovation for Student Services/Academic Use</td>
<td>4,442,100</td>
</tr>
<tr>
<td>Infrastructure - Repairs &amp; Expansion</td>
<td>16,291,100</td>
</tr>
<tr>
<td>Campus Computing Center - Comprehensive Renovation</td>
<td>1,785,000</td>
</tr>
<tr>
<td>Land Acquisition</td>
<td>7,879,400</td>
</tr>
<tr>
<td>Technology Infrastructure Expansion</td>
<td>807,600</td>
</tr>
</tbody>
</table>

*May 16, 2000*
### Total East Carolina University

**Elizabeth City State University**

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lane Hall Classroom Bldg. - Comprehensive Renovation</td>
<td>$2,360,600</td>
</tr>
<tr>
<td>Trigg Hall Classroom Bldg. - Comprehensive Renovation</td>
<td>$2,109,000</td>
</tr>
<tr>
<td>Johnson Hall Classroom Bldg. - Comprehensive Renovation</td>
<td>$3,156,300</td>
</tr>
<tr>
<td>Williams Hall Classroom Bldg. - Comprehensive Renovation</td>
<td>$2,822,700</td>
</tr>
<tr>
<td>Lester Hall Classroom Bldg. - Partial Renovation</td>
<td>$250,000</td>
</tr>
<tr>
<td>White Graduate Center and Continuing Education Bldg.</td>
<td>$1,514,000</td>
</tr>
<tr>
<td>Wilkins Laboratory Bldg. - Comprehensive Renovation</td>
<td>$451,800</td>
</tr>
<tr>
<td>Mitchell-Lewis Residence Hall - Comprehensive Renovation</td>
<td>$2,123,700</td>
</tr>
<tr>
<td>Wamack Residence Hall - Comprehensive Renovation</td>
<td>$3,334,300</td>
</tr>
<tr>
<td>Doles Residence Hall - Comprehensive Renovation</td>
<td>$1,722,500</td>
</tr>
<tr>
<td>Residence Hall for 200 Students - Replacement of Symera Hall</td>
<td>$5,510,000</td>
</tr>
<tr>
<td>Central Chiller Plant</td>
<td>$1,400,000</td>
</tr>
<tr>
<td>Student Center</td>
<td>$8,778,300</td>
</tr>
<tr>
<td>Physical Education Facilities</td>
<td>$1,447,500</td>
</tr>
<tr>
<td>Campus Infrastructure Improvements</td>
<td>$3,405,300</td>
</tr>
<tr>
<td>Electrical Distribution System Upgrade</td>
<td>$1,225,000</td>
</tr>
<tr>
<td>Energy Management System Improvements</td>
<td>$886,400</td>
</tr>
<tr>
<td>Technology Infrastructure Expansion</td>
<td>$3,149,400</td>
</tr>
<tr>
<td>Land Acquisition</td>
<td>$650,000</td>
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</tbody>
</table>

**Total Elizabeth City State University** $46,296,800

### Total Fayetteville State University

**Fayetteville State University**

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residence Hall For 275 Students</td>
<td>$6,872,300</td>
</tr>
<tr>
<td>Lyons Science and Laboratory Building - Comprehensive Renovation and Addition</td>
<td>$15,146,900</td>
</tr>
<tr>
<td>Science Annex - Comprehensive Renovation</td>
<td>$1,740,500</td>
</tr>
<tr>
<td>Continuing Education Center - Comprehensive Renovation</td>
<td>$432,600</td>
</tr>
<tr>
<td>Taylor Social Sciences Classroom Building - Comprehensive Renovation</td>
<td>$884,300</td>
</tr>
<tr>
<td>Charles Chestnutt Library - Comprehensive Renovation</td>
<td>$875,900</td>
</tr>
<tr>
<td>William Collins Building - Comprehensive Renovation</td>
<td>$640,600</td>
</tr>
<tr>
<td>Seabrook Auditorium - Comprehensive Renovation</td>
<td>$6,325,000</td>
</tr>
<tr>
<td>Taylor Gymnasium - Conversion of Building for Academic Use</td>
<td>$3,360,000</td>
</tr>
<tr>
<td>Lilly Gymnasium - Comprehensive Renovation and Conversion of Building for Student Services</td>
<td>$3,256,400</td>
</tr>
<tr>
<td>Cook Dining Hall - Comprehensive Renovation and Conversion of Building for Academic Use and Student Services</td>
<td>$1,773,500</td>
</tr>
<tr>
<td>Student Residence Halls - Fire Safety Improvements</td>
<td>$611,700</td>
</tr>
<tr>
<td>Campus Infrastructure Improvements</td>
<td>$1,435,000</td>
</tr>
<tr>
<td>Comprehensive Renovation and Conversion of Spaulding (Old Infirmary) for Public Safety Facilities</td>
<td>$1,029,100</td>
</tr>
<tr>
<td>Technology Infrastructure Expansion</td>
<td>$1,137,600</td>
</tr>
</tbody>
</table>

May 16, 2000
<table>
<thead>
<tr>
<th>Project Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Fayetteville State University</td>
<td>$45,521,400</td>
</tr>
<tr>
<td>North Carolina Agricultural and Technical State University</td>
<td></td>
</tr>
<tr>
<td>Classroom and Laboratory Complex</td>
<td>$29,920,700</td>
</tr>
<tr>
<td>Chemistry Laboratory - Replacement for Hines Hall</td>
<td>$21,831,600</td>
</tr>
<tr>
<td>Harrison Auditorium - Comprehensive Renovation</td>
<td>$2,895,200</td>
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<tr>
<td>Curtis Residence Hall - Replacement</td>
<td>$3,723,500</td>
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<tr>
<td>Scott Residence Hall - Replacement</td>
<td>$26,253,300</td>
</tr>
<tr>
<td>Gamble Residence Hall - Replacement</td>
<td>$1,552,000</td>
</tr>
<tr>
<td>New Student Housing</td>
<td>$1,897,900</td>
</tr>
<tr>
<td>Holland Residence Hall - Comprehensive Renovation</td>
<td>$856,800</td>
</tr>
<tr>
<td>Morrison Residence Hall - Comprehensive Renovation</td>
<td>$3,701,100</td>
</tr>
<tr>
<td>Zoe Barbee Residence Hall - Comprehensive Renovation</td>
<td>$3,693,800</td>
</tr>
<tr>
<td>Hazardous Materials and Waste Storage Facility</td>
<td>$1,575,000</td>
</tr>
<tr>
<td>Improvements to School of Agriculture Facilities</td>
<td>$1,832,700</td>
</tr>
<tr>
<td>Barnes Hall Laboratory - Comprehensive Renovation</td>
<td>$5,550,100</td>
</tr>
<tr>
<td>Graham Hall Engineering Laboratory - Comprehensive Renovation</td>
<td>$5,782,200</td>
</tr>
<tr>
<td>Corbett Intramural Center - Addition</td>
<td>$7,035,000</td>
</tr>
<tr>
<td>Replacement of Steam Lines &amp; Access Holes</td>
<td>$1,568,300</td>
</tr>
<tr>
<td>Electrical Distribution System - Upgrade and Expansion</td>
<td>$2,256,800</td>
</tr>
<tr>
<td>Central Cooling Plant - Phase I</td>
<td>$9,430,700</td>
</tr>
<tr>
<td>Cherry Hall Laboratory Building - Comprehensive Renovation</td>
<td>$8,438,200</td>
</tr>
<tr>
<td>Three Classroom Buildings (Dudley, Gibbs, &amp; Moore) - Comprehensive Renovation</td>
<td>$4,797,100</td>
</tr>
<tr>
<td>Land Acquisition</td>
<td>$6,300,000</td>
</tr>
<tr>
<td>Technology Infrastructure Expansion</td>
<td>$2,921,700</td>
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<tr>
<td>Total North Carolina A &amp; T State University</td>
<td>$153,813,700</td>
</tr>
<tr>
<td>North Carolina Central University</td>
<td></td>
</tr>
<tr>
<td>Science Complex - Replacement of Robinson, Hubbard, and Lee Science Buildings</td>
<td>$36,780,000</td>
</tr>
<tr>
<td>Harrison-Newton Building - Comprehensive Renovation of Classroom Building</td>
<td>$7,048,700</td>
</tr>
<tr>
<td>Student Housing - Replacement</td>
<td>$1,556,600</td>
</tr>
<tr>
<td>Baynes Residence Hall - Replacement</td>
<td>$15,091,100</td>
</tr>
<tr>
<td>Rush Residence Hall - Comprehensive Renovation</td>
<td>$2,089,400</td>
</tr>
<tr>
<td>Eagleson Residence Hall - Comprehensive Renovation</td>
<td>$6,869,500</td>
</tr>
<tr>
<td>Shepard Residence Hall - Comprehensive Renovation</td>
<td>$4,357,800</td>
</tr>
<tr>
<td>Latham Residence Hall - Comprehensive Renovation</td>
<td>$3,411,600</td>
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<tr>
<td>McLean Residence Hall - Comprehensive Renovation</td>
<td>$305,800</td>
</tr>
<tr>
<td>Pearson Cafeteria - Comprehensive Renovation</td>
<td>$1,263,600</td>
</tr>
<tr>
<td>Student Residence Halls - Fire Safety and Security Improvements</td>
<td>$1,541,000</td>
</tr>
<tr>
<td>Turner Law School - Comprehensive Renovation</td>
<td>$7,028,800</td>
</tr>
<tr>
<td>Shepard Library - Comprehensive Renovation</td>
<td>$4,374,800</td>
</tr>
<tr>
<td>Old Senior Dorm - Conversion to Academic Use</td>
<td>$2,130,700</td>
</tr>
<tr>
<td>Alexander Dunn Building - Comprehensive Renovation</td>
<td>$1,779,300</td>
</tr>
<tr>
<td>Campus Infrastructure Improvements</td>
<td>$10,263,800</td>
</tr>
<tr>
<td>Hoey Building - Comprehensive Renovation</td>
<td>$2,867,700</td>
</tr>
<tr>
<td>Code Compliance Corrections of Buildings Not Scheduled for Compliance Modifications</td>
<td>$3,675,000</td>
</tr>
</tbody>
</table>

May 16, 2000
Land Acquisition .......................................................... $4,000,000
Renovation of Existing Space for Public Safety Facility ................................................. $840,000
Technology Infrastructure Expansion .............................................................................. $1,422,000

Total North Carolina Central University $118,697,200

North Carolina State University

Undergraduate Science Teaching Lab - Phase I .......................................................... $30,215,400
Withers Hall - Conversion From Laboratory to General Academic Use ...................... $11,480,400
College of Engineering Complex - Phase I ................................................................. $32,806,500
College of Veterinary Medicine - Research Addition and Renovation of Laboratories and Academic Space ................................................................. $20,180,000
College of Engineering Complex - Phase II ................................................................. $46,565,200
David Clark Laboratory - Comprehensive Renovation and Addition .............................. $11,555,800
Undergraduate Science Teaching Lab - Phase II ......................................................... $12,197,000
South Gardner Hall Laboratory Building - Comprehensive Renovation ...................... $15,214,500
911 Classroom Building - Comprehensive Renovation ................................................. $6,972,000
Park Shops - Comprehensive Renovation and Use Conversion for General Academic Use ................................................................. $6,310,700
Riddick Lab - Comprehensive Renovation and Conversion From Laboratory to Classroom Building ................................................................. $26,020,900
Harre?son Classroom Building - Comprehensive Renovation ...................................... $13,608,500
Clark Hall - Conversion From Infirmary to Student and Faculty Support Services .......... $2,415,000
Schaub Food Science Building - Comprehensive Renovation ........................................ $10,515,500
Williams Hall Laboratory Building - Comprehensive Renovation .............................. $12,865,500
Polk Hall Laboratory Building - Comprehensive Renovation ....................................... $15,053,000
Leazar Hall Laboratory Building - Comprehensive Renovation ................................... $8,361,100
Daniels Hall Laboratory Building - Phase I - Comprehensive Renovation ................... $7,864,500
Jordan Hall Lab and Classroom Building - Addition .................................................... $13,553,300
Library - Addition ........................................................................................................ $9,193,900
Support Services Center - to Relocate Various Campus Services ................................ $10,335,800

Field Research Laboratories and Outlying
Research Facilities - Phase I ....................................................................................... $2,500,000
Horticulture Classroom at Arboretum Education Center ............................................... $500,000
Research Laboratory Space - Phase I ............................................................................. $18,900,000
Public Safety Facility ..................................................................................................... $4,704,000
College of Veterinary Medicine - Mechanical and Electrical System Improvements ........................................................................................................ $21,000,000
Technology Infrastructure Expansion ............................................................................ $2,424,100
Chilled Water Central Plant - North Campus ............................................................... $41,769,000
Chilled Water Brickyard Loop Extension and Cooling Tower ...................................... $2,913,800
Steam Distribution & Capacity Improvements (Sullivan Dr. Area) ............................... $3,244,100
Main Campus Infrastructure (Including Water System) ............................................... $9,330,700
College of Veterinary Medicine - Infrastructure ......................................................... $5,300,000

May 16, 2000
Centennial Campus - Infrastructure .................................................. 11,338,500
Land Acquisition ................................................................................. 2,100,000

Total North Carolina State University ............................................ $ 449,308,700

North Carolina School of the Arts
Basic Performance and Education Complex ........................................ 19,130,700
Stevens Center - Comprehensive Modernization and
Major Renovations ........................................................................... 4,434,500
Film Archives Building ....................................................................... 2,250,000
Student Services Support Complex .................................................. 2,500,000
Dance Costume Shop - Comprehensive Renovation ......................... 420,000
Workplace Building #2 - Comprehensive Renovation .................... 1,350,000
Crawford Hall and the Recital Hall - Comprehensive Renovation .... 499,900
Residence Hall .................................................................................. 1,832,100
Gray Classroom Building - Partial Renovation ............................... 1,787,700
Technology Infrastructure Expansion ............................................. 1,862,300
Renovation of DeMille Theatre ........................................................... 2,330,300
Land Acquisition .............................................................................. 4,150,000

Total North Carolina School of the Arts ............................................. $ 42,547,500

University of North Carolina at Asheville
Math and Science Building - Replacement of Rhodes
and Robinson Buildings ..................................................................... 22,203,200
Highsmith Center - Comprehensive Renovation
and Addition .................................................................................... 11,522,000
Carmichael Hall Classroom Building - Comprehensive
Renovation .......................................................................................... 5,524,200
Zageir Hall Classroom Building - Partial Renovation ..................... 2,569,100
Campus Primary Electrical Distribution
System Upgrade and Improvements .................................................. 1,023,800
Relocate Physical Plant Facilities .................................................... 6,318,900
Technology Infrastructure Expansion ............................................. 751,200

Total University of North Carolina at Asheville ............................. $ 49,912,400

University of North Carolina at Chapel Hill
Science Complex - Phase I ................................................................. 55,012,500
Science Complex - Phase II ............................................................... 33,437,500
Murphey Hall Classroom Bldg. - Comprehensive Renovation ....... 6,723,500
School of Medicine - Medical Research Bldg. -
Comprehensive Renovation of Classroom &
Laboratory Space .............................................................................. 12,895,000
New West Classroom Bldg. - Comprehensive Renovation .......... 4,500,000
Steele Bldg. - Comprehensive Renovation & Conversion
of Administrative Office Bldg. to a Classroom Bldg......................... 3,428,600
Saunders Hall Classroom Bldg. - Comprehensive Renovation ....... 4,194,100
Peabody Hall Classroom Bldg. - Comprehensive Renovation ...... 8,509,800
Memorial Hall - Comprehensive Renovation & Addition ............. 9,000,000
Smith Hall - Comprehensive Renovation ......................................... 1,355,200
Health Sciences Library - Comprehensive Renovation ................. 11,000,000

Total University of North Carolina at Chapel Hill ......................... $ 114,943,900

Total North Carolina Institutions ..................................................... $ 855,154,500

May 16, 2000
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<td>Institute of Marine Sciences Morehead City – Comprehensive Renovation from Lab to Classroom</td>
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<td>Science Bldg.</td>
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<td>D.F. Lowry Classroom Bldg. - Comprehensive Renovation</td>
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May 16, 2000
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<td>Business Administration Bldg. - Comprehensive Renovation</td>
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<td>Moore Classroom Hall - Comprehensive Renovation</td>
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<td>Replace Physical Plant Complex</td>
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<td>Renovation of Former Physical Plant Facility to Provide Relocation of Auxiliary Services Complex &amp; Student Bookstore</td>
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<td>Academic Facilities - Humanities &amp; Fine Arts</td>
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<td>Bird Bldg. - Renovation &amp; Conversion for Student Health Center</td>
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<td>Breese Gymnasium - Conversion to Academic Use</td>
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**Total Western Carolina University** $98,447,800

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<td>Health Center Bldg. &amp; Old Nursing Bldg. - Comprehensive Renovation for Student Health</td>
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<td>Replace Underground Steam and Hot Water Piping</td>
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**Total Winston-Salem State University** $42,276,200

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<td>North Carolina School of Science &amp; Math - Comprehensive Renovation of Bryan Center</td>
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<td>North Carolina School of Science and Math - Comprehensive Renovation of Royall Outreach Center</td>
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**Total - UNC Affiliated Institutions** $80,385,300

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<td>Fayetteville State University Seabrook Auditorium - Comprehensive Renovation</td>
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College of Veterinary Medicine - Research Addition and 
Renovation of Labs & Academic Space..........................675,000
College of Engineering Complex, Planning..........................3,200,000
Meat Processing Laboratory ........................................4,853,755
Research & Teaching Feed Mill .....................................2,582,000
Undergraduate Science Teaching Lab - Phase I....................4,586,000
University of North Carolina at Asheville
Highsmith Center - Comprehensive Renovation & Addition.............356,800
Justice Gym - Renovations...........................................195,000
University of North Carolina at Chapel Hill
Carolina Living & Learning Center..................................1,154,275
Memorial Hall - Comprehensive Renovation & Addition.............200,000
R.B. House Library - Renovations..................................9,898,700
University of North Carolina at Charlotte
Academic Facilities - Humanities....................................9,243,365
Science & Technology Building......................................2,183,736
University of North Carolina at Greensboro
Science Instructional Bldg. - Replace Petty Science Bldg............6,059,955
General Administration
Reserve for Land Acquisition........................................3,051,200
University of North Carolina at Pembroke
Economic Forum Building............................................244,600
University of North Carolina at Wilmington
School of Education Building - Planning.............................1,030,800
Western Carolina University
Academic Facilities - Humanities & Fine Art........................1,888,944
Winston-Salem State University
F.L. Atkins - Additions & Renovations................................4,159,840
Computer Science Facility - Planning..................................350,541
Total - Disaster Recovery Projects....................................72,006,405
Reserve for Repairs and Renovations and Cost Overruns..............25,186,595
TOTAL
$2,500,000,000

Section 2.(b) The Director of the Budget is empowered, when the Director of 
the Budget determines it is in the best interest of the State and the University to do so, and 
if the cost of a particular capital facility is less than the amount allocated for it, to use the 
excess funds to meet increased costs of other capital facilities itemized in this section and 
located at the same institution. The Director of the Budget shall report to the Joint 
Legislative Commission on Governmental Operations on changes made under this 
subsection. In addition, any capital facility and the amount of the allocation for it set forth 
above may be changed from time to time as the General Assembly may decide. The 
provisions of G.S. 116-11(9) with respect to appropriations to the Board of Governors of 
The University of North Carolina shall not apply to proceeds of university improvement 
general obligation bonds and notes issued pursuant to Article 2 of Chapter 116D of the 
General Statutes, as enacted by this act.

Section 2.(c) Allocations to the costs of a capital improvement or undertaking 
in each case may include allocations to pay the costs set forth in this act in connection 
with the issuance of university improvement general obligation bonds for that capital 
improvement or undertaking.

May 16, 2000
Section 2.(d) The validity of university improvement general obligation bonds and notes issued under Article 2 of Chapter 116D of the General Statutes, as enacted by this act, is not affected by any subsequent adjustment of allocations, or by any failure to comply with the reporting requirements provided in this act.

Section 2.(e) Bond proceeds allocated to the reserve for repairs and renovations and cost overruns may be used only for repairs and renovations for any of the institutions listed in this section and for additional costs needed for projects listed in this section due to cost overruns. The capital facilities for which bond proceeds in the reserve will be used shall be determined by the Board of Governors, subject to approval by the Director of the Budget. The Board of Governors shall include the details of all allocations made pursuant to this subsection in its periodic reports under G.S. 116D-3 to the Joint Legislative Commission on Governmental Operations.

Section 2.(f) It is the intent of the General Assembly that every effort will be made to preserve the architectural and historic fabric of the buildings being renovated pursuant to this Section.

Section 3. Proceeds of Community College General Obligation Bonds. -- (a) The proceeds of community college general obligation bonds and notes, including any premium thereon, except the proceeds of community college general obligation bonds the issuance of which has been anticipated by bond anticipation notes or the proceeds of refunding bonds or notes, shall be allocated and expended for paying the cost of community college capital facilities, to the extent and as provided in Article 4 of Chapter 116D of the General Statutes, as enacted by this act and subject to change as provided in this act, to be located at the following community colleges, campuses, and centers:

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<tr>
<th>SITE</th>
<th>NEW CONSTRUCTION</th>
<th>REPAIR &amp; RENOVATION</th>
<th>TOTAL</th>
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May 16, 2000
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<td>Cape-Hampstead Ctr.</td>
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May 16, 2000
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May 16, 2000
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Section 3.(b) Except as provided in this subsection, a community college may use the bond proceeds allocated in subsection (a) of this section for new construction only in accordance with the capital allocation formula adopted by the State Board of Community Colleges in March 2000. Except as provided in this subsection, a community college may use the bond proceeds allocated in subsection (a) of this section for repair and renovation only in accordance with the repair and renovation formula adopted by the State Board of Community Colleges in May 1998, as supplemented by additional repair and renovation needs determined by the State Board of Community Colleges as of April 2000. The following provisions govern reallocations:

May 16, 2000
(1) New Construction. -- Except as provided in this paragraph, new construction funds allocated in this section to a specific site may not be allocated to another site. If the local board of trustees of a community college determines that new construction funds allocated to a specific site are not needed at that site, the board may request that the State Board of Community Colleges reallocate those funds for new construction at another site of the community college. Except in the case of Maryland Community College, the funds may not be reallocated from a site outside the main campus county to a site within the main campus county. If the State Board of Community Colleges determines that the funds are not needed for new construction at the site for which they were originally allocated, it shall approve the reallocation to the other site and shall substitute the proposed facility at the other site in the Community Colleges System Office's application to the State Treasurer pursuant to G.S. 116D-43.

Each community college shall submit to the State Board of Community Colleges a statement (i) proposing the capital facilities to be financed with the proceeds of community college general obligation bonds allocated to that community college, (ii) certifying that the proposed site is included in the allocations in this section or is a substitute facility at another site because the funds are not needed for new construction at the site for which they are allocated in this section, (iii) certifying that the community college is prepared to proceed with the construction, acquisition, or improvement of the proposed capital facilities, and (iv) demonstrating that the applicable matching requirements have been or will be met.

Upon receipt by the State Board of Community Colleges of the information set forth above, the Board shall add the proposed capital facilities to the next application of the Community Colleges System Office to the State Treasurer to issue bonds pursuant to G.S. 116D-43.

The board of trustees of an individual community college may use funds allocated for new construction either for new construction or for repair and renovations.

(2) Repair and Renovations. -- The board of trustees of a community college may use funds allocated for repair and renovations only for repair and renovations, and not for new construction. Funds allocated for repair and renovations shall be directed by the local board of trustees of a community college among the State Board approved sites of the community college on the basis of need, subject to approval by the State Board of Community Colleges.

(3) Reallocation by General Assembly. -- The projected allocations set forth above may be changed from time to time as the General Assembly may decide.

Section 3.(c) Community colleges are not required to match bond proceeds allocated in this section for repair and renovations. The match requirements of Chapter 115D of the General Statutes apply to bond proceeds allocated in this section for new construction except as provided in this subsection. The consultant hired by the State Board of Community Colleges to determine funding formulas for the community college system developed an index to measure each county's ability to pay. The consultant found that some counties are unable to meet their local match requirement under Chapter 115D of the General Statutes because of inability to pay. The consultant recommended applying the "ability to pay" index to generate an adjusted matching rate. Accordingly, community
colleges are required to match bond proceeds allocated for new construction in this section only as follows: Community colleges assigned an adjusted matching rate of less than forty percent (40%) in the ability to pay portion of the formula adopted by the State Board of Community Colleges in March 2000 are not required to match, and community colleges assigned an adjusted matching rate of forty percent (40%) or more in the ability to pay portion of the formula are required to match only at the assigned rate.

Section 3.(d) If the State Board of Community Colleges determines that a community college has not met its matching requirements by July 1, 2006, with respect to a capital improvement project for which bond proceeds are allocated in this act, the Board shall certify that fact to the State Treasurer by October 1, 2006. All of these bond proceeds with respect to which the Board certifies that the matching requirement has not been met by July 1, 2006, shall be placed by the State Treasurer in a special account within the Community Colleges Bond Fund and shall be used for making grants to community colleges. Bond proceeds in the special account shall be allocated among the community colleges in accordance with the following conditions:

(1) The State Board of Community Colleges shall generate, by October 1, 2006, a priority ranking of legitimate community college capital improvement needs using a formula based on objective meaningful factors relevant to capital needs, including actual and projected enrollment, space requirements, current capacity, construction costs, and any other factors the State Board considers relevant.

(2) The State Board of Community Colleges shall provide the State Treasurer a projected allocation of the proceeds in the special account in accordance with this priority ranking, except that:
   a. No projected allocation shall be made for a community college that the Board certified in accordance with this subsection had failed to meet a matching requirement.
   b. No more than four million dollars ($4,000,000) shall be allocated to a single community college.
   c. Funds shall not be allocated for more than one project per community college.

(3) The proceeds of grants made from bond proceeds in the special account shall be allocated and expended for paying the cost of community college capital improvements in accordance with this allocation by the State Board of Community Colleges, to the extent and as provided in this act. The Director of the Budget is empowered, when the Director of the Budget determines it is in the best interest of the State and the North Carolina Community College System to do so, and if the cost of a particular project is less than the projected allocation, to use the excess funds to increase the size of that project or increase the size of any other project itemized in this section, or to increase the amount allocated to a particular community college within the aggregate amount of funds available under this section. The Director of the Budget shall consult with the Advisory Budget Commission and the Joint Legislative Commission on Governmental Operations before making these changes.

Section 3.(e) For all purposes of this act, the North Carolina Center for Applied Textile Technology is designated to be a community college, with a matching rate of less than forty percent (40%). The General Assembly finds and determines that such designation is reasonable in that the Center is subject to policies and regulations of the State Board of Community Colleges, is governed by a board of trustees consisting of the President of the North Carolina System of Community Colleges and other members

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appointed by the Governor, and has a legislative directive to (i) assist individual citizens of North Carolina in becoming contributing members of a well-qualified workforce and (ii) assist in identification of problems confronting the textile industry and in solving these problems through education, training, and technology transfer in partnership with the North Carolina Community College System.

Section 3.(f) Notwithstanding G.S. 143-341(3)a.2., G.S. 143-341(3) applies only to funds provided by this act for construction or renovation of community college buildings requiring an estimated expenditure of more than two hundred fifty thousand dollars ($250,000).

Section 3.(g) The validity of community college general obligation bonds and notes issued under Article 4 of Chapter 116D of the General Statutes, as enacted by this act, is not affected by any subsequent adjustment of allocations or matching requirements provided in this act, or by any failure to comply with matching requirements or reporting requirements provided in this act.

Section 4. Higher Education Bond Oversight Committee. -- (a) Creation and Membership. The Higher Education Bond Oversight Committee is established. The Committee shall be located administratively in the General Assembly. The Committee shall consist of 10 members appointed as provided below. In making appointments, each appointing officer shall select members who have appropriate experience and knowledge of the issues to be examined by the Committee and shall strive to ensure geographical diversity among the membership.

(1) Three members shall be appointed by the Speaker of the House of Representatives.

(2) Three members shall be appointed by the President Pro Tempore of the Senate.

(3) Two members shall be appointed by the Chair of the Board of Governors of The University of North Carolina.

(4) Two members shall be appointed by the Chair of the State Board of Community Colleges.

Section 4.(b) Terms. Terms on the Committee are for three years and begin on January 15, except the terms of the initial members, which begin on appointment. A member continues to serve until a successor is appointed. A vacancy shall be filled within 30 days by the officer who made the original appointment.

Section 4.(c) Duties. The Committee shall:

(1) Call for reports and presentations from the following parties and convene for the purpose of hearing from the following parties:
   a. The University Facilities Office of each institution of The University of North Carolina.
   c. The State Construction Office of the Department of Administration.
   d. The president of each community college, or the president's designee.
   e. The Administrative and Facilities Services Section of the North Carolina Community College System Office.
   f. The State Treasurer.

(2) Analyze and prepare recommendations, based on the information received under subdivision (1) of this subsection, concerning the following issues:
   a. Whether expenditures of the proceeds from the bonds issued under this act are in compliance with the provisions of this act.
b. Whether the awarded contracts are consistent with the budget and scope of the approved projects.

c. Whether changes in construction methods could enhance cost savings and promotion of on-time completion of projects.

d. Whether the bond issuances are adequately timed to reflect cash-flow requirements of the projects.

Section 4.(d) Reports. The Committee shall report semiannually to the Board of Governors of The University of North Carolina, the State Board of Community Colleges, and the Joint Legislative Commission on Governmental Operations.

Section 4.(e) Organization. The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair of the Committee. The Committee shall meet at least once a quarter upon the joint call of the cochairs. A quorum of the Committee is six members. No action may be taken except by a majority vote at a meeting at which a quorum is present.

Section 4.(f) Funding. From funds available to the General Assembly, the Legislative Services Commission shall allocate monies to fund the work of the Higher Education Bond Oversight Committee. Members of the Committee receive subsistence and travel expenses as provided in G.S. 120-3.1 and G.S. 138-5.

Section 4.(g) Staff. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Committee in its work. Upon the direction of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of Representatives shall assign clerical staff to the Committee. The expenses for clerical employees shall be borne by the Committee.

Section 4.(h) Expiration. The Higher Education Bond Oversight Committee terminates upon completion of all projects funded by bond proceeds issued under this act.

Section 5. Interpretation of Act. (a) Additional Method. -- This act provides an additional and alternative method for the doing of the things authorized by this act and shall be regarded as supplemental and additional to powers conferred by other laws. Except where expressly provided, this act shall not be regarded as in derogation of any powers now existing. The authority granted in this act is in addition to other laws now or hereinafter enacted authorizing The University of North Carolina to issue self-liquidating debt or other debt secured by designated sources of funds.

Section 5.(b) Statutory References. -- References in this act to specific sections or Chapters of the General Statutes are intended to be references to those sections or Chapters as they may be amended from time to time by the General Assembly.

Section 5.(c) Liberal Construction. -- This act, being necessary for the health and welfare of the people of the State, shall be liberally construed to effect its purposes.

Section 5.(d) Severability. -- If any provision of this act or its application to any person or circumstance is held invalid, that invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 6. Repair and Renovation Reports. -- 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 of the University's capital facilities, including a status report on all repair, renovation, and maintenance projects being undertaken and an assessment of needs 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 for the Repairs and Renovations Reserve Account to determine whether it adequately takes into account all of the appropriate maintenance needs of each constituent and affiliated institution, and shall recommend to the Joint Legislative Commission on Governmental
Operations and the Joint Legislative Education Oversight Committee any changes necessary to improve the formula. The Board shall make recommendations on the scope and adequacy of the methodology used to calculate the funding for the repairs and renovations reserve as specified in G.S. 143-15.2.

Section 7.(a) Minority Business Participation. -- The goals set by G.S. 143-128 for participation in projects by minority businesses apply to projects funded by the proceeds of bonds or notes issued under this act. The following State agencies shall monitor compliance with this requirement and shall report to the General Assembly by January 1 of each year on the participation by minority businesses in these projects. The State Construction Office, Department of Administration, shall monitor compliance with regard to projects funded by the proceeds of university improvement general obligation bonds and notes and special obligation bonds and notes; the Board of Governors of the University of North Carolina shall provide the State Construction Office any information required by the State Construction Office to monitor compliance. The Community Colleges System Office shall monitor compliance with regard to projects funded by the proceeds of community college general obligation bonds and notes.

Section 7.(b) The Department of State Treasurer shall provide contracting opportunities for historically underutilized businesses in providing professional services in connection with the issuance of bonds and notes authorized by this act. As used in this subsection, the term "historically underutilized business" means a business described in G.S. 143-48. The Department of State Treasurer shall strive to increase the amount of legal, financial, and other professional services acquired by it from historically underutilized businesses. With the assistance of the Office for Historically Underutilized Businesses in the Department of Administration, the Department of State Treasurer shall set objectives for contracting with these businesses, identify and eliminate barriers or constraints that may restrict these businesses from contracting with the Department, and develop a plan for meeting its objectives. The Department of State Treasurer shall report quarterly to the Office for Historically Underutilized Businesses on its progress in carrying out the requirements of this subsection.

Section 8. Equity in University Improvements. -- The Board of Governors of the University of North Carolina shall continue to study and monitor any inequities in funding for capital improvements and facilities needs which may still exist on North Carolina's Public Historically Black Colleges and Universities and the University of North Carolina at Pembroke, beyond the funding of the projects provided for in this act, and shall report annually to the Joint Legislative Commission on Governmental Operations on any remaining inequities found, including recommendations as to how those inequities should be addressed.

Section 9. Reserved.

Section 10. The question of the issuance of the bonds authorized by Articles 2 and 4 of Chapter 116D of the General Statutes, as enacted by this act, and authorized by Sections 2 and 3 of this act, shall be submitted to the qualified voters of the State at the statewide general election to be held in November 2000. Any other primary, election, or referendum validly called or scheduled by law at the time the election on the bond question provided for in this section is held may be held as called or scheduled. Notice of the election shall be given in the manner and at the times required by G.S. 163-33(8). The election and the registration of voters therefor shall be held under and in accordance with the general laws of the State. Absentee ballots shall be authorized in the election.

The State Board of Elections shall reimburse the counties of the State for all necessary expenses incurred in holding the election that are in addition to those that would have otherwise been incurred, the same to be paid out of the Contingency and Emergency Fund or other funds available to the State Board of Elections.

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Ballots, voting systems authorized by Article 14 of Chapter 163 of the General Statutes, or both may be used in accordance with rules prescribed by the State Board of Elections. The bond question to be used in the ballots or voting systems shall be in substantially the following form:

"[ ] FOR [ ] AGAINST
the issuance of State of North Carolina Higher Education Improvement Bonds, constituting general obligation bonds of the State secured by a pledge of the faith and credit and taxing power of the State for the purpose of providing funds, with any other available funds, to pay all or part of the cost of (i) renovating laboratories, classrooms, academic buildings, and worker training facilities and providing other capital improvements at the 59 institutions of the North Carolina Community College System in order to fulfill the mission of educating students and providing worker training essential to the North Carolina economy, and to address expected large increases in student enrollment, and (ii) renovating and replacing classrooms, laboratories, and academic buildings and providing other capital improvements at the 16 campuses of the constituent institutions, the affiliated institutions, and the Center for Public Television (UNC-TV) of the University of North Carolina System in order to meet large expected student enrollment increases, serve North Carolina by providing the education critical to the State's economy, and continue to provide UNC-TV public television to the State's viewers; in the amount of three billion one hundred million dollars ($3,100,000,000)."

If a majority of those voting on the bond question in the election vote in favor of the issuance of the bonds, the bonds may be issued as provided in this act. If a majority of those voting on the bond question in the election do not vote for the issuance of the bonds, the bonds shall not be issued.

The results of the election shall be canvassed and declared as provided by law for elections for State officers; the results of the election shall be certified by the State Board of Elections to the Secretary of State, in the manner and at the time provided by the general election laws of the State.

Section 11. This act is effective when it becomes law.

The Conference Report is placed on the Calendar for tomorrow, Wednesday, May 17, for adoption, upon second reading.

Upon motion of Senator Basnight, seconded by Senator Perdue, the Senate adjourns at 2:44 P.M. to meet tomorrow, Wednesday, May 17, at 12:00 Noon.

ONE HUNDRED EIGHTH DAY

Senate Chamber
Wednesday, May 17, 2000

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 love, an old wit has observed that when people are free to do as they please, they usually tend to imitate each other. How ironic that we seem so free, and yet how fettered we truly are. Keep us ever mindful that for people of faith, the only freedom worth having is that which is linked to Your gracious plan of salvation.

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“As we go about forging our pathways of free choice this day, help us to love You in order to better serve You. Help us to worship You in order to better obey You. Yoke us securely to Your law. Bend our lives to Your Will and draw us into Yourself. Then we shall truly be free. This we ask in Your Holy Name, Amen.”

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

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Tuesday, May 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 Mary Ann Turner from Clarkton, North Carolina, who is serving the Senate as Nurse of the Day.

REPORT OF COMMITTEE

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 Kinnaird for the State and Local Government Committee:

S.B. 1189, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF CHINA GROVE TO ALLOW THE TOWN TO OPERATE UNDER THE COUNCIL-MANAGER FORM OF GOVERNMENT, with a favorable report.

S.B. 1214, A BILL TO BE ENTITLED AN ACT AMENDING THE STATUTORY DEFINITION OF "SUBDIVISION" FOR THE PURPOSE OF SUBDIVISION REGULATION IN RICHMOND COUNTY, with a favorable report.

S.B. 1224, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON LEG-GRIPPING TRAPS IN DUPLIN COUNTY, with a favorable report.

CALENDAR

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

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, (3) TO RESTRICT THE NAMING OF STATE CONSTRUCTION PROJECTS FOR SITTING MEMBERS OF THE GENERAL ASSEMBLY AND THE COUNCIL OF STATE, Conference Report, for adoption, upon second reading, which changes the title to read S.B. 912 (Conference Report), A BILL TO BE ENTITLED AN

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ACT (1) TO AUTHORIZE THE ISSUANCE OF THREE BILLION ONE 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 AND (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.

Upon motion of Senator Rand, the Senate adopts the Conference Report on its second reading by roll-call vote, ayes 49, noes 0, as follows:


Voting in the negative: None.

The Conference Report remains on the Calendar for tomorrow, Thursday, May 17, for adoption, upon third reading.

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

RECOGNITION OF MRS. USA

With unanimous consent, upon motion of Senator Plyler, the privileges of the floor are extended to Mrs. USA, Mrs. Janice Ward of Mooresville, North Carolina. Senator Plyler, Senator Carrington, Senator Cochrane, Senator Forrester, Senator Odom, Senator Phillips, and Senator Purcell are appointed to escort Mrs. USA to the Well of the Senate. She is received with a standing ovation. Senator Plyler introduces her, after which she addresses the Senate.

The President Pro Tempore recognizes the Committee to escort the guest from the Chamber, who departs to a standing ovation.

Upon motion of Senator Ballance, seconded by Senator Purcell, the Senate adjourns in honor of the higher education bonds, subject to introduction of bills and resolutions, to meet tomorrow, Thursday, May 18, at 10:00 A.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 Forrester and Hoyle:

S.B. 1264, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MOUNT HOLLY TO ENTER INTO AN ANNEXATION AGREEMENT.

Referred to State and Local Government Committee and upon a favorable report, re-referred to the Finance Committee.

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By Senator Reeves:
S.B. 1265, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE QUALITY OF DOCUMENTS RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS.
Referred to Information Technology Committee.

By Senator Reeves:
S.B. 1266, A BILL TO BE ENTITLED AN ACT TO ADOPT THE UNIFORM ELECTRONIC TRANSACTIONS ACT.
Referred to Information Technology Committee.

By Senators Robinson, Carter, Clodfelter, Harris, Horton, Odom, Phillips, Purcell, Warren and Wellons:
S.B. 1267, A BILL TO BE ENTITLED AN ACT TO MODERNIZE BAIL BOND FORFEITURE PROCEEDINGS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S BAIL BOND LAWS COMMITTEE.
Referred to Judiciary II Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Warren, Carpenter, Carter, Dalton, Forrester, Foxx, Garwood, Hoyle, Kerr, Kinnaird, Lucas, Martin of Guilford, Odom, Reeves, Robinson, Rucho, Soles and Wellons:
S.B. 1268, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE FIREMAN'S AND RESCUE SQUAD WORKERS' PENSION FUND.
Referred to Pensions & Retirement and Aging Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Warren, Allran, Carpenter, Carter, Forrester, Garwood, Hagan, Horton, Hoyle, Kerr, Kinnaird, Lucas, Martin of Guilford, Odom, Phillips, Reeves, Robinson, Rucho, Soles and Wellons:
S.B. 1269, A BILL TO BE ENTITLED AN ACT TO LIMIT LIABILITY WHEN A PERSON USES AN AUTOMATED EXTERNAL DEFIBRILLATOR TO RENDER EMERGENCY HEALTH CARE TREATMENT TO ATTEMPT TO SAVE THE LIFE OF A PERSON WHO IS IN OR WHO APPEARS TO BE IN CARDIAC ARREST.
Referred to Judiciary I Committee.

By Senators Warren, Albertson, Carpenter, Carter, Clodfelter, Cooper, Dalton, Dannelly, Forrester, Garrou, Garwood, Hagan, Horton, Hoyle, Kerr, Kinnaird, Lucas, Martin of Guilford, Odom, Phillips, Purcell, Rand, Reeves, Robinson, Rucho, Soles, Weinstein and Wellons:
S.B. 1270, A BILL TO BE ENTITLED AN ACT TO AUTHORIZIE THE CHARTERING OF INDEPENDENT TRUST COMPANIES AND TO PERMIT BANKS AND TRUST COMPANIES TO CONDUCT A TRUST BUSINESS ON AN INTERSTATE BASIS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION.
Referred to Commerce Committee.

By Senator Reeves:
S.B. 1271, A BILL TO BE ENTITLED AN ACT TO FUND THE EXPANDED INFORMATIONS SYSTEMS AUDIT FUNCTION OF THE STATE AUDITOR, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON INFORMATION TECHNOLOGY.

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Referred to **Information Technology Committee** and upon a favorable report, referred to the **Appropriations/Base Budget Committee**.

By Senators Jordan, Gulley, Kinnaird and Lee:

**S.B. 1272**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF LEA ISLAND STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to **Agriculture/Environment/Natural Resources Committee**.

By Senators Jordan, Gulley, Kinnaird and Martin of Guilford:


Referred to **Rules and Operations of the Senate Committee**.

By Senators Jordan, Gulley and Martin of Guilford:


Referred to **Rules and Operations of the Senate Committee**.

By Senators Jordan, Carrington, Gulley, Horton, Kinnaird, Lee and Rand:

**S.B. 1275**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON NEW BILLBOARDS ALONG A DESIGNATED SECTION OF INTERSTATE 40, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to **Judiciary I Committee**.

By Senators Martin of Guilford, Ballance, Dannelly, Forrester, Hartsell, Kinnaird, Lucas, Phillips, Purcell and Wellons:

**S.B. 1276**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF PUBLIC INSTRUCTION AND THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY THE SCHOOL LUNCH, SCHOOL BREAKFAST, AND SUMMER FOOD SERVICE PROGRAMS AND TO MODIFY IMPLEMENTATION OF THOSE PROGRAMS AS ALLOWED UNDER CURRENT LAW; AND TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY THE FOOD STAMPS PROGRAM AND TO MODIFY IMPLEMENTATION OF THAT PROGRAM AS ALLOWED UNDER CURRENT LAW.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Martin of Guilford, Ballance, Dannelly, Forrester, Hartsell, Kinnaird, Lucas, Phillips, Purcell and Wellons:

**S.B. 1277**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE

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ADMINISTRATIVE OFFICE OF THE COURTS TO STUDY CERTAIN ASPECTS OF THE CHILD SUPPORT SYSTEM.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Martin of Guilford, Ballance, Dannelly, Forrester, Hartsell, Kinnaird, Lucas, Phillips, Purcell and Wellons:

S.B. 1278, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF CHILD DEVELOPMENT TO CONDUCT A MARKET RATE STUDY FOR CHILD CARE SUBSIDIES EVERY TWO YEARS; TO REQUIRE THAT THE RESULTS OF THE STUDY BE PUBLISHED AND NEW MARKET RATES IMPLEMENTED WITHIN SIX MONTHS AFTER THE STUDY IS COMPLETED; TO REQUIRE THAT CHILD CARE SUBSIDIES BE SET AT THE SEVENTY-FIFTH PERCENTILE OF THE COUNTY MARKET RATE; AND TO CHANGE THE WAY CHILD CARE SUBSIDIES ARE SET FOR THE 2000-2001 FISCAL YEAR.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Plyler and Purcell:

S.B. 1279, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN REQUIREMENTS RELATED TO LAND-USE RESTRICTIONS THAT APPLY GENERALLY TO RISK-BASED ENVIRONMENTAL CLEANUPS DO NOT APPLY TO CLEANUPS OF PETROLEUM FROM LEAKING UNDERGROUND STORAGE TANKS AND TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO CONTINUE TO STUDY THE APPLICATION OF LAND-USE RESTRICTIONS TO THE CLEANUP OF ENVIRONMENTAL DAMAGE FROM THESE TANKS THROUGH A STAKEHOLDER NEGOTIATION PROCESS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Hoyle and Purcell:

S.B. 1280, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROPERTY TAX TREATMENT OF A HEALTH CARE FACILITY UNDERTAKEN BY THE MEDICAL CARE COMMISSION PURSUANT TO THE HEALTH CARE FACILITIES FINANCE ACT, AND TO EXTEND THE SUNSET ON THE PROPERTY TAX EXEMPTION FOR CONTINUING CARE RETIREMENT CENTERS.

Referred to Finance Committee.

By Senator Hoyle:

S.B. 1281, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROVISIONS REGARDING SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE CITY OF CHERRYVILLE.

Referred to Pensions & Retirement and Aging Committee.

By Senators Ballance, Dannelly, Jordan and Lucas:

S.B. 1282, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE STATISTICS THE DIVISION OF CRIMINAL STATISTICS MUST COLLECT AND MAINTAIN ON TRAFFIC LAW ENFORCEMENT.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

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By Senators East, Carrington and Foxx:

S.B. 1283, A BILL TO BE ENTITLED AN ACT TO CORRECT THE CANDIDATE FILING DEADLINE FOR THE ASHE COUNTY BOARD OF EDUCATION.
Referred to State and Local Government Committee.

By Senators Foxx, Ballance, Hartsell, Kerr, Miller, Purcell and Webster:

S.B. 1284, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO REVISE OBSOLETE STATUTORY REFERENCES TO VARIOUS ADMINISTRATIVE PROCEDURE ACT PROVISIONS.
Referred to Judiciary II Committee.

By Senators Albertson, Jordan, Perdue and Shaw of Guilford:

S.B. 1285, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE BY WHICH THE HOLDER OF A STANDARD COMMERCIAL FISHING LICENSE OR A RETIRED STANDARD COMMERCIAL FISHING LICENSE WILL BE ALLOWED TO TAKE CRABS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Kinnaird and Lee:

S.B. 1286, A BILL TO BE ENTITLED AN ACT TO ALLOW RECALL ELECTIONS IN THE CITY OF RANDLEMAN.
Referred to State and Local Government Committee.

By Senators Warren, Albertson, Carrington, Clodfelter, Jordan, Kinnaird, Martin of Pitt, Perdue and Rand:

S.B. 1287, A BILL TO BE ENTITLED AN ACT TO ALLOW ADDITIONAL RETROACTIVE MEMBERSHIP IN THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND.
Referred to Pensions & Retirement and Aging Committee.

By Senators Clodfelter, Dannelly, Odom and Rucho:

S.B. 1288, A BILL TO BE ENTITLED AN ACT TO MODIFY AND CLARIFY THE PERMITTED PROCESS TO BE USED BY THE CITY OF CHARLOTTE IN CONNECTION WITH CERTAIN ZONING PETITIONS AND PERMITS.
Referred to Rules and Operations of the Senate Committee.

By Senators Clodfelter, Dannelly, Odom and Rucho:

S.B. 1289, A BILL TO BE ENTITLED AN ACT TO MODIFY AND CLARIFY THE PERMITTED PROCESS TO BE USED BY MECKLENBURG COUNTY IN CONNECTION WITH CERTAIN ZONING PETITIONS AND PERMITS.
Referred to Rules and Operations of the Senate Committee.

By Senators Clodfelter and Gulley:

S.B. 1290, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN POLITICAL ACTIVITIES BY BOARD OF ELECTIONS MEMBERS.
Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

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By Senators Hoyle, Clodfelter and Kerr:

**S.B. 1291**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE NORTH CAROLINA TAX POLICY COMMISSION TO INCREASE THE LEGISLATIVE MEMBERSHIP OF THE NORTH CAROLINA TAX POLICY COMMISSION.

Referred to State and Local Government Committee.

By Senator Harris:

**S.B. 1292**, A BILL TO BE ENTITLED AN ACT PERTAINING TO TIME REQUIREMENTS FOR THE INVESTIGATION OF COMPLAINTS UNDER THE PROTECTION OF THE ABUSED, NEGLECTED, OR EXPLOITED DISABLED ADULT ACT.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

**ADDITIONAL SPONSORS**

Senator Perdue requests to be added as a sponsor of previously introduced legislation:

**S.B. 1261**, A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYEE COMPENSATION AND PERFORMANCE EVALUATION PROVISIONS OF THE STATE PERSONNEL ACT, CHAPTER 126 OF THE GENERAL STATUTES, AND APPROPRIATING FUNDS FOR FULL IMPLEMENTATION OF THE STATE COMPENSATION PLAN.

Senator Carpenter requests to be added as a sponsor of previously introduced legislation:

**S.B. 1266**, A BILL TO BE ENTITLED AN ACT TO ADOPT THE UNIFORM ELECTRONIC TRANSACTIONS ACT.

Pursuant to Senator Ballance's motion to adjourn having prevailed, the Senate adjourns at 12:51 P.M.

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**ONE HUNDRED NINTH DAY**

Senate Chamber  
Thursday, May 18, 2000

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:

"Ever present God, it is not uncommon in our culture to compartmentalize You, to relegate You neatly to the Sabbath or the sanctuary, thinking that You are too Holy to have anything to do with common sense or our daily routines. But You are the God of everyday things. You reign over the interstate commute, the 3:00 committee meeting and all those legislative ham biscuits and assorted hors d’oeuvres.

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"Lord, You know so well the complex and mundane events that these Senators face each day. Draw near to them, we pray, that they may be reminded that You are not distant and unreal, but a God who is near and relevant to practical affairs. Your presence with us today will make even the most common moments sacred and joyful. We thank You for that refreshing thought and pray in Your Holy Name, Amen."

With unanimous consent, the President Pro Tempore grants leaves of absence for today to Senator Garrou, Senator Gulley and Senator Moore.

Senator Ballantine announces the Journal of yesterday, Wednesday, 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 Pro Tempore of the Senate extends courtesies of the floor to Dr. Charles Mann from Cary, North Carolina, who is serving the Senate as Doctor of the Day.

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. 1076, 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. (Became law upon approval of the Governor, May 17, 2000 – S.L. 2000-2.)

The Senate recesses at 10:11 A.M. to reconvene at 11:00 A.M. subject to the reading and introductions of bills.

INTRODUCTION OF BILLS

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

By Senators Purcell and Plyler:
S.B. 1293, A BILL TO BE ENTITLED AN ACT TO MODIFY THE TAX LIMIT FOR THE TOWN OF BADIN.
Referred to Finance Committee.

By Senator Wellons:
S.B. 1294, 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. 1295, A BILL TO BE ENTITLED AN ACT RELATING TO THE 11TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

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By Senator Wellons:
S.B. 1296, 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. 1297, 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. 1298, A BILL TO BE ENTITLED AN ACT RELATING TO THE 11TH SENATORIAL DISTRICT.
Referred to Judiciary I Committee.

By Senator Hartsell:
S.B. 1299, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO CODIFY AND CROSS-REFERENCE PROVISIONS OF THE GENERAL STATUTES AND SESSION LAWS GRANTING TEMPORARY RULE-MAKING AUTHORITY TO VARIOUS AGENCIES.
Referred to Judiciary I Committee.

By Senator Hartsell:
S.B. 1300, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MIDLAND, SUBJECT TO A REFERENDUM.
Referred to State and Local Government Committee and upon a favorable report, re-referred to the Finance Committee.

By Senator Hartsell:
S.B. 1301, A BILL TO BE ENTITLED AN ACT TO PLACE A MORATORIUM ON ANNEXATIONS AND INCORPORATION IN A DESIGNATED AREA OF CABARRUS COUNTY.
Referred to State and Local Government Committee.

By Senator Hartsell:
S.B. 1302, A BILL TO BE ENTITLED AN ACT TO ASSIST CABARRUS COUNTY WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES.
Referred to State and Local Government Committee.

By Senator Odom:
S.B. 1303, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TEMPORARY ENVIRONMENTAL SURTAX TO FUND CLEANUP OF DRY-CLEANING SOLVENT CONTAMINATION; TO DESIGNATE THE STATE SALES TAX REVENUE FROM DRY-CLEANING AND LAUNDRY SERVICES FOR THE DRY-CLEANING SOLVENT CLEANUP FUND; 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

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WHOLESALE DRY-CLEANING SOLVENT DISTRIBUTION FACILITIES; TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE USE OF DRY-CLEANING SOLVENTS IN NORTH CAROLINA, AND TO MAKE OTHER CHANGES IN THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to Finance Committee.

By Senators Hartsell, Dalton, Hoyle and Kerr:
S.B. 1304, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TRAINING OF MEMBERS OF THE PROPERTY TAX COMMISSION.
Referred to Rules and Operations of the Senate Committee.

By Senator Hartsell:
S.B. 1305, A BILL TO BE ENTITLED AN ACT TO ENACT REVISED ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE, CONFORMING AMENDMENTS TO OTHER ARTICLES OF THE UNIFORM COMMERCIAL CODE, AND CONFORMING AMENDMENTS TO OTHER SECTIONS OF THE GENERAL STATUTES AND TO INCREASE CERTAIN FEES UNDER CURRENT ARTICLE 9, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.
Referred to Judiciary I Committee and upon a favorable report, re-referred to the Finance Committee.

By Senator Hoyle:
S.B. 1306, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA.
Referred to Rules and Operations of the Senate Committee.

By Senator Hoyle:
S.B. 1307, A BILL TO BE ENTITLED AN ACT TO EXTEND THE FUNDING OF THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA.
Referred to Appropriations/Base Budget Committee.

By Senator Kerr:
S.B. 1308, A BILL TO BE ENTITLED AN ACT TO EXPAND THE DUTIES OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO INCLUDE CONSIDERATION OF BILLS WHICH AFFECT THE RULE-MAKING POWER OF AN AGENCY OR OTHERWISE AMEND THE ADMINISTRATIVE PROCEDURE ACT.
Referred to Judiciary II Committee.

By Senators Kerr and Hoyle:
S.B. 1309, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WITHHOLDING OF NORTH CAROLINA INCOME TAXES FROM CERTAIN PENSIONS.
Referred to Finance Committee.

By Senators Horton and Carrington:
S.B. 1310, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE ACTIVITIES OF THE SPECIAL OPERATIONS RESPONSE TEAM,

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INC., A NONPROFIT ORGANIZATION.

Referred to Appropriations/Base Budget Committee.

By Senators Lee, Carpenter and Odom:

S.B. 1311, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF THE MOUNTAINS TO SEA STATE PARK TRAIL TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Albertson, Clodfelter, Garwood, Hoyle, Kerr, Martin of Guilford, Martin of Pitt, Odom, Warren and Wellons:

S.B. 1312, 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 Albertson, Clodfelter, Dannelly, Garwood, Hoyle, Kerr, Martin of Guilford, Martin of Pitt, Odom, Warren and Wellons:

S.B. 1313, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ENDANGERED PLANT PROTECTION.

Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Clodfelter, Dannelly, Garwood, Hoyle, Kerr, Martin of Guilford, Martin of Pitt, Odom, Warren and Wellons:

S.B. 1314, A BILL TO BE ENTITLED AN ACT TO CREATE AN INCOME TAX CREDIT FOR TAXPAYERS INVESTING IN AGribusiness enterprises that add value to raw, north Carolina grown agricultural commodities.

Referred to Finance Committee.

By Senators Miller and Albertson:

S.B. 1315, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PRIVATE COUNSEL AND TO PROVIDE FOR THE RECOVERY OF COSTS AND ATTORNEYS' FEES IN CIVIL ACTIONS AGAINST A STATE EMPLOYEE WHEN THE STATE EMPLOYEE IS ALLEGED TO BE PERSONALLY LIABLE FOR DAMAGES FOR ANY OFFICIAL ACT OR OMISSION IN CONNECTION WITH THE ENFORCEMENT OF ENVIRONMENTAL LAWS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to Judiciary II Committee.

By Senator Miller:

S.B. 1316, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO AUTHORIZE THE BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS TO ADOPT RULES TO REQUIRE ADDITIONAL INFORMATION PRIOR TO THE REEXAMINATION OF AN APPLICANT; LIMIT THE NUMBER OF OFFICES A LICENSEE MAY SUPERVISE; AND CHANGE THE ANNUAL LICENSE RENEWAL DATE FOR BUSINESSES.

Referred to Judiciary II Committee.
By Senator Miller:

**S.B. 1317**, A BILL TO BE ENTITLED AN ACT TO IMPROVE AMBIENT AIR QUALITY, TO PROVIDE FOR THE USE OF ON-BOARD DIAGNOSTIC EQUIPMENT IN THE MOTOR VEHICLE EMISSIONS INSPECTION AND MAINTENANCE PROGRAM, AND TO INCREASE THE FEES THAT ARE CHARGED FOR MOTOR VEHICLE SAFETY AND EMISSIONS INSPECTIONS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to Agriculture/Environment/Natural Resources Committee and upon a favorable report, re-referred to the Finance Committee.

By Senators Dalton, Carpenter, Hartsell, Hoyle, Robinson and Weinstein:

**S.B. 1318**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN ENTERPRISE TIER TWO AREA MAY NOT BE REDESIGNATED AS A HIGHER-NUMBERED TIER AREA UNTIL IT HAS BEEN AN ENTERPRISE TIER TWO AREA FOR TWO CONSECUTIVE YEARS.

Referred to Finance Committee.

By Senators Dalton, Ballance, Hartsell and Hoyle:

**S.B. 1319**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE INCOME TAX CREDIT FOR JOB CREATION, TO MAKE A CORRECTION TO THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT, AND TO CLARIFY THAT A TAXPAYER WHO CLAIMS A TAX CREDIT UNDER THE WILLIAM S. LEE ACT LOSES ANY REMAINING INSTALLMENTS IF THE TAXPAYER CEASES TO ENGAGE IN AN ELIGIBLE BUSINESS.

Referred to Finance Committee.

By Senators Hoyle and Kerr:

**S.B. 1320**, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE COLLECTION OF TELECOMMUNICATIONS TAXES.

Referred to Finance Committee.

By Senators Warren and Albertson:

**S.B. 1321**, A BILL TO BE ENTITLED AN ACT TO INCLUDE FULL-TIME COUNTY FIRE MARSHALS IN THE FIREFIGHTERS' AND RESCUE SQUAD WORKERS' PENSION FUND.

Referred to Pensions & Retirement and Aging Committee.

By Senators Clodfelter, Ballantine, Carpenter, Foxx, Hoyle, Jordan and Odom:

**S.B. 1322**, A BILL TO BE ENTITLED AN ACT TO REVISE THE APPLICABLE INTEREST RATES ON LOANS MADE PURSUANT TO THE CONSUMER FINANCE ACT UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH A LOAN PROCESSING FEE FOR CERTAIN LOANS, TO ALLOW BORROWERS TO CANCEL LOANS UNDER CERTAIN CIRCUMSTANCES, TO ALLOW LENDERS TO CHARGE A LATE PAYMENT PENALTY UNDER CERTAIN CIRCUMSTANCES, TO REQUIRE DISCLOSURE ON SOLICITATION OF LOANS BY FACSIMILE OR NEGOTIABLE CHECKS, AND TO ALLOW LENDERS TO MAINTAIN CERTAIN RECORDS IN THE FORM OF OPTICAL IMAGE DISKS.

Referred to Rules and Operations of the Senate Committee.

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By Senators Ballance and Odom:

S.B. 1323, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE INDIGENT DEFENSE STUDY COMMISSION TO ESTABLISH AN OFFICE OF INDIGENT DEFENSE SERVICES.

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

By Senators Wellons, Clodfelter, Dannelly, Forrester, Harris, Kinnaird, Lucas, Martin of Guilford, Metcalf, Odom and Warren:

S.B. 1324, A BILL TO BE ENTITLED AN ACT TO PROVIDE STANDARDS FOR THE ESTABLISHMENT AND MAINTENANCE OF EXTERNAL REVIEW PROCEDURES IN HEALTH INSURANCE AND MANAGED CARE TO ASSURE THAT COVERED PERSONS HAVE THE OPPORTUNITY FOR AN INDEPENDENT REVIEW OF A HEALTH BENEFIT PLAN COVERAGE DECISION MADE BY THE INSURER OR MANAGED CARE PLAN; AND TO MAKE CONFORMING AMENDMENTS TO EXISTING LAWS ON UTILIZATION REVIEW AND GRIEVANCES.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Wellons, Albertson, Carter, Clodfelter, Dalton, Dannelly, Garrou, Harris, Kinnaird, Lucas, Martin of Guilford, Miller, Perdue, Purcell, Rucho, Warren and Weinstein:

S.B. 1325, A BILL TO BE ENTITLED AN ACT TO PROTECT PERSONS ENROLLED IN AN HMO FROM THE CONSEQUENCES OF THE INSOLVENCY OF THAT HMO BY AUTHORIZING ASSESSMENTS OF REMAINING HMOs IN THE STATE TO PAY FOR UNCOVERED EXPENDITURES OF AND CONTINUATION OF COVERAGE FOR THE ENROLLEES.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Wellons, Albertson, Carter, Clodfelter, Dalton, Dannelly, Forrester, Garrou, Harris, Hartsell, Kinnaird, Lucas, Martin of Guilford, Metcalf, Odom, Perdue, Purcell, Rand, Rucho, Warren and Weinstein:

S.B. 1326, 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 PROVIDE ORDINARY CARE.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Wellons, Allran, Carpenter, Clodfelter, Dalton, Dannelly, Forrester, Garrou, Hagan, Harris, Hartsell, Kinnaird, Lucas, Martin of Guilford, Metcalf, Odom, Perdue, Purcell, Rand and Warren:

S.B. 1327, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PROMPT PAYMENT OF CLAIMS UNDER HEALTH BENEFIT PLANS AND TO MAKE CONFORMING AMENDMENTS TO RELATED CLAIM PAYMENT LAWS.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Odom, Albertson, Ballance, Carrington, Carter, Clodfelter, Cooper, Dalton, Dannelly, Foxx, Garrou, Hagan, Harris, Hartsell, Horton, Hoyle, Jordan, Kerr,

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Kinnaird, Lee, Lucas, Martin of Guilford, Martin of Pitt, Metcalf, Miller, Perdue, Plyler, Purcell, Reeves, Robinson, Soles, Warren, Weinstein and Wellons:

S.B. 1328, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE, SUPPORT, AND ACCELERATE THE PERMANENT PROTECTION OF FARMLAND, FORESTLAND, PARKLAND, GAMELAND, WETLANDS, OPEN SPACE, AND CONSERVATION LANDS IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Odom, Albertson, Clodfelter, Dannelly, Kinnaird, Martin of Guilford, Martin of Pitt and Weinstein:

S.B. 1329, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ADDITIONAL NOTICE OF AN APPLICATION FOR A PERMIT UNDER THE MINING ACT OF 1971, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Odom, Albertson, Clodfelter, Dalton, Dannelly, Horton, Kinnaird, Martin of Guilford, Martin of Pitt and Weinstein:

S.B. 1330, A BILL TO BE ENTITLED AN ACT TO PROVIDE A NEW TAX CREDIT AS AN INCENTIVE FOR INVESTING IN DRY-CLEANING AND WET-CLEANING EQUIPMENT THAT DOES NOT USE HAZARDOUS SUBSTANCES AS SOLVENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to Finance Committee.

By Senators Odom, Albertson, Clodfelter, Dannelly, Horton, Kinnaird, Martin of Guilford, Martin of Pitt and Weinstein:

S.B. 1331, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET OF THE WHITE GOODS TAX AND TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY ISSUES RELATED TO THE SCRAP TIRE DISPOSAL TAX AND THE WHITE GOODS DISPOSAL TAX, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to Finance Committee.

By Senators Foxx, Cochrane, East, Forrester, Lucas and Odom:

S.B. 1332, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF BULLHEAD MOUNTAIN STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Carter, Harris, Hoyle, Kerr, Martin of Pitt, Metcalf, Purcell and Robinson:

S.B. 1333, A BILL TO BE ENTITLED AN ACT TO REQUIRE ESTABLISHMENTS THAT PREPARE OR SERVE FOOD TO A CERTAIN NUMBER OF REGULAR BOARDERS OR PERMANENT HOUSEGUESTS COMPLY WITH STATE FOOD SANITATION REQUIREMENTS.

Referred to Commerce Committee.

By Senator Soles:

S.B. 1334, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE

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TOWN OF TABOR CITY.

Referred to State and Local Government Committee and upon a favorable report, re-referred to the Finance Committee.

By Senator Hartsell:
S.B. 1335, 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 Senators Odom and Rand:
S.B. 1336, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT STORMWATER UTILITY FEES MAY BE USED TO FUND ALL COSTS OF STORMWATER MANAGEMENT PROGRAMS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senator Odom:
S.B. 1337, A BILL TO BE ENTITLED AN ACT TO PREVENT INAPPROPRIATE DEVELOPMENT IN THE ONE HUNDRED-YEAR FLOODPLAIN AND TO REDUCE FLOOD HAZARDS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Martin of Guilford and Lucas:
S.B. 1338, 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 AND ONE AT NORTH CAROLINA CENTRAL UNIVERSITY.
Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senator Martin of Guilford:
S.B. 1339, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ABILITY OF THE DIVISION OF SOCIAL SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, AND OF THE DISTRICT COURT TO PROTECT JUVENILES FROM VIOLENCE-PRONE CAREGIVERS.
Referred to Judiciary II Committee.

By Senators Wellons, Carpenter and Martin of Guilford:
S.B. 1340, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUS OF A GUARDIAN OF THE PERSON OF A JUVENILE.
Referred to Judiciary II Committee.

By Senators Albertson and Horton:
S.B. 1341, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DE MINIMIS REPORTING EXCEPTION TO ALL DISCHARGES OF PETROLEUM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.
Referred to Agriculture/Environment/Natural Resources Committee.

May 18, 2000
By Senators Albertson and Wellons:

**S.B. 1342**, A BILL TO BE ENTITLED AN ACT TO REAUTHORIZE THE COMMISSION ON SMALL FAMILY FARM PRESERVATION.

Referred to Rules and Operations of the Senate Committee.

By Senators Reeves, Kerr and Wellons:

**S.B. 1343**, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA RURAL INTERNET ACCESS AGENCY.

Referred to Information Technology Committee.

By Senators Jordan and Perdue:

**S.B. 1344**, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO ABANDON VESSELS IN COASTAL WATERS AND TO AUTHORIZE THE REMOVAL OF ABANDONED VESSELS AND THE RECOVERY OF COSTS FOR REMOVAL, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to Judiciary II Committee.

By Senator Reeves:

**S.B. 1345**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE POWERS AND DUTIES OF THE SECRETARY OF COMMERCE REGARDING INFORMATION TECHNOLOGY MATTERS AND TO REESTABLISH THOSE POWERS AND DUTIES WITHIN THE OFFICE OF THE GOVERNOR, AND TO MAKE OTHER CHANGES IN THE LAWS REGARDING INFORMATION TECHNOLOGY RELATED STATE GOVERNMENT FUNCTIONS.

Referred to Information Technology Committee.

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives
May 17, 2000

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 May 17, 2000, Leonard B. Sossamon, Jr. has been administered the oath of office as a Member of the House of Representatives for the remainder of the 1999 General Assembly. Representative Sossamon has been seated to fill the vacancy created by the resignation of Representative Richard L. Moore, from the Ninetieth District.

Respectfully,
S/Denise Weeks
Principal Clerk

**RECESS**

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

May 18, 2000
With unanimous consent, the President grants a leave of absence for the remainder of today’s Session to Senator Kinnaird and Senator Rucho.

CALANDER

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

S.B. 1224, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON LEG-GRIFFING TRAPS IN DUPLIN COUNTY.

With unanimous consent, upon motion of Senator Albertson, the bill is withdrawn from today’s Calendar and is re-referred to the State and Local Government Committee.

S.B. 1189, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF CHINA GROVE TO ALLOW THE TOWN TO OPERATE UNDER THE COUNCIL-MANAGER FORM OF GOVERNMENT.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1214, A BILL TO BE ENTITLED AN ACT AMENDING THE STATUTORY DEFINITION OF "SUBDIVISION" FOR THE PURPOSE OF SUBDIVISION REGULATION IN RICHMOND COUNTY.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

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 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, Conference Report, for adoption, upon third reading, which changes the title to read S.B. 912 (Conference Report), A BILL TO BE ENTITLED AN ACT (1) TO AUTHORIZE THE ISSUANCE OF THREE BILLION ONE 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 AND (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.

Upon motion of Senator Rand, 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.
The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

COMMITTEE REFERRAL RECALL

S.B. 1226, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR OSTEOSPOROSIS AWARENESS AND PREVENTION, referred to the Finance Committee on May 15.

Pursuant to Rule 47(a), Senator Rand 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.

S.B. 1227, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE PROFESSIONALISM AND EFFICIENCIES IN THE STATE PURCHASING PROGRAM BY TRAINING AND CERTIFYING GOVERNMENT PROCUREMENT PERSONNEL AND BY EXPANDING THE NUMBER OF PURCHASERS USING THE PROGRAM, referred to the Finance Committee on May 15.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Finance Committee and re-referred to the Education/Higher Education Committee, and upon a favorable report, 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 Education/Higher Education Committee, and upon a favorable report, the bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 1269, A BILL TO BE ENTITLED AN ACT TO LIMIT LIABILITY WHEN A PERSON USES AN AUTOMATED EXTERNAL DEFIBRILLATOR TO RENDER EMERGENCY HEALTH CARE TO ATTEMPT TO SAVE THE LIFE OF A PERSON WHO IS IN OR WHO APPEARS TO BE IN CARDIAC ARREST, referred to the Judiciary I Committee on May 17.

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 Judiciary II 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 Judiciary II Committee.

WITHDRAWAL FROM CLERK'S OFFICE

S.B. 1260, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC RECORDS LAW TO PROTECT THE INTEGRITY OF ELECTRONIC RECORDS

May 18, 2000
WITHIN THE STATE'S COMPUTER SYSTEMS, ordered held in the Office of the Principal Clerk on May 16, pending referral to committee.

Senator Rand, Chairman of the Rules and Operations of the Senate Committee, announces the referral of the bill to the Information Technology Committee.

COMMITTEE REFERRAL RECALL

S.R. 1228, A SENATE RESOLUTION HONORING THE LIFE AND MEMORY OF LORD GEORGE ANSON FOR WHOM ANSON COUNTY IS NAMED UPON THE COUNTY'S 250TH ANNIVERSARY, referred to the Rules and Operations of the Senate Committee on May 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 before the Senate for immediate consideration, 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 before the Senate for immediate consideration.

Upon motion of Senator Plyler, the Senate resolution is adopted 35-0.

Upon motion of Senator Basnight, seconded by Senator Hartsell, the Senate adjourns subject to receipt of messages from the House of Representatives, to meet Monday, May 22, at 7:00 P.M.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

S.B. 912

House of Representatives
May 18, 2000

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 Comm. Sub. # 2 for SB 912, A BILL TO BE ENTITLED AN ACT (1) TO AUTHORIZE THE ISSUANCE OF THREE BILLION ONE 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 AND (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, 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 for S.B. 912, the bill is ordered enrolled and sent to the Governor.

May 18, 2000
Pursuant to Senator Basnight’s motion to adjourn having prevailed, the Senate adjourns at 11:48 A.M.

ONE HUNDRED TENTH DAY

Senate Chamber
Monday, May 22, 2000

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, give us the courage and insight today to see Your movements among us. We say that we stand here expectantly in prayer because we want to draw close to You, but then when You do come close, we are discomforted. We want You to speak to us, but not in a way that disrupts our lives.

“Lord, keep near to us and keep blessing us with Your unexpected intrusions. Keep bringing us life and light, keep intruding upon our darkness with Your great light. For in Your light is our life. This we ask in Your Holy Name, Amen.”

With unanimous consent, the President grants leaves of absence for tonight to Senator Gulley and Senator Warren.

Senator Basnight, President Pro Tempore, announces the Journal of Thursday, 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. John Graham, Jr. from Kitty Hawk, North Carolina, who is serving the Senate as Doctor of the Day, and to Dennis Sherrod from Sims, 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. 912, AN ACT (1) TO AUTHORIZE THE ISSUANCE OF THREE BILLION ONE 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 AND (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.

May 22, 2000
INTRODUCTION OF BILLS

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

By Senators Rucho, Clodfelter, Dannelly and Odom:

S.B. 1346, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF CHARLOTTE TO PURCHASE PUBLIC TRANSIT EQUIPMENT USING THE COMPETITIVE PROPOSAL METHOD OF PROCUREMENT.
Referred to State and Local Government Committee.

By Senator Phillips:

S.B. 1347, A BILL TO BE ENTITLED AN ACT TO MANDATE THE ASSESSMENT OF DRIVERS LICENSE POINTS FOR FAILURE TO RESTRAIN A CHILD IN A MOTOR VEHICLE.
Referred to Judiciary II Committee.

By Senator Phillips:

Referred to Pensions & Retirement and Aging Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senator Warren:

S.B. 1349, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BEAUFORT.
Referred to Rules and Operations of the Senate Committee.

By Senator Hagan:

S.B. 1350, A BILL TO BE ENTITLED AN ACT RELATING TO THE 32ND SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Harris:

S.B. 1351, 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. 1352, A BILL TO BE ENTITLED AN ACT RELATING TO THE 15TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Hagan:

S.B. 1353, A BILL TO BE ENTITLED AN ACT RELATING TO THE 32ND
SENATORIAL DISTRICT.
    Referred to Rules and Operations of the Senate Committee.

By Senators Odom, Clodfelter, Dannelly and Rucho:
S.B. 1354, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MECKLENBURG COUNTY TO MATCH FEDERAL INDEPENDENT LIVING FUNDS IN THE EVENT THE STATE DOES NOT PROVIDE MATCHING FUNDS.
    Referred to State and Local Government Committee.

By Senators Rand, Carter, Cooper, Hagan, Hoyle, Miller, Phillips, Soles and Weinstein:
S.B. 1355, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SUMMIT HOUSE.
    Referred to Appropriations/Base Budget Committee.

By Senator Jordan:
S.B. 1356, 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. 1357, A BILL TO BE ENTITLED AN ACT RELATING TO THE 7TH SENATORIAL DISTRICT.
    Referred to Rules and Operations of the Senate Committee.

By Senator Cooper:
S.B. 1358, A BILL TO BE ENTITLED AN ACT RELATING TO THE 10TH SENATORIAL DISTRICT.
    Referred to Rules and Operations of the Senate Committee.

By Senator Horton:
S.B. 1359, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF WINSTON-SALEM.
    Referred to Rules and Operations of the Senate Committee.

By Senator Horton:
S.B. 1360, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF FORSYTH.
    Referred to Rules and Operations of the Senate Committee.

By Senators Albertson, Carpenter, Carrington, Clodfelter, Cochrane, Cooper, Dannelly, East, Forrester, Garwood, Hartsell, Martin of Guilford, Perdue, Purcell, Reeves, Warren and Wellons:
S.B. 1361, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR NORTH CAROLINA STATE UNIVERSITY TO DEVELOP NEW AND IMPROVED STRAWBERRY VARIETIES THAT WILL HELP INCREASE THE STATE'S MARKET SHARE OF FRESH STRAWBERRY PRODUCTION.
    Referred to Appropriations/Base Budget Committee.

May 22, 2000
By Senators Forrester and Hoyle:
S.B. 1362, A BILL TO BE ENTITLED AN ACT RELATING TO THE DISPOSAL OF PERSONAL PROPERTY BY GASTON COUNTY.
Referred to State and Local Government Committee.

By Senator Soles:
S.B. 1363, A BILL TO BE ENTITLED AN ACT ALLOWING THE CITY OF WHITEVILLE TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS.
Referred to Finance Committee.

By Senator Hartsell:
S.B. 1364, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CABARRUS BOARD OF EQUALIZATION AND REVIEW TO MEET AFTER ITS FORMAL ADJOURNMENT.
Referred to Finance Committee.

By Senator Shaw of Cumberland:
S.B. 1365, 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 Transportation Committee and upon a favorable report, re-referred to the Finance Committee.

By Senator Purcell:
S.B. 1366, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SCOTLAND.
Referred to Rules and Operations of the Senate Committee.

By Senator Purcell:
S.B. 1367, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A PUBLIC PURPOSE.
Referred to Rules and Operations of the Senate Committee.

By Senator Plyler and Purcell:
S.B. 1368, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF FAIRVIEW.
Referred to Rules and Operations of the Senate Committee.

APPOINTMENTS BY THE GOVERNOR

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
20301 MAIL SERVICE CENTER•RALEIGH, NC 27699-0301
The Honorable Dennis Wicker
Lieutenant Governor
State Capitol
Raleigh, NC 27603-8006

Dear Lieutenant Governor:

Pursuant to North Carolina General Statute 135-6, I hereby reappoint 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. Please also note the attached resumes of these individuals.

- Mr. Kevin G. Harris, reappointed for a term expiring on March 31, 2004.
- Mr. Leigh S. Wilson, reappointed for a term expiring on March 31, 2004.

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 Pensions & Retirement and Aging Committee.

EXECUTIVE ORDER

An Executive Order received is presented to the Senate, read, and ordered filed in the Office of the Principal Clerk, as follows (See Appendix):

Executive Order Number 170, Amending and Extending Executive Order No. 134.

RECOGNITION OF ATHLETES FROM RUTHERFORD COUNTY

Upon motion of Senator Dalton, privileges of the floor are extended to the 1999 State 3-A Championship Soccer Team from Rutherfordton-Spindale Central High School, and to Rocky Bilotta, the North Carolina Men’s 3-A 3200 Meter Track Champion, also from Rutherfordton-Spindale Central High School. The Sergeant-at-Arms is directed to escort the guests to the Well of the Senate. The guests are received with a standing ovation.

Senators Dalton and guests are recognized for remarks to the Senate. The President congratulates the athletes and they depart to a standing ovation.

May 22, 2000
The President recognizes the following pages serving in the Senate this week:

Adam D. Hand, Smithfield; James Sheridan Lee, Garner; Crystal McInnis, Laurinburg; Brett Stephen Miller, Gastonia; John Christopher Miller, Gastonia; Ebony Michelle Morrison, Jacksonville; Paul Timothy O'Donohue, Gastonia; Derone Denardous Penn, Winston-Salem; Amy Elizabeth Queen, Gastonia; Nichole L. Reavis, Durham; Evelean Simms, Durham; Jessica Walter, N. Wilkesboro; Samantha Weerakoon, Gastonia; and Brenton West, Chapel Hill.

Upon motion of Senator Basnight, seconded by Senator Cochrane, the Senate adjourns at 7:30 P.M. to meet tomorrow, Tuesday, May 23, at 3:00 P.M.

ONE HUNDRED ELEVENTH DAY

Senate Chamber
Tuesday, May 23, 2000

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, the heat is on, the e-mail is already backing up, and the reminders on the Palm Pilots are growing by the hour. ‘Should do,’ ‘ought to do,’ ‘must do.’ ‘Should be,’ ‘ought to be,’ ‘must be.’ If ever there were code words of guilt, these are they. It’s interesting, though, that Jesus didn’t say you ought to be the salt of the earth and the light of the world, He said you are salt and light. What a great gift of confidence and hope He bestowed upon us with those simple words.

"On our own sometimes, we feel so insignificant in the great scheme of things. Yet to us have been given the very words of life. On the surface they aren’t all that impressive. He didn’t tell us we would be earthquakes or public address systems, just salt and light. There is a rich subtlety in that divine charge in which fragile, ordinary substances become the very catalysts of life. ‘You are the salt of the earth and the light of the world.’

"Oh dear God, I think that should keep us busy for today. Keep us faithful we pray, in Your Holy Name, Amen."

Senator Clodfelter announces the Journal of yesterday, Monday, May 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. John Ebert from Charlotte, North Carolina, who is serving the Senate as Doctor of the Day, and to Cheryle Traish from Rocky Mount, 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. 973 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES CONCERNING THE ISSUANCE OF A MARRIAGE 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 A224, which changes the title upon concurrence to read H.B. 973 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES ALLOWING A SUPERIOR COURT JUDGE TO PERFORM MARRIAGE CEREMONIES, 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 Senators Moore and Garwood:
S.B. 1369, A BILL TO BE ENTITLED AN ACT RELATING TO THE 27TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senators Moore and Garwood:
S.B. 1370, A BILL TO BE ENTITLED AN ACT RELATING TO THE 27TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senators Garwood and Moore:
S.B. 1371, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALEXANDER COUNTY MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS CORRECTIONAL FACILITIES.
Referred to Finance Committee.

By Senators Ballantine, Carpenter, Cochrane, Foxx and Warren:
S.B. 1372, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A JUDGE MAY SENTENCE A PERSON TO ACTIVE TIME FOR A DRUG OFFENSE.
Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Ballantine, Carpenter, Cochrane and Foxx:
S.B. 1373, A BILL TO BE ENTITLED AN ACT TO RECLASSIFY GHB AS A SCHEDULE I CONTROLLED SUBSTANCE RATHER THAN A SCHEDULE IV CONTROLLED SUBSTANCE, TO PROVIDE THAT CERTAIN DRUG PRODUCTS CONTAINING GHB SHALL BE CLASSIFIED AS SCHEDULE III CONTROLLED SUBSTANCES, AND TO ADD GAMMA-BUTYROLACTONE ACID TO THE LIST OF PRECURSOR CHEMICALS THAT IT IS UNLAWFUL TO POSSESS OR DISTRIBUTE WITH THE INTENT TO MANUFACTURE AS A CONTROLLED SUBSTANCE.
Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

May 23, 2000
By Senators Plyler and Purcell:

S.B. 1374, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THREE ADDITIONAL COOPERATIVE EXTENSION SERVICE AREA SPECIALIZED FIELD FACULTY POSITIONS AT NORTH CAROLINA STATE UNIVERSITY.

Referred to Appropriations/Base Budget Committee.

By Senator Ballance:

S.B. 1375, A BILL TO BE ENTITLED AN ACT RELATING TO THE 2ND SENATORIAL DISTRICT.

Referred to Rules and Operations of the Senate Committee.

By Senator Ballance:

S.B. 1376, A BILL TO BE ENTITLED AN ACT RELATING TO THE 2ND SENATORIAL DISTRICT.

Referred to Rules and Operations of the Senate Committee.

By Senator Harris:

S.B. 1377, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LEE COUNTY TO LEVY A ONE-CENT LOCAL SALES AND USE TAX FOR PUBLIC SCHOOL CAPITAL OUTLAY PURPOSES AND COMMUNITY COLLEGE PLANT FUND PURPOSES, IF APPROVED BY THE VOTERS OF THE COUNTY.

Referred to Finance Committee.

By Senator Harris:

S.B. 1378, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HARNETT COUNTY TO LEVY A ONE-CENT LOCAL SALES AND USE TAX FOR PUBLIC SCHOOL CAPITAL OUTLAY PURPOSES, IF APPROVED BY THE VOTERS OF THE COUNTY.

Referred to Finance Committee.

By Senator Harris:

S.B. 1379, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF BROADWAY TO ALLOW THE MAYOR TO BE ELECTED IN THE SAME YEARS AS TWO TOWN COMMISSIONERS.

Referred to State and Local Government Committee.

By Senator Kerr:

S.B. 1380, A BILL TO BE ENTITLED AN ACT RELATING TO THE 8TH SENATORIAL DISTRICT.

Referred to Rules and Operations of the Senate Committee.

By Senators Kerr, Ballance, Dannelly, Hoyle, Metcalf, Perdue, Purcell and Soles:

S.B. 1381, A BILL TO BE ENTITLED AN ACT TO REALLOCATE THE PROCEEDS OF THE CLEAN WATER BONDS.

Referred to Agriculture/Environment/Natural Resources Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senator East:

S.B. 1382, A BILL TO BE ENTITLED AN ACT TO EXEMPT SURRY COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION AND

May 23, 2000
EXPANSION OF A BUILDING TO BE USED AS A MULTIPURPOSE FACILITY.
Referred to State and Local Government Committee.

By Senators Rand, Ballantine, Carpenter, Hagan, Metcalf and Warren:
S.B. 1383, 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 Rand, Dannely, Forrester, Hagan, Hoyle, Plyler, Purcell and Warren:
S.B. 1384, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE
TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL
PLAN.
Referred to Health Care Committee.

By Senators Rand and Warren:
S.B. 1385, 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.
Referred to Rules and Operations of the Senate Committee.

By Senators Rand and Warren:
S.B. 1386, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR
CAPITAL EXPENDITURES FOR THE TEACCH PROGRAM.
Referred to Appropriations/Base Budget Committee.

By Senators Rand and Warren:
S.B. 1387, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO
SUPPORT PROGRAMS OF THE AUTISM SOCIETY OF NORTH CAROLINA.
Referred to Appropriations/Base Budget Committee.

By Senators Odom and Dannely:
S.B. 1388, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO
THE NORTH CAROLINA HUMANITIES COUNCIL.
Referred to Appropriations/Base Budget Committee.

By Senators Odom, Clodfelter, Dannely and Rucho:
S.B. 1389, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR
A SUPERIOR COURT JUDGE IN THE SET OF SUPERIOR COURT DISTRICTS IN
MECKLENBURG COUNTY.
Referred to Appropriations/Base Budget Committee.

By Senator Odom:
S.B. 1390, A BILL TO BE ENTITLED AN ACT TO ADD AN ADDITIONAL
DISTRICT COURT JUDGE IN DISTRICT COURT DISTRICT ONE AND TO
APPROPRIATE FUNDS FOR THAT PURPOSE.
Referred to Appropriations/Base Budget Committee.

By Senators Clodfelter, Dannely and Odom:
S.B. 1391, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE
THE CHARTER OF THE CITY OF CHARLOTTE.
Referred to State and Local Government Committee and upon a favorable report,
re-referred to the Finance Committee.
By Senators Phillips, Allran, Ballance, Carpenter, Carter, Clodfelter, Cochrane, Dalton, Dannelly, East, Forrester, Garwood, Harris, Horton, Hoyle, Kerr, Kinnaird, Lee, Lucas, Martin of Guilford, Metcalf, Miller, Moore, Odom, Perdue, Plyler, Purcell, Rand, Reeves, Robinson, Rucho, Shaw of Guilford, Soles, Weinstein and Wellons:

S.B. 1392, 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 and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Clodfelter, Dannelly, Odom and Rucho:

S.B. 1393, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REPLACE EXISTING TEMPORARY POSITIONS WITH PERMANENT ASSISTANT DISTRICT ATTORNEY POSITIONS IN PROSECUTORIAL DISTRICT 26.

Referred to Appropriations/Base Budget Committee.

By Senator Martin of Guilford:

S.B. 1394, A BILL TO BE ENTITLED AN ACT RELATING TO THE 19TH, 31ST, AND 32ND SENATORIAL DISTRICTS.

Referred to Rules and Operations of the Senate Committee.

By Senators Martin of Guilford, Carter, Dannelly, Garrou and Garwood:

S.B. 1395, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CLOSE THE ACADEMIC ACHIEVEMENT GAP THAT EXISTS IN THE PUBLIC SCHOOLS.

Referred to Appropriations/Base Budget Committee.

By Senator Allran:

S.B. 1396, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF HICKORY.

Referred to Rules and Operations of the Senate Committee.

By Senators Wellons and Harris:

S.B. 1397, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A JUDICIAL ASSISTANT POSITION IN SUPERIOR COURT DISTRICT 11B.

Referred to Appropriations/Base Budget Committee.

By Senator Wellons:

S.B. 1398, A BILL TO BE ENTITLED AN ACT TO INCREASE FEES PAID BY INSURANCE LICENSE APPLICANTS; TO EQUALIZE RESIDENT AND NONRESIDENT INSURANCE BROKER LICENSE FEES; AND TO MAKE NORTH CAROLINA INSURANCE PRODUCER LICENSING LAWS COMPLY WITH THE RECIPROCITY REQUIREMENTS IN THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102.

Referred to Insurance Committee and upon a favorable report, re-referred to the Finance Committee.

Upon motion of Senator Clodfelter, seconded by Senator Shaw of Guilford, the Senate adjourns at 3:22 P.M. to meet tomorrow, Wednesday, May 24, at 3:00 P.M.
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 Lord God, in the parable of the wheat and the tares, the laborers complained to the landowner when they found his field of wheat choked with noxious weeds. When the laborers offered to tear out the offensive plants, the landowner scolded their premature judgement.

"We confess, oh God, that we are quick to judge those who keep our well tended gardens from being just the way we want them to be. We are disturbed by those who thwart our best intentions and stand in the way of our initiatives, and we are mystified as to why You tolerate all those weeds mixed in with Your good crop.

"Give us patience to live with such ambiguity as this, trusting in Your justice and Your timing, knowing that in the long run, evil will never have the last word in destroying what You have so graciously planted. We make our prayer in Your Holy Name, Amen."

With unanimous consent, the President Pro Tempore grants leaves of absence for today to Senator Ballance and Senator Dannelly.

Senator Rand announces the Journal of yesterday, Tuesday, May 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. Wesley Byerly, Jr. from Hickory, North Carolina, who is serving the Senate as Doctor of the Day, and to Sharon Hinds from St. Pauls, 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. 1176, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON REQUIREMENTS PERTAINING TO THE REIMBURSEMENT RATE FOR THE RESPITE CARE PROGRAM, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Appropriations/Base Budget Committee.
By Senator Kinnaird for the State and Local Government Committee:

S.B. 1283, A BILL TO BE ENTITLED AN ACT TO CORRECT THE CANDIDATE FILING DEADLINE FOR THE ASHE COUNTY BOARD OF EDUCATION, with a favorable report.

S.B. 1291, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE NORTH CAROLINA TAX POLICY COMMISSION TO INCREASE THE LEGISLATIVE MEMBERSHIP OF THE NORTH CAROLINA TAX POLICY COMMISSION, with a favorable report.

S.B. 1264, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MOUNT HOLLY TO ENTER INTO AN ANNEXATION AGREEMENT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7760 is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Finance Committee.

By Senator Kerr for the Finance Committee:

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, with a favorable report.

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, with a favorable report.

S.B. 1190, A BILL TO BE ENTITLED AN ACT TO ANNEX A TRACT TO THE TOWN OF CAROLINA BEACH AND TO ALLOW STREET ASSESSMENTS WITHOUT PETITION IN THAT TRACT, with a favorable report.

S.B. 1280, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROPERTY TAX TREATMENT OF A HEALTH CARE FACILITY UNDERTAKEN BY THE MEDICAL CARE COMMISSION PURSUANT TO THE HEALTH CARE FACILITIES FINANCE ACT, AND TO EXTEND THE SUNSET ON THE PROPERTY TAX EXEMPTION FOR CONTINUING CARE RETIREMENT CENTERS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2831, which changes the title to read S.B. 1280 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE PROPERTY TAX EXEMPTION FOR CONTINUING CARE RETIREMENT CENTERS, is adopted and engrossed.

CALENDAR

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

H.B. 973 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES ALLOWING A SUPERIOR May 24, 2000
COURT JUDGE TO PERFORM MARRIAGE CEREMONIES, which title changes upon concurrence.

The Senate Committee Substitute bill passes its second (42-5) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

The President Pro Tempore extends the privileges of the floor to Joe Thomas, former Senator from Craven County.

Without objection, upon motion of Senator Rand, all bills filed on Thursday, May 25, meeting the bill filing deadline, will be placed on the Calendar for Tuesday, May 30, for introduction.

COMMITTEE APPOINTMENT

Pursuant to Rule 31, the President Pro Tempore announces the appointment of Senator Rucho to the Finance Committee.

Upon motion of Senator Rand, seconded by Senator Miller, the Senate adjourns subject to the introduction of bills, to meet tomorrow, Thursday, May 25, 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:

By Senator Perdue:
S.B. 1399, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR DOMESTIC VIOLENCE PROGRAMS.
Referred to Appropriations/Base Budget Committee.

By Senators Odom, Carter, Dalton, Garrou, Hagan, Harris, Kinnaird, Metcalf, Perdue, Phillips, Robinson and Wellons:
S.B. 1400, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PRESERVATION OF FARMLAND.
Referred to Appropriations/Base Budget Committee.

By Senator Perdue:
S.B. 1401, A BILL TO BE ENTITLED AN ACT RELATING TO THE 3RD SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Martin of Pitt:
S.B. 1402, 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 Martin of Pitt:
S.B. 1403, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR RENOVATION OF THE AGRICULTURE BUILDING AND ANNEX.
Referred to Appropriations/Base Budget Committee.

May 24, 2000
By Senator Jordan:
S.B. 1404, 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. 1405, 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. 1406, A BILL TO BE ENTITLED AN ACT RELATING TO THE 7TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Carpenter:
S.B. 1407, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A FOREST RANGER IN CLAY COUNTY.
Referred to Appropriations/Base Budget Committee.

By Senator Warren:
S.B. 1408, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PITT.
Referred to Rules and Operations of the Senate Committee.

By Senator Warren:
S.B. 1409, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF LENOIR.
Referred to Rules and Operations of the Senate Committee.

By Senator Warren:
S.B. 1410, 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 Senator Hartsell:
S.B. 1411, A BILL TO BE ENTITLED AN ACT RELATING TO THE 22ND SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Hartsell:
S.B. 1412, A BILL TO BE ENTITLED AN ACT RELATING TO THE 22ND SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senator Hartsell:
S.B. 1413, A BILL TO BE ENTITLED AN ACT RELATING TO THE 22ND SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

May 24, 2000
By Senators Horton, Cochrane and Garrou:

S.B. 1414, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A NEW JUVENILE DETENTION FACILITY IN FORSYTH COUNTY.

Referred to Appropriations/Base Budget Committee.

By Senator Phillips:

S.B. 1415, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ENABLE ADULT CARE HOMES TO COMPLY WITH ADDITIONAL STATE LICENSING REQUIREMENTS.

Referred to Appropriations/Base Budget Committee.

By Senator Garrou:

S.B. 1416, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF FORSYTH.

Referred to Rules and Operations of the Senate Committee.

By Senator Garrou:

S.B. 1417, A BILL TO BE ENTITLED AN ACT RELATING TO THE 20TH SENATORIAL DISTRICT.

Referred to Rules and Operations of the Senate Committee.

By Senator Webster:

S.B. 1418, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT ELECTION OF THE MAYOR OF YANCEYVILLE AND FOR THE TOWN MANAGER FORM OF GOVERNMENT FOR THAT TOWN.

Referred to State and Local Government Committee.

Pursuant to Senator Rand’s motion to adjourn having prevailed, the Senate adjourns at 3:35 P.M.

ONE HUNDRED THIRTEENTH DAY

Senate Chamber
Thursday, May 25, 2000

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 Grace, Jesus said, 'If you have even a small amount of a certain kind of faith, the faith of a tiny mustard seed, then you will be able to move mountains.' Most of us don’t want to move mountains with our faith, we merely want to keep going, to have hope in the middle of our difficult circumstances, and to truly rejoice in the simple gifts of this life.

"Oh Lord, give us what we need with what little trust we are able to muster up for You, and we admit that sometimes it’s not much. Lord we do believe. Help Thou our unbelief. This we ask in Your Holy Name, Amen."

May 25, 2000
With unanimous consent, the President Pro Tempore grants leaves of absence for today to Senator Ballance, Senator Dannelly, and Senator Martin of Pitt.

Senator Rand announces the Journal of yesterday, Wednesday, 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 Pro Tempore of the Senate extends courtesies of the floor to Dr. John Williford, Jr. from Charlotte, North Carolina, who is serving the Senate as Doctor of the Day, and to Joanne Lewis from Greenville, North Carolina, who is serving the Senate as Nurse of the Day.

The President Pro Tempore extends courtesies of the floor to Bill and Bookie Gulley of Little Rock, Arkansas, parents of Senator Gulley.

Without objection, the President Pro Tempore announces that all bills normally scheduled on the Calendar for Monday, May 29, will be placed on the Calendar for Tuesday, May 30.

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. 1224**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON LEG-GRIPPING TRAPS IN DUPLIN 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 7766, which changes the title to read **S.B. 1224** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON LEG-GRIPPING TRAPS IN DUPLIN COUNTY AS TO BEAVER, is adopted and engrossed.

The Committee Substitute bill is placed on the Calendar for Tuesday, May 30.

**S.B. 1263**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF CHARLOTTE TO USE WHEEL LOCKS TO ENFORCE PARKING ORDINANCES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3951 is adopted and engrossed.

The Committee Substitute bill is placed on the Calendar for Tuesday, May 30.

CALENDAR

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

**S.B. 1291**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE NORTH CAROLINA TAX POLICY COMMISSION TO INCREASE THE LEGISLATIVE MEMBERSHIP OF THE NORTH CAROLINA

May 25, 2000
TAX POLICY COMMISSION.

With unanimous consent, upon motion of Senator Hoyle, the bill is withdrawn from today’s Calendar and is re-referred to the Rules and Operations of the Senate Committee.

WITHDRAWAL FROM CLERK’S OFFICE

S.B. 1194, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE STATE’S PURCHASING PROGRAM AND THEREBY REDUCE THE COST OF OBTAINING GOODS AND SERVICES, ordered held in the Office of the Principal Clerk on May 10, pending referral to committee.

Senator Rand, Chairman of the Rules and Operations of the Senate Committee, announces the referral of the bill to the Appropriations/Base Budget Committee.

S.B. 1279, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN REQUIREMENTS RELATED TO LAND-USE RESTRICTIONS THAT APPLY GENERALLY TO RISK-BASED ENVIRONMENTAL CLEANUPS DO NOT APPLY TO CLEANUPS OF PETROLEUM FROM LEAKING UNDERGROUND STORAGE TANKS AND TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO CONTINUE TO STUDY THE APPLICATION OF LAND-USE RESTRICTIONS TO THE CLEANUP OF ENVIRONMENTAL DAMAGE FROM THESE TANKS THROUGH A STAKEHOLDER NEGOTIATION PROCESS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, ordered held in the Office of the Principal Clerk on May 17, pending referral to committee.

Senator Rand, Chairman of the Rules and Operations of the Senate Committee, announces the referral of the bill to the Agriculture/Environment/Natural Resources 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. 1497, A BILL TO BE ENTITLED AN ACT AMENDING THE STATUTORY DEFINITION OF "SUBDIVISION" FOR THE PURPOSE OF SUBDIVISION REGULATION IN RICHMOND COUNTY.

Referred to Finance Committee.

H.B. 1501, A BILL TO BE ENTITLED AN ACT TO ALLOW SERVICE OF PROCESS BY PUBLICATION IN MOTOR VEHICLE LIEN CASES IN SMALL CLAIMS COURT, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION.

Referred to Judiciary II Committee.

H.B. 1504, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF VALDESE TO INCREASE THE MAYOR’S TERM OF OFFICE FROM TWO TO FOUR YEARS.

Referred to State and Local Government Committee.

May 25, 2000
S.B. 1190, A BILL TO BE ENTITLED AN ACT TO ANNEX A TRACT TO THE TOWN OF CAROLINA BEACH AND TO ALLOW STREET ASSESSMENTS WITHOUT PETITION IN THAT TRACT, 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 Tuesday, May 30, upon third reading.

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, 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 Tuesday, May 30, upon third reading.

S.B. 1283, A BILL TO BE ENTITLED AN ACT TO CORRECT THE CANDIDATE FILING DEADLINE FOR THE ASHE COUNTY BOARD OF EDUCATION.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1280 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE PROPERTY TAX EXEMPTION FOR CONTINUING CARE RETIREMENT CENTERS.

The President Pro Tempore 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 to the House of Representatives.

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.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered enrolled and sent to the Governor.

May 25, 2000
REPORTS OF COMMITTEES (Continued)

By Senator Kerr for the Finance Committee:

S.B. 1184, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A VOLUNTARILY FUNDED STATEWIDE SPAY/NEUTER PROGRAM TO PROVIDE EDUCATION ON THE BENEFITS OF SPAYING AND NEUTERING PETS AND TO PROVIDE FINANCIAL ASSISTANCE TO COUNTIES AND CITIES OFFERING LOW-INCOME PERSONS REDUCED-COST SPAY/NEUTER SERVICES FOR DOGS AND CATS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7767 is adopted and engrossed.

Upon motion of Senator Kerr, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

COMMITTEE REFERRAL RECALL

S.B. 1330, A BILL TO BE ENTITLED AN ACT TO PROVIDE A NEW TAX CREDIT AS AN INCENTIVE FOR INVESTING IN DRY-CLEANING AND WET-CLEANING EQUIPMENT THAT DOES NOT USE HAZARDOUS SUBSTANCES AS SOLVENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, referred to the Finance Committee on May 18.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Finance 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 Finance Committee and re-refers the measure to the Agriculture/Environment/Natural Resources Committee.

RECOGNITION OF MEMORIAL DAY

With unanimous consent, upon motion of Senator Rucho, the remarks of Senator Horton are spread upon the Journal, as follows:

Senator Horton:

"Thank you, Mr. President. I was caught a bit unaware but this is Memorial Day weekend in which we recognize those members of our State and communities who've contributed their lives to our protection, to the safety and to the preservation of our State and of our Nation. It's unfortunate that we have moved all these things from the times that they were originally scheduled so we have long weekends and everybody thinks of it as recreation, but it is important that we pause and realize that the liberties we have and the right to pass laws in this Chamber is simply because of those who have been willing to give their all for the preservation of this State. So I would hope that we will all in our families and associates remember this weekend as it was intended to be. Thank you, Mr. President."

ADDITIONAL SPONSORS

Senator Albertson requests to be added as a sponsor of previously introduced legislation:

May 25, 2000
S.B. 1381, A BILL TO BE ENTITLED AN ACT TO REALLOCATE THE PROCEEDS OF THE CLEAN WATER BONDS.

Senator Carter requests to be added as a sponsor of previously introduced legislation:

S.B. 1399, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR DOMESTIC VIOLENCE PROGRAMS.

Upon motion of Senator Rand, seconded by Senator Soles, the Senate adjourns subject to the introduction of bills, to meet Monday, May 29, 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:

By Senators Horton, Allran, Ballantine, Carpenter, Carrington, Cochrane, East, Forrester, Foxx, Garwood, Hartsell, Moore, Rucho, Shaw of Guilford and Webster:

S.B. 1419, 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 Finance Committee.

By Senators Metcalf, Carpenter and Carter:

S.B. 1420, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE COMMUNITY COLLEGES SYSTEM OFFICE FOR THE ASHEVILLE-BUNCOMBE TECHNICAL COMMUNITY COLLEGE BASF ENKA PROJECT.
Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Carter, Dannelly, Garwood, Harris, Kinnaird, Lucas, Martin of Pitt, Phillips, Purcell, Reeves, Robinson, Warren and Wellons:

S.B. 1421, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR FARMLAND PRESERVATION.
Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Carter, Dannelly, Garwood, Harris, Lucas, Martin of Pitt, Phillips, Purcell, Robinson, Warren and Wellons:

S.B. 1422, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTROL AND ERADICATION OF JOHNE'S DISEASE IN CERTAIN ANIMALS.
Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Carter, Dannelly, Garwood, Harris, Lucas, Martin of Pitt, Phillips, Purcell, Robinson and Warren:

S.B. 1423, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A FACILITY FOR BIOLOGICAL PEST CONTROL AND OTHER PLANT INDUSTRY PROGRAMS WITHIN THE PLANT INDUSTRY DIVISION OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.
Referred to Appropriations/Base Budget Committee.

May 25, 2000
By Senators Albertson, Carter, Dannelly, Garwood, Harris, Lucas, Martin of Pitt, Phillips, Purcell, Robinson, Warren and Wellons:

**S.B. 1424**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE IMPORTED FIRE ANT PROGRAM WITHIN THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.

Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Carter, Dannelly, Garwood, Harris, Lucas, Martin of Pitt, Phillips, Purcell, Robinson and Warren:

**S.B. 1425**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE GYPSY MOTH PROGRAM WITHIN THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.

Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Carter, Dannelly, Garwood, Harris, Lucas, Martin of Pitt, Phillips, Purcell, Robinson and Warren:

**S.B. 1426**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR REPAIRS TO THE BROUGHTON HOSPITAL RESERVOIR DAM.

Referred to Appropriations/Base Budget Committee.

By Senators Lucas, Albertson, Carter, Dannelly, Kinnaird, Martin of Guilford, Martin of Pitt, Phillips, Purcell, Reeves and Warren:

**S.B. 1427**, 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 Senator Lucas:

**S.B. 1428**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.

Referred to State and Local Government Committee.

By Senators Dalton and Miller:

**S.B. 1429**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY EMPLOYER-SPONSORED, SELF-INSURED GROUP HEALTH BENEFIT PLANS AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.

Referred to Rules and Operations of the Senate Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Miller and Perdue:

**S.B. 1430**, 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.

By Senators Purcell, Albertson, Dannelly, Forrester, Garwood, Kinnaird, Lucas, Perdue and Warren:

**S.B. 1431**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE SECRETARY OF HEALTH AND HUMAN SERVICES TO ESTABLISH COMMUNITY HEALTH

May 25, 2000
STANDARDS, AND TO APPROPRIATE FUNDS THEREFOR.

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

By Senator Dalton:
S.B. 1432, A BILL TO BE ENTITLED AN ACT TO REGULATE FISHING IN LAKE LURE.
Referred to State and Local Government Committee.

By Senators Foxx, Allran, Ballantine, Carpenter, Cochrane, Forrester, Garwood, Hartsell, Horton, Moore, Shaw of Guilford and Webster:
S.B. 1433, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT INTEREST EARNED ON THE SAVINGS RESERVE ACCOUNT REMAINS IN THE SAVINGS RESERVE ACCOUNT.
Referred to Finance Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Foxx, Allran, Ballantine, Carpenter, Cochrane, Forrester, Garwood, Hartsell, Horton, Moore, Shaw of Guilford and Webster:
S.B. 1434, A BILL TO BE ENTITLED AN ACT REQUIRING THE DIRECTOR OF THE BUDGET TO CUT EXPENDITURES TO PROVIDE FUNDS FOR THE INTANGIBLES TAX REFUND.
Referred to Appropriations/Base Budget Committee.

By Senator Carpenter:
S.B. 1435, A BILL TO BE ENTITLED AN ACT TO CONVERT THREE TEMPORARY AVIATION POSITIONS WITHIN THE DIVISION OF FOREST RESOURCES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO PERMANENT POSITIONS AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS CONVERSION.
Referred to Appropriations/Base Budget Committee.

By Senator Cooper:
S.B. 1436, A BILL TO BE ENTITLED AN ACT TO SET THE SALARIES OF DISTRICT ATTORNEYS AND PUBLIC DEFENDERS 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 AND TO APPROPRIATE FUNDS FOR THAT PURPOSE AND TO CONFORM THE SALARIES OF THE INDUSTRIAL COMMISSION, AS REQUIRED BY LAW.
Referred to Judiciary I Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senator Gulley:
S.B. 1437, A BILL TO BE ENTITLED AN ACT TO AMEND THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN TO PROVIDE FOR COVERAGE OF HIGH-RISK INTERVENTION MENTAL HEALTH AND CHEMICAL DEPENDENCY SERVICES PROVIDED IN RESIDENTIAL FACILITIES AS DEFINED IN G.S. 122C-3(14)e. OF THE GENERAL STATUTES.
Referred to Health Care Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

May 25, 2000
By Senator Gulley:
S.B. 1438, A BILL TO BE ENTITLED AN ACT CONCERNING DURHAM.
Referred to Rules and Operations of the Senate Committee.

By Senator Gulley:
S.B. 1439, A BILL TO BE ENTITLED AN ACT CONCERNING DURHAM.
Referred to Rules and Operations of the Senate Committee.

By Senator Gulley:
S.B. 1440, A BILL TO BE ENTITLED AN ACT CONCERNING DURHAM.
Referred to Rules and Operations of the Senate Committee.

By Senator Gulley:
S.B. 1441, A BILL TO BE ENTITLED AN ACT CONCERNING DURHAM.
Referred to Rules and Operations of the Senate Committee.

By Senator Gulley:
S.B. 1442, A BILL TO BE ENTITLED AN ACT CONCERNING DURHAM.
Referred to Rules and Operations of the Senate Committee.

By Senator Hartsell:
S.B. 1443, A BILL TO BE ENTITLED AN ACT TO ALLOW A NEGOTIATED
OFFER AND UPSET BID PROCESS FOR SALE OF THE CURRENT CABARRUS
COUNTY SCHOOLS CENTRAL OFFICE AND FOR A DESIGN-BUILD
CONSTRUCTION METHOD FOR THE CABARRUS SCHOOL CENTRAL OFFICE
AND BUS FACILITY.
Referred to State and Local Government Committee.

By Senator Hartsell:
S.B. 1444, A BILL TO BE ENTITLED AN ACT TO ALLOW A DESIGN-BUILD
CONSTRUCTION METHOD FOR A CONVENTION CENTER IN CABARRUS
COUNTY, AND TO ALLOW LEASE OF PROPERTY FOR A HOTEL.
Referred to State and Local Government Committee.

By Senators Kinnaird and Lee:
S.B. 1445, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO
ESTABLISH AN AGRICULTURAL CENTER IN ORANGE COUNTY.
Referred to Appropriations/Base Budget Committee.

By Senators Kinnaird and Lee:
S.B. 1446, A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS CHANGES
TO CERTAIN GENERAL AND LOCAL LAWS AFFECTING ORANGE COUNTY.
Referred to Finance Committee.

By Senators Kinnaird and Lee:
S.B. 1447, A BILL TO BE ENTITLED AN ACT TO MAKE SUNDRY
AMENDMENTS CONCERNING THE TOWN OF CHAPEL HILL.
Referred to State and Local Government Committee.

By Senators Kinnaird and Lee:
S.B. 1448, A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE
CORPORATE LIMITS OF THE TOWN OF HILLSBOROUGH AN AREA

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PREVIOUSLY ANNEXED BY THE TOWN UNDER THE VOLUNTARY ANNEXATION PROVISIONS OF PART 4 (ANNEXATION OF NONCONTIGUOUS AREAS) OF ARTICLE 4A OF CHAPTER 160A OF THE GENERAL STATUTES.

Referred to Finance Committee.

By Senator Clodfelter:
S.B. 1449, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RAIL BANKING OF A PORTION OF THE PIEDMONT AND NORTHERN RAIL CORRIDOR IN MECKLENBURG COUNTY.

Referred to State and Local Government Committee.

By Senator Soles:
S.B. 1450, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF BOLTON FOR HEALTH INITIATIVE AND SENIOR CENTER.

Referred to Appropriations/Base Budget Committee.

By Senator Odom:
S.B. 1451, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE TO USE THE PROCEDURES OF CHAPTER 136 OF THE GENERAL STATUTES FOR CONDEMNATION FOR ECONOMIC DEVELOPMENT PURPOSES WITHIN A DEFINED AREA.

Referred to State and Local Government Committee and upon a favorable report, re-referred to the Finance Committee.

By Senator Odom:
S.B. 1452, A BILL TO BE ENTITLED AN ACT TO ALLOW FUNDS APPROPRIATED FOR A DETENTION HOME FOR FEMALE JUVENILE OFFENDERS IN MECKLENBURG COUNTY TO BE USED FOR TWO DETENTION FACILITIES TO HOUSE BOTH MALE AND FEMALE OFFENDERS.

Referred to State and Local Government Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senator Odom:
S.B. 1453, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO AMEND AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION.

Referred to Finance Committee.

By Senator Robinson:
S.B. 1454, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SHINING OF LIGHTS IN DEER AREAS IN HAYWOOD COUNTY.

Referred to State and Local Government Committee.

By Senator Warren:
S.B. 1455, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTINUE EFFORTS TO PRESERVE THE REMAINS OF THE SHIPWRECK BELIEVED TO BE BLACKBEARD'S FLAGSHIP, "QUEEN ANNE'S REVENGE".

Referred to Appropriations/Base Budget Committee.

By Senators Clodfelter, Odom and Rucho:
S.B. 1456, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COURT OFFICIALS IN MECKLENBURG COUNTY TO APPLY TO THE DIRECTOR OF THE
ADMINISTRATIVE OFFICE OF THE COURTS TO ENTER INTO CONTRACTS WITH LOCAL GOVERNMENTS FOR THE PROVISION OF JUDICIAL SECRETARIES, TEMPORARY ASSISTANT PUBLIC DEFENDERS, ASSISTANT CLERKS, DEPUTY CLERKS, AND OTHER EMPLOYEES IN THE OFFICE OF THE CLERK OF COURT WHEN THE PUBLIC INTEREST WARRANTS THE USE OF ADDITIONAL COURT RESOURCES.

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

By Senator Harris:
S.B. 1457, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HARNETT COUNTY TO INCREASE THE OCCUPANCY TAX IN AVERASBORO TOWNSHIP.
Referred to Finance Committee.

By Senator Harris:
S.B. 1458, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT GROSS RECEIPTS REPORTS FILED BY COMMERCIAL SOLID WASTE FRANCHISEES TO THE CITY OF DUNN ARE CONFIDENTIAL.
Referred to State and Local Government Committee.

By Senator Jordan:
S.B. 1459, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR THE COMMUNITY DEVELOPMENT INITIATIVE.
Referred to Appropriations/Base Budget Committee.

By Senators Lee, Ballantine, Carter, Garrou, Jordan and Metcalf:
S.B. 1460, A BILL TO BE ENTITLED AN ACT TO PROVIDE INCENTIVES FOR DEVELOPMENT OF THE FILM INDUSTRY IN NORTH CAROLINA.
Referred to Finance Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators East and Foxx:
S.B. 1461, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ESTABLISHING THE MOUNT AIRY FIREFIGHTERS' SUPPLEMENTARY PENSION FUND.
Referred to Pensions & Retirement and Aging Committee.

By Senators Cooper and Carter:
S.B. 1462, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES.
Referred to Judiciary I Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senator Hoyle:
S.B. 1463, A BILL TO BE ENTITLED AN ACT TO ALLOW DARE COUNTY TO EXPAND THE PURPOSE OF SPECIAL TAX DISTRICTS TO UNDERGROUND ELECTRIC UTILITY LINES SO AS TO ALLOW UNDERGROUNDING OF TELEPHONE AND CABLE TELEVISION LINES.
Referred to Finance Committee.

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By Senator Hoyle:
S.B. 1464, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE TREASURER TO INVEST IN A SMALL BUSINESS INVESTMENT COMPANY THAT INVESTS IN RURAL, NORTH CAROLINA BUSINESSES.
Referred to Rules and Operations of the Senate Committee.

By Senator Hoyle:
S.B. 1465, A BILL TO BE ENTITLED AN ACT TO PROVIDE VENTURE CAPITAL INVESTMENT IN NORTH CAROLINA.
Referred to Rules and Operations of the Senate Committee.

By Senator Hoyle:
S.B. 1466, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE IMPOSED FOR NUCLEAR FACILITIES, WHICH FEES ARE APPLIED TO THE COSTS OF PLANNING AND IMPLEMENTING EMERGENCY RESPONSE ACTIVITIES AND ARE FOR THE USE OF THE DIVISION OF RADIATION PROTECTION, DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES.
Referred to Finance Committee.

By Senator Wellons:
S.B. 1467, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A MEDIATION CENTER AT JOHNSTON COMMUNITY COLLEGE.
Referred to Appropriations/Base Budget Committee.

By Senator Wellons:
S.B. 1468, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR HALT (HALTING ABUSE THROUGH LEARNING AND TREATMENT).
Referred to Appropriations/Base Budget Committee.

By Senators Kinnaird and Lee:
S.B. 1469, A BILL TO BE ENTITLED AN ACT TO REVISE THE JUVENILE CODE TO PROVIDE THAT THE STATE, RATHER THAN ORANGE COUNTY, PAY CERTAIN COSTS ASSOCIATED WITH TREATMENT OF UNDISCIPLINED AND DELINQUENT JUVENILES AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.
Referred to Appropriations/Base Budget Committee.

By Senator Martin of Guilford:
S.B. 1470, A BILL TO BE ENTITLED AN ACT TO CONFORM NORTH CAROLINA LAW TO FEDERAL FUNDING REQUIREMENTS THAT NONSECURE CUSTODY BE IN THE BEST INTERESTS OF THE CHILD.
Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Martin of Guilford, Carter, Kinnaird, Lee, Miller and Reeves:
S.B. 1471, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE LATIN AMERICAN RESOURCE CENTER.
Referred to Appropriations/Base Budget Committee.

By Senators Rand and Reeves:
S.B. 1472, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TAX-EXEMPT FINANCING OF CERTAIN PRIVATE PROJECTS AS AUTHORIZED UNDER

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FEDERAL LAW AND TO REORGANIZE THE INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITY.
Referred to Finance Committee.

By Senators Metcalf, Carpenter and Carter:
S.B. 1473, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF ASHEVILLE RESPECTING THE CALLING OF SPECIAL MEETINGS, AND TO REPEAL AN ACT RESPECTING THE REMOVAL OF GARBAGE WITHIN THAT CITY.
Referred to Finance Committee.

By Senators Metcalf, Carpenter and Carter:
S.B. 1474, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ASHEVILLE-BUNCOMBE TECHNICAL COMMUNITY COLLEGE TO LEASE CERTAIN PROPERTY BY PRIVATE NEGOTIATION AND TO ALLOW FLEXIBLE USE OF LEASE PROCEEDS.
Referred to Finance Committee.

By Senator Reeves:
S.B. 1475, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF INSURANCE FOR GREATER PUBLIC ACCESS TO THE DEPARTMENT'S INFORMATION RESOURCES.
Referred to Appropriations/Base Budget Committee.

By Senator Kerr:
S.B. 1476, A BILL TO BE ENTITLED AN ACT TO SET THE INSURANCE REGULATORY CHARGE FOR CALENDAR YEAR 2000.
Referred to Finance Committee.

By Senators Kerr, Albertson and Phillips:
S.B. 1477, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A NEW, SUSTAINABLY DESIGNED, STATE OFFICE BUILDING AND WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE USED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED THIRTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS, AND TO PROVIDE FOR A NEW EASTERN WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED FOUR MILLION DOLLARS.
Referred to Finance Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Reeves, Hagan, Hartsell and Odom:
S.B. 1478, A BILL TO BE ENTITLED AN ACT TO PRESCRIBE THE CONVENIENCE FEE FOR REMOTE ACCESS TO COURT RECORDS.
Referred to Finance Committee.

By Senators Kinnaird, Cochrane, Dannelly, Garrou, Hagan, Horton, Lee, Martin of May 25, 2000
Guilford, Purcell and Shaw of Guilford:

S.B. 1479, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DEEP RIVER HERITAGE CORRIDOR WITHIN CHATHAM, FORSYTH, GUILFORD, LEE, MONTGOMERY, MOORE, AND RANDOLPH COUNTIES, TO ESTABLISH THE DEEP RIVER HERITAGE CORRIDOR PLANNING COMMITTEE, AND TO PROVIDE FOR THE PREPARATION OF A RESOURCE MANAGEMENT PLAN FOR THE DEEP RIVER HERITAGE CORRIDOR.
Referred to Agriculture/Environment/Natural Resources Committee.

By Senators Clodfelter and Odom:

S.B. 1480, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COURT OFFICIALS TO APPLY TO THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE COURTS TO ENTER INTO CONTRACTS WITH LOCAL GOVERNMENTS FOR THE PROVISION OF JUDICIAL SECRETARIES, TEMPORARY ASSISTANT PUBLIC DEFENDERS, ASSISTANT CLERKS, DEPUTY CLERKS, AND OTHER EMPLOYEES IN THE OFFICE OF THE CLERK OF COURT WHEN THE PUBLIC INTEREST WARRANTS THE USE OF ADDITIONAL COURT RESOURCES.
Referred to Judiciary II Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Miller, Gulley, Lucas and Reeves:

Referred to State and Local Government Committee.

By Senators Purcell, Lucas and Perdue:

S.B. 1482, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE COMMUNITY COLLEGES SYSTEM OFFICE FOR IMPLEMENTATION OF INNOVATIVE TRAINING PROGRAMS TO IMPROVE RECRUITING AND RETENTION OF CERTIFIED NURSING ASSISTANTS IN NURSING FACILITIES.
Referred to Appropriations/Base Budget Committee.

By Senators Hoyle, Albertson, Carter, Cooper, Kerr and Perdue:

S.B. 1483, 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 PROVIDE PROPERTY TAX DEFERRAL AS AN ALTERNATIVE FORM OF PROPERTY TAX RELIEF FOR THE ELDERLY AND DISABLED.
Referred to Judiciary I Committee and upon a favorable report, re-referred to the Finance Committee.

By Senators Hoyle, Albertson, Carter, Cooper and Perdue:

S.B. 1484, 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)

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RAISE THE DEFINITION OF "LOW-INCOME" SO THAT MORE ELDERLY AND DISABLED INDIVIDUALS CAN QUALIFY FOR THE EXEMPTION.
Referred to Judiciary I Committee and upon a favorable report, re-referred to the Finance Committee.

By Senators Perdue, Carter, Dannelly, Kinnaird, Martin of Guilford, Purcell and Warren:
S.B. 1485, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR NORTH CAROLINA HEALTHY START FOUNDATION.
Referred to Appropriations/Base Budget Committee.

By Senators Perdue, Albertson, Ballance, Carter, Cooper, Dannelly, Gulley, Harris, Hoyle, Kerr, Kinnaird, Martin of Guilford, Phillips, Purcell, Shaw of Cumberland and Warren:
S.B. 1486, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE HOUSING FINANCE AGENCY FOR THE HOUSING TRUST FUND.
Referred to Appropriations/Base Budget Committee.

By Senators Lucas, Albertson, Martin of Guilford, Purcell and Shaw of Cumberland:
S.B. 1487, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE THE MINIMUM PAY OF SCHOOL SUPERVISORS, COORDINATORS, AND DIRECTORS.
Referred to Appropriations/Base Budget Committee.

By Senator Lucas:
S.B. 1488, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PAY TEACHER ASSISTANTS AT LEAST FIFTY PERCENT OF THE SALARY OF A TEACHER WITH THE SAME YEARS OF EXPERIENCE.
Referred to Appropriations/Base Budget Committee.

By Senator Metcalf:
S.B. 1489, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING SENATORIAL DISTRICT 28.
Referred to Rules and Operations of the Senate Committee.

By Senator Kinnaird:
S.B. 1490, 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. 1491, A BILL TO BE ENTITLED AN ACT RELATING TO THE 16TH SENATORIAL DISTRICT.
Referred to Rules and Operations of the Senate Committee.

By Senators Cochrane, Allran, Carpenter, Carrington, Forrester, Foxx, Garrou, Hagan, Kinnaird, Lucas and Phillips:
S.R. 1492, A SENATE RESOLUTION SUPPORTING A WOMEN'S HEALTH PLATFORM TO IMPROVE THE HEALTH STATUS OF WOMEN IN THE STATE OF NORTH CAROLINA.
Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.
By Senators Cochrane, Allran, Ballantine, Carpenter, Carrington, East, Forrester, Foxx, Garwood, Hartsell, Horton, Moore, Rucho, Shaw of Guilford and Webster:

S.R. 1493, A SENATE RESOLUTION REQUESTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF TEACHER LIABILITY FOR FRIVOLOUS LAWSUITS.

Referred to Rules and Operations of the Senate Committee.

Pursuant to Senator Rand’s motion to adjourn having prevailed, the Senate adjourns at 11:44 A.M.

ONE HUNDRED FOURTEENTH DAY

Senate Chamber
Monday, May 29, 2000

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:

“Oh God our Father, on this day of remembrance, look upon the unrest of the world and mercifully complete the work of Thy healing hand. Send peace upon the earth, a deeper and more lasting peace than the world has ever known. Draw all persons unto Thyself, and to one another by the bands of love. Grant understanding to the nations and an increase of compassion and mutual good will, that they may be drawn into a sacred unity where justice, mercy, and truth may flourish, so that the sacrifice of those who died for our freedom may not have been in vain. This we pray in Your Holy Name, Amen.”


Senator Rand announces the Journal of Thursday, 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 Ivey Betts from Henderson, 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

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following Chapter Number, and presented to the Office of the Secretary of State:

**S.B. 912, AN ACT (1) TO AUTHORIZE THE ISSUANCE OF THREE BILLION ONE 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 AND (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. (Became law upon approval of the Governor, May 25, 2000 - S.L. 2000-3.)**

*The President Pro Tempore extends courtesies of the gallery to Judge Linda McGee of the North Carolina Court of Appeals whose son is serving as a Senate Page this week.*

Upon motion of Senator Rand, seconded by Senator Cochrane, the Senate adjourns at 7:14 P.M. in memory of the men and women who gave their lives for our country, to meet tomorrow, Tuesday, May 30, at 3:00 P.M.

**ONE HUNDRED FIFTEENTH DAY**

Senate Chamber
Tuesday, May 30, 2000

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 grace and glory, scripture tells us that when Moses had finished his 40 year trek in the wilderness, You took him to the top of a high mountain and showed him the Promised Land stretched out before him. You let him get so close to fulfilling his dream, but then You held him back from entering the land and claiming it for himself. You led him right to the door, but You would not permit him to cross over the threshold into Israel. Some of our days as Legislators are similarly unfulfilled. A great deal of our lives are spent on the verge, at the door but not over the threshold. What land of promise opens up as a result of our work here, who knows? "Oh God, keep us faithful and strong in our work even when the prospect of arriving successfully at our destination is diminished. May we never abandon Your promises just because our hopes have not been realized. Even though we may be denied our successes, may Your unfailing pledge to always journey with us continue to bless us. This we pray in Your Holy Name, Amen."

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

May 30, 2000
Senator Rand announces the Journal of yesterday, Monday, May 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. Harold Silberman from Durham, North Carolina, who is serving the Senate as Doctor of the Day, and to Celeste Toombs from Durham, North Carolina, who is serving the Senate as Nurse of the Day.

COMMITTEE REFERRAL RECALL

S.B. 1337, A BILL TO BE ENTITLED AN ACT TO PREVENT INAPPROPRIATE DEVELOPMENT IN THE ONE HUNDRED-YEAR FLOODPLAIN AND TO REDUCE FLOOD HAZARDS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, referred to Agriculture/Environment/Natural Resources Committee on May 18.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the Agriculture/Environment/Natural Resources 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 Agriculture/Environment/Natural Resources Committee and re-refers the measure to the Rules and Operations of the Senate Committee.

The President extends privileges of the floor to former Lieutenant Governor, Bob Jordan.

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. 1252, A BILL TO BE ENTITLED AN ACT TO CREATE A TAX INCENTIVE FOR THE REDEVELOPMENT OF BROWNFIELDS PROPERTIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Finance Committee.

S.B. 1328, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE, SUPPORT, AND ACCELERATE THE PERMANENT PROTECTION OF FARMLAND, FORESTLAND, PARKLAND, GAMELAND, WETLANDS, OPEN SPACE, AND CONSERVATION LANDS IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

By Senator Miller for the Judiciary II Committee:

S.B. 1284, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE May 30, 2000
PROCEDURE OVERSIGHT COMMITTEE TO REVISE OBSOLETE STATUTORY REFERENCES TO VARIOUS ADMINISTRATIVE PROCEDURE ACT PROVISIONS, with a favorable report.

S.B. 1269, A BILL TO BE ENTITLED AN ACT TO LIMIT LIABILITY WHEN A PERSON USES AN AUTOMATED EXTERNAL DEFIBRILLATOR TO RENDER EMERGENCY HEALTH CARE TREATMENT TO ATTEMPT TO SAVE THE LIFE OF A PERSON WHO IS IN OR WHO APPEARS TO BE IN CARDIAC ARREST, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4785 is adopted and engrossed.

S.B. 1316, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO AUTHORIZE THE BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS TO ADOPT RULES TO REQUIRE ADDITIONAL INFORMATION PRIOR TO THE REEXAMINATION OF AN APPLICANT; LIMIT THE NUMBER OF OFFICES A LICENSEE MAY SUPERVISE; AND CHANGE THE ANNUAL LICENSE RENEWAL DATE FOR 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 3958 is adopted and engrossed.

ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

H.B. 1153, 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.

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. 1490, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF CHINA GROVE TO ALLOW THE TOWN TO OPERATE UNDER THE COUNCIL-MANAGER FORM OF GOVERNMENT.

Referred to State and Local Government Committee.

H.B. 1502, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL COURT OFFICIALS TO RESPOND TO ADVERSE WEATHER AND OTHER EMERGENCY SITUATIONS BY CANCELING COURT SESSIONS AND CLOSING COURT OFFICES AND TO AUTHORIZE THE CHIEF JUSTICE TO EXTEND

May 30, 2000
STATUTES OF LIMITATIONS AND OTHER COMPARABLE DEADLINES IN Response to Catastrophic Conditions, as Recommended by the North Carolina Courts Commission.

Referred to Judiciary II Committee.

H.B. 1536, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE SYLVA TOWN COUNCIL AND TO PROVIDE FOR Nonpartisan Elections.

Referred to State and Local Government Committee.

H.B. 1542, A BILL TO BE ENTITLED AN ACT TO ADD CAMDEN COUNTY TO Those Counties in Which It is Unlawful to Remove or Destroy Electronic Collars on Dogs.

Referred to State and Local Government Committee.

CALENDAR

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

S.B. 1190, A BILL TO BE ENTITLED AN ACT TO ANNEX A TRACT TO THE TOWN OF CAROLINA BEACH AND TO ALLOW STREET ASSESSMENTS WITHOUT PETITION IN THAT TRACT, 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.

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, 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 enrolled.

S.B. 1224 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON LEG-GRIPPING TRAPS IN DUPLIN COUNTY AS TO BEAVER.

The Committee Substitute bill passes its second and third readings and is ordered sent May 30, 2000
to the House of Representatives.

S.B. 1263 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF CHARLOTTE TO USE WHEEL LOCKS TO ENFORCE PARKING ORDINANCES.

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 Kerr for the 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, 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, 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 7356, which changes the title upon concurrence to read H.B. 1326 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE STATE SALES TAX REVENUE FROM DRY-CLEANING AND LAUNDRY SERVICES TO THE DRY-CLEANING SOLVENT CLEANUP FUND; TO INCREASE THE STATE SALES TAX ON DRY-CLEANING SOLVENTS; 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; TO DIRECT THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE USE OF DRY-CLEANING SOLVENTS IN NORTH CAROLINA, AND TO MAKE OTHER CHANGES IN THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997, is adopted and engrossed.

May 30, 2000
The President recognizes the following pages serving in the Senate this week:

Erik Rand Ashman, Elkin; Chandler Paige Bason, Durham; Tiffany D. Bracey, Leland; Sara Elizabeth Brown, Cherryville; Kaleshia Hardy, Durham; Dana June Jackson, Dunn; Amanda Lilley, Williamston; Laurence E. Lilley III, Williamston; Denisha Ruth Kathleen Little, Wadesboro; Haddon Katherine Mackie, Gastonia; Mary Ashley Mann, Sanford; Jeffrey Sean McGee, Hickory; Daniel Preston Parker, Mt. Pleasant; Evan Price, Greensboro; Zachary D. Pritchett, New Bern; Janet Kathryn Reinhardt, Maiden; Jacob Reed Ribet, Robbins; Rebecca Ricks, Cary; Lindsey Ricks, Cary; Forrest Dustin Secosky, New Bern; Elizabeth LeMaster Stallings, Gastonia; Recorian Isiah Stukes, Wilmington; Karen C. Underwood, Gastonia; and Elliot Tyler Westbrook, Elkin.

EXECUTIVE ORDER

An Executive Order received is presented to the Senate, read, and ordered filed in the Office of the Principal Clerk, as follows (See Appendix.):


ADDITIONAL SPONSORS

Senator Foxx requests to be added as a sponsor of previously introduced legislation:

S.B. 1427, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE ESTABLISHMENT OF HEALTHY CAROLINIAN PARTNERSHIP INITIATIVES IN EACH COUNTY.

Senator Harris requests to be added as a sponsor of previously introduced legislation:

S.B. 1468, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR HALT (HALTING ABUSE THROUGH LEARNING AND TREATMENT).

Upon motion of Senator Basnight, seconded by Senator Jordan, the Senate adjourns subject to introduction of bills, to meet tomorrow, Wednesday, May 31, at 3:00 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 Ballance and Cooper:
S.B. 1494, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR HARRIET'S HOUSE.
Referred to Appropriations/Base Budget Committee.

By Senator Rand:
S.J.R. 1495, A JOINT RESOLUTION PROVIDING THAT THE 1999 GENERAL ASSEMBLY SHALL MEET FOR A DAY AT THE STATE CAPITOL IN HONOR OF

May 30, 2000
THE STATE CAPITOL'S 160TH ANNIVERSARY.
Referred to Rules and Operations of the Senate Committee.

By Senators Metcalf, Carter and Hoyle:
S.B. 1496, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS OF NORTH CAROLINA TO TRANSFER STATE PROPERTY IN BURKE COUNTY.
Referred to Rules and Operations of the Senate Committee.

By Senators Metcalf, Carter, Garwood and Moore:
S.B. 1497, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PARKLAND ACQUISITION AT LAKE JAMES STATE PARK.
Referred to Appropriations/Base Budget Committee.

By Senators Metcalf, Carter and Robinson:
S.B. 1498, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR TECHNOLOGY NEEDS OF THE MOUNTAIN AREA INFORMATION NETWORK.
Referred to Appropriations/Base Budget Committee.

By Senators Metcalf, Carter and Robinson:
S.B. 1499, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO HOT SPRINGS HEALTH PROGRAM FOR A NEW HEALTH CARE FACILITY IN MADISON COUNTY.
Referred to Appropriations/Base Budget Committee.

By Senator Martin of Pitt:
S.B. 1500, A BILL TO BE ENTITLED AN ACT TO TRANSFER FUNDS TO THE NORTH CAROLINA TECHNOLOGICAL DEVELOPMENT AUTHORITY, INC., TO IMPLEMENT AN AGRICULTURE INCUBATOR PROGRAM.
Referred to Appropriations/Base Budget Committee.

By Senator Rand:
S.B. 1501, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ALLOCATIONS OF THE CLEAN WATER MANAGEMENT TRUST FUND.
Referred to Agriculture/Environment/Natural Resources Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senator Harris:
S.B. 1502, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DUAL REGISTRATION OF INVESTMENT ADVISERS AND TO INCREASE THE REGISTRATION FEE FOR INVESTMENT ADVISER REPRESENTATIVES.
Referred to Finance Committee.

By Senators Perdue, Carter, Phillips and Purcell:
S.B. 1503, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE PROBLEM OF SENIOR CITIZEN ACCESS TO AFFORDABLE PRESCRIPTION DRUGS, TO DEVELOP A PLAN FOR ADOPTING A PRESCRIPTION DRUG PROGRAM FOR ALL SENIOR CITIZENS, AND TO APPROPRIATE FUNDS THEREFOR.
Referred to Rules and Operations of the Senate Committee.

By Senator Albertson:
S.R. 1504, A SENATE RESOLUTION HONORING SIR THOMAS HAY, LORD
DUPPLIN OF SCOTLAND, ON THE 250TH ANNIVERSARY OF DUPLIN COUNTY. 
Referred to Rules and Operations of the Senate Committee.

By Senators Rand, Forrester, Hagan, Hoyle and Plyler: 
S.B. 1505, A BILL TO BE ENTITLED AN ACT PERTAINING TO ELIGIBILITY FOR COVERAGE UNDER THE HEALTH INSURANCE PROGRAM FOR CHILDREN (NC HEALTH CHOICE) AND TO APPROPRIATE FUNDS THEREFOR.
Referred to Rules and Operations of the Senate Committee.

By Senators Hoyle, Hartsell, Kerr and Odom: 
S.B. 1506, A BILL TO BE ENTITLED AN ACT TO INCREASE COURT COSTS AND DEVOTE THE INCREASE TO THE COURT INFORMATION TECHNOLOGY FUND.
Referred to Appropriations/Base Budget Committee.

By Senator Hoyle: 
S.B. 1507, A BILL TO BE ENTITLED AN ACT TO MAKE MODIFICATIONS TO THE WILLIAM S. LEE ACT AND RELATED ECONOMIC DEVELOPMENT LAWS.
Referred to Finance Committee.

By Senator Dalton: 
S.B. 1508, A BILL TO BE ENTITLED AN ACT RELATING TO THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM.
Referred to Rules and Operations of the Senate Committee.

By Senator Plyler: 
S.B. 1509, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS.
Referred to Rules and Operations of the Senate Committee.

By Senators Webster, Allran, Carpenter, Carrington, Cochrane, East, Forrester, Foxx, Garwood, Moore, Rucho and Shaw of Guilford: 
S.B. 1510, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE INCOME TAX LAWS BY REPEALING THE REQUIREMENT OF INCOME TAX WITHHOLDING ON CERTAIN PENSIONS.
Referred to Rules and Operations of the Senate Committee.

By Senators Shaw of Cumberland, Lucas, Rand, Robinson and Weinstein: 
S.B. 1511, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF PROPERTY IN THE VICINITY OF HOPE MILLS IN CUMBERLAND COUNTY TO THE STATE PARKS SYSTEM AND TO APPROPRIATE FUNDS TO PURCHASE THIS PROPERTY AND TO DEVELOP IT AS A STATE PARK.
Referred to Appropriations/Base Budget Committee.

By Senators Robinson, Albertson, Carpenter, Carter, Clodfelter, Cochrane, Cooper, Dalton, Forrester, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Hoyle, Jordan, Kerr, Kinnaird, Lee, Lucas, Martin of Guilford, Metcalf, Miller, Moore, Odom, Perdue, Plyler, Purcell, Rand, Reeves, Rucho, Shaw of Cumberland, Soles, Warren and Weinstein: 
S.B. 1512, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT APPROPRIATED TO THE CLEAN WATER MANAGEMENT TRUST FUND.
Referred to Appropriations/Base Budget Committee.

May 30, 2000
By Senators Lucas, Carpenter, Carter, Forrester, Garrou, Garwood, Kinnaird, Lee, Phillips, Purcell, Robinson, Shaw of Cumberland, Weinstein and Wellons:

S.B. 1513, A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW PERTAINING TO THE SCHOOL CALENDAR.
Referred to Education/Higher Education Committee.

By Senators Albertson, Carpenter, Carrington, East, Forrester, Garwood, Harris, Horton, Hoyle, Jordan, Lee, Lucas, Martin of Guilford, Metcalf, Phillips, Plyler, Purcell, Rand, Warren and Weinstein:

S.B. 1514, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO ISSUE SPECIAL PERMITS FOR THE TRANSIT OF MANUFACTURED HOUSING UP TO SIXTEEN FEET IN WIDTH AND PROVIDING FOR A PERMIT FEE.
Referred to Finance Committee.

By Senators Albertson, Carpenter, Cooper, Hartsell, Hoyle, Kerr, Metcalf, Odom, Perdue, Phillips, Plyler, Purcell, Rand, Robinson, Shaw of Cumberland and Warren:

S.B. 1515, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO A RESERVE ACCOUNT IN THE RURAL ECONOMIC DEVELOPMENT CENTER, INC., FOR USE IN COORDINATING THE DEVELOPMENT OF THE AGRICULTURAL ADVANCEMENT CONSORTIUM, AS RECOMMENDED BY THE NORTH CAROLINA RURAL PROSPERITY TASK FORCE.
Referred to Appropriations/Base Budget Committee.

By Senators Kerr and Reeves:

S.B. 1516, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CREATE THE RURAL REDEVELOPMENT AUTHORITY TO FINANCE RURAL ECONOMIC DEVELOPMENT PROJECTS AND INVEST IN RURAL BUSINESS DEVELOPMENT.
Referred to Appropriations/Base Budget Committee.

By Senator Kerr:

S.B. 1517, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING WATER USE AND THE FEES RELATED TO WATER USE.
Referred to Rules and Operations of the Senate Committee.

By Senators Kinnaird, Albertson, Carter, Clodfelter, Cooper, Dalton, Garrou, Gulley, Hagan, Harris, Jordan, Lee, Lucas, Metcalf, Miller, Odom, Perdue, Phillips, Purcell, Rand, Reeves, Rucho, Shaw of Cumberland, Soles, Warren, Weinstein and Wellons:

S.B. 1518, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY.
Referred to Appropriations/Base Budget Committee.

By Senators Kinnaird and Lee:

S.B. 1519, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CHATHAM COUNTY TO REIMBURSE COSTS RELATED TO SELECTING A SITE FOR A LOW-LEVEL RADIOACTIVE WASTE FACILITY.
Referred to Appropriations/Base Budget Committee.

By Senators Hagan, Clodfelter and Garrou:

S.B. 1520, A BILL TO BE ENTITLED AN ACT TO PROVIDE COMMUNITY COLLEGES WITH THE ADDITIONAL FUNDING FLEXIBILITY THEY NEED TO

May 30, 2000
CARRY OUT THEIR SPECIFIC MISSIONS AND TO THEREBY MEET THE NEEDS OF THEIR LOCAL COMMUNITIES.

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

By Senator Shaw of Cumberland:
S.B. 1521, A BILL TO BE ENTITLED AN ACT 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.

By Senator Lee:
S.B. 1522, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS LAWS PERTAINING TO THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, INCLUDING LAWS PERTAINING TO THE BUDGET OPERATIONS OF THE UNIVERSITY.

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

By Senator Lee:
S.B. 1523, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS LAWS PERTAINING TO THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, INCLUDING LAWS PERTAINING TO THE BUDGET OPERATIONS OF THE UNIVERSITY.

Referred to Rules and Operations of the Senate Committee.

By Senator Lee:
S.B. 1524, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS LAWS PERTAINING TO THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, INCLUDING LAWS PERTAINING TO THE BUDGET OPERATIONS OF THE UNIVERSITY.

Referred to Rules and Operations of the Senate Committee.

By Senator Ballantine:
S.B. 1525, A BILL TO BE ENTITLED AN ACT TO INCLUDE BEACH NOURISHMENT AND BEACH MANAGEMENT PRACTICES AS PURPOSES FOR WHICH GRANTS MAY BE MADE FROM THE CLEAN WATER MANAGEMENT TRUST FUND.

Referred to Agriculture/Environment/Natural Resources Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senators Foxx, Allran, Carpenter, Cochrane, Forrester, Garwood, Hartsell, Moore and Webster:
S.B. 1526, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR GOOD ROADS FOR NORTH CAROLINA TO ENHANCE CONTRACT RESURFACING OF ROADS ON A BASIS OF PAVEMENT NEEDS AND TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO STUDY INCORPORATING MEASURES OF MAINTENANCE NEEDS IN THE ALLOCATION FORMULAS FOR ALL MAINTENANCE FUNDS.

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

May 30, 2000
By Senators Foxx, Garwood, Hartsell, Moore and Webster:

S.B. 1527, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO STUDY A METHOD OF REIMBURSING THE STATE FOR COSTS OF ADDED SPECIAL SERVICES AS A RESULT OF EVENTS SCHEDULED AND CONDUCTED BY FOR-PROFIT CORPORATIONS.

Referred to Appropriations/Base Budget Committee.

By Senators Albertson, Garrou, Kerr and Wellons:

S.B. 1528, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE "TOBACCO HERITAGE" SPECIAL REGISTRATION PLATES.

Referred to Finance Committee.

By Senator Dalton:

S.B. 1529, A BILL TO BE ENTITLED AN ACT TO ADJUST AND ADD FEES CHARGED BY THE REGISTER OF DEEDS.

Referred to Finance Committee.

By Senator Dalton:

S.B. 1530, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA PERSONAL PRIVACY PROTECTION ACT.

Referred to Rules and Operations of the Senate Committee.

By Senator Dalton:

S.B. 1531, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE COMMUNITY COLLEGES SYSTEM OFFICE TO DEVELOP A COMPOSITES TESTING AND TRAINING CENTER AT ISOTHERMAL COMMUNITY COLLEGE.

Referred to Appropriations/Base Budget Committee.

By Senator Kerr:

S.B. 1532, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE TRAUMATIC BRAIN INJURY UNIT IN GOLDSBORO.

Referred to Appropriations/Base Budget Committee.

By Senator Kerr:

S.B. 1533, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR A CHILDREN AND YOUTH PSYCHIATRIC FACILITY AT CHERRY HOSPITAL.

Referred to Appropriations/Base Budget Committee.

By Senator Kerr:

S.B. 1534, 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 AND TO AMEND THE LAWS REGARDING CERTAIN REVENUE BONDS THAT MAY BE ISSUED BY THE BOARD OF GOVERNORS.

Referred to Finance Committee.

May 30, 2000
By Senator Kerr:
S.B. 1535, A BILL TO BE ENTITLED AN ACT TO MODIFY THE TAX CREDIT FOR CONSTRUCTION OF DWELLING UNITS FOR THE DISABLED.
Referred to Finance Committee.

By Senator Clodfelter:
S.B. 1536, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR ESCAPING FROM A COUNTY OR MUNICIPAL CONFINEMENT FACILITY OR OFFICER OF THE FACILITY.
Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senator Plyler:
S.B. 1537, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS.
Referred to Rules and Operations of the Senate Committee.

By Senators Plyler, Perdue and Odom:
S.B. 1538, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1999 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.
Referred to Appropriations/Base Budget Committee.

By Senator Plyler:
S.B. 1539, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS.
Referred to Rules and Operations of the Senate Committee.

By Senator Rand:
S.B. 1540, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COST OF EDUCATING A CHILD PLACED IN A GROUP HOME, FOSTER HOME, OR OTHER SIMILAR FACILITY, SHALL BE BORNE BY THE LOCAL BOARD OF EDUCATION IN THE COUNTY IN WHICH THE CHILD'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN RESIDES, AND TO APPROPRIATE FUNDS TO INCREASE THE STATE ALLOTMENT FOR THE EDUCATION OF CHILDREN WITH SPECIAL NEEDS.
Referred to Education/Higher Education Committee and upon a favorable report, re-referred to the Appropriations/Base Budget Committee.

By Senator Rand:
S.B. 1541, A BILL TO BE ENTITLED AN ACT RELATING TO THE DISPOSITION OF STATE PROPERTY.
Referred to Rules and Operations of the Senate Committee.

By Senators Wellons and Carpenter:
S.B. 1542, A BILL TO BE ENTITLED AN ACT TO MAKE POSSESSION OF MORE THAN THREE VIDEO POKER MACHINES ON ONE PREMISE ILLEGAL IN NORTH CAROLINA AND TO IMPOSE A PRIVILEGE TAX ON ALL VIDEO POKER MACHINES.
Referred to Finance Committee.

May 30, 2000
By Senator Dalton:

**S.B. 1543**, A BILL TO BE ENTITLED AN ACT TO REDUCE PAPERWORK IN THE PUBLIC SCHOOLS AND THEREBY SAVE TIME AND MONEY THAT CAN BE USED TO EDUCATE CHILDREN AND TO APPROPRIATE FUNDS TO EXPEDITE PAPERWORK REDUCTION.

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

By Senators Garrou, Albertson and Wellons:

**S.B. 1544**, A BILL TO BE ENTITLED A TOURIST ORIENTED DIRECTIONAL SIGN (TODS) PROGRAM.

Referred to Appropriations/Base Budget Committee.

By Senator Shaw of Cumberland:

**S.B. 1545**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO ERECT MEMORIAL SIGNS ALONG HIGHWAYS FOR STATE HIGHWAY PATROL MEMBERS AND OTHER LAW ENFORCEMENT PERSONNEL KILLED IN THE LINE OF DUTY.

Referred to Appropriations/Base Budget Committee.

By Senator Odom:

**S.B. 1546**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS.

Referred to Rules and Operations of the Senate Committee.

By Senator Odom:

**S.B. 1547**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS.

Referred to Rules and Operations of the Senate Committee.

By Senator Odom:

**S.B. 1548**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS.

Referred to Rules and Operations of the Senate Committee.

By Senator Odom:

**S.B. 1549**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF MILLENNIAL CAMPUSES AT THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.

Referred to Education/Higher Education Committee.

By Senators Rucho, Clodfelter, Dannelly and Odom:

**S.B. 1550**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE BRIGHT BEGINNINGS PROGRAM IN MECKLENBURG COUNTY.

Referred to Appropriations/Base Budget Committee.

By Senator Reeves:

**S.B. 1551**, A BILL TO BE ENTITLED AN ACT CONCERNING VISION 2030.

Referred to Rules and Operations of the Senate Committee.

By Senator Hoyle:

**S.B. 1552**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN INVESTMENT ADVISORY COMMITTEE TO DEVELOP AN INVESTMENT POLICY STATEMENT FOR NORTH CAROLINA, TO REVIEW THE INVESTMENTS MADE BY THE STATE TREASURER, AND TO RECOMMEND
INVESTMENT POLICIES TO THE STATE TREASURER THAT ARE CONSISTENT WITH THE STATE'S INVESTMENT POLICY STATEMENT.

Referred to Finance Committee.

By Senator Hoyle:

S.B. 1553, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO TRUCK MANUFACTURERS.

Referred to Rules and Operations of the Senate Committee.

By Senator Hoyle:

S.B. 1554, A BILL TO BE ENTITLED AN ACT TO ALLOW A PASS-THROUGH ENTITY TO ALLOCATE A HOUSING TAX CREDIT TO ANY OF ITS OWNERS AT THE DISCRETION OF THE PASS-THROUGH ENTITY.

Referred to Finance Committee.

By Senator Perdue:

S.B. 1555, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS.

Referred to Rules and Operations of the Senate Committee.

By Senator Perdue:

S.B. 1556, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS.

Referred to Rules and Operations of the Senate Committee.

By Senator Perdue:

S.B. 1557, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS.

Referred to Rules and Operations of the Senate Committee.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 3:38 P.M.

ONE HUNDRED SIXTEENTH DAY

Senate Chamber
Wednesday, May 31, 2000

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, sometimes we are so busy looking at ourselves, lamenting our plights and pains, that we never get around to looking at You. We come to this moment of prayer, as we tend to come to every other human experience asking, 'What will I get out of this?' 'What do I want?'

"Oh Lord, we know that the life of faith directs us to ask a new question, 'What does God want from me?' We humbly acknowledge that not everything we want is what You want. All our ways are not Your ways.

"And so it is that we stand here with hearts uplifted and heads bowed, not just to feel better or to be affirmed in our autonomous selves, but to keep bending our willful lives
toward You. We pray in order that we might obey. May our work this day bear some trace of Your gracious claim on our lives, we pray in Your Holy Name, Amen.”

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

Senator Rand announces the Journal of yesterday, Tuesday, May 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. Walter Wright from Kinston, 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:

S.B. 1179, A BILL TO BE ENTITLED AN ACT TO STANDARDIZE REPORTING REQUIREMENTS FOR HEALTH CARE PERSONNEL REGISTRY, AND TO ALLOW ADVERSE ACTION ON A FACILITY LICENSE FOR FAILURE TO COMPLY WITH REPORTING REQUIREMENTS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2830, which changes the title to read S.B. 1179 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO REPORTING REQUIREMENTS FOR THE HEALTH CARE PERSONNEL REGISTRY; IMPOSING PENALTIES FOR VIOLATIONS OF LICENSING AND OTHER REQUIREMENTS FOR CERTAIN MENTAL HEALTH FACILITIES; AND AUTHORIZING THE ADOPTION OF CERTAIN TEMPORARY AND PERMANENT RULES TO IMPLEMENT REQUIREMENTS FOR CERTAIN MENTAL HEALTH FACILITIES, is adopted and engrossed.

S.B. 1234, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ADULT CARE HOMES AND NURSING HOMES ENSURE THAT RESIDENTS AND EMPLOYEES ARE IMMUNIZED AGAINST INFLUENZA VIRUS AND THAT RESIDENTS ARE ALSO IMMUNIZED AGAINST PNEUMOCOCCAL DISEASE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3964 is adopted and engrossed.

WITHDRAWAL FROM CLERK’S OFFICE

S.B. 1290, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN POLITICAL ACTIVITIES BY BOARD OF ELECTIONS MEMBERS, ordered held in the Office of the Principal Clerk on May 17, pending referral to committee.

Senator Rand, Chairman of the Rules and Operations of the Senate Committee, announces the referral of the bill to the Judiciary I Committee.

May 31, 2000
REPORTS OF COMMITTEES (Continued)

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

S.B. 1272, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF LEA ISLAND STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW 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 2844 is adopted and engrossed.

S.B. 1332, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF BULLHEAD MOUNTAIN STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW 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 7773 is adopted and engrossed.

By Senator Kinnaird for the State and Local Government Committee:


Pursuant to Rule 43, the bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 1301, A BILL TO BE ENTITLED AN ACT TO PLACE A MORATORIUM ON ANNEXATIONS AND INCORPORATION IN A DESIGNATED AREA OF CABARRUS COUNTY, with a favorable report.

S.B. 1302, A BILL TO BE ENTITLED AN ACT TO ASSIST CABARRUS COUNTY WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES, with a favorable report.

S.B. 1334, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF TABOR 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 7774 is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Finance Committee.

ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified, properly enrolled and May 31, 2000
presented to the Office of the Secretary of State:

**H.B. 519, AN ACT TO ALLOW HENDERSON COUNTY TO ADJUST THE BOUNDARIES OF CHAPTER 69 FIRE TAX DISTRICTS.**

**CALENDAR**

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

**H.B. 1326 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE STATE SALES TAX REVENUE FROM DRY-CLEANING AND LAUNDRY SERVICES TO THE DRY-CLEANING SOLVENT CLEANUP FUND; TO INCREASE THE STATE SALES TAX ON DRY-CLEANING SOLVENTS; 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; TO DIRECT THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE USE OF DRY-CLEANING SOLVENTS IN NORTH CAROLINA, AND TO MAKE OTHER CHANGES IN THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997, upon second reading, which title changes upon concurrence.

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, June 1, upon third reading.

**S.B. 1269 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT LIABILITY WHEN A PERSON USES AN AUTOMATED EXTERNAL DEFIBRILLATOR TO RENDER EMERGENCY HEALTH CARE TREATMENT TO ATTEMPT TO SAVE THE LIFE OF A PERSON WHO IS IN OR WHO APPEARS TO BE IN CARDIAC ARREST.**

The Committee Substitute bill passes its second reading (49-0).

Senator Gulley objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Thursday, June 1, 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. 1284, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE**

May 31, 2000
PROCEDURE OVERSIGHT COMMITTEE TO REVISE OBSOLETE STATUTORY REFERENCES TO VARIOUS ADMINISTRATIVE PROCEDURE ACT PROVISIONS.

The bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

S.B. 1316 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO AUTHORIZE THE BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS TO ADOPT RULES TO REQUIRE ADDITIONAL INFORMATION PRIOR TO THE REEXAMINATION OF AN APPLICANT; LIMIT THE NUMBER OF OFFICES A LICENSEE MAY SUPERVISE; AND CHANGE THE ANNUAL LICENSE RENEWAL DATE FOR BUSINESSES.

Senator Miller 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.

S.B. 1328, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO AUTHORIZE THE BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS TO ADOPT RULES TO REQUIRE ADDITIONAL INFORMATION PRIOR TO THE REEXAMINATION OF AN APPLICANT; LIMIT THE NUMBER OF OFFICES A LICENSEE MAY SUPERVISE; AND CHANGE THE ANNUAL LICENSE RENEWAL DATE FOR BUSINESSES.

The bill passes its second reading (48-1) and third reading (47-1) and is ordered sent to the House of Representatives.

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 Office of the Principal Clerk:

State of Alaska, CS HJR 48 (RLS), Legislative Resolve No. 40, Relating to the free flow of people and the fair trade of goods and services across the border between the United States and Canada. (See Appendix.)

REPORTS OF COMMITTEES (Continued)

By Senator Hoyle for the Finance Committee:

S.B. 1264 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MOUNT HOLLY TO ENTER INTO AN ANNEXATION AGREEMENT, with a favorable report.

S.B. 1363, A BILL TO BE ENTITLED AN ACT ALLOWING THE CITY OF WHITEVILLE TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS, with a favorable report.

ADDITIONAL SPONSOR

Senator Metcalf requests to be added as a sponsor of previously introduced legislation:

S.B. 1486, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE HOUSING FINANCE AGENCY FOR THE HOUSING TRUST FUND.

May 31, 2000
Upon motion of Senator Ballance, seconded by Senator Ballantine, the Senate adjourns at 3:42 P.M. to meet tomorrow, Thursday, June 1, at 12:00 Noon.

ONE HUNDRED SEVENTEENTH DAY

Senate Chamber
Thursday, June 1, 2000

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, each day as we enter this Legislative Building, many of us walk over the Great Seal of the State of North Carolina which adorns the front plaza. The Latin inscription, our State motto, reads 'Esse quam videri, To be rather than to seem.'

"That is a call to truth and wholeness, to live a life of virtue that is consistent with our character, to be as zealous about being good as we are about doing good. It is not enough to aspire to compassion or justice, we are to be compassionate and just.

"Oh God, the shortfall between our being and our seeming provokes considerable shame in us. For our greatest fear is that You will look deeply into our hearts, beyond all our pretences and see us as we truly are, rather than as we imagine ourselves to be, and seeing that deficiency, You will abandon us. Help us to understand the harmonious unity of Your divine character. You are what You say You are, as Your heart is rich with mercy and love, so always are Your dealings with us. The next time we walk over that Great Seal, may we be reminded of the awesome richness of that truth and rejoice in it. This we pray in Your Holy Name, Amen."

With unanimous consent, the President grants leaves of absence for today to Senator Hoyle, Senator Lucas, Senator Martin of Pitt, and Senator Shaw of Cumberland.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Wednesday, 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. Daniel Neumann from Charlotte, 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.

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. 519, AN ACT TO ALLOW HENDERSON COUNTY TO ADJUST THE BOUNDARIES OF CHAPTER 69 FIRE TAX DISTRICTS. (Became law upon ratification, May 31, 2000 – S.L. 2000-4.)

June 1, 2000
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:

S.B. 1260, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC RECORDS LAW TO PROTECT THE INTEGRITY OF ELECTRONIC RECORDS WITHIN THE STATE'S COMPUTER 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 7776 is adopted and engrossed.

By Senator Gulley for the Transportation Committee:

S.B. 1195, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION, IN COOPERATION WITH LOCAL ELECTED OFFICIALS, TO ESTABLISH RURAL TRANSPORTATION PLANNING ORGANIZATIONS TO PLAN RURAL TRANSPORTATION SYSTEMS AND TO ADVISE THE DEPARTMENT ON RURAL TRANSPORTATION POLICY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7775 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. 1498, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN MANAGER OF BUTNER TO ADMINISTER ITS ANNUAL POWELL BILL STATE STREET AID ALLOCATION.

Referred to Transportation Committee.

H.B. 1540 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO REQUIRE THE STATE BOARD OF EDUCATION TO REPORT ANNUALLY ON IHE REPORT CARDS AND TO DIRECT THE EDUCATION CABINET TO STUDY VARIOUS HIGH SCHOOL PROGRAMS.

Referred to Education/Higher Education Committee.

H.B. 1544, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A TAXPAYER IS ENTITLED TO A REFUND OF AN OVERPAYMENT OF THE STATE EXCISE TAX ON CONVEYANCES.

Referred to Finance Committee.

H.B. 1562, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE BY WHICH THE HOLDER OF A STANDARD COMMERCIAL FISHING LICENSE OR A RETIRED STANDARD COMMERCIAL FISHING LICENSE WILL BE ALLOWED

June 1, 2000
TO TAKE CRABS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

Referred to Agriculture/Environment/Natural Resources Committee.

H.B. 1606, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF HIGH POINT TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDNANCE.

Referred to State and Local Government Committee.

CALENDAR

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

S.B. 1264 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MOUNT HOLLY TO ENTER INTO AN ANNEXATION AGREEMENT, 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, June 5, upon third reading.

S.B. 1301, A BILL TO BE ENTITLED AN ACT TO PLACE A MORATORIUM ON ANNEXATIONS AND INCORPORATION IN A DESIGNATED AREA OF CABARRUS COUNTY.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1302, A BILL TO BE ENTITLED AN ACT TO ASSIST CABARRUS COUNTY WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1363, A BILL TO BE ENTITLED AN ACT ALLOWING THE CITY OF WHITEVILLE TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1272 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF LEA ISLAND STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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, June 7.

June 1, 2000
S.B. 1332 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF BULLHEAD MOUNTAIN STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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, June 7.

H.B. 1326 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE STATE SALES TAX REVENUE FROM DRY-CLEANING AND LAUNDRY SERVICES TO THE DRY-CLEANING SOLVENT CLEANUP FUND; TO INCREASE THE STATE SALES TAX ON DRY-CLEANING SOLVENTS; 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; TO DIRECT THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE USE OF DRY-CLEANING SOLVENTS IN NORTH CAROLINA, AND TO MAKE OTHER CHANGES IN THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997, upon third reading, which title changes upon concurrence.

The Senate Committee Substitute bill passes its third reading by roll-call vote, ayes 45, 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.

S.B. 1179 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO REPORTING REQUIREMENTS FOR THE HEALTH CARE PERSONNEL REGISTRY; IMPOSING PENALTIES FOR VIOLATIONS OF LICENSING AND OTHER REQUIREMENTS FOR CERTAIN MENTAL HEALTH FACILITIES; AND AUTHORIZING THE ADOPTION OF CERTAIN TEMPORARY AND PERMANENT RULES TO IMPLEMENT REQUIREMENTS FOR CERTAIN MENTAL HEALTH FACILITIES.

The Committee Substitute bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

S.B. 1234 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ADULT CARE HOMES AND NURSING HOMES ENSURE THAT RESIDENTS AND EMPLOYEES ARE IMMUNIZED AGAINST INFLUENZA VIRUS AND THAT RESIDENTS ARE ALSO IMMUNIZED AGAINST PNEUMOCOCCAL DISEASE.

The Committee Substitute bill passes its second reading (45-0).

June 1, 2000
Senator Foxx objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Monday, June 5.

S.B. 1269 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT LIABILITY WHEN A PERSON USES AN AUTOMATED EXTERNAL DEFIBRILLATOR TO RENDER EMERGENCY HEALTH CARE TREATMENT TO ATTEMPT TO SAVE THE LIFE OF A PERSON WHO IS IN OR WHO APPEARS TO BE IN CARDIAC ARREST.

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 6.

PERSONAL PRIVILEGE

With unanimous consent, upon motion of Senator Odom, the remarks of Senator Jordan who rises to a point of personal privilege are spread upon the Journal as follows:

Senator Jordan:

“Mr. President and members of this Body, I rise to just thank Senator Ballance and all the members for so much that has happened over the past year. As you remember, this time last year I wasn’t healthy enough to be here in this Body. I was at another location and I thought I was going to be gone for maybe a couple days or a week. Didn’t know it was serious as it was and quite a number of things occurred during those times. You know earlier today we talked about a few medical situations. I thought about two very fine physicians that we have in this Body, and many times we don’t take care of our health as much as we should as legislators and people on the staff here in Raleigh. I just want to tell you a little brief history and I’ve told you before about it, but I had experienced a little trouble with my throat. Someone heard me complaining about the irritation and I had been seeing a doctor for a year and it was a misdiagnosed situation. I don’t really fault that doctor. Many say I should maybe look to legal action but I wanted to get well. I didn’t think about suing anybody. That’s the last thing on my mind. But I say that because I think we all ought to try to look for second and third opinions. We, especially as men, don’t look out for our health and we never really get second or third opinions, so I encourage all of you to do that. Many times I find myself now going around not talking about things in my district pertaining to politics, but health, cancer and etc., and many other things. I just wanted to rise and tell you that from the experiences that I had, I really count this Body and the staff as my friends. You really don’t know how many friends you have until you get down on your back. I never really thought I’d see a 50th birthday because when I checked into the hospital the doctors told me, Senator Perdue, that I had a twenty percent chance of making it, so that woke me up right then. It took so long to do anything for me because they kept sending me back, to do tests and studies and I called Senator Basnight’s office, Senator Rand’s office and they said to make contact with the School over in Chapel Hill. I wondered why these guys were taking so long to get started to work on me and I wanted them to know that my profession was a mortician and I’d like to get well. I wanted to spend less time as possible over there. Quite a number of things happened. I remember, Senator Basnight, going to an x-ray room there. Of course, you know I was 100 pounds heavier. Of course, I was real carefree and a couple of the nurses came up and they looked real nice. I’m a single guy, I can say that. And they asked me, ‘Senator, you want us to get the wheelchair and bring you around everyday and service you real good?’ And I said, ‘No.’ I was a macho. I was trying to have that macho image. Well about that second or third day, Senator Forrester, they had to come scoop me up with a shovel and scoop me in that wheelchair, ‘cause I couldn’t walk. I couldn’t do anything.

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Most of the time I didn’t know where I was at different points in time. But I’m so happy to be through those experiences and I tell you my heart goes out to anyone that goes through any of that, anyone who has experienced that. It gives me a new appreciation for life. Thank you.”

WITHDRAWAL FROM CALENDAR

S.B. 1195 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION, IN COOPERATION WITH LOCAL ELECTED OFFICIALS, TO ESTABLISH RURAL TRANSPORTATION PLANNING ORGANIZATIONS TO PLAN RURAL TRANSPORTATION SYSTEMS AND TO ADVISE THE DEPARTMENT ON RURAL TRANSPORTATION POLICY, placed on the Calendar for Monday, June 5.

Senator Gulley offers a motion that the rules be suspended to the end that the Committee Substitute bill be withdrawn from the Calendar for Monday, June 5, and placed before the Senate for immediate consideration, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Calendar for Monday, June 5, and places it before the Senate for immediate consideration.

Without objection, upon motion of Senator Webster, the Committee Substitute bill is withdrawn from today’s Calendar and placed on the Calendar for Tuesday, June 6.

Upon motion of Senator Basnight, seconded by Senator Soles, the Senate adjourns at 12:51 P.M. to meet Monday, June 5, at 7:00 P.M.

ONE HUNDRED EIGHTEENTH DAY

Senate Chamber
Monday, June 5, 2000

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, when Joshua had finally succeeded in settling his people in Canaan, he gathered all the tribes of Israel before him and he challenged them, ‘Choose this day whom you will serve.’ That is a charge for us to consider.

“We will serve our God, who like a devoted father, delights in working by our side; who catches us when we stumble and praises us when we stand.

“‘Choose this day...’ We will serve our God who, like a trusting mother, believes in our dreams and treasures our hopes; who teaches us how to have tough minds and tender hearts; who sees our weaknesses and loves us despite them.

“‘Choose this day...’ We will serve our God who, like a constant friend, endures our betrayals and suffers our schemes.

“Thank You, Dear Lord, for calling us into the beloved community so that we might truly belong to one another as a family. Endow our concern for one another with constancy and courage, and empower us to love those who cannot or will not return our love. This we pray in Your Holy Name, Amen.”

June 5, 2000
With unanimous consent, the President grants leaves of absence for tonight to Senator Martin of Pitt, Senator Metcalf, and Senator Webster.

Senator Basnight, President Pro Tempore, announces the Journal of Thursday, 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 of the Senate extends courtesies of the floor to Dr. Michael Brennan from Burlington, North Carolina, who is serving the Senate as Doctor of the Day, and to Susan Bowers from Fayetteville, 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 Dalton for the Education/Higher Education Committee:

**S.B. 1255**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE COMMISSION ON IMPROVING THE ACADEMIC ACHIEVEMENT OF MINORITY AND AT-RISK STUDENTS 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, TO DIRECT THE STATE BOARD OF EDUCATION TO STUDY ISSUES RELATED TO CLOSING THE ACHIEVEMENT GAP, TO MAKE PERMANENT THE COMMISSION, TO APPROPRIATE FUNDS TO SUPPORT THE HISTORICALLY MINORITY COLLEGE AND UNIVERSITY INITIATIVE TO CLOSE THE ACHIEVEMENT GAP, AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS 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 2845 is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

By Senator Hoyle for the Finance Committee:

**S.B. 1210**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE "SUPPORT PUBLIC SCHOOLS" SPECIAL REGISTRATION PLATES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2847, which changes the title to read **S.B. 1210** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SUPPORT PUBLIC SCHOOLS SPECIAL REGISTRATION PLATES, DUCKS UNLIMITED SPECIAL REGISTRATION PLATES, OMEGA PSI PHI FRATERNITY SPECIAL REGISTRATION PLATES, AND TOBACCO HERITAGE SPECIAL REGISTRATION PLATES; TO CREATE THE FUND FOR THE REDUCTION OF CLASS SIZE IN

June 5, 2000
PUBLIC SCHOOLS; AND TO REMOVE THE SPECIAL REGISTRATION PLATE ACCOUNT FEE FROM THE LEGION OF VALOR SPECIAL REGISTRATION PLATES, CONGRESSIONAL MEDAL OF HONOR SPECIAL REGISTRATION PLATES, 100% DISABLED VETERAN SPECIAL REGISTRATION PLATES, AND EX-PRISONER OF WAR SPECIAL REGISTRATION PLATES, is adopted and engrossed.

COMMITTEE REFERRAL RECALL

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, re-referred to the Finance Committee on July 15, 1999, with one adopted amendment and two pending amendments.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the Committee Substitute bill be withdrawn from the Finance Committee and re-referred to the Agriculture/Environment/Natural Resources 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.

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. 1494, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF LAUREL PARK.
Referred to Finance Committee.

H.B. 1517 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF CALDWELL, THE COUNTY OF BURKE, THE CITY OF LENOIR, AND THE CITY OF MORGANTON TO JOINTLY ESTABLISH AN AIRPORT AUTHORITY AND TO PROVIDE FOR THE JOINT MAINTENANCE AND CONTINUING OPERATION OF THE EXISTING AIRPORT NOW OPERATED BY THE MORGANTON-LENOIR AIRPORT AUTHORITY.
Referred to Finance Committee.

H.B. 1545, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE EXCISE TAX ON CONVEYANCES APPLIES TO TIMBER DEEDS AND CONTRACTS FOR THE SALE OF STANDING TIMBER.
Referred to Finance Committee.

H.B. 1553 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF LUMBERTON TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION AND TO RESTORE THE APPLICABILITY OF THE STATUTE TO THE CITY OF GREENVILLE AFTER ITS ENACTMENT IN 1999 AND ERRONEOUS DELETION IN A LATER ACT THAT SAME YEAR.
Referred to State and Local Government Committee.

June 5, 2000
H.B. 1555, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GASTONIA TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE.

Referred to State and Local Government Committee.

H.B. 1577 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF BULLHEAD MOUNTAIN STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to Agriculture/Environment/Natural Resources Committee.

H.B. 1598, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROPER REPRESENTATION FROM THE TOWN OF OAK ISLAND ON THE BRUNSWICK COUNTY AIRPORT COMMISSION.

Referred to State and Local Government Committee.

CALENDAR

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

S.B. 1264 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MOUNT HOLLY TO ENTER INTO AN ANNEXATION AGREEMENT, 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 sent to the House of Representatives.

S.B. 1260 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC RECORDS LAW TO PROTECT THE INTEGRITY OF ELECTRONIC RECORDS WITHIN THE STATE'S COMPUTER SYSTEMS.

With unanimous consent, upon motion of Senator Reeves, the Committee Substitute bill is withdrawn from tonight's Calendar and is placed on the Calendar for Tuesday, June 6.

S.B. 1234 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ADULT CARE HOMES AND NURSING HOMES ENSURE THAT RESIDENTS AND EMPLOYEES ARE IMMUNIZED AGAINST INFLUENZA VIRUS AND THAT RESIDENTS ARE ALSO IMMUNIZED AGAINST PNEUMOCOCCAL DISEASE.

The Committee Substitute bill passes its third reading and is ordered sent to the House of Representatives.

June 5, 2000
COMMITTEE REFERRAL RECALLS

S.B. 1288, A BILL TO BE ENTITLED AN ACT TO MODIFY AND CLARIFY THE PERMITTED PROCESS TO BE USED BY THE CITY OF CHARLOTTE IN CONNECTION WITH CERTAIN ZONING PETITIONS AND PERMITS, referred to the Rules and Operations of the Senate Committee on May 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 refers the measure to the State and Local Government Committee.

S.B. 1289, A BILL TO BE ENTITLED AN ACT TO MODIFY AND CLARIFY THE PERMITTED PROCESS TO BE USED BY MECKLENBURG COUNTY IN CONNECTION WITH CERTAIN ZONING PETITIONS AND PERMITS, referred to the Rules and Operations of the Senate Committee on May 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 refers the measure to the State and Local Government Committee.


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 Tuesday, June 6, 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 Tuesday, June 6.

WITHDRAWAL FROM CLERK’S OFFICE

S.B. 1277, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE ADMINISTRATIVE OFFICE OF THE COURTS TO STUDY CERTAIN ASPECTS OF THE CHILD SUPPORT SYSTEM, ordered held in the Office of the Principal Clerk on May 17, pending referral to committee.

Senator Rand, Chairman of the Rules and Operations of the Senate Committee, announces the referral of the bill to the Appropriations/Base Budget Committee.

S.B. 1278, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF CHILD DEVELOPMENT TO CONDUCT A MARKET RATE STUDY FOR CHILD CARE SUBSIDIES EVERY TWO YEARS; TO REQUIRE THAT THE RESULTS OF THE STUDY BE PUBLISHED AND NEW MARKET RATES IMPLEMENTED WITHIN SIX MONTHS AFTER THE STUDY IS COMPLETED; TO REQUIRE THAT CHILD CARE SUBSIDIES BE SET AT THE SEVENTY-FIFTH PERCENTILE OF THE COUNTY MARKET RATE; AND TO CHANGE THE WAY CHILD CARE SUBSIDIES ARE SET FOR THE 2000-2001 FISCAL YEAR, ordered held in the Office of the Principal Clerk on May 17, pending referral to committee.

Senator Rand, Chairman of the Rules and Operations of the Senate Committee, announces the referral of the bill to the Appropriations/Base Budget Committee.

June 5, 2000
Senators, The President recognizes the following pages serving in the Senate this week:

Elizabeth Allran, Hickory; Bradley W. Armstrong, Jacksonville; Sarah Bass, Charlotte; Ashley Batts, Knightdale; James B. Blackburn, Durham; Grace Leigh Brown, Mount Olive; Samuel E. Burness, Durham; Christopher Ryan Cantrell, Wilmington; Whitney Leigh Crump, Pilot Mountain; Domonique A. Dixon, Wilmington; Jacob Scott Eckenrode, Raleigh; Sandra Gaskins, Lenoir; Scott Robert Hermann, Raleigh; Mary Catherine Knight, Rockingham; Courtney Lauren Mallory, Albemarle; Maurice Nelson Maynard, Asheville; Meghan J. McGrayne, Carthage; Leah C. Pittman, Pikeville; Paul D. Saylor, Goldsboro; Shea Burrows Setzer, Asheboro; Rodney Dean Smith, Jr., Pink Hill; Amanda Laney Stephens, Erwin; Luther M. Whitted III, Castle Hayne; and L. Dodson Worthington IV, Kinston.

Upon motion of Senator Basnight, seconded by Senator Weinstein, the Senate adjourns at 7:24 P.M. to meet tomorrow, Tuesday, June 6, at 2:30 P.M.

One Hundred Nineteenth Day

Senate Chamber
Tuesday, June 6, 2000

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, counting our supporters on tough issues can be a disconcerting task. Too often the daily measure of our effectiveness as Legislators boils down to counting up a tally of committee votes, and sometimes there aren’t enough.

"And yet, only twelve people earnestly followed Jesus throughout His earthly ministry, not exactly a tidal wave of popular support. How did He do it with so little encouragement? It seems that Jesus had just enough supporters in those days to keep the civil authorities nervous and the general public vaguely curious. How deeply He must have leaned into the calm center of Your Divine Spirit in order to turn from the need for public acclamation.

"Reveal to us, oh God, the knowledge of when we must stand tall, and give us courage to know that we can endure in spite of the polls. Give us wisdom to know when we must bend in compromise and the boldness to dare to do so. With or without the encouragement of our peers, give us the strength to lead others to the calm center of our lives where, we pray, Your Spirit of peace will continue to sustain us. This we pray in Your Holy Name, Amen."

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

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Monday, June 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.

June 6, 2000
The President of the Senate extends courtesies of the floor to Laureen Froimson from Chapel Hill, North Carolina, who is serving the Senate as Nurse of the Day.

Upon motion of Senator Carpenter and Senator Robinson, the Chair extends courtesies of the gallery to Chancellor John Bardo and Vice Chancellor Joe Carter of Western Carolina University.

Upon motion of Senator Albertson, the Chair extends courtesies of the gallery to the following delegates from Duplin County: Sherwood Fountain, Co-Chair, Duplin County 250th Anniversary Council; Jim Barnhardt, Duplin County Manager; Arliss Albertson, Duplin County Commissioner; Elwood Revelle, Duplin County Commissioner; Ed Emory, member of the Duplin County 250th Anniversary Council; and Sonny Sikes, Tourism Director and member of the Duplin County 250th Anniversary Council.

The Senate recesses at 2:47 P.M. for the purpose of a meeting of the Rules and Operations of the Senate Committee, to reconvene at 2:52 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

Upon the appearance of Senator Webster in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

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 Rand for the Rules and Operations of the Senate Committee:

S.J.R. 1495, A JOINT RESOLUTION PROVIDING THAT THE 1999 GENERAL ASSEMBLY SHALL MEET FOR A DAY AT THE STATE CAPITOL IN HONOR OF THE STATE CAPITOL'S 160TH ANNIVERSARY, 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 3967 is adopted and engrossed.

Upon motion of Senator Rand, the rules are suspended and the Committee Substitute joint resolution remains before the Senate for immediate consideration.

The Committee Substitute joint resolution passes its second (49-0) and third readings and is ordered sent, by special message, to the House of Representatives.

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

S.B. 1279, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN REQUIREMENTS RELATED TO LAND-USE RESTRICTIONS THAT APPLY GENERALLY TO RISK-BASED ENVIRONMENTAL CLEANUPS DO NOT APPLY TO CLEANUPS OF PETROLEUM FROM LEAKING UNDERGROUND STORAGE TANKS AND TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO

June 6, 2000
CONTINUE TO STUDY THE APPLICATION OF LAND-USE RESTRICTIONS TO THE CLEANUP OF ENVIRONMENTAL DAMAGE FROM THESE TANKS THROUGH A STAKEHOLDER NEGOTIATION PROCESS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

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 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, June 12.

REPORTS OF COMMITTEES (Continued)

By Senator Miller for the Judiciary II Committee:

S.B. 1340, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUS OF A GUARDIAN OF THE PERSON OF A JUVENILE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 8662 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. 1546 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALEXANDER COUNTY MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS CORRECTIONAL FACILITIES.

Referred to State and Local Government Committee.

H.B. 1660, A BILL TO BE ENTITLED AN ACT TO CORRECT THE CANDIDATE FILING DEADLINE FOR THE ASHE COUNTY BOARD OF EDUCATION.

Referred to State and Local Government Committee.

H.B. 1675, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF MAYODAN TO ELIMINATE THE REQUIREMENT THAT THE TOWN MANAGER MUST RESIDE WITHIN TOWN LIMITS.

Referred to State and Local Government Committee.

H.B. 1688, A BILL TO BE ENTITLED AN ACT TO ALLOW CURRITUCK COUNTY TO REGULATE PERSONAL WATERCRAFT OPERATION.

Referred to State and Local Government Committee.

June 6, 2000
H.B. 1739, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF ASHEVILLE RESPECTING THE CALLING OF SPECIAL MEETINGS, AND TO REPEAL AN ACT RESPECTING THE REMOVAL OF GARBAGE WITHIN THAT CITY.

Referred to State and Local Government Committee.

CALENDAR

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

S.B. 1195 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION, IN COOPERATION WITH LOCAL ELECTED OFFICIALS, TO ESTABLISH RURAL TRANSPORTATION PLANNING ORGANIZATIONS TO PLAN RURAL TRANSPORTATION SYSTEMS AND TO ADVISE THE DEPARTMENT ON RURAL TRANSPORTATION POLICY.

The Committee Substitute bill passes its second (48-1) and third readings and is ordered sent to the House of Representatives.

S.B. 1210 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SUPPORT PUBLIC SCHOOLS SPECIAL REGISTRATION PLATES, DUCKS UNLIMITED SPECIAL REGISTRATION PLATES, OMEGA PSI PHI FRATERNITY SPECIAL REGISTRATION PLATES, AND TOBACCO HERITAGE SPECIAL REGISTRATION PLATES; TO CREATE THE FUND FOR THE REDUCTION OF CLASS SIZE IN PUBLIC SCHOOLS; AND TO REMOVE THE SPECIAL REGISTRATION PLATE ACCOUNT FEE FROM THE LEGION OF VALOR SPECIAL REGISTRATION PLATES, CONGRESSIONAL MEDAL OF HONOR SPECIAL REGISTRATION PLATES, 100% DISABLED VETERAN SPECIAL REGISTRATION PLATES, AND EX-PRISONER OF WAR SPECIAL REGISTRATION PLATES.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

S.B. 1260 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC RECORDS LAW TO PROTECT THE INTEGRITY OF ELECTRONIC RECORDS WITHIN THE STATE’S COMPUTER SYSTEMS.

With unanimous consent, upon motion of Senator Reeves, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Tuesday, June 13.

S.R. 1504, A SENATE RESOLUTION HONORING SIR THOMAS HAY, LORD DUPPLIN OF SCOTLAND, ON THE 250TH ANNIVERSARY OF DUPLIN COUNTY.

With unanimous consent, upon motion of Senator Webster, the remarks of Senator Albertson honoring the 250th Anniversary of Duplin County are spread upon the Journal, as follows:

Senator Albertson:

“Thank you Mr. President, members of the Senate. I appreciate your waving those good Duplin County flags. You look better doing that, Beverly. Melvin Corting, who was a former Mayor of Wallace and one of my very favorite people, was an excellent speaker and I always loved to hear him speak. He talked so well. I remember on several occasions when he would refer to that scripture that all of you are familiar with that after

June 6, 2000
God had created the heavens and the earth, He looked down upon what He had made and saw that it was good. And Melvin was always fond of saying he thought that God was looking right straight at Duplin County when He said that, and you know what, I think he may have been right. It is a wonderful place to live. Let me tell you just a little bit about the great County of Duplin. Duplin County was incorporated on April 7, 1750, from New Hanover. It was named for Sir Thomas Hay, Lord Duplin of Scotland, who served on Great Britain’s Board of Trades and Plantations. Duplin County, all 815 square miles of it, is located forty miles west of Wilmington and 42,200 residents are proud to call it home. Let me tell you some interesting facts about our great County of Duplin. It is home to the world’s largest frying pan. Bill, you didn’t know that, did you? It weighs two tons and it’s fifteen feet in diameter. It’s located in the Town Square of Rose Hill, and I can tell you it’s been used on many occasions to fry some mighty good chicken. Rose Hill is also the home of our Duplin Winery. Some of you folks have been there because I know you ask me about it quite often. You’ll find in your gift package on your desk a little card. Now you need to look at it closely. If you look at this card, it will enable you to go by the winery and pick up a fine bottle of wine. Since 1921, Duplin County has hosted, now I think this is great and y’all need to listen to this. Duplin County has hosted the longest, continuous Veterans Day Celebration in the USA, to honor the memory and the service of those who fought and died in battle to preserve our freedom. Other famous places of interest are the Cowan Museum and its collection of rare and unusual artifacts from early Americana, restaurants such as the Country Squire Restaurant and many of you have been there because you’ve told me you have. They are known for folks coming many miles to eat those fine steaks, David. We also have the famous Wagon Wheel Restaurant in Beulaville that is known all over this State. There’ve been several big articles in magazines and papers that tell about the good collards they cook down in Beulaville, and I can tell you they are some of the best you’ll find. Duplin County has evolved in 250 years into a rich farming community with tobacco as its original cash crop and, as you know, in recent years, raising hogs, turkeys, chickens, and cattle has increased our agricultural production in Duplin County to rank it as number one in the State for total agricultural revenues. We’ve had some famous educators, past and present, from Duplin County that we are very proud of. E. E. Smith, an African-American educator from Duplin helped make education possible for other African-Americans in North Carolina and then went on to be appointed Ambassador to Liberia by President Grover Cleveland, which was a long time ago. Dallas Herring, whom many of you know very well from Rose Hill who served as State Board of Education Chairman for almost twenty years, is known in this State as the Father of the Community College System, and this is what Dr. Herring has said of Duplin, and I think it’s so great. He said, ‘If you want to know Duplin County, you measure the people in Duplin County, not the map nor the buildings.’ But amongst these great establishments, people and statistics, I think what makes Duplin County such a wonderful place is its folks who are simple, down-home, country people. Now these are folks who will wave a hand to a stranger that is passing by and are folks who value and cherish family and the simple things in life. Now I’ve been fortunate in my lifetime as a musician to travel to many places, twenty-six or twenty-seven countries, and I have met some wonderful people, but I can honestly tell you from the bottom of my heart, I have never met people as great and a place as wonderful as my home, Duplin County. There is not another place in this great world we live in, and I’ve seen many of them, that I prefer to live. As a father, as a husband, and a citizen of Duplin County, I know that the history of Duplin is truly wonderful. But while we enjoy the wonders of this history, we have also learned from the good folks who came before us and who have provided us with 250 years of down-home living and commitment to family and to each other. Members of the Senate, I commend upon you this resolution in celebration of 250 years. Mr. President,
the Chair has already recognized some of our great citizens who are here today from Duplin and we welcome you."

Upon motion of Senator Albertson, the Senate Resolution is adopted (49-0).

S.B. 1269 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT LIABILITY WHEN A PERSON USES AN AUTOMATED EXTERNAL DEFIBRILLATOR TO RENDER EMERGENCY HEALTH CARE TREATMENT TO ATTEMPT TO SAVE THE LIFE OF A PERSON WHO IS IN OR WHO APPEARS TO BE IN CARDIAC ARREST.

With unanimous consent, upon motion of Senator Warren, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Wednesday, June 14.

REPORTS OF COMMITTEES (Continued)

By Senator Hoyle for the Finance Committee:

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, 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 8178 is adopted and engrossed.

S.B. 1334 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF TABOR CITY, 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, 3965 is adopted and engrossed.

ADDITIONAL SPONSOR

Senator Metcalf requests to be added as a sponsor of previously introduced legislation:

S.B. 1235, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE BIRTH DEFECT MONITORING PROGRAM.

Upon motion of Senator Ballance, seconded by Senator Reeves, the Senate adjourns at 3:27 P.M. to meet tomorrow, Wednesday, June 7, at 3:00 P.M.

ONE HUNDRED TWENTIETH DAY

Senate Chamber
Wednesday, June 7, 2000

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

June 7, 2000
Prayer is offered by The Reverend Gloria Johnson, Associate Pastor for Community Ministry, White Memorial Presbyterian Church, Raleigh, North Carolina, as follows:

"God of all people, we pray for Your world, this country, and especially this State. We ask Your blessing upon these Legislators and those that have put their trust in this political process and its leaders. We acknowledge that diversity and differences of opinion are a challenge, but we know that with Your help, they can be occasions for growth and celebration.

"We take a moment today to remember Your people because it is for them many laws and policies are made. We pray for those who cannot take care of themselves because of age or illness, for those who are victims of violence or abuse, for those who work at jobs where there is little hope for advancement or who work all day but still can’t get ahead. We pray for those who lack the basic necessities of life, for the children who are always at the mercy of those bigger than they are, for those who lack education, for those effected by natural disaster. Give us compassion that is guided by wisdom. Lead us into service and action that enables all people to live with dignity amidst growing needs. You alone are our strength, and help us rely on it as we meet the challenges of today and the days to come. For it is in Your Name we pray. Amen."

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

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Tuesday, June 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. Clifford Callaway from Charlotte, North Carolina, who is serving the Senate as Doctor of the Day.

Without objection, upon motion of Senator Rand, all bills on the Calendar for Thursday, June 8, will be placed on the Calendar for Monday, June 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 Hoyle for the Finance Committee:

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, with an unfavorable report as to Committee Substitute bill No. 4, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill A252 is adopted and engrossed.

The Senate Committee Substitute bill is placed on the Calendar for Monday, June 12.

June 7, 2000
By Senator Purcell for the Health Care Committee:

S.B. 1431, A BILL TO BE ENTITLED AN ACT TO DIRECT THE SECRETARY OF HEALTH AND HUMAN SERVICES TO ESTABLISH COMMUNITY HEALTH STANDARDS, AND TO APPROPRIATE FUNDS THEREFOR, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 1217, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, AND TO DIRECT THE OVERSIGHT COMMITTEE TO DEVELOP A PLAN TO REFORM THE STATE SYSTEM FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Rules and Operations of the Senate Committee.

S.B. 1215, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES PERTAINING TO MEDICAL CARE COMMISSION AUTHORITY TO ADOPT RULES REGULATING ADULT CARE HOMES AND SOCIAL SERVICES COMMISSION AUTHORITY TO ADOPT RULES PERTAINING TO PUBLIC ASSISTANCE 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 6786 is adopted and engrossed.

The Committee Substitute bill is placed on the Calendar for Monday, June 12.

By Senator Reeves for the Information Technology Committee:

S.B. 1343, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA RURAL INTERNET ACCESS AGENCY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill A688, which changes the title to read S.B. 1343 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA RURAL INTERNET ACCESS AUTHORITY, is adopted and engrossed.

The Committee Substitute bill is placed on the Calendar for Monday, June 12.

By Senator Kinnaird for the State and Local Government Committee:

S.B. 1354, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MECKLENBURG COUNTY TO MATCH FEDERAL INDEPENDENT LIVING FUNDS IN THE EVENT THE STATE DOES NOT PROVIDE MATCHING FUNDS, with a favorable report.

The bill is placed on the Calendar for Monday, June 12.

S.B. 1382, A BILL TO BE ENTITLED AN ACT TO EXEMPT SURRY COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION AND EXPANSION OF A BUILDING TO BE USED AS A MULTIPURPOSE FACILITY, with a favorable report.

The bill is placed on the Calendar for Monday, June 12.
S.B. 1451, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE TO USE THE PROCEDURES OF CHAPTER 136 OF THE GENERAL STATUTES FOR CONDEMNATION FOR ECONOMIC DEVELOPMENT PURPOSES WITHIN A DEFINED AREA, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Finance Committee.

S.B. 1454, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SHINING OF LIGHTS IN DEER AREAS IN HAYWOOD COUNTY, with a favorable report.

The bill is placed on the Calendar for Monday, June 12.

S.B. 1481, A BILL TO BE ENTITLED AN ACT TO AMEND THE LEGAL DESCRIPTION OF THE REAL PROPERTY LOCATED WITHIN THE COUNTIES OF DURHAM AND WAKE, AS SET FORTH IN SECTION 2, CHAPTER 435, SESSION LAWS OF 1985, AND AS AMENDED BY SECTION 4, CHAPTER 841, SESSION LAWS OF 1989, with a favorable report.

The bill is placed on the Calendar for Monday, June 12.

S.B. 1288, A BILL TO BE ENTITLED AN ACT TO MODIFY AND CLARIFY THE PERMITTED PROCESS TO BE USED BY THE CITY OF CHARLOTTE IN CONNECTION WITH CERTAIN ZONING PETITIONS AND PERMITS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7778, which changes the title to read S.B. 1288 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF CHARLOTTE TO ENGAGE IN CONDITIONAL ZONING, is adopted and engrossed.

The Committee Substitute bill is placed on the Calendar for Monday, June 12.

S.B. 1289, A BILL TO BE ENTITLED AN ACT TO MODIFY AND CLARIFY THE PERMITTED PROCESS TO BE USED BY MECKLENBURG COUNTY IN CONNECTION WITH CERTAIN ZONING PETITIONS AND PERMITS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6787, which changes the title to read S.B. 1289 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT MECKLENBURG COUNTY TO ENGAGE IN CONDITIONAL ZONING, is adopted and engrossed.

The Committee Substitute bill is placed on the Calendar for Monday, June 12.

S.B. 1452, A BILL TO BE ENTITLED AN ACT TO ALLOW FUNDS APPROPRIATED FOR A DETENTION HOME FOR FEMALE JUVENILE OFFENDERS IN MECKLENBURG COUNTY TO BE USED FOR TWO DETENTION FACILITIES TO HOUSE BOTH MALE AND FEMALE OFFENDERS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 8663, which changes the title to read S.B. 1452 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW FUNDS APPROPRIATED FOR A DETENTION HOME FOR FEMALE JUVENILE OFFENDERS IN MECKLENBURG COUNTY TO BE USED FOR TWO MULTIPURPOSE GROUP HOMES FOR BOTH MALE AND FEMALE OFFENDERS, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

June 7, 2000
By Senator Lee for the Education/Higher Education Committee:

S.B. 1549, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF MILLENNIAL CAMPUSES AT THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, with a favorable report.

Upon motion of Senator Lee, the bill is re-referred to the Finance Committee.

By Senator Miller for the Judiciary II Committee:

S.B. 1347, A BILL TO BE ENTITLED AN ACT TO MANDATE THE ASSESSMENT OF DRIVERS LICENSE POINTS FOR FAILURE TO RESTRAIN A CHILD IN A MOTOR VEHICLE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7779 is adopted and engrossed.

The Committee Substitute bill is placed on the Calendar for Monday, June 12.

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. 1514 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON REQUIREMENTS PERTAINING TO THE REIMBURSEMENT RATE FOR THE RESPITE CARE PROGRAM, AND TO AUTHORIZE THE MEDICAL CARE COMMISSION TO ADOPT TEMPORARY RULES PERTAINING TO RESPITE CARE.

Referred to Health Care Committee.

H.B. 1541, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE IN CAMDEN COUNTY TO OBTAIN AMBULANCE SERVICES WITH NO INTENT TO PAY FOR THOSE SERVICES OR TO MAKE AN UNNECESSARY AMBULANCE REQUEST AND TO AUTHORIZE CAMDEN COUNTY TO COLLECT AMBULANCE CHARGES THROUGH THE USE OF ATTACHMENT AND GARNISHMENT PROCEEDINGS.

Referred to Finance Committee.

H.B. 1552, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF LAURINBURG TO LEVY SPECIAL ASSESSMENTS FOR STREET OR SIDEWALK IMPROVEMENTS WITHOUT PETITION.

Referred to Finance Committee.

H.B. 1596, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO REVISE OBSOLETE STATUTORY REFERENCES TO VARIOUS ADMINISTRATIVE PROCEDURE ACT PROVISIONS.

Referred to Judiciary II Committee.

H.B. 1604, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF

June 7, 2000
MOUNT HOLLY TO ENTER INTO AN ANNEXATION AGREEMENT.
Referred to Finance 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:


CALENDAR

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

S.B. 1334 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF TABOR CITY, upon second reading.

The Committee Substitute bill No. 2 passes its second reading by roll-call vote, ayes 43, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill No. 2 is ordered placed on the Calendar for Monday, June 12, upon third reading.

S.B. 1272 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF LEA ISLAND STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The Committee Substitute bill passes its second reading (32-13).

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 12.

S.B. 1279, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN REQUIREMENTS RELATED TO LAND-USE RESTRICTIONS THAT APPLY GENERALLY TO RISK-BASED ENVIRONMENTAL CLEANUPS DO NOT APPLY TO CLEANUPS OF PETROLEUM FROM LEAKING UNDERGROUND STORAGE TANKS AND TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO CONTINUE TO STUDY THE APPLICATION OF LAND-USE RESTRICTIONS TO THE CLEANUP OF ENVIRONMENTAL DAMAGE FROM THESE TANKS THROUGH A STAKEHOLDER NEGOTIATION PROCESS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives.

June 7, 2000
S.B. 1332 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF BULLHEAD MOUNTAIN STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

With unanimous consent, upon motion of Senator Foxx, the Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the Agriculture/Environment/Natural Resources Committee.

S.B. 1340 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUS OF A GUARDIAN OF THE PERSON OF A JUVENILE.

The Committee Substitute bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives.

H.B. 133 (Senate 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.

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.

COMMITTEE REFERRAL RECALL

H.B. 1577 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF BULLHEAD MOUNTAIN STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, referred to the Agriculture/Environment/Natural Resources Committee on June 5.

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 placed before the Senate for immediate consideration, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Agriculture/Environment/Natural Resources Committee and places it on the Calendar for immediate consideration.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 44, noes 1, as follows:


Voting in the negative: Senator Shaw of Guilford—1.

The Committee Substitute bill is placed on the Calendar for Monday, June 12, upon third reading.

WITHDRAWAL FROM CLERK'S OFFICE

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, ordered held in the Office of the Principal Clerk on July 1, 1999, pending referral to committee.

Senator Rand, Chairman of the Rules and Operations of the Senate Committee, announces the referral of the Committee Substitute bill No. 2 to the Finance Committee.

REPORTS OF COMMITTEES (Continued)

By Senator Kerr for the Finance Committee:

H.B. 1494, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF LAUREL PARK, with a favorable report.

The bill is placed on the Calendar for Monday, June 12.

H.B. 1517 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF CALDWELL, THE COUNTY OF BURKE, THE CITY OF LENOIR, AND THE CITY OF MORGANTON TO JOINTLY ESTABLISH AN AIRPORT AUTHORITY AND TO PROVIDE FOR THE JOINT MAINTENANCE AND CONTINUING OPERATION OF THE EXISTING AIRPORT NOW OPERATED BY THE MORGANTON-LENOIR AIRPORT AUTHORITY, with a favorable report.

The bill is placed on the Calendar for Monday, June 12.

H.B. 1544, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A TAXPAYER IS ENTITLED TO A REFUND OF AN OVERPAYMENT OF THE STATE EXCISE TAX ON CONVEYANCES, with a favorable report.

The bill is placed on the Calendar for Monday, June 12.

H.B. 1545, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE EXCISE TAX ON CONVEYANCES APPLIES TO TIMBER DEEDS AND CONTRACTS FOR THE SALE OF STANDING TIMBER, with a favorable report.

The bill is placed on the Calendar for Monday, June 12.

S.B. 1318, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN ENTERPRISE TIER TWO AREA MAY NOT BE REDESIGNATED AS A HIGHER-NUMBERED TIER AREA UNTIL IT HAS BEEN AN ENTERPRISE TIER TWO AREA FOR TWO CONSECUTIVE YEARS, with a favorable report.

The bill is placed on the Calendar for Monday, June 12.

ENROLLED BILL

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

S.J.R. 1495, A JOINT RESOLUTION PROVIDING THAT THE 1999 GENERAL ASSEMBLY SHALL MEET FOR A DAY AT THE STATE CAPITOL IN HONOR OF THE STATE CAPITOL'S 160TH ANNIVERSARY. (Res. 2)
REPORTS OF COMMITTEES (Continued)

By Senator Phillips for the Pensions & Retirement and Aging Committee:

S.B. 1392, 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.

Pursuant to Rule 43, the bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 1268, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE FIREMAN'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.

S.B. 1287, A BILL TO BE ENTITLED AN ACT TO ALLOW ADDITIONAL RETROACTIVE MEMBERSHIP IN THE NORTH CAROLINA 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.

S.B. 1281, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROVISIONS REGARDING SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE CITY OF CHERRYVILLE, with a favorable report.

The bill is placed on the Calendar for Monday, June 12.


Pursuant to Rule 43, the bill is re-referred to the Appropriations/Base Budget Committee.


Pursuant to Rule 43, the bill is re-referred to the Appropriations/Base Budget Committee.

S.B. 1461, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ESTABLISHING THE MOUNT AIRY FIREFIGHTERS' SUPPLEMENTARY PENSION FUND, with a favorable report.

The bill is placed on the Calendar for Monday, June 12.

June 7, 2000
CONFIRMATION OF GOVERNOR'S APPOINTMENTS

NORTH CAROLINA GENERAL ASSEMBLY
Senate Chamber
State Legislative Building
Raleigh 27601-2808
June 7, 2000

The President and Members of the Senate
North Carolina General Assembly
State Legislative Building
Raleigh, North Carolina 27601-2808

Dear Mr. President and Members of the Senate:

In compliance with the provisions of North Carolina General Statute 135-6, requiring appointees to the Board of Trustees for the Teachers' and State Employees' Retirement System to be confirmed by the General Assembly, Governor Hunt has submitted his appointees, Mr. Kevin G. Harris, Mr. Leigh S. Wilson, and Mr. Paschal W. Swann, for confirmation. Their terms will begin immediately and will expire on March 31, 2004.

The Senate Committee on Pensions & Retirement and Aging has considered the appointment and makes the following recommendation to the General Assembly:

That the appointment of Kevin Harris, Leigh Wilson and Paschal Swann beginning immediately and expiring March 31, 2004, be confirmed.

Respectfully submitted,
S/Jim Phillips, Sr., Chairman
Senate Committee on Pensions &
Retirement and Aging

Without objection, the appointment of Kevin G. Harris, Leigh Wilson, and Paschal W. Swann to the Board of Trustees for the Teachers' and State Employees' Retirement System is confirmed.

Upon motion of Senator Basnight, seconded by Senator Webster, the Senate adjourns at 4:19 P.M. to meet tomorrow, Thursday, June 8, at 9:45 A.M. in the Old Senate Chamber at the State Capitol.

ONE HUNDRED TWENTY-FIRST DAY

State Capitol, Senate Chamber
Thursday, June 8, 2000

The Senate meets in the Senate Chamber in the State Capitol, pursuant to adjournment and is called to order by The Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by The Reverend Phyllis Mayo, Chaplain, Springmoor Retirement Community, Raleigh, North Carolina, as follows:

June 8, 2000
“Eternal God, the Psalmist reminds us that You ‘hem us in, behind and before, and lay Your hand upon us’. You are God of history, God of the future, and God of our present day.

“As we gather in this historic place, we recall the architect of this State Capitol building, the craftsmen and laborers, who 160 years ago dedicated their talents and the sweat of their brows to build a building that would last. For them, we offer our thanks.

“We recall the servants of our State Government who have hallowed these Chambers and these halls, giving their talents and the sweat of their brows to build a structure of State Government that would last. For their service to the citizens of North Carolina, we offer our thanks.

“On this day in history, we ask for Your blessing and guidance. Give these men and women strength to say ‘yes’ when ‘yes’ is right and ‘no’ when ‘no’ is right. Give them wisdom to know the difference.

“The future is Yours, and it is ours, to do and to serve. Bless and preserve our great State, these men and women, and those yet to serve. We pray in Your Holy Name. Amen.”

With unanimous consent, the President grants leaves of absence for today to Senator Garwood, Senator Gulley, Senator Harris, and Senator Hartsell.

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Wednesday, 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. James Johnson from Salisbury, North Carolina, who is serving the Senate as Doctor of the Day.

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. 1153, 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.** (Became law upon approval of the Governor, June 6, 2000 – S.L. 2000-5.)

The hour having arrived, pursuant to S.J.R. 1495, A JOINT RESOLUTION PROVIDING THAT THE 1999 GENERAL ASSEMBLY SHALL MEET FOR A DAY AT THE STATE CAPITOL IN HONOR OF THE STATE CAPITOL’S 160TH ANNIVERSARY, 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 to celebrate the 160th birthday of the North Carolina State Capitol and to honor the memory of the deceased former members of the General Assembly who served in the State Capitol.

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

June 8, 2000
S.J.R. 1495

House of Representatives
June 8, 2000

Mr. President:

It is ordered that a message be sent your Honorable Body with the message that pursuant to Comm. Sub. for SJR 1495, A JOINT RESOLUTION PROVIDING THAT THE 1999 GENERAL ASSEMBLY SHALL MEET FOR A DAY AT THE STATE CAPITOL IN HONOR OF THE STATE CAPITOL'S 160TH ANNIVERSARY, 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. 1495, that the Senate stand in recess to repair to the Hall of the House of Representatives, there to sit in Joint Session to celebrate the 160th birthday of the North Carolina State Capitol, and to honor the memory of the deceased former members of the General Assembly who served in the State Capitol, and further moves that, upon dissolution of the Joint Session, the Senate stand adjourned to reconvene Monday, June 12, at 7:00 P.M., 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 calls the Joint Session to order and directs the Reading Clerk of the House of Representatives to call the roll of the House of Representatives and the following members answer the call:


The Speaker of the House of Representatives directs the Reading Clerk of the Senate to call the roll of the Senate and the following members answer the call:

The Speaker of the House of Representatives recognizes the Sergeant-at-Arms of the House of Representatives who announces the presence of His Excellency, The Honorable James B. Hunt Jr., Governor. The Speaker directs the Sergeants-at-Arms of the House of Representatives and the Senate to escort the Governor to the Well of the House of Representatives. The Sergeant-at-Arms of the House of Representatives presents His Excellency, The Honorable James B. Hunt Jr.

The Clerk of the House of Representatives is directed to read H.J.R. 1860 in its entirety.

The joint resolution passes its second and third readings by the House of Representatives and is ordered sent to the Senate by special message.

The Speaker of the House of Representatives relinquishes the gavel to the Lieutenant Governor, Dennis A. Wicker, President of the Senate, 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. 1860, A BILL TO BE ENTITLED AN ACT COMMEMORATING THE 160TH BIRTHDAY OF THE NORTH CAROLINA STATE CAPITOL AND HONORING THE MEMORY OF DECEASED FORMER MEMBERS OF THE GENERAL ASSEMBLY WHO SERVED THERE.

Senator Rand, Chairman of the Rules and Operations of the Senate Committee, offers a motion that the rules be suspended to the end that HJR 1860 be brought before the Senate for immediate consideration. The motion prevails by a two-thirds majority vote.

The joint resolution passes its second reading by a call of the roll (38-0) and third reading and is ordered enrolled.

ENROLLED BILL

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

H.J.R. 1860, AN ACT COMMEMORATING THE 160TH BIRTHDAY OF THE NORTH CAROLINA STATE CAPITOL AND HONORING THE MEMORY OF DECEASED FORMER MEMBERS OF THE GENERAL ASSEMBLY WHO SERVED THERE. (Res. 3)

RECOGNITION OF FORMER MEMBERS OF THE GENERAL ASSEMBLY

The following former members of the General Assembly who served in the Capitol are recognized by the Lieutenant Governor:

The Honorable Charles F. Blackburn, Vance County; The Honorable Sidney Britt, Bladen County; The Honorable Robert W. Dalrymple, Lee County; The Honorable Thomas G. Dill, Edgecombe County; The Honorable Steve B. Dolley, Gaston County; The Honorable W. Ed Gavin, Randolph County; The Honorable Phil Godwin, Gates County

June 8, 2000
County; The Honorable John T. Henley, Cumberland County; The Honorable James W. Mason, Scotland County; and The Honorable Edward L. Williamson, Columbus County.

REMARKS BY THE LIEUTENANT GOVERNOR

The President of the Senate, Lieutenant Governor Dennis Wicker, offers the following remarks to the Joint Session of the General Assembly:

"Mr. Speaker, honorable members of the North Carolina General Assembly and distinguished guests, ladies and gentlemen, we sit here in this historic House Chamber to mark the one hundred and sixtieth anniversary of the North Carolina State Capitol, a national historical monument in one of the most visible and recognized symbols of our State’s government. When the Capitol was completed, as was mentioned earlier by the distinguished House Rules Chair, it had cost the State almost five hundred and thirty-three thousand dollars, three times that of the annual state revenues of that era, but it was second in quality only to its contemporary, the United States Capitol in Washington. Following its completion, this Capitol housed the entirety of our State Government for the next forty-eight years, the entirety of our State Government. The first legislative session was held in this building in November of 1840. Our predecessors used the fireplaces that are located in the rear of the Chamber, which were responsible for the House fire in 1831. This room was the scene of our State’s entry into the Civil War in 1861 and its peaceful return to the Union in late 1865. In 1888, the State Supreme Court and State Library moved to larger quarters. In 1961, this Body held its final legislative session here, and I am personally aware of that because my father served in the 1961 Session. I recall very vividly, as a very young boy, nine years old, sitting in the gallery watching him debate, I believe one of the most historic bills in North Carolina’s history-the education reforms under then Governor Terry Sanford. He sat about where my fellow Lee Countian and very dear and close friend, Robert Dalrymple, is sitting right now in the Chamber. Today, we have come here to recognize and remember the bonds that connect our House and our Senate to this historic time. This time, I would like to introduce the following former members of the House and Senate who served in this Capitol and who are with us today. As I call your name if you would please stand so we can recognize you. Sidney Britt, and please remain standing if you would, Robert Dalrymple, Thomas Dill, Steve Dolley, Ed Gavin, Phil Godwin, John T. Henley, Edward L. Williamson; Charles Blackburn and James Mason. Finally, let me mention that we have one member who is currently in the North Carolina General Assembly who served in this Body in its last session in 1961 who could not be with us here today, Representative and former Speaker Liston B. Ramsey. Furthermore, let us pause here to reflect and to remember those ancestors and family members and friends and colleagues who served in these chambers who are no longer with us and cannot be with us today. Let’s pause for a moment of silence. Thank you. In keeping with the 1840 tradition, on Friday, June 9th, the Capitol Staff volunteers and the Capitol Foundation will host a lecture series about the restoration efforts during these last seven years. As many of you know, my office is also in the Capitol and I want you to know that these volunteers have put in a great deal of hard work. I want to, at this time, to thank the State Capitol Foundation for its many hours and, in particular, the President, Rufus Edmington, who has been very active in this regard, for the long-time work in helping preserve our beautiful State Capitol Building, and the volunteers who have really made this a success and an enjoyable place to come and visit for the many, many school youngsters and others from all across the country and around the world to see our Capitol. The festivities will conclude on Saturday, June 10th, from twelve noon until three o’clock p.m. with a barbecue and a concert by the Eighty-second Airborne Division Concert Band.

June 8, 2000
And now it is a distinct honor and a privilege for me to introduce to you His Excellency, the great Governor of the State of North Carolina, The Honorable James B. Hunt Jr."

REMARKS BY THE HONORABLE JAMES B. HUNT JR., GOVERNOR

"Mr. President, Mr. Speaker, Mr. President Pro tem, Mr. Speaker Pro tem, I am thrilled to be with all of you here today. This is truly a day we will all remember. This is being a part of history for all of us, as we celebrate the completion of a seven-year restoration program returning this State Capitol to its 1840 to 1865 appearance, and I want to get one thing straight here today. I was not present at the ground breaking, but I did enjoy immensely the discussions of the Speaker and the President of the Senate and those heads of the Rules Committees and those who spoke to these issues. I was particularly interested in the relationship of the cost of this Capitol to the total state budget, and I was just thinking how grateful you all ought to be to me that I didn’t ask for a new State Capitol this year. Then I was interested in the fact that all of government used to be here together, and I thought how wonderful it is that it isn’t that way. Truly, all of us are, I think, proud to be a part of this day. We do think about all those who have served in the past and we are honored to have these great former members here today, all of whom I know and appreciate so much. The President mentioned his father serving here when the great education initiatives under Terry Sanford were passed. My cousin, Joe Hunt, was the Speaker of the House. I recall coming to those debates. I was a young student at N.C. State University. Not quite as good as Wake Forest, Jim Mason, but we did the best we could there. By the way, Wake Forest was closer by in those days, and, I remember being excited by the great debate here, the marvelous oratory, which still breaks out from time to time in the Legislature of North Carolina, and the things that we thought about, the inspiration that we received, the history that we learned, and I am just really proud to be here with you all today. Now we owe a lot to a lot of people and I would like for us today, as we are thinking about the past and we’re thinking about our history, to also think about the skilled artisans and craftsmen that worked so hard to return this Capitol to its original appearance. A lot of work has gone into this, folks. Great skill. A lot of research had to be done to find out exactly what it was like so that we could be authentic, quality craftsmanship, dedicated teamwork to recapture the original vision of what it was like and make sure that we do it that way. This project also involved updating safety and aesthetic systems in the building such as fire sprinklers and electrical wiring, exterior lighting and we thank a lot of companies in North Carolina that helped us with those. I believe that today the result is a Capitol that truly honors our State and our people and our government, and we should be very, very proud of it. There are others that we should thank today. I wanted, in particular, to recognize the person who has served as Secretary of Cultural Resources and who has literally put her life into our cultural heritage and our history, the great Secretary of Cultural Resources, Betty McCain. Now Betty, I think by this applause they are giving you what you deserve. I don’t know if they are going to be interested in more money for Blackbeard or not after today, but I bet they are going to see you again. I want to thank the wonderful Secretary of the Department of Administration that found another one hundred and fifty thousand dollars to put into this, Katie Dorsett, and I am sure that Secretary Dorsett is here, and we thank her and her department. I want to thank Betty McCain’s dedicated staff. We want to thank Betsy Buford and all those folks who worked so hard there. And folks, to this Capitol come about a hundred and seventy-five thousand visitors every year, and there will be more coming now, certainly, as we have the dinosaur down here, the first one ever found with a heart in it. I was on a European trade Mission; Bill Owens was with me, staying at the home of the Ambassador in London, and as I was getting ready to leave, really to come back, I heard on B.B.C. June 8, 2000
about North Carolina’s dinosaur with a heart in it. I said, ‘We have a heart in all of North Carolina,’ especially in the Legislature. I think we can say today that we have the finest restored Capitol of its age in the entire United States, and I want you to really examine it and think about it and tell people about it. Now there is some more work yet to be done on details, but with your help we can finish the job on this our Capitol. And that effort will be assisted by the non-profit State Capitol Foundation that was founded in 1976 by John Sanders of Chapel Hill, and I don’t know where John is today. If he is not here, he ought to be. Is John Sanders in our midst? Nobody loves this Capitol more or, I think, has done more to help us restore it and make it what it can be.

Now, I want to make some presentations to legislative leaders, and I do this on behalf of the President of the State Capitol Foundation, our former Attorney General and Secretary of State, Rufus Edminston. Rufus, under the rules, because you work for the legislature and represent some folks, you can’t speak today, but I can recognize you. Would you stand up...heading our State Capitol Foundation. On Rufus Edminston’s behalf, I want to present our legislative leaders here at the front with a token of our appreciation, and we do this on behalf of the people of North Carolina. It is a miniature replica of the magnificent Greek Revival frame that hangs here in the House Chamber. And you, of course, see it right here to your right. The large frame on the wall is a full size replication or reproduction that was presented to this Capitol, to our Capitol, in 1999. The original hangs in the Senate Chamber. Like the full scale frames, these miniatures are now being sold by the State Capitol Foundation. It contains a copy of the lithograph titled ‘Canova’s Statue of General George Washington.’ And what this depicts, and I think you have it in your folders there, but the print depicts the great Lafayette, who meant so much to the independence of America, as all of us know, viewing here in the rotunda of our Capitol, viewing the original Canova statue in the statehouse here in Raleigh during his farewell tour of America in 1825. We want to talk about history today, folks that was it, and we need to know about it, and we need to appreciate it, and we need to be a part of it. It is my pleasure now to present these frames to our legislative leaders as tokens of appreciation by the Foundation for your assistance in the restoration of this important project. Now, do I have them all here? Alright. Mr. Speaker, Mr. President Pro Tem, Mr. President of the Senate, our great Lieutenant Governor who we all respect and appreciate so much. I would ask you now to please join me in a round of applause as we recognize the one hundred and sixtieth anniversary of the North Carolina State Capitol and the near completion of this restoration work. May this symbol of our past provide an inspiration to all of us here today and to all future generations of North Carolinians.”

The Honorable James B. Hunt Jr., Governor, presents replicas of the 1841 Horton and Walker lithograph frame and print entitled “Canova’s Statue of General George Washington” to the President of the Senate, Lieutenant Governor Dennis A. Wicker; the Speaker of the House Representatives, James B. Black; the President Pro Tempore of the Senate, Marc Basnight; and the Speaker Pro Tempore, Joe Hackney.

ADDITIONAL SPONSOR

Senator Metcalf requests to be added as a sponsor of previously introduced legislation:

S.B. 1217, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, AND TO DIRECT THE OVERSIGHT COMMITTEE TO DEVELOP A PLAN TO REFORM THE STATE SYSTEM FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

June 8, 2000
S.B. 1258, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE THE MEDICAID REIMBURSEMENT RATE FOR DENTAL CARE FOR ELIGIBLE CHILDREN, TO APPROPRIATE FUNDS TO ENHANCE EFFORTS TO EXPAND DENTAL CARE FOR LOW- INCOME POPULATIONS IN THE STATE, AND TO ESTABLISH A TASK FORCE TO MAKE RECOMMENDATIONS TO IMPROVE ACCESS TO DENTAL CARE.

S.B. 1431, A BILL TO BE ENTITLED AN ACT TO DIRECT THE SECRETARY OF HEALTH AND HUMAN SERVICES TO ESTABLISH COMMUNITY HEALTH STANDARDS, AND TO APPROPRIATE FUNDS THEREFOR.

Upon motion of Senator Basnight, seconded by Senator Soles, the Joint Session is dissolved, and pursuant to the motion prevailing earlier, the Senate adjourns to reconvene Monday, June 12, at 7:00 P.M.

ONE HUNDRED TWENTY-SECOND DAY

Senate Chamber
Monday, June 12, 2000

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, are there any more difficult words You give us to speak than these, 'I forgive you'? If we have been forgiven of our sin, then we must forgive those who sin against us. In fact, we ought to want to forgive in order to have our broken relationships restored. But often we would rather lose a brother or a sister, and be disobedient to the very prayer we pray than to venture forgiveness. This is the hardest work You give us to do.

"Lord, teach us to forgive, not to nurture the hurt we have received but to let it go; to give back our pain to You so that You might transform our hurt into an invitation to healing. Teach us to seek reconciliation, to reach out and risk; to be the first to act to set things right when they have gone all wrong. Teach us to tell the truth to one another, but first to ourselves; to admit to our wrongs and then to turn from them and make them right. Show us that when we forgive we are working in the power of Your Spirit to make all things new. We are renewing the face of Your broken creation. Give strength for so bold a task, we pray in Your Holy Name, Amen."

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

Senator Basnight, President Pro Tempore, announces the Journal of Thursday, 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. Warner Hall, Jr. from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day.

June 12, 2000
ENROLLED BILLS

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

S.B. 1283, AN ACT TO CORRECT THE CANDIDATE FILING DEADLINE FOR THE ASHE COUNTY BOARD OF EDUCATION.

S.B. 1301, AN ACT TO PLACE A MORATORIUM ON ANNEXATIONS AND INCORPORATION IN A DESIGNATED AREA OF CABARRUS COUNTY.

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. 1258, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE THE MEDICAID REIMBURSEMENT RATE FOR DENTAL CARE FOR ELIGIBLE CHILDREN, TO APPROPRIATE FUNDS TO ENHANCE EFFORTS TO EXPAND DENTAL CARE FOR LOW- INCOME POPULATIONS IN THE STATE, AND TO ESTABLISH A TASK FORCE TO MAKE RECOMMENDATIONS TO IMPROVE ACCESS TO DENTAL CARE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 6789 is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

By Senator Kinnaird for the State and Local Government Committee:

S.B. 1428, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM 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 8664, which changes the title to read S.B. 1428 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO AUTHORIZE ADMINISTRATIVE SEARCH WARRANTS TO BE SERVED AT HOURS OTHER THAN BETWEEN 8:00 A.M. AND 8:00 P.M. WHEN THERE IS PROBABLE CAUSE TO BELIEVE THAT THE ACTIVITY THAT JUSTIFIES THE ADMINISTRATIVE SEARCH WARRANT WILL OCCUR AT OTHER HOURS, is adopted and engrossed.

By Senator Wellons for the Insurance Committee:

S.B. 1398, A BILL TO BE ENTITLED AN ACT TO INCREASE FEES PAID BY INSURANCE LICENSE APPLICANTS; TO EQUALIZE RESIDENT AND NONRESIDENT INSURANCE BROKER LICENSE FEES; AND TO MAKE NORTH CAROLINA INSURANCE PRODUCER LICENSING LAWS COMPLY WITH THE RECIPROCITY REQUIREMENTS IN THE FEDERAL GRAMM-LEACH-BLILEY

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ACT, PUBLIC LAW 106-102, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill A687, which changes the title to read S.B. 1398 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EQUALIZE RESIDENT AND NONRESIDENT INSURANCE BROKER LICENSE FEES; TO MAKE NORTH CAROLINA INSURANCE PRODUCER LICENSING LAWS COMPLY WITH THE RECIPROCITY REQUIREMENTS IN THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102; TO AMEND THE MINIMUM EDUCATION REQUIREMENTS FOR THE DEPARTMENT OF INSURANCE FINANCIAL EXAMINER AND ANALYST APPLICANTS; TO AMEND THE DEFINITION OF "PERSON" IN THE BEACH AND FAIR PLAN LAWS; AND TO AMEND THE DEFINITION OF "BRANCH OFFICE" IN THE MOTOR CLUB LAWS, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Finance Committee.

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:

H.B. 1493 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CONSUMERS WITH CONTROL OVER TELEPHONE SOLICITATION CALLS TO THEIR HOMES.

Referred to Information Technology Committee.

H.B. 1506 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ESTABLISHMENTS THAT PREPARE OR SERVE FOOD TO A CERTAIN NUMBER OF REGULAR BOARDERS OR PERMANENT HOUSEGUESTS TO COMPLY WITH STATE FOOD SANITATION REQUIREMENTS.

Referred to Agriculture/Environment/Natural Resources Committee.

H.B. 1551 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY OF DEPARTMENT OF REVENUE LAW ENFORCEMENT AGENTS, TO ALLOW THE SECRETARY OF REVENUE TO ADMINISTER THE OATH OF OFFICE TO DEPARTMENT OF REVENUE LAW ENFORCEMENT AGENTS, TO PROVIDE A CIVIL PENALTY FOR FILING A FRIVOLOUS INCOME TAX RETURN, AND TO CHANGE THE PROCEDURES FOR LAW ENFORCEMENT REPORTING ON NON-TAX-PAID UNAUTHORIZED SUBSTANCES.

Referred to Finance Committee.

H.B. 1557 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION, IN COOPERATION WITH LOCAL ELECTED OFFICIALS, TO ESTABLISH RURAL TRANSPORTATION PLANNING ORGANIZATIONS TO PLAN RURAL TRANSPORTATION SYSTEMS AND TO ADVISE THE DEPARTMENT ON RURAL TRANSPORTATION POLICY.

Referred to Transportation Committee.

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H.B. 1559, 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 CONFORM TO FEDERAL LAW REGARDING DEADLINES FOR PAYMENTS OF CERTAIN ESTIMATED INCOME TAXES, AND TO CLARIFY THE SALES FACTOR FOR DETERMINATION OF STATE CORPORATE INCOME AND FRANCHISE TAX.
Referred to Finance Committee.

H.B. 1573 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROPERTY TAX TREATMENT OF A HEALTH CARE FACILITY UNDERTAKEN BY THE MEDICAL CARE COMMISSION PURSUANT TO THE HEALTH CARE FACILITIES FINANCE ACT AND TO EXTEND THE SUNSET ON THE PROPERTY TAX EXEMPTION FOR CONTINUING CARE RETIREMENT CENTERS.
Referred to Finance Committee.

H.B. 1579 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF MONROE.
Referred to Finance Committee.

H.B. 1587 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF SEAGROVE AND PROVIDE THAT IT SHALL NOT BE CONSIDERED IN CALCULATING THE MAXIMUM AMOUNT OF SATELLITE ANNEXATIONS ALLOWED FOR THAT TOWN.
Referred to Finance Committee.

H.B. 1624 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE NATIONAL GOVERNORS' ASSOCIATION FOR A STREAMLINED SALES TAX COLLECTION SYSTEM AND TO OTHERWISE IMPROVE COLLECTION.
Referred to Finance Committee.

H.B. 1629 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF STATE REVENUE BONDS TO FINANCE IMPROVEMENTS TO THE WATER AND SEWER SYSTEM FOR THE COMMUNITY OF BUTNER AND THE CAMP BUTNER RESERVATION.
Referred to Finance Committee.

H.B. 1634 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUS OF A GUARDIAN OF THE PERSON OF A JUVENILE.
Referred to Judiciary II Committee.

H.B. 1638 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE AMBIENT AIR QUALITY, TO PROVIDE FOR THE USE OF ON-BOARD DIAGNOSTIC EQUIPMENT IN THE MOTOR VEHICLE EMISSIONS INSPECTION AND MAINTENANCE PROGRAM, AND TO EXCLUDE FEDERAL CONGESTION MITIGATION AND AIR QUALITY FUNDS FROM THE DISTRIBUTION FORMULA FOR FUNDS EXPENDED ON TRANSPORTATION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.
Referred to Agriculture/Environment/Natural Resources Committee.

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H.B. 1648, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF CHARLOTTE TO PURCHASE PUBLIC TRANSIT EQUIPMENT USING THE COMPETITIVE PROPOSAL METHOD OF PROCUREMENT.
Referred to State and Local Government Committee.

H.B. 1653, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF BROADWAY TO ALLOW THE MAYOR TO BE ELECTED IN THE SAME YEARS AS TWO TOWN COMMISSIONERS.
Referred to State and Local Government Committee.

H.B. 1659 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH NO-WAKE SPEED ZONES IN CARTERET COUNTY.
Referred to State and Local Government Committee.

H.B. 1670, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF MARSHVILLE AND OTHER LAWS RELATING TO THE CITY BY DELETING THROUGHOUT THE WORDS "BOARD OF ALDERMEN", "BOARD", AND "ALDERMAN" AND SUBSTITUTING, AS APPROPRIATE, THE WORDS "CITY COUNCIL" AND "COUNCIL MEMBER".
Referred to State and Local Government Committee.

H.B. 1689, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ESTABLISHING THE MOUNT AIRY FIREFIGHTERS' SUPPLEMENTARY PENSION FUND.
Referred to Pensions & Retirement and Aging Committee.

H.B. 1695, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE CHARTER OF THE CITY OF NEW BERN RELATING TO THE MAYOR AND MAYOR PRO TEM.
Referred to State and Local Government Committee.

H.B. 1744 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF ROWLAND TO PROVIDE THAT TOWN ELECTIONS SHALL BE CONDUCTED USING THE NONPARTISAN PLURALITY METHOD.
Referred to State and Local Government Committee.

H.B. 1807, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SHINING OF LIGHTS IN DEER AREAS IN HAYWOOD COUNTY.
Referred to Rules and Operations of the Senate Committee.

CALENDAR

Bills and a resolution on tonight's Calendar are taken up and disposed of, as follows:

S.B. 1334 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF TABOR CITY, 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 affirmative: Senators Albertson, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, East,

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Voting in the negative: None.

The Committee Substitute bill No. 2 is ordered sent to the House of Representatives.


With unanimous consent, upon motion of Senator Miller, the bill is withdrawn from tonight’s Calendar and is re-referred to the State and Local Government Committee.

H.B. 1494, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF LAUREL PARK, 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, June 13, upon third reading.

H.B. 1517 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF CALDWELL, THE COUNTY OF BURKE, THE CITY OF LENOIR, AND THE CITY OF MORGANTON TO JOINTLY ESTABLISH AN AIRPORT AUTHORITY AND TO PROVIDE FOR THE JOINT MAINTENANCE AND CONTINUING OPERATION OF THE EXISTING AIRPORT NOW OPERATED BY THE MORGANTON-LENOIR AIRPORT AUTHORITY, 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 tomorrow, Tuesday, June 13, upon third reading.

S.B. 1281, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROVISIONS REGARDING SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE CITY OF CHERRYVILLE.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

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S.B. 1288 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF CHARLOTTE TO ENGAGE IN CONDITIONAL ZONING.
Senator Clodfelter offers Amendment No. 1 which is adopted (47-0).
The Committee Substitute bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S.B. 1289 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT MECKLENBURG COUNTY TO ENGAGE IN CONDITIONAL ZONING.
Senator Clodfelter offers Amendment No. 1 which is adopted (47-0).
The Committee Substitute bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S.B. 1354, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MECKLENBURG COUNTY TO MATCH FEDERAL INDEPENDENT LIVING FUNDS IN THE EVENT THE STATE DOES NOT PROVIDE MATCHING FUNDS.
The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1382, A BILL TO BE ENTITLED AN ACT TO EXEMPT SURRY COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION AND EXPANSION OF A BUILDING TO BE USED AS A MULTIPURPOSE FACILITY.
The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1454, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SHINING OF LIGHTS IN DEER AREAS IN HAYWOOD COUNTY.
The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1461, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ESTABLISHING THE MOUNT AIRY FIREFIGHTERS' SUPPLEMENTARY PENSION FUND.
The bill passes its second and third readings and is ordered sent to the House of Representatives.

H.B. 1577 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF BULLHEAD MOUNTAIN STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, 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.

S.B. 1318, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN ENTERPRISE TIER TWO AREA MAY NOT BE REDESIGNATED AS A HIGHER-
NUMBERED TIER AREA UNTIL IT HAS BEEN AN ENTERPRISE TIER TWO AREA FOR TWO CONSECUTIVE YEARS, 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 tomorrow, Tuesday, June 13, upon third reading.

With unanimous consent, the President grants a leave of absence for the remainder of tonight's Session to Senator Ballance.

H.B. 723 (Senate Committee Substitute), 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, upon second reading.

The Senate Committee Substitute bill passes its second reading by roll-call vote, ayes 45, noes 0, as follows:


Voting in the negative: None.

The Senate Committee Substitute bill is ordered placed on the Calendar for tomorrow, Tuesday, June 13, upon third reading.

H.B. 1545, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE EXCISE TAX ON CONVEYANCES APPLIES TO TIMBER DEEDS AND CONTRACTS FOR THE SALE OF STANDING TIMBER, upon second reading.

The bill passes its second reading by roll-call vote, ayes 45, noes 1, as follows:


Voting in the negative: Senator Webster—1.

The bill is ordered placed on the Calendar for tomorrow, Tuesday, June 13, upon third reading.
S.J.R. 819, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF
WILMER DAVID "VINEGAR BEND" MIZELL, FORMER NORTH CAROLINA
CONGRESSMAN.

With unanimous consent, upon motion of Senator Cochrane, 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 Wilmer David "Vinegar Bend" Mizell, former
North Carolina Congressman, are spread upon the Journal, as follows:

Senator Cochrane:

"...things that were accomplished in this one man's life. I first knew him in 1974.
That was not at the height of his life at that point because that was the first time he had lost
an election. We worked in his campaign that year and so I knew about his pitching. My
dad was a baseball player and I knew about "Vinegar Bend" being in baseball. I knew
about him being a County Commissioner, and I had known about his experiences in
Congress before 1974. He was a beloved Congressman in Davidson County and in
surrounding areas. At that time, he represented Davie County and that's how I got
involved. Afterwards, we watched his service in Washington for three successive
Presidents and knew about that and were proud of that. But I think the thing I remember
the most about him is something that happened in Davidson County while he was in the
last service to a President, and that was at a prayer breakfast that was held in Davidson
County. I'm not sure that some of us are perceived by the public as the total people we
truly are. "Vinegar Bend" Mizell was always perceived as the total person he was because
his community knew how much his church meant to him as well as his political party and,
frankly, the man that he was is why it was easy for him to be elected. You may not
remember this but at the time in which he was getting elected, that was not a republican
area, it was a conservative area. It was the man, "Vinegar Bend" Mizell, and the
philosophy that they knew stood with him wherever he was making decisions that caused
the wide support that he received until 1974. And the service to Presidents has brought
letters and accolades for him, but it was that good Christian man, that family man, that
meant so much to the community and that's why they trusted him, and he was a folksy
fellow. I wish I could remember some of the stories that I have heard him tell because
that's how he would make his point, with the stories that he would share. And some of
them I can't tell you, but they were good. I commend to you this resolution, and hope that
you will be supportive because of the man that it commemorates. At the appropriate time,
I am sure that the President will recognize the family that is here. There is one family
member who would have been here that is not and I think that it is just the most wonderful
thing that has happened to him and that is why he isn't here. His older son, David, has
been appointed the Athletic Director at High Point Andrews High School where he is the
coach, and this is their first meeting and his first responsibilities as Athletic Director. That
certainly is a feather in his cap, and he could not afford to not be there for that event. We
are pleased that some of the family is here and at the appropriate time I am sure that the
President will recognize them."

Senator Phillips:

"Senator Cochrane, thank you for this resolution. Senator Cochrane said to you that
she met Mr. Mizell in 1974. I had the opportunity to know Mr. Mizell before that time. It
was my pleasure, by working in the public school system in Davidson County, to call on
Mr. Mizell several times to ask for his assistance. He was always there and always willing
to help us. During that period of time he had served as a County Commissioner in our
county, and I think for me to let this resolution come to this Body and not recognize
publicly his contribution to our community would be a disservice and injustice to him. He
was a fine man. He was a good Congressman. I respected him and those who knew him

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respected him. He was honest. You may disagree with him, but you always knew where you stood with him. He was willing to tell you the truth and speak to you truthfully about issues that you were concerned with. I can also remember that in 1974, the election that Mr. Mizell lost his seat, he lost his seat to a man that I worked for the next sixteen years, Steve Neal. I always felt like Mr. Mizell lost his seat because of his steadfastness to Mr. Nixon. He was loyal to Mr. Nixon right to the end, to the last day. And that’s the way he was to the people in our community, people in our county. He was faithful to the job that he had to do. He did it well and I respected him for that even though on occasions we did disagree. I also had a chance to know his wife, Nancy. She was a wonderful lady, passed away a few years ago. I do not know their sons, their family. I’ve read often about their accomplishments. I know how they were respected in the community they lived in, and how they were respected in our community as a whole, Davidson County. And I say these things because even though we are of different political parties, he was a man that you could respect because he told you the truth. And I call on you to support this resolution, if you will. Thank you.”

Senator Shaw of Guilford:

“Ladies and Gentlemen, I met Wilmer Mizell in 1966. I was managing a congressional campaign for a fellow and we heard there was a meeting of the commissioner counties over in Davidson County. Mr. Sim Dulap was an attorney over there and he was kind of “Mr. Republican” in North Carolina at the time, and they were discussing this fellow that owned a radio station. And he had been giving all the Republicans a hard time, and they, Mr. Sim sat them around in a circle deciding what to do. Some of them wanted to burn the station down and some of them wanted to ignore it and so forth. And they got to Wilmer and he said, ‘Mr. Sim,’ he said, ‘I tell you, let’s just forget it.’ He said, ‘You can’t out stink a skunk.’ The man was that way. And I had seen him once before that, he was in Winston-Salem, he was playing baseball. And they had a donkey game or something one day to attract the fans. And as big and tall as he was, when he rode out on that donkey, with his guitar singing ‘I’m Just a Plain Old Country Boy,’ he brought the stands down. He could make a great political speech. I was at a meeting one night and he walked in with about 400 people there and he started his speech off this way, he was breathing hard and he said, ‘I’m sorry to be late,’ but he said, ‘my neighbor’s bathroom caught on fire.’ And says, ‘Thank goodness we got it put out before it reached the house.’ He got the same kind of reaction. But the thing that probably sticks most in my mind, I’d gone up with Governor Holshouser, who went up on the New River to try to keep them from getting a dam up there on the river. Wilmer had met us at a hotel and we were having lunch. And the last time that I ever spoke to him, he said, ‘Bob,’ he said, ‘for God’s sakes don’t let anybody in North Carolina know I was eating eggs benedict.’ But he was a great guy. He used to come out to my restaurant fairly often and I don’t know anybody in politics I respected more than I did Wilmer Mizell. I know I called him one night about running for some kind of office. And he said, ‘I’m going to Texas,’ I think I was State Chairman at the time, and he said, ‘I’m going to Texas,’ and he said, ‘I’ll let you know.’ And he called me about three days later and he said, ‘Bob, I got on my knees last night,’ and he says, ‘I can’t do it.’ That’s the kind of man he was. He went to the Lord a lot in his prayers. So, I don’t know any finer man that ever lived in North Carolina. Thank you sir.”

Senator Carpenter:

“I knew “Vinegar Bend” Mizell back in the ’60’s, this was after his baseball career. He spoke many times at conventions and one time he spoke at the Optimist Club in Asheville, which I was a member. And Betsy, I’m going to tell a couple of the stories that you didn’t remember or maybe hadn’t heard. But when he first came up to the major

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leagues he was a "bonus baby." Some of you old timers will remember the "bonus babies" when they paid these players pretty good size bonuses in those days. The managers resented that because they had a lot of players on the teams that were making less money than the bonus that "Vinegar Bend" and some of the other super stars those days made. This one guy that he played for when he was in the minors, and this is "Vinegar Bend's" story, he said that he put him in the bullpen out in the right field and he said he never would call him into the game. And one game they got behind about ten to nothing and they signaled for him to warm-up. And he finally came in the game and he was horrible, he walked about six or seven batters and just had a terrible outing and so the manager came to him after the game and was giving him a pretty hard time. He said, 'What's the matter.' He said, 'I thought you were a super player, you bonus boys.' He said, 'Well look coach,' he said, 'I wasn't warmed up.' He said, 'What do you mean, you weren't warmed up?' He said, 'I gave you a signal fifteen minutes before you came in the game.' He said, 'But I only threw two pitches.' He said, 'What do mean you threw two pitches?' He said, 'Well, they got past the catcher, they went over his head and by the time he chased the ball and got it back to me, I only had time to throw two pitches.' So that's the kind of story. I want to tell you one other story that happened to him. If ya'll will remember when the Pirates beat the Yankees in the famous Mazaroski home run. The day before this game, "Vinegar Bend" pitched and he again had a bad outing. The Yankees scored about eleven or twelve runs against him and "Vinegar Bend" was horsing around the dugout after the second game and they won the World Series on Mazaroski's home run. And "Vinegar" said, 'Well, it's my fault, it's my reasoning or my play that caused us to win the World Series.' They said, 'How do you figure that "Vinegar Bend"?' He says, 'Well,' he says, 'The Yankees ran themselves to death running around the bases yesterday and they were tired today, so we won the World Series.' This was kind of typical of the stories that "Vinegar Bend" told. He was a great guy. I endorse the resolution highly."

Senator Garwood:

"Mr. President, I knew "Vinegar Bend" Mizell well, and he possessed a quality that I think all of us respect in anyone, man or woman, and that was that he was humble. He was the epitome of humility, and that's a trait that many of us could mimic to our credit. One other thing I'd mention about him, that hasn't been mentioned here. He was left-handed."

Senator Horton:

"I won't belabor the point, I think that Senator Phillips of Davidson has expressed it so well, and John and Betsy. I knew "Vinegar Bend" pretty well from the time he first was thought of as a candidate for Congress. He was a tall, craggy faced sort of guy with a burr cut, sort of at a time when it wasn't in style at all. You know, just straight across, and a smile that would crease his face from ear to ear. When he smiled the whole room would warm up. And it wasn't one of these artificial things. I remember going up one time with him to campaign in Ashe County. It was a dark, miserable night. I was in a little car about half as big as this desk and "Vinegar Bend" had folded his knees up right under his chin. We were ricocheting around these mountain turns and he was giving me one story after another. I've never laughed so hard in my life. I'm surprised I stayed on the road. But he got there, he got out, raining still, but when he walked into that room the whole place lit up and warmed up. He was that kind of a guy. A good man to the core. We need more of them and we miss him."

The joint resolution passes its second reading (46-0) and third reading with members standing, and is ordered sent to the House of Representatives.

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The President extends courtesies of the gallery to the family and friends of Wilmer David "Vinegar Bend" Mizell, including his son Danny Mizell; and his long time friends and associates, Lou and Howard May.

With unanimous consent, the President grants a leave of absence for the remainder of tonight’s Session to Senator Moore.

S.B. 1215 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES PERTAINING TO MEDICAL CARE COMMISSION AUTHORITY TO ADOPT RULES REGULATING ADULT CARE HOMES AND SOCIAL SERVICES COMMISSION AUTHORITY TO ADOPT RULES PERTAINING TO PUBLIC ASSISTANCE PROGRAMS.

The Committee Substitute bill passes its second (44-0) and third readings and is ordered sent to the House of Representatives.

**COMMITTEE REFERRAL RECALL**

S.B. 1463, A BILL TO BE ENTITLED AN ACT TO ALLOW DARE COUNTY TO EXPAND THE PURPOSE OF SPECIAL TAX DISTRICTS TO UNDERGROUND ELECTRIC UTILITY LINES SO AS TO ALLOW UNDERGROUNDING OF TELEPHONE AND CABLE TELEVISION LINES, referred to the Finance Committee on May 25.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the bill be withdrawn from the Finance 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 Finance Committee and refers the measure to the State and Local Government Committee.

**CALENDAR (Continued)**

S.B. 1343 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA RURAL INTERNET ACCESS AUTHORITY.

With unanimous consent, upon motion of Senator Reeves, the Committee Substitute bill is withdrawn from tonight’s Calendar and is placed on the Calendar for Tuesday, June 13.

S.B. 1347 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MANDATE THE ASSESSMENT OF DRIVERS LICENSE POINTS FOR FAILURE TO RESTRAIN A CHILD IN A MOTOR VEHICLE.

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 Tuesday, June 13.

H.B. 1544, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A TAXPAYER IS ENTITLED TO A REFUND OF AN OVERPAYMENT OF THE STATE EXCISE TAX ON CONVEYANCES.

With unanimous consent, upon motion of Senator Kerr, the bill is withdrawn from tonight’s Calendar and is placed on the Calendar for Tuesday, June 13.

S.B. 1272 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF LEA ISLAND STATE NATURAL AREA TO THE
STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The Committee Substitute bill passes its third reading (44-0) and is ordered sent to the House of Representatives.

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. 1854 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES AND THE INSURANCE REGULATORY CHARGE, TO INCREASE COURT COSTS, TO INCREASE JAIL FEES FOR PERSONS PAYING JAIL FEES PURSUANT TO PROBATIONARY SENTENCES, AND TO INCREASE THE FEE IMPOSED FOR EMERGENCY PLANNING.

Referred to Finance Committee.

H.B. 1560 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE MODIFICATIONS TO THE WILLIAM S. LEE ACT AND TO RELATED ECONOMIC DEVELOPMENT LAWS.

Referred to Finance Committee.

SENATE PAGES

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

Jennifer Rebecca Amundsen, Apex; Ivy R. Anderson, Kinston; Stephen Ferebee Bishop, Jr., Rocky Mount; Ernest Andrew Brooks III, Weldon; Frank W. Bullock III, Greensboro; Laveta Blair Delahooke, Clayton; Carla Early, Goldsboro; Jonathan Grice, Cary; Walker J. Grossell, Greenville; Amanda Faye Hall, Fayetteville; Claire J. Long, Fayetteville; Keri Lovitt, Raleigh; Evan McMillan, Raleigh; Robert Allen Oliver, Jr., Kinston; Adam Charles Rhyne, Boone; Richard Edwin Schlieper, Graham; Samantha Snyder, Greenville; Ashley Elizabeth Stanley, Raleigh; Gregory Parks Tarlton, Jr., Hope Mills; Elizabeth Eleanor Tatum, Fayetteville; Lauren Trojan, Charlotte; Robert A. Vaughan, Cary; and Stephen H. Wohlers, Raleigh.

Upon motion of Senator Basnight, seconded by Senator Ballantine, the Senate adjourns at 8:13 P.M. to meet tomorrow, Tuesday, June 13, at 3:00 P.M.

ONE HUNDRED TWENTY-THIRD DAY

Senate Chamber
Tuesday, June 13, 2000

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:

June 13, 2000
“God of all creation, as we wait to receive a final budget from the House this week, we are reminded of how much power we hold in our hands. Whole departments and programs flourish or fall with the stroke of a red pen. The budget is a fragile document.

“And yet a familiar hymn reminds us that You have ‘the whole world in Your hands.’ We may wield earthly power, but You assert ultimate power. We thank You for this reassurance, for we remember that first view of the earth from outer space, our home, like that budget, looked so fragile, like a colorful marble floating in vast darkness.

“What is man that You are mindful of him and the son of man that You care for him?” Help us, oh God, to see ourselves and our priorities as You see us, infinitesimal in comparison to the universe around us, yet infinitely precious to You. As we scrutinize the behemoth budget for the inevitable cuts, may we consider, as You do, the preciousness of each person who will be affected by the work we do. This we ask in Your Holy Name, Amen.”

With unanimous consent, the President Pro Tempore grants leaves of absence for today to Senator Hagan, Senator Hartsell, and Senator Martin of Pitt.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Monday, June 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 Pro Tempore of the Senate extends courtesies of the floor to Dr. Kevin Weiss from Gastonia, 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. 1577, AN ACT TO AUTHORIZE THE ADDITION OF BULLHEAD MOUNTAIN STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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. 1283, AN ACT TO CORRECT THE CANDIDATE FILING DEADLINE FOR THE ASHE COUNTY BOARD OF EDUCATION. (Became law upon ratification, June 12, 2000 – S.L. 2000-6.)

S.B. 1301, AN ACT TO PLACE A MORATORIUM ON ANNEXATIONS AND INCORPORATION IN A DESIGNATED AREA OF CABARRUS COUNTY. (Became law upon ratification, June 12, 2000 – S.L. 2000-7.)

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:

June 13, 2000
H.B. 1499 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S DWI TASK FORCE, AND TO CLARIFY THE EFFECTIVE DATE FOR COMMERCIAL MOTOR VEHICLE INSURANCE PROVISIONS OF SESSION LAW 330 OF THE 1999 GENERAL ASSEMBLY.
Referred to Judiciary II Committee.

H.B. 1593, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA.
Referred to Rules and Operations of the Senate Committee.

H.B. 1756, A BILL TO BE ENTITLED AN ACT TO REPEAL CHAPTER 61 OF THE 1989 SESSION LAWS WHICH ALLOWED PASQUOTANK COUNTY ADDITIONAL FLEXIBILITY TO FUND PUBLIC SCHOOL CONSTRUCTION.
Referred to State and Local Government Committee.

H.B. 1785, A BILL TO BE ENTITLED AN ACT TO ANNEX TERRITORY TO THE TOWN OF NAVASSA.
Referred to Commerce Committee.

EXECUTIVE ORDER

An Executive Order received is presented to the Senate, read, and ordered filed in the Office of the Principal Clerk, as follows (See Appendix.):

Executive Order Number 172, Extending Executive Order No. 136.

CALENDAR

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

H.B. 1494, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE ChARTER OF THE TOWN OF LAUREL PARK, 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. 1517 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF CALDWELL, THE COUNTY OF BURKE, THE CITY OF LENOIR, AND THE CITY OF MORGANTON TO JOINTLY ESTABLISH AN AIRPORT AUTHORITY AND TO PROVIDE FOR THE JOINT MAINTENANCE AND CONTINUING OPERATION OF THE EXISTING AIRPORT NOW OPERATED BY THE MORGANTON-LENOIR AIRPORT AUTHORITY, upon third reading.
The Committee Substitute bill passes its third reading by roll-call vote, ayes 47, noes 0, as follows:

June 13, 2000

Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

S.B. 1428 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO AUTHORIZE ADMINISTRATIVE SEARCH WARRANTS TO BE SERVED AT HOURS OTHER THAN BETWEEN 8:00 A.M. AND 8:00 P.M. WHEN THERE IS PROBABLE CAUSE TO BELIEVE THAT THE ACTIVITY THAT JUSTIFIES THE ADMINISTRATIVE SEARCH WARRANT WILL OCCUR AT OTHER HOURS.

The Committee Substitute bill passes its second (45-1) and third readings and is ordered sent to the House of Representatives.

S.B. 1318, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN ENTERPRISE TIER TWO AREA MAY NOT BE REDESIGNATED AS A HIGHER-NUMBERED TIER AREA UNTIL IT HAS BEEN AN ENTERPRISE TIER TWO AREA FOR TWO CONSECUTIVE YEARS, 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 sent to the House of Representatives.

H.B. 723 (Senate Committee Substitute), 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, 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 Tuesday, June 20, upon third reading.

H.B. 1545, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE EXCISE TAX ON CONVEYANCES APPLIES TO TIMBER DEEDS AND CONTRACTS FOR THE SALE OF STANDING TIMBER, upon third reading.

The bill passes its third reading by roll-call vote, ayes 46, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannely, East, Forrester, Foxx, Garrou, Garwood, Gulley, Harris, Horton, Hoyle, Jordan, Kerr, Kinnaird, Lee, Lucas, Martin of Guilford, Metcalf, Miller, Moore, Odom, Perdue, Phillips, Plyer,

June 13, 2000
Purcell, Rand, Reeves, Robinson, Rucho, Shaw of Cumberland, Shaw of Guilford, Soles, Warren, Weinstein, and Wellons—46.
Voting in the negative: Senator Webster—1.
The bill is ordered enrolled and sent to the Governor.

S.B. 1260 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC RECORDS LAW TO PROTECT THE INTEGRITY OF ELECTRONIC RECORDS WITHIN THE STATE'S COMPUTER SYSTEMS.
Senator Reeves offers Amendment No. 1 which is adopted (47-0).
The Committee Substitute bill, as amended, passes its second reading (47-0) and third reading (47-0) and is ordered engrossed and sent to the House of Representatives.

S.B. 1343 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA RURAL INTERNET ACCESS AUTHORITY.
Senator Cochrane offers Amendment No. 1 which is adopted (47-0).
Senator Foxx offers Amendment No. 2 which is adopted (47-0).
Senator Foxx offers Amendment No. 3 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 to the House of Representatives.

With unanimous consent, the President Pro Tempore grants a leave of absence for the remainder of today’s Session to Senator Robinson.

S.B. 1347 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MANDATE THE ASSESSMENT OF DRIVERS LICENSE POINTS FOR FAILURE TO RESTRAIN A CHILD IN A MOTOR VEHICLE.
The Committee Substitute bill passes its second (40-6) and third readings and is ordered sent to the House of Representatives.

H.B. 1544, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A TAXPAYER IS ENTITLED TO A REFUND OF AN OVERPAYMENT OF THE STATE EXCISE TAX ON CONVEYANCES.
With unanimous consent, upon motion of Senator Kerr, the bill is withdrawn from today’s Calendar and is placed on the Calendar for Tuesday, June 20.

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. 1552, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF LAURINBURG TO LEVY SPECIAL ASSESSMENTS FOR STREET OR SIDEWALK IMPROVEMENTS WITHOUT PETITION, with a favorable report.

By Senator Kerr for the Finance Committee:

H.B. 1302, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM TAX MOTOR FUEL SOLD TO CHARTER SCHOOLS, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

June 13, 2000
Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 5093 is adopted and engrossed.

S.B. 1477, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A NEW, SUSTAINABLY DESIGNED, STATE OFFICE BUILDING AND WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE USED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED THIRTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS, AND TO PROVIDE FOR A NEW EASTERN WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED FOUR MILLION DOLLARS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill X3970 is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

S.B. 1341, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DE MINIMIS REPORTING EXCEPTION TO ALL DISCHARGES OF PETROLEUM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

S.B. 1381, A BILL TO BE ENTITLED AN ACT TO REALLOCATE THE PROCEEDS OF THE CLEAN WATER BONDS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4786 is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

H.B. 1562, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE BY WHICH THE HOLDER OF A STANDARD COMMERCIAL FISHING LICENSE OR A RETIRED STANDARD COMMERCIAL FISHING LICENSE WILL BE ALLOWED TO TAKE CRABS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, 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 X5096, which changes the title upon concurrence to read H.B. 1562 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE BY WHICH THE HOLDER OF A STANDARD COMMERCIAL FISHING LICENSE WILL BE ALLOWED TO TAKE CRABS, TO ALLOW THE HOLDER OF AN INTERIM CRAB LICENSE TO OBTAIN A STANDARD COMMERCIAL FISHING LICENSE, TO PROHIBIT THE MARINE FISHERIES COMMISSION FROM ESTABLISHING FEES FOR CERTAIN PERMITS, TO ABOLISH CERTAIN EXISTING PERMIT FEES, AND TO INCREASE THE AMOUNT OF GILL NET AUTHORIZED FOR USE UNDER A RECREATIONAL COMMERCIAL GEAR LICENSE, is adopted and engrossed.
H.B. 541 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TROTINES, BUOY SETS, AND SET HOOKS ARE SPECIAL FISHING, 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 2432, which changes the title upon concurrence to read H.B. 541 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES REGULATING THE OPERATION OF PERSONAL WATERCRAFT, is adopted and engrossed.

Upon motion of Senator Ballance, seconded by Senator Soles, the Senate adjourns at 4:30 P.M. to meet tomorrow, Wednesday, June 14, at 2:00 P.M.

ONE HUNDRED TWENTY-FOURTH DAY

Senate Chamber
Wednesday, June 14, 2000

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 suffering, You said to the daughters of Jerusalem, 'Do not weep for Me, weep for yourselves and for your children.' Oh God, help us not to turn away from the pain which our world inflicts. Free us to weep with our sisters, and to stand with them against the injustices which wound them.

"God of love, You said to Your disciples, 'Let the little children come unto me and do not hinder them.' You sat an unremarkable child in their midst and said, 'Be like this.' You taught that anyone who harms a child will know Your anger. Oh God, redeem us from our neglect of the least among us, save those at risk who cannot speak and act for themselves. Help us to receive with gratitude those gifts that children have to give us, their generosity, their wondrous hope and their laughter. This we ask in Your Holy Name, Amen."

PLEDGE OF ALLEGIANCE

Led by the President Pro Tempore, members and guests remain standing and pledge allegiance to the flag of the United States of America.

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

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Tuesday, June 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. Armistead Wellford IV from High Point, North Carolina, who is serving the Senate as

June 14, 2000
Doctor of the Day, and to Eleanor Portwood from Durham, 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:

**H.B. 1545**, AN ACT TO CLARIFY THAT THE EXCISE TAX ON CONVEYANCES APPLIES TO TIMBER DEEDS AND CONTRACTS FOR THE SALE OF STANDING TIMBER.

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

**H.B. 1494**, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF LAUREL PARK.


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:

**S.B. 1271**, A BILL TO BE ENTITLED AN ACT TO FUND THE EXPANDED INFORMATIONS SYSTEMS AUDIT FUNCTION OF THE STATE AUDITOR, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON INFORMATION TECHNOLOGY, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Appropriations/Base Budget Committee.

By Senator Kinnaird for the State and Local Government Committee:

**H.B. 1542**, A BILL TO BE ENTITLED AN ACT TO ADD CAMDEN COUNTY TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS, with a favorable report.

**H.B. 1688**, A BILL TO BE ENTITLED AN ACT TO ALLOW CURRITUCK COUNTY TO REGULATE PERSONAL WATERCRAFT OPERATION, with a favorable report.

**S.B. 1286**, A BILL TO BE ENTITLED AN ACT TO ALLOW RECALL ELECTIONS IN THE CITY OF RANDLEMAN, with a favorable report.

June 14, 2000
S.B. 1418, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT ELECTION OF THE MAYOR OF YANCEYVILLE AND FOR THE TOWN MANAGER FORM OF GOVERNMENT FOR THAT TOWN, with a favorable report.

S.B. 1443, A BILL TO BE ENTITLED AN ACT TO ALLOW A NEGOTIATED OFFER AND UPSET BID PROCESS FOR SALE OF THE CURRENT CABARRUS COUNTY SCHOOLS CENTRAL OFFICE AND FOR A DESIGN-BUILD CONSTRUCTION METHOD FOR THE CABARRUS SCHOOL CENTRAL OFFICE AND BUS FACILITY, with a favorable report.

S.B. 1444, A BILL TO BE ENTITLED AN ACT TO ALLOW A DESIGN-BUILD CONSTRUCTION METHOD FOR A CONVENTION CENTER IN CABARRUS COUNTY, AND TO ALLOW LEASE OF PROPERTY FOR A HOTEL, with a favorable report.

S.B. 1447, A BILL TO BE ENTITLED AN ACT TO MAKE SUNDRY AMENDMENTS CONCERNING THE TOWN OF CHAPEL HILL, with a favorable report.

H.B. 1546 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALEXANDER AND ANSON COUNTIES MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS CORRECTIONAL FACILITIES, with a favorable report, as amended.

Pursuant to Rule 45.1, the proposed Committee Amendment No. 1 is adopted, and changes the title upon concurrence to read H.B. 1546, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALEXANDER AND ANSON AND SCOTLAND COUNTIES MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS CORRECTIONAL FACILITIES.

S.B. 1463, A BILL TO BE ENTITLED AN ACT TO ALLOW DARE COUNTY TO EXPAND THE PURPOSE OF SPECIAL TAX DISTRICTS TO UNDERGROUND ELECTRIC UTILITY LINES SO AS TO ALLOW UNDERGROUNDING OF TELEPHONE AND CABLE TELEVISION LINES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 8666 is adopted and engrossed.

Upon motion of Senator Kinnaird, the Committee Substitute bill is re-referred to the Finance Committee.

CALENDAR

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

H.B. 1552, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF LAURINBURG TO LEVY SPECIAL ASSESSMENTS FOR STREET OR SIDEWALK IMPROVEMENTS WITHOUT PETITION, upon second reading.

The bill passes 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, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, East, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Horton, Hoyle, Jordan, Kerr, Kinnaird, Lee, Lucas, Martin of Guilford, Metcalf, Miller, Moore, Odom, Perdue, Phillips,

June 14, 2000
Plyler, Purcell, Rand, Reeves, Robinson, Rucho, Shaw of Guilford, Soles, Warren, Webster, Weinstein, and Wellons—47.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Thursday, June 15, upon third reading.

H.B. 541 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES REGULATING THE OPERATION OF PERSONAL WATERCRAFT, upon second reading.

The President Pro Tempore rules that the Senate Committee Substitute bill does not require a call of the roll.

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.

COMMITTEE REFERRAL RECALL

S.B. 1359, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF WINSTON-SALEM, referred to the Rules and Operations of the Senate Committee on May 22.

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.

WITHDRAWAL FROM CLERK'S OFFICE

S.B. 1324, A BILL TO BE ENTITLED AN ACT TO PROVIDE STANDARDS FOR THE ESTABLISHMENT AND MAINTENANCE OF EXTERNAL REVIEW PROCEDURES IN HEALTH INSURANCE AND MANAGED CARE TO ASSURE THAT COVERED PERSONS HAVE THE OPPORTUNITY FOR AN INDEPENDENT REVIEW OF A HEALTH BENEFIT PLAN COVERAGE DECISION MADE BY THE INSURER OR MANAGED CARE PLAN; AND TO MAKE CONFORMING AMENDMENTS TO EXISTING LAWS ON UTILIZATION REVIEW AND GRIEVANCES, ordered held in the Office of the Principal Clerk on May 18, pending referral to committee.

Senator Rand, Chairman of the Rules and Operations of the Senate Committee, announces the referral of the bill to the Judiciary I Committee.

S.B. 1325, A BILL TO BE ENTITLED AN ACT TO PROTECT PERSONS ENROLLED IN AN HMO FROM THE CONSEQUENCES OF THE INSOLVENCY OF THAT HMO BY AUTHORIZING ASSESSMENTS OF REMAINING HMOs IN THE STATE TO PAY FOR UNCOVERED EXPENDITURES OF AND CONTINUATION OF COVERAGE FOR THE ENROLLEES, ordered held in the Office of the Principal Clerk on May 18, pending referral to committee.

Senator Rand, Chairman of the Rules and Operations of the Senate Committee, announces the referral of the bill to the Judiciary I Committee.

S.B. 1326, 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

June 14, 2000
THE MANAGED CARE ENTITY'S FAILURE TO EXERCISE ORDINARY CARE, ordered held in the Office of the Principal Clerk on May 18, pending referral to committee.

Senator Rand, Chairman of the Rules and Operations of the Senate Committee, announces the referral of the bill to the Judiciary I Committee.

S.B. 1327, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PROMPT PAYMENT OF CLAIMS UNDER HEALTH BENEFIT PLANS AND TO MAKE CONFORMING AMENDMENTS TO RELATED CLAIM PAYMENT LAWS, ordered held in the Office of the Principal Clerk on May 18, pending referral to committee.

Senator Rand, Chairman of the Rules and Operations of the Senate Committee, announces the referral of the bill to the Judiciary I Committee.

REPORTS OF COMMITTEES (Continued)

By Senator Soles for the Commerce Committee:

S.B. 1183, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE FUTURE OF THE NORTH CAROLINA RAILROAD STUDY 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 7783 is adopted and engrossed.

By Senator Purcell for the Health Care Committee:

H.B. 1514 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON REQUIREMENTS PERTAINING TO THE REIMBURSEMENT RATE FOR THE RESPITE CARE PROGRAM, AND TO AUTHORIZE THE MEDICAL CARE COMMISSION TO ADOPT TEMPORARY RULES PERTAINING TO RESPITE CARE, with a favorable report.

CALENDAR (Continued)

S.B. 1341, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DE MINIMIS REPORTING EXCEPTION TO ALL DISCHARGES OF PETROLEUM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

The Senate recesses at 2:38 P.M. for the purpose of an Appropriations/Base Budget Committee meeting, to reconvene at 2:55 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Frank Ballance, Deputy President Pro Tempore.

COMMITTEE REFERRAL RECALL

S.B. 1477 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A NEW, SUSTAINABLY DESIGNED, STATE OFFICE BUILDING

June 14, 2000
AND WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE USED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED THIRTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS, AND TO PROVIDE FOR A NEW EASTERN WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED FOUR MILLION DOLLARS, referred to the Appropriations/Base Budget Committee on June 13.

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 15, 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 15.

REPORTS OF COMMITTEES (Continued)

By Senator Perdue for the Appropriations/Base Budget Committee:

S.B. 1381 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REALLOCATE THE PROCEEDS OF THE CLEAN WATER BONDS, with a favorable report.

By Senator Hoyle for the Finance Committee:

S.B. 1200, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL VOLUNTARY MUNICIPAL PARTICIPATION IN ROAD CONSTRUCTION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7784 is adopted and engrossed.

The Deputy President Pro Tempore grants leaves of absence for the remainder of today’s Session to Senator Jordan and Senator Rand.

CALENDAR (Continued)

H.B. 1302 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM TAX MOTOR FUEL SOLD TO CHARTER SCHOOLS.

Senator Gulley offers Amendment No. 1 which is adopted (44-0).

The Senate Committee Substitute bill, as amended, passes its second (43-1) and third readings and is ordered engrossed and sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

H.B. 1562 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE BY WHICH THE HOLDER OF A STANDARD COMMERCIAL FISHING LICENSE WILL BE ALLOWED TO TAKE CRABS, TO ALLOW THE HOLDER OF AN INTERIM CRAB LICENSE TO OBTAIN A STANDARD COMMERCIAL FISHING LICENSE, TO PROHIBIT THE MARINE FISHERIES COMMISSION FROM ESTABLISHING FEES FOR CERTAIN PERMITS, TO ABOLISH CERTAIN EXISTING PERMIT FEES, AND TO INCREASE THE

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AMOUNT OF GILL NET AUTHORIZED FOR USE UNDER A RECREATIONAL COMMERCIAL GEAR LICENSE.

The Senate Committee Substitute bill passes its second (42-2) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

REPORTS OF COMMITTEES (Continued)

By Senator Kerr for the Finance Committee:

H.B. 1497, A BILL TO BE ENTITLED AN ACT AMENDING THE STATUTORY DEFINITION OF "SUBDIVISION" FOR THE PURPOSE OF SUBDIVISION REGULATION IN RICHMOND COUNTY, with a favorable report.

H.B. 1541, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE IN CAMDEN COUNTY TO OBTAIN AMBULANCE SERVICES WITH NO INTENT TO PAY FOR THOSE SERVICES OR TO MAKE AN UNNECESSARY AMBULANCE REQUEST AND TO AUTHORIZE CAMDEN COUNTY TO COLLECT AMBULANCE CHARGES THROUGH THE USE OF ATTACHMENT AND GARNISHMENT PROCEEDINGS, with a favorable report.

H.B. 1573 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROPERTY TAX TREATMENT OF A HEALTH CARE FACILITY UNDERTAKEN BY THE MEDICAL CARE COMMISSION PURSUANT TO THE HEALTH CARE FACILITIES FINANCE ACT AND TO EXTEND THE SUNSET ON THE PROPERTY TAX EXEMPTION FOR CONTINUING CARE RETIREMENT CENTERS, with a favorable report.

S.B. 1293, A BILL TO BE ENTITLED AN ACT TO MODIFY THE TAX LIMIT FOR THE TOWN OF BADIN, with a favorable report.

CALENDAR (Continued)

S.B. 1269 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT LIABILITY WHEN A PERSON USES AN AUTOMATED EXTERNAL DEFIBRILLATOR TO RENDER EMERGENCY HEALTH CARE TREATMENT TO ATTEMPT TO SAVE THE LIFE OF A PERSON WHO IS IN OR WHO APPEARS TO BE IN CARDIAC ARREST.

Senator Miller offers Amendment No. 1 which is adopted (42-0).

The Committee Substitute bill, as amended, passes its third reading (44-0) and is ordered engrossed and sent to the House of Representatives.

PERSONAL PRIVILEGE

With unanimous consent, upon motion of Senator Perdue, the remarks of Senator Wellons, who rises to a point of personal privilege, and other Senators commemorating the retirement of Mrs. Lillian Lee, wife of Senator Lee, are spread upon the Journal, as follows:

Senator Wellons:

"I passed out a copy of a story that I read this morning about 6:00 in the News and Observer. Usually when I open it up, I turn to page 3 and see if first thing, if my name is June 14, 2000
in there, if I can rest easy. But then after I read the paper, I read this story about Lillian Lee, a lovely lady, and it just made my day and I wanted to share it with the rest of you. Howard, you are a lucky man.”

Senator Ballance:

“And what a fine story it is. Congratulations to Mrs. Lillian Lee on her retirement.”

Senator Kinnaird:

“I realize that I’ve about used up my air time for the week, but I could not pass without speaking about Lillian Lee. She is one of the most respected and beloved people in Orange County, and not only has she helped students immeasurably who have come back and contributed to our community and to the State, but she has greatly burnished the shine on her husband’s political career. We are all grateful to her for all of her contributions in Orange County. Thank you.”

Upon motion of Senator Soles, seconded by Senator Lee, the Senate adjourns at 3:30 P.M. in honor of Mrs. Lillian Lee, to meet tomorrow, Thursday, June 15, at 11:00 A.M.

ONE HUNDRED TWENTY-FIFTH DAY

Senate Chamber
Thursday, June 15, 2000

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:

“Heavenly Father, we know that every tree shall ultimately be judged by the good fruit that it bears, and so we pray this day that our faith will not be barren. Save us, oh Lord, from goodness that shows no beauty, from holiness that offers no attraction, from praise that is devoid of purpose, from knowledge that is afraid of encounter, and from zeal that lacks commitment.

“Like it or not, we know that the public is watching us. Grant, then, that what we say with our lips we might believe in our hearts, and what we believe in our hearts we might show forth in our lives. Strengthen our witness through the power and joy of Your Spirit, we pray in Your Holy Name, Amen.”

With unanimous consent, the President grants leaves of absence for today to Senator Carrington, Senator Hoyle, Senator Martin of Pitt, Senator Odom, Senator Perdue, Senator Plyler, Senator Rand, and Senator Shaw of Cumberland.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Wednesday, 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. Steven Landau from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Mary Marks from Chapel Hill, North Carolina, who is serving the Senate as Nurse of the Day.

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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. 1494, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF LAUREL PARK. (Became law upon ratification, June 14, 2000 – S.L. 2000-8.)


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. 1340 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE RESPIRATORY CARE PRACTICE 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 4337 is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the Finance Committee.

By Senator Lee for the Education/Higher Education Committee:

S.B. 1177, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN AND ENHANCE THE CURRICULUM FOR CHARACTER EDUCATION AND TO APPROPRIATE FUNDS TO IMPLEMENT THE CURRICULUM, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7786 is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

By Senator Gulley for the Transportation Committee:

H.B. 1288, A BILL TO BE ENTITLED AN ACT TO ESTABLISH METROPOLITAN PLANNING BOARDS TO ASSIST TO 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 Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 8203, which changes the title upon concurrence to read H.B. 1288 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RECOGNIZE METROPOLITAN PLANNING

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ORGANIZATIONS IN STATE LAW AND TO PROVIDE A PROCESS FOR VOLUNTARY EVALUATION OF METROPOLITAN PLANNING ORGANIZATION BOUNDARIES, STRUCTURE, AND GOVERNANCE, is adopted and engrossed.

**CALENDAR**

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

**H.B. 1514** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON REQUIREMENTS PERTAINING TO THE REIMBURSEMENT RATE FOR THE RESPITE CARE PROGRAM, AND TO AUTHORIZE THE MEDICAL CARE COMMISSION TO ADOPT TEMPORARY RULES PERTAINING TO RESPITE CARE.

With unanimous consent, upon motion of Senator Purcell, the Committee Substitute bill is withdrawn from today’s Calendar and is re-referred to the Appropriations/Base Budget Committee.

**H.B. 1552**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF LAURINBURG TO LEVY SPECIAL ASSESSMENTS FOR STREET OR SIDEWALK IMPROVEMENTS WITHOUT PETITION, upon third reading.

The bill passes its third reading by roll-call vote, ayes 41, noes 0, as follows:


Voting in the negative: None.

The bill ordered enrolled.

**S.B. 1293**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE TAX LIMIT FOR THE TOWN OF BADIN, upon second reading.

The bill passes its second reading by roll-call vote, ayes 42, noes 0, as follows:


Voting in the negative: None.

The bill is ordered placed on the Calendar for Monday, June 19, upon third reading.

**H.B. 1541**, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE IN CAMDEN COUNTY TO OBTAIN AMBULANCE SERVICES WITH NO INTENT TO PAY FOR THOSE SERVICES OR TO MAKE AN UNNECESSARY AMBULANCE REQUEST AND TO AUTHORIZE CAMDEN COUNTY TO COLLECT AMBULANCE CHARGES THROUGH THE USE OF ATTACHMENT AND GARNISHMENT PROCEEDINGS, upon second reading.

The bill passes its second reading by roll-call vote, ayes 42, noes 0, as follows:


June 15, 2000
Voting in the negative: None.
The bill is ordered placed on the Calendar for Monday, June 19, upon third reading.

S.B. 1286, A BILL TO BE ENTITLED AN ACT TO ALLOW RECALL ELECTIONS IN THE CITY OF RANDLEMAN.
The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1418, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT ELECTION OF THE MAYOR OF YANCEYVILLE AND FOR THE TOWN MANAGER FORM OF GOVERNMENT FOR THAT TOWN.
The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1443, A BILL TO BE ENTITLED AN ACT TO ALLOW A NEGOTIATED OFFER AND UPSET BID PROCESS FOR SALE OF THE CURRENT CABARRUS COUNTY SCHOOLS CENTRAL OFFICE AND FOR A DESIGN-BUILD CONSTRUCTION METHOD FOR THE CABARRUS SCHOOL CENTRAL OFFICE AND BUS FACILITY.
The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1444, A BILL TO BE ENTITLED AN ACT TO ALLOW A DESIGN-BUILD CONSTRUCTION METHOD FOR A CONVENTION CENTER IN CABARRUS COUNTY, AND TO ALLOW LEASE OF PROPERTY FOR A HOTEL.
The bill passes its second and third readings and is ordered sent to the House of Representatives.

H.B. 1497, A BILL TO BE ENTITLED AN ACT AMENDING THE STATUTORY DEFINITION OF "SUBDIVISION" FOR THE PURPOSE OF SUBDIVISION REGULATION IN RICHMOND COUNTY.
The bill passes its second and third readings and is ordered enrolled.

H.B. 1542, A BILL TO BE ENTITLED AN ACT TO ADD CAMDEN COUNTY TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS.
The bill passes its second and third readings and is ordered enrolled.

H.B. 1546 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALEXANDER AND ANSON COUNTIES MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS CORRECTIONAL FACILITIES, as amended by committee.
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. 1688, A BILL TO BE ENTITLED AN ACT TO ALLOW CURRITUCK COUNTY TO REGULATE PERSONAL WATERCRAFT OPERATION.
The bill passes its second and third readings and is ordered enrolled.

S.B. 1447, A BILL TO BE ENTITLED AN ACT TO MAKE SUNDRY AMENDMENTS CONCERNING THE TOWN OF CHAPEL HILL.

June 15, 2000
Senator Kinnaird offers Amendment No. 1 which is adopted (42-0).

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S.B. 1477 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A NEW, SUSTAINABLY DESIGNED, STATE OFFICE BUILDING AND WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE USED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED THIRTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS, AND TO PROVIDE FOR A NEW EASTERN WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED FOUR MILLION DOLLARS, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 41, noes 1, as follows:


Voting in the negative: Senator Webster —1.

The Committee Substitute bill is ordered placed on the Calendar for Monday, June 19, upon third reading.

H.B. 1573 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROPERTY TAX TREATMENT OF A HEALTH CARE FACILITY UNDERTAKEN BY THE MEDICAL CARE COMMISSION PURSUANT TO THE HEALTH CARE FACILITIES FINANCE ACT AND TO EXTEND THE SUNSET ON THE PROPERTY TAX EXEMPTION FOR CONTINUING CARE RETIREMENT CENTERS, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 42, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for Monday, June 19, upon third reading.

S.B. 1183 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE FUTURE OF THE NORTH CAROLINA RAILROAD STUDY COMMISSION.

The Committee Substitute bill passes its second (42-0) and third readings and is ordered sent to the House of Representatives.

S.B. 1200 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL VOLUNTARY MUNICIPAL PARTICIPATION IN ROAD CONSTRUCTION.

June 15, 2000
The Committee Substitute bill passes its second reading (42-0) and third reading (41-0) and is ordered sent to the House of Representatives.

S.B. 1381 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REALLOCATE THE PROCEEDS OF THE CLEAN WATER BONDS.

The President rules that the Committee Substitute bill requires a call of the roll.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 42, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for Monday, June 19, upon third reading.

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:

H.B. 1840 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1999 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.

Referred to Appropriations/Base Budget Committee.

Upon motion of Senator Basnight, seconded by Senator Weinstein, the Senate adjourns at 11:50 A.M. to meet Monday, June 19, at 7:00 P.M.

ONE HUNDRED TWENTY-SIXTH DAY

Senate Chamber
Monday, June 19, 2000

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 give thanks this night that the Senators and their staff have returned from their homes having been refreshed by the rest and recreation of the weekend. Our workload becomes increasingly difficult each day in the demands that it makes, calling us to discern what is feasible, affordable, prudent, and ethical. Sometimes we must delineate not between what is bad and what is good, but between what is bad and what is worse. Those lines of demarcation are not always as clearly drawn as we would like. There is much in our work that is neither black nor white, just a broad expanse of gray.

"We pray that we might use Your gift of discernment well, and choose wisely the options that are set before us. This we ask in Your Holy Name, Amen."

June 19, 2000
With unanimous consent, the President grants leaves of absence for tonight to Senator Hoyle, Senator Martin of Pitt, Senator Odom, Senator Perdue and Senator Plyler.

Senator Basnight, President *Pro Tempore*, announces the Journal of Thursday, 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. Kathleen Clem from Durham, 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. 1328**, AN ACT TO ENCOURAGE, SUPPORT, AND ACCELERATE THE PERMANENT PROTECTION OF FARMLAND, FORESTLAND, PARKLAND, GAMELAND, WETLANDS, OPEN SPACE, AND CONSERVATION LANDS IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

**H.B. 133**, AN ACT TO EXEMPT FROM PROPERTY TAX MODIFIED MOTOR VEHICLES OWNED BY DISABLED VETERANS WHO ARE ELIGIBLE FOR FEDERAL SPECIAL EQUIPMENT ALLOWANCES.

**H.B. 1326**, AN ACT TO DESIGNATE THE STATE SALES TAX REVENUE FROM DRY-CLEANING AND LAUNDARY SERVICES TO THE DRY-CLEANING SOLVENT CLEANUP FUND; TO INCREASE THE STATE SALES TAX ON DRY-CLEANING SOLVENTS; 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; TO DIRECT THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE USE OF DRY-CLEANING SOLVENTS IN NORTH CAROLINA, AND TO MAKE OTHER CHANGES IN THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997.

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

**S.B. 1189**, AN ACT AMENDING THE CHARTER OF THE TOWN OF CHINA GROVE TO ALLOW THE TOWN TO OPERATE UNDER THE COUNCIL-MANAGER FORM OF GOVERNMENT.

**H.B. 1497**, AN ACT AMENDING THE STATUTORY DEFINITION OF "SUBDIVISION" FOR THE PURPOSE OF SUBDIVISION REGULATION IN RICHMOND COUNTY.

June 19, 2000
H.B. 1542, AN ACT TO ADD CAMDEN COUNTY TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS.

H.B. 1552, AN ACT TO ALLOW THE CITY OF LAURINBURG TO LEVY SPECIAL ASSESSMENTS FOR STREET OR SIDEWALK IMPROVEMENTS WITHOUT PETITION.

H.B. 1688, AN ACT TO ALLOW CURRITUCK COUNTY TO REGULATE PERSONAL WATERCRAFT OPERATION.

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 Reeves for the Information Technology Committee:

S.B. 1266, A BILL TO BE ENTITLED AN ACT TO ADOPT THE UNIFORM ELECTRONIC TRANSACTIONS 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 2848 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. 1507, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON LEG-GRIPPING TRAPS IN DUPLIN COUNTY.

Referred to State and Local Government Committee.

H.B. 1617 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF LEA ISLAND STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to Agriculture/Environment/Natural Resources Committee.

H.B. 1728, A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE A PARCEL RECENTLY IDENTIFIED AS BEING WITHIN THE TOWN LIMITS THAT HAD NEVER BEEN TREATED AS SUCH.

Referred to Finance Committee.

H.B. 1730, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION AND EXTRATERRITORIAL ZONING IN THE VILLAGE OF SUGAR MOUNTAIN.

Referred to Finance Committee.

June 19, 2000
H.B. 1753, A BILL TO BE ENTITLED AN ACT TO REDUCE THE PISTOL PERMIT FEE IN MARTIN COUNTY FROM TWENTY DOLLARS TO FIVE DOLLARS.
Referred to State and Local Government Committee.

H.B. 1803, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO AMEND AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION.
Referred to Finance Committee.

RESOLUTIONS FROM ANOTHER STATE

The following resolutions received from another Legislative Body are presented to the Senate and are ordered placed on file in the Office of the Principal Clerk:

State of West Virginia House Concurrent Resolution No. 5, Applying to and petitioning the Congress of the United States to propose an amendment to the Constitution of the United States of America for submission to the states for ratification prohibiting federal courts from ordering a state or political subdivision thereof to levy or increase taxes.

State of West Virginia House Concurrent Resolution No. 32, Urging the passage of national legislation to increase benefits to surviving spouses under the Railroad Retirement Act of 1974.

COMMITTEE REFERRAL RECALL

S.B. 1544, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TOURIST ORIENTED DIRECTIONAL SIGN (TODS) PROGRAM, referred to the Appropriations/Base Budget Committee on May 30.
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 Finance 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 Finance Committee.

CALENDAR

Bills on tonight’s Calendar are taken up and disposed of, as follows:

S.B. 1293, A BILL TO BE ENTITLED AN ACT TO MODIFY THE TAX LIMIT FOR THE TOWN OF BADIN, 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 sent to the House of Representatives.

June 19, 2000
**H.B. 1541,** A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE IN CAMDEN COUNTY TO OBTAIN AMBULANCE SERVICES WITH NO INTENT TO PAY FOR THOSE SERVICES OR TO MAKE AN UNNECESSARY AMBULANCE REQUEST AND TO AUTHORIZE CAMDEN COUNTY TO COLLECT AMBULANCE CHARGES THROUGH THE USE OF ATTACHMENT AND GARNISHMENT PROCEEDINGS, 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.

*With unanimous consent, the President grants leaves of absence for the remainder of tonight's Session to Senator Ballance and Senator Jordan.*

**S.B. 1381** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REALLOCATE THE PROCEEDS OF THE CLEAN WATER BONDS, upon third reading.

Senator Kerr offers Amendment No. 1 which is adopted (40-0).

The Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 40, 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. 1477** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A NEW, SUSTAINABLY DESIGNED, STATE OFFICE BUILDING AND WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE USED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED THIRTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS, AND TO PROVIDE FOR A NEW EASTERN WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED FOUR MILLION DOLLARS, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 40, noes 1, as follows:


June 19, 2000
Voting in the negative: Senator Webster—1.

The Committee Substitute bill is ordered sent to the House of Representatives.

H.B. 1573 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROPERTY TAX TREATMENT OF A HEALTH CARE FACILITY UNDERTAKEN BY THE MEDICAL CARE COMMISSION PURSUANT TO THE HEALTH CARE FACILITIES FINANCE ACT AND TO EXTEND THE SUNSET ON THE PROPERTY TAX EXEMPTION FOR CONTINUING CARE RETIREMENT CENTERS, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 40, noes 1, as follows:


Voting in the negative: Senator Webster—1.

The Committee Substitute bill is ordered enrolled and sent to the Governor.

H.B. 1288 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RECOGNIZE METROPOLITAN PLANNING ORGANIZATIONS IN STATE LAW AND TO PROVIDE A PROCESS FOR VOLUNTARY EVALUATION OF METROPOLITAN PLANNING ORGANIZATION BOUNDARIES, STRUCTURE, AND GOVERNANCE, which title changes upon concurrence.

The Senate Committee Substitute bill passes its second reading (37-4).

Senator Clodfelter objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Tuesday, June 20.

COMMITTEE REFERRAL RECALL

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, referred to the Judiciary II Committee on June 16, 1999.

Pursuant to Rule 47(a), Senator Miller offers a motion that the Senate Committee Substitute bill be withdrawn from the Judiciary II Committee and re-referred to the Commerce 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 Commerce Committee.

RECALL FROM ENGROSSING

S.B. 1447, A BILL TO BE ENTITLED AN ACT TO MAKE SUNDRY AMENDMENTS CONCERNING THE TOWN OF CHAPEL HILL, as amended and ordered engrossed on Thursday, June 15.

Having voted with the majority, Senator Rand offers a motion to the end that the bill, as amended, be recalled from the Engrossing Office for further consideration, and he further moves that the bill be placed before the Senate for immediate consideration, which motions prevail.

Having voted with the majority, Senator Kinnaird offers a motion that the vote by which the bill passed its third reading be reconsidered, which motion prevails.

June 19, 2000
Having voted with the majority, Senator Kinnaird offers a motion that the vote by which the bill passed its second reading be reconsidered, which motion prevails.

Having voted with the majority, Senator Kinnaird offers a motion that the vote by which Amendment No. 1 was adopted be reconsidered, which motion prevails.

Senator Kinnaird withdraws Amendment No. 1 and the question becomes the passage of the bill on its second reading.

With unanimous consent, upon motion of Senator Rand, the bill is withdrawn from today's Calendar and placed on the Calendar for tomorrow, Tuesday, June 20.

PERSONAL PRIVILEGE

With unanimous consent, upon motion of Senator Purcell, the remarks of Senator Dannelly 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 Dannelly:

"Today is June 19th, and to many of us it's just June 19th, but to a lot of Americans it is Juneteenth. Now, some of you know and some of you may wonder what is Juneteenth. Juneteenth or June 19, 1865, is considered the date when the last slaves in America were freed. On this date, Union General Gordan Granger went to Galveston, Texas and brought news of the Emancipation Proclamation. President Lincoln, in September 1862, issued the document that freed slaves as of January 1, 1863. The slaves did not know that they had been emancipated for over two years since the news of the Proclamation spread very slowly because of the Civil War. The Emancipation Proclamation issued on September 22, 1862, by President Lincoln notifying the states in rebellion against the Union that if they did not cease their rebellion and return to the Union by January 1, 1863, he would declare their slaves forever free. Needless to say, the Proclamation was ignored by those states that did not rebel against the Union. As a result, 800,000 slaves were unaffected by the Proclamation. It would take the Civil War to enforce the Emancipation Proclamation and the Thirteenth Amendment to the United States Constitution that formally outlawed slavery in the United States. Now, annually on June 19th in many cities across this country, and so it was in Charlotte, Texas is the only state that has made Juneteenth a legal holiday. It symbolizes the end of slavery. Juneteenth has come to symbolize for many African-Americans the big word, freedom. It serves as an historical milestone reminding Americans of the triumph of the human spirit over the cruelty of slavery. It honors those ancestors who survived the inhumane institution of bondage as well as demonstrating pride in the marvelous, marvelous legacy of resistance and perseverance they left us. During the Civil War, Texas did not experience any significant invasion by Union forces. Although several attempts were made, they were thwarted by the Confederate troops. As a result, slavery in Texas continued to thrive. In fact, many slave owners from other slave-holding states brought their slaves to Texas to wait out the war. News of the emancipation was suppressed due to the overwhelming influence of the slave owners. Juneteenth is the oldest Black holiday originating in Galveston, Texas on June 19, 1865. The purpose of the holiday is to promote and enhance the unity and spiritual strength that brought Africans out of slavery and sustained their posterity to the present day. You might be interested to know that on April 10, 1997, the United States Senate adopted legislation officially recognizing Juneteenth Independence Day and encouraging its observance. The measure is Senate Resolution 11, introduced by none other than Senator Trent Lott, Senate Majority Leader from Mississippi. Thank you for your indulgence."

June 19, 2000
The President recognizes the following pages serving in the Senate this week:

William Jacob Amberger II, Fayetteville; Cameron Stuart Barker, Rocky Mount; Jonathan Bersuder, Raleigh; Mary Elizabeth Billings, Gastonia; Cassie Bryson, Gastonia; Timothy W. Bunch, Camden; Deanna L. Coleman, Fayetteville; Hanna Smith Comer, Raleigh; Peter Elkins-Williams, Chapel Hill; Lindsay Griffin, Lewiston; Lindsay Stuart Harrell, Fayetteville; Smith Robinson Higgins, Charlotte; Ashley Marie Johnson, Gastonia; Briley Johnson, Lewiston; Benjamin Mark, Durham; Tamara Otis, Rocky Mount; Andrew J. P. Pennink, Fayetteville; Karen Elizabeth Perry, Edenton; Brandon Scott Roberson, Rocky Mount; Alison Smith, Charlotte; Laura Smith, Charlotte; Alan Jefferson Van Dyke, Raleigh; Amanda Messia White, Clemmons; and Emily Anne Williford, Chapel Hill.

Upon motion of Senator Basnight, seconded by Senator Dannelly, the Senate adjourns at 8:10 P.M. to meet tomorrow, Tuesday, June 20, at 3:00 P.M.

ONE HUNDRED TWENTY-SEVENTH DAY

Senate Chamber
Tuesday, June 20, 2000

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, there is no doubt that the busier we get, the less time we seem to have to get things done, and the less time we have, the more we toss inessential tasks aside so that we can concentrate on the most pressing matters. That's when our families begin to suffer, our health suffers, even our faith takes a direct hit. Sometimes our prayers and devotional life are the first things to go when the heat is on.

"But these are the days when we need You most. In the midst of these mounting pressures to do and to produce, what could be more essential than taking time out to be aware of Your presence and Your counsel for us. Open our hearts to the grace and peace that surrounds us in these hectic times. Only then we shall be prepared and strengthened for the labors of our day. We pray in Your Holy Name, Amen."

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

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Monday, June 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. Walter Pories from Greenville, North Carolina, who is serving the Senate as Doctor of the Day, and to Kaye Miller from Statesville, North Carolina, who is serving the Senate as Nurse of the Day.

June 20, 2000
ENROLLED BILLS

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

**H.B. 1573,** AN ACT TO CLARIFY THE PROPERTY TAX TREATMENT OF A HEALTH CARE FACILITY UNDERTAKEN BY THE MEDICAL CARE COMMISSION PURSUANT TO THE HEALTH CARE FACILITIES FINANCE ACT AND TO EXTEND THE SUNSET ON THE PROPERTY TAX EXEMPTION FOR CONTINUING CARE RETIREMENT CENTERS.

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

**H.B. 1541,** AN ACT TO MAKE IT A CRIMINAL OFFENSE IN CAMDEN COUNTY TO OBTAIN AMBULANCE SERVICES WITH NO INTENT TO PAY FOR THOSE SERVICES OR TO MAKE AN UNNECESSARY AMBULANCE REQUEST AND TO AUTHORIZE CAMDEN COUNTY TO COLLECT AMBULANCE CHARGES THROUGH THE USE OF ATTACHMENT AND GARNISHMENT PROCEEDINGS.

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. 1189,** AN ACT AMENDING THE CHARTER OF THE TOWN OF CHINA GROVE TO ALLOW THE TOWN TO OPERATE UNDER THE COUNCIL-MANAGER FORM OF GOVERNMENT. (Became law upon ratification, June 19, 2000 – S.L. 2000-10.)

**H.B. 1497,** AN ACT AMENDING THE STATUTORY DEFINITION OF "SUBDIVISION" FOR THE PURPOSE OF SUBDIVISION REGULATION IN RICHMOND COUNTY. (Became law upon ratification, June 19, 2000 – S.L. 2000-11.)

**H.B. 1542,** AN ACT TO ADD CAMDEN COUNTY TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS. (Became law upon ratification, June 19, 2000 – S.L. 2000-12.)

**H.B. 1552,** AN ACT TO ALLOW THE CITY OF LAURINBURG TO LEVY SPECIAL ASSESSMENTS FOR STREET OR SIDEWALK IMPROVEMENTS WITHOUT PETITION. (Became law upon ratification, June 19, 2000 – S.L. 2000-13.)

**H.B. 1688,** AN ACT TO ALLOW CURRITUCK COUNTY TO REGULATE PERSONAL WATERCRAFT OPERATION. (Became law upon ratification, June 19, 2000 – S.L. 2000-14.)

CALENDAR

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

June 20, 2000
H.B. 1288 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RECOGNIZE METROPOLITAN PLANNING ORGANIZATIONS IN STATE LAW AND TO PROVIDE A PROCESS FOR VOLUNTARY EVALUATION OF METROPOLITAN PLANNING ORGANIZATION BOUNDARIES, STRUCTURE, AND GOVERNANCE, which title changes upon concurrence.

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 21.

COMMITTEE REFERRAL RECALL

S.B. 1177 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN AND ENHANCE THE CURRICULUM FOR CHARACTER EDUCATION AND TO APPROPRIATE FUNDS TO IMPLEMENT THE CURRICULUM, referred to the Appropriations/Base Budget Committee on June 15.

Pursuant to Rule 47(a), Senator Plyler offers a motion that the Committee Substitute 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 Committee Substitute bill withdrawn from the Appropriations/Base Budget Committee and re-refers the measure to the Education/Higher Education Committee.

H.B. 1514 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON REQUIREMENTS PERTAINING TO THE REIMBURSEMENT RATE FOR THE RESPITE CARE PROGRAM, AND TO AUTHORIZE THE MEDICAL CARE COMMISSION TO ADOPT TEMPORARY RULES PERTAINING TO RESPITE CARE, referred to the Appropriations/Base Budget Committee on June 15.

Pursuant to Rule 47(a), Senator Plyler offers a motion that the Committee Substitute bill be withdrawn from the Appropriations/Base Budget Committee and placed on the Calendar for Wednesday, June 21, 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 21.

With unanimous consent, the President grants a leave of absence for the remainder of today’s Session to Senator Perdue.

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. 1201, A BILL TO BE ENTITLED AN ACT TO REQUIRE RETAIL FOOD ESTABLISHMENTS TO STAMP OR ATTACH LABELS TO PREPACKAGED MEATS AND OTHER PERISHABLE FOODS SHOWING THE RECOMMENDED LAST DAY OF SALE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.
Pursuant to Rule 45.1, the proposed Committee Substitute bill 3974, which changes title to read S.B. 1201 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "MISBRANDING" TO INCLUDE THE REMOVAL OR ALTERATION OF LABELS BEARING A "SELL-BY" DATE OR LAST RECOMMENDED DAY OF SALE, is adopted and engrossed.

Upon motion of Senator Soles, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

By Senator Miller for the Judiciary II Committee:

S.B. 1323, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE INDIGENT DEFENSE STUDY COMMISSION TO ESTABLISH AN OFFICE OF INDIGENT DEFENSE 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 8669 is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

By Senator Cooper for the Judiciary I Committee:

S.B. 1484, 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, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the Finance Committee.

S.B. 1305, A BILL TO BE ENTITLED AN ACT TO ENACT REVISED ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE, CONFORMING AMENDMENTS TO OTHER ARTICLES OF THE UNIFORM COMMERCIAL CODE, AND CONFORMING AMENDMENTS TO OTHER SECTIONS OF THE GENERAL STATUTES AND TO INCREASE CERTAIN FEES UNDER CURRENT ARTICLE 9, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report, as amended.

Pursuant to Rule 45.1, Committee Amendments No. 1 and No. 2 are adopted and engrossed.

Pursuant to Rule 43, the bill, as amended, is re-referred to the Finance Committee.

The Senate recesses at 3:20 P.M. to reconvene at 3:45 P.M.

RECESS

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

The Senate recesses at 3:58 P.M. for the purpose of a Rules and Operations of the Senate Committee meeting, to reconvene at 4:08 P.M.

June 20, 2000
RECESS

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

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. 1667 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF CHARLOTTE.  
Referred to Finance Committee.

CALENDAR (Continued)

S.B. 1447, A BILL TO BE ENTITLED AN ACT TO MAKE SUNDRY AMENDMENTS CONCERNING THE TOWN OF CHAPEL HILL.  
The bill passes its second and third readings and is ordered sent to the House of Representatives.

H.B. 723 (Senate Committee Substitute), 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, 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 Tuesday, June 27, upon third reading.

S.B. 1266 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT THE UNIFORM ELECTRONIC TRANSACTIONS ACT.  
With unanimous consent, upon motion of Senator Reeves, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Tuesday, June 27.

H.B. 1544, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A TAXPAYER IS ENTITLED TO A REFUND OF AN OVERPAYMENT OF THE STATE EXCISE TAX ON CONVEYANCES.  
The bill passes its second reading (45-0).  
Senator Wellons objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Wednesday, June 21.

COMMITTEE REFERRAL RECALL

S.B. 1184 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A VOLUNTARILY FUNDED STATEWIDE SPAY/NEUTER PROGRAM TO PROVIDE EDUCATION ON THE BENEFITS OF SPAYING AND NEUTERING

June 20, 2000
PETS AND TO PROVIDE FINANCIAL ASSISTANCE TO COUNTIES AND CITIES OFFERING LOW-INCOME PERSONS REDUCED-COST SPAY/NEUTER SERVICES FOR DOGS AND CATS, referred to the Appropriations/Base Budget Committee on May 25.

Pursuant to Rule 47(a), Senator Plyler offers a motion that the Committee Substitute bill be withdrawn from the Appropriations/Base Budget Committee and placed on the Calendar for Wednesday, June 21, 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 21.

S.B. 1545, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO ERECT MEMORIAL SIGNS ALONG HIGHWAYS FOR STATE HIGHWAY PATROL MEMBERS AND OTHER LAW ENFORCEMENT PERSONNEL KILLED IN THE LINE OF DUTY, referred to the Appropriations/Base Budget Committee on May 30.

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 Transportation 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 Transportation Committee.

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 the Appropriations/Base Budget Committee on April 15, 1999.

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 Wednesday, June 21, 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, June 21.

REPORTS OF COMMITTEES (Continued)

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

S.B. 1285, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE BY WHICH THE HOLDER OF A STANDARD COMMERCIAL FISHING LICENSE OR A RETIRED STANDARD COMMERCIAL FISHING LICENSE WILL BE ALLOWED TO TAKE CRABS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3978, which changes the title to read S.B. 1285 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE LITTER PREVENTION SPECIAL REGISTRATION PLATES, is adopted and engrossed.

Upon motion of Senator Albertson, the Committee Substitute bill is re-referred to the Finance Committee.

S.B. 1311, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF THE MOUNTAINS TO SEA STATE PARK TRAIL TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW

June 20, 2000
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 6792 is adopted and engrossed.

S.B. 1336, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT STORMWATER UTILITY FEES MAY BE USED TO FUND ALL COSTS OF STORMWATER MANAGEMENT PROGRAMS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW 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 7787 is adopted and engrossed.

Upon motion of Senator Albertson, the Committee Substitute bill is re-referred to the Finance Committee.

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

H.B. 1593, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA, with a favorable report.

S.R. 1107, A SENATE RESOLUTION HONORING THE ONE HUNDREDTH ANNIVERSARY OF THE TOWN OF MOUNT GILEAD, 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 3972, which changes the title to read S.R. 1107 (Committee Substitute), A SENATE RESOLUTION HONORING THE VETERANS OF THE KOREAN WAR ON THE 50TH ANNIVERSARY OF THE WAR, is adopted and engrossed.

S.B. 1351, A BILL TO BE ENTITLED AN ACT RELATING TO THE 15TH 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 7790, which changes the title to read S.R. 1351 (Committee Substitute), A SENATE RESOLUTION RECOGNIZING BENSON'S EIGHTIETH ANNIVERSARY ANNUAL SINGING CONVENTION, is adopted and engrossed.

By Senator Hoyle for the Finance Committee:

H.B. 1340 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE RESPIRATORY CARE PRACTICE ACT, with a favorable report.

H.B. 1854 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES AND THE INSURANCE REGULATORY CHARGE, TO INCREASE COURT COSTS, TO INCREASE JAIL FEES FOR PERSONS PAYING JAIL FEES PURSUANT TO PROBATIONARY SENTENCES, AND TO INCREASE THE FEE IMPOSED FOR EMERGENCY PLANNING, with a favorable report.

Upon motion of Senator Hoyle, the Committee Substitute bill is re-referred to the Finance Committee.
S.B. 1193, A BILL TO BE ENTITLED AN ACT TO RESOLVE A BOUNDARY OVERLAP BETWEEN THE RONDA AND ROARING RIVER VOLUNTEER FIRE TAX DISTRICTS IN WILKES COUNTY AND TO VALIDATE CERTAIN ACTIONS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill X6793, which changes the title to read S.B. 1193 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESOLVE A BOUNDARY OVERLAP BETWEEN THE RONDA AND ROARING RIVER VOLUNTEER FIRE TAX DISTRICTS IN WILKES COUNTY AND TO VALIDATE CERTAIN ACTIONS, AND TO EXPAND THE GLENDALE SPRINGS FIRE PROTECTION DISTRICT IN ASHE COUNTY, is adopted and engrossed.

S.B. 1472, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TAX-EXEMPT FINANCING OF CERTAIN PRIVATE PROJECTS AS AUTHORIZED UNDER FEDERAL LAW AND TO REORGANIZE THE INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4788, which changes the title to read S.B. 1472 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE REVENUE BOND FINANCING OF CERTAIN PRIVATE PROJECTS THAT PERFORM A PUBLIC PURPOSE AND TO REORGANIZE THE INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITY, is adopted and engrossed.

Upon motion of Senator Basnight, seconded by Senator Shaw of Cumberland, the Senate adjourns at 4:16 P.M. to meet tomorrow, Wednesday, June 21, at 3:00 P.M.

ONE HUNDRED TWENTY-EIGHTH DAY

Senate Chamber
Wednesday, June 21, 2000

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, in our sensible zeal to keep religion from dominating politics, we have created a culture that presses us to be other than ourselves, to act as though our faith ultimately does not matter to us. Prevailing trends pressure us to treat our religious beliefs as arbitrary, the inference being that in politics there is something wrong with religious devotion.

"Oh God, there are places in this world where persecution is the greatest threat to people of faith. In our case, it may be the trivializing of our faith. Help us to witness boldly even when it may seem to be in our best interests to remain silent. Help us always to render unto Caesar what belongs to Caesar, and what belongs to You unto You. Amen."

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

June 21, 2000
Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Tuesday, June 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. Richard Berry from Whiteville, North Carolina, who is serving the Senate as Doctor of the Day, and to Kaye Miller from Statesville, 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 Number, and presented to the Office of the Secretary of State:

**H.B. 1541**, AN ACT TO MAKE IT A CRIMINAL OFFENSE IN CAMDEN COUNTY TO OBTAIN AMBULANCE SERVICES WITH NO INTENT TO PAY FOR THOSE SERVICES OR TO MAKE AN UNNECESSARY AMBULANCE REQUEST AND TO AUTHORIZE CAMDEN COUNTY TO COLLECT AMBULANCE CHARGES THROUGH THE USE OF ATTACHMENT AND GARNISHMENT PROCEEDINGS. (Became law upon ratification, June 20, 2000 – S.L. 2000-15.)

The Senate recesses at 3:05 P.M. for the purpose of a Transportation Committee meeting, to reconvene at 3:10 P.M.

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 Shaw of Cumberland for the Transportation Committee:

**S.B. 1545**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO ERECT MEMORIAL SIGNS ALONG HIGHWAYS FOR STATE HIGHWAY PATROL MEMBERS AND OTHER LAW ENFORCEMENT PERSONNEL KILLED IN THE LINE OF DUTY, with a favorable report.

With unanimous consent, upon motion of Senator Shaw of Cumberland, the bill is placed on the Calendar for Monday, June 26.

By Senator Hoyle for the Finance Committee:

**H.B. 1551** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY OF DEPARTMENT OF REVENUE LAW ENFORCEMENT AGENTS, TO ALLOW THE SECRETARY OF REVENUE TO ADMINISTER THE OATH OF OFFICE TO DEPARTMENT OF REVENUE LAW ENFORCEMENT AGENTS, TO PROVIDE A CIVIL PENALTY FOR FILING A FRIVOLOUS INCOME TAX RETURN, AND TO CHANGE THE PROCEDURES FOR LAW ENFORCEMENT REPORTING ON NON-TAX-PAID UNAUTHORIZED

June 21, 2000
SUBSTANCES, 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 7374 is adopted and engrossed.

S.B. 1549, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF MILLENNIAL CAMPUSES AT THE 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 8670 is adopted and engrossed.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

H.B. 1546

House of Representatives
June 21, 2000

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in Senate Amendment #1 for Committee Substitute for HB 1546, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALEXANDER AND ANSON COUNTIES MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS CORRECTIONAL FACILITIES, and requests conferees. The Speaker has appointed

Representative Holmes and
Representative Gibson

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

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

S.B. 1193 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESOLVE A BOUNDARY OVERLAP BETWEEN THE RONDA AND ROARING RIVER VOLUNTEER FIRE TAX DISTRICTS IN WILKES COUNTY AND TO VALIDATE CERTAIN ACTIONS, AND TO EXPAND THE GLENDALE SPRINGS FIRE PROTECTION DISTRICT IN ASHE COUNTY, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 41, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Dalton, Dannelly, East, Forrester, Foxx, Garrou, Garwood, Hagan, Harris, Horton, Hoyle, Jordan, Kinnaidr, Lee, Lucas, Martin of

Voting in the negative: None.
The Committee Substitute bill is placed on the Calendar for tomorrow, Thursday, June 22, upon third reading.

S.B. 1124, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMUNITY COLLEGES FOR A FAMILY LITERACY PROGRAM.

With unanimous consent, upon motion of Senator Odom, the bill is withdrawn from today’s Calendar and is re-referred to the Appropriations/Base Budget Committee.

COMMITTEE REFERRAL RECALL

S.B. 1323 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE INDIGENT DEFENSE STUDY COMMISSION TO ESTABLISH AN OFFICE OF INDIGENT DEFENSE SERVICES, referred to the Appropriations/Base Budget Committee on June 20.

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 today, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Appropriations/Base Budget Committee and places it on today’s Calendar.

S.B. 1530, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA PERSONAL PRIVACY PROTECTION ACT, referred to the Rules and Operations of the Senate Committee on May 30.

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.

The President extends courtesies of the gallery to the Mayor of Banner Elk, Ms. Deka Tate, and to the Vice-Mayor of Beech Mountain, Rick Owens.

The Senate recesses at 3:18 P.M. for the purpose of a Rules and Operations of the Senate Committee meeting and an Education/Higher Education Committee meeting, to reconvene at 3:23 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.R. 1351 (Committee Substitute), A SENATE RESOLUTION RECOGNIZING BENSON’S EIGHTIETH ANNIVERSARY ANNUAL SINGING CONVENTION, for adoption.

Upon motion of Senator Harris, the Senate resolution is adopted (48-0).

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S.B. 1472 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE REVENUE BOND FINANCING OF CERTAIN PRIVATE PROJECTS THAT PERFORM A PUBLIC PURPOSE AND TO REORGANIZE THE INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITY, upon second reading.

Senator Rand offers Amendment No. 1 which is adopted (48-0).

The Committee Substitute bill, as amended, passes its second 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 placed on the Calendar for tomorrow, Thursday, June 22, upon third reading.

H.B. 1340 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE RESPIRATORY CARE PRACTICE ACT, upon second reading.

The Senate Committee Substitute bill passes its second reading by roll-call vote, ayes 47, noes 1, as follows:


Voting in the negative: Senator Webster—1.

The Senate Committee Substitute bill is placed on the Calendar for tomorrow, Thursday, June 22, upon third reading.

REPORTS OF COMMITTEES (Continued)

By Senator Cooper for the Judiciary I Committee:

S.B. 760, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE CAMPAIGN FINANCE LAWS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill A690, which changes the title to read S.B. 760 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE LIMITATION ON LOBBYIST-RELATED FUND-RAISING TO STRENGTHEN THE ACT AND TO COMPLY WITH A COURT DECISION; AND TO PERMIT A MAJORITY OF A COUNTY BOARD OF ELECTIONS TO APPROVE A PLAN TO DESIGNATE ONE-STOP VOTING SITES, is adopted and engrossed.

By Senator Plyler for the Appropriations/Base Budget Committee:

H.B. 1840 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS

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APPROPRIATIONS ACT OF 1999 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, 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 7376 is adopted and engrossed.

**CALENDAR (Continued)**

**S.B. 1184** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A VOLUNTARILY FUNDED STATEWIDE SPAY/NEUTER PROGRAM TO PROVIDE EDUCATION ON THE BENEFITS OF SPAYING AND NEUTERING PETS AND TO PROVIDE FINANCIAL ASSISTANCE TO COUNTIES AND CITIES OFFERING LOW-INCOME PERSONS REDUCED-COST SPAY/NEUTER SERVICES FOR DOGS AND CATS.

- Senator Kinnaird offers Amendment No. 1 which is adopted (47-0).
- Senator Kinnaird offers Amendment No. 2 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 to the House of Representatives.

**S.B. 1311** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF THE MOUNTAINS TO SEA STATE PARK TRAIL TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1323** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE INDIGENT DEFENSE STUDY COMMISSION TO ESTABLISH AN OFFICE OF INDIGENT DEFENSE SERVICES, placed earlier on today's Calendar.

*With unanimous consent, the President Pro Tempore grants a leave of absence for the remainder of today's Session to Senator Webster.*

The Committee Substitute bill passes its second reading (37-10).

- 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, June 22.

**H.B. 1514** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON REQUIREMENTS PERTAINING TO THE REIMBURSEMENT RATE FOR THE RESPITE CARE PROGRAM, AND TO AUTHORIZE THE MEDICAL CARE COMMISSION TO ADOPT TEMPORARY RULES PERTAINING TO RESPITE CARE.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered enrolled and sent to the Governor.

**H.B. 1593**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA.

The bill passes its second (47-0) and third readings and is ordered enrolled and sent to the Governor.

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RECONSIDERATION

S.B. 1472 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE REVENUE BOND FINANCING OF CERTAIN PRIVATE PROJECTS THAT PERFORM A PUBLIC PURPOSE AND TO REORGANIZE THE INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITY.

Having voted in the majority, Senator Rand offers a motion that the rules be suspended and that the vote by which the Committee Substitute bill passed its second reading be reconsidered, which motion prevails.

Having voted with the majority, Senator Rand offers a motion that the vote by which Amendment No. 1 was adopted be reconsidered, which motion prevails.

Senator Rand withdraws Amendment No. 1 and the question before the Body becomes the passage of the Committee Substitute bill on its second reading.

Senator Rand offers Amendment No. 2 which is adopted (47-0).

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 47, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill, as amended, is placed on the Calendar for tomorrow, Thursday, June 22, upon third reading.

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. 1618, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DE MINIMIS REPORTING EXCEPTION TO ALL DISCHARGES OF PETROLEUM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to Agriculture/Environment/Natural Resources Committee.

CALENDAR (Continued)

H.B. 1288 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RECOGNIZE METROPOLITAN PLANNING ORGANIZATIONS IN STATE LAW AND TO PROVIDE A PROCESS FOR VOLUNTARY EVALUATION OF METROPOLITAN PLANNING ORGANIZATION BOUNDARIES, STRUCTURE, AND GOVERNANCE, which title changes upon concurrence.

Senator Clodfelter offers Amendment No. 1 which is adopted (46-0).

The Senate Committee Substitute bill, as amended, passes its third reading (47-0) and is ordered engrossed and sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

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REPORTS OF COMMITTEES (Continued)

By Senator Kerr for the Finance Committee:

H.B. 1560 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE MODIFICATIONS TO THE WILLIAM S. LEE ACT AND TO RELATED ECONOMIC DEVELOPMENT LAWS, with a favorable report.

S.B. 1285 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE LITTER PREVENTION SPECIAL REGISTRATION PLATES, with a favorable report.

S.B. 1305 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT REVISED ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE, CONFORMING AMENDMENTS TO OTHER ARTICLES OF THE UNIFORM COMMERCIAL CODE, AND CONFORMING AMENDMENTS TO OTHER SECTIONS OF THE GENERAL STATUTES AND TO INCREASE CERTAIN FEES UNDER CURRENT ARTICLE 9, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

S.B. 1331, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET OF THE WHITE GOODS TAX AND TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY ISSUES RELATED TO THE SCRAP TIRE DISPOSAL TAX AND THE WHITE GOODS DISPOSAL TAX, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

S.B. 1502, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DUAL REGISTRATION OF INVESTMENT ADVISERS AND TO INCREASE THE REGISTRATION FEE FOR INVESTMENT ADVISER REPRESENTATIVES, with a favorable report.

S.B. 1460, A BILL TO BE ENTITLED AN ACT TO PROVIDE INCENTIVES FOR DEVELOPMENT OF THE FILM INDUSTRY IN 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 7789 is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is referred to Appropriations/Base Budget Committee.

H.B. 1854 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES AND THE INSURANCE REGULATORY CHARGE, TO INCREASE COURT COSTS, TO INCREASE JAIL FEES FOR PERSONS PAYING JAIL FEES PURSUANT TO PROBATIONARY SENTENCES, AND TO INCREASE THE FEE IMPOSED FOR EMERGENCY PLANNING, 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 6309, which title changes upon concurrence to read H.B. 1854 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES AND THE INSURANCE REGULATORY CHARGE, TO INCREASE COURT COSTS, TO INCREASE JAIL FEES FOR PERSONS PAYING JAIL FEES PURSUANT TO

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PROBATIONARY SENTENCES, TO INCREASE THE FEE IMPOSED FOR EMERGENCY PLANNING, TO AUTHORIZE CERTAIN CHANGES IN PERMITS FOR OVERSIZE LOADS, AND TO ESTABLISH PENALTIES FOR PERMIT VIOLATIONS, is adopted and engrossed.

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

S.B. 1489, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING SENATORIAL DISTRICT 28, 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 7791, which changes the title to read S.R. 1489 (Committee Substitute), A SENATE RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES MCCLURE CLARKE, FORMER MEMBER OF THE GENERAL ASSEMBLY AND CONGRESS, is adopted and engrossed.

S.B. 1496, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS OF NORTH CAROLINA TO TRANSFER STATE PROPERTY IN BURKE 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 8665, which changes the title to read S.B. 1496 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER STATE PROPERTY IN BURKE COUNTY, is adopted and engrossed.

S.B. 1541, A BILL TO BE ENTITLED AN ACT RELATING TO THE DISPOSITION OF STATE PROPERTY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 2851, which changes the title to read S.B. 1541 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REALLOCATE STATE LAND IN WAKE COUNTY TO THE DEPARTMENT OF CULTURAL RESOURCES FOR THE NORTH CAROLINA MUSEUM OF ART, is adopted and engrossed.

CALENDAR (Continued)

H.B. 1544, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A TAXPAYER IS ENTITLED TO A REFUND OF AN OVERPAYMENT OF THE STATE EXCISE TAX ON CONVEYANCES.

Senator Gulley offers Amendment No. 1, which is adopted (47-0), and held to be material, constituting the first reading of the measure.

The bill, as amended, is placed on the Calendar for tomorrow, Thursday, June 22, upon second reading.

S.R. 1107 (Committee Substitute), A SENATE RESOLUTION HONORING THE VETERANS OF THE KOREAN WAR ON THE 50TH ANNIVERSARY OF THE WAR, for adoption.

With unanimous consent, upon motion of Senator Shaw of Guilford, the remarks of the members honoring the Veterans of the Korean War are spread upon the Journal, as follows:

Senator Phillips:

"Mr. President, thank you very much. Ladies and gentlemen, I want to talk with you just a couple of minutes. I say that because I would really like to get rid of the Oximeter before I leave here, so I'm not going to take a lot of time with this. You have this

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resolution in front of you and it, I think, pays honor to a wonderful group of men and women and I say women, too, because I remember during my tour of duty in Korea that there were women nurses at the MASHES that saved lives, that were just as tired, just as much in danger and certainly much more needed than a lot of us. So I pay, first of all, a special respect and a ‘thank you’ to them. In 1950, when this supposedly police action started, many of us were going about our business living our lives. Many of us were doing other things and would rather keep doing those things, but along about that time there was also a draft and some of us made a decision that we would enlist so that we could go to the branch of service that we cared to go to. With me and for me, in 1951, that was the Marine Corps. I say that to you simply because we all had our branches of service and they all served and I think served gallantly, wonderfully, in defense of our country for a purpose that we thought was right, our Government thought was right. Being a citizen, being a believer in democracy, I certainly supported that, and at eighteen or nineteen I understood, I thought, what this was all about. I served with great young men. I would say to you that my high school classmate on the fourth day was killed in action. Nothing can change that, except I recognize that he gave his life to me and for me and for you and for what all of us believe. This war has also been called the “Forgotten War”, and I think probably it has simply because those of us who were blessed and fortunate to come home, came home and went about our business. We went about our business of having families, getting an education, going to work, but I want to tell you that none of us have ever forgotten it. It was a maturing experience for all of us who participated. When I think about those thirty-odd thousand that are not coming back home, that will not have the experiences that you and I have had in this wonderful land, I also think about their families, and I think about those that are there, that were brought home, that no longer enjoy what we do and I’m grateful to them. I would hope that today you would join me in support of this resolution in appreciation to all of those men and women who have served our Country in the Korean War, and I would also hope that you would keep in your mind and in your thoughts your thanksgiving for those who paid the supreme sacrifice and think about their families. I thank you for this opportunity.”

Senator Rucho:

“Ladies and gentlemen of the Senate, a veteran of the Korean War from my area talked with me in regard to commemorating and making attention to the 50th Anniversary of the Korean War. I found Senator Phillips to be one of the few veterans in the Senate that served in the Korean War. Many of us in the Senate and, most importantly, in my generation only remember the Korean War because of the television episodes of MASH. Those episodes made us laugh and they made us cry, but as we know from, some from experience and some from hearing, the War was not fun. Each of us must remember the heroes that served in that “Forgotten War.” I stand to remember those men and women and their families who sacrificed while in Korea, those who fought and defended the principles, principle right of freedom. I commend this resolution to you in their memory.”

Senator Lee:

“Mr. President, members of the Senate, I was drafted and had six deferments before finally being pulled into the military in the late ‘60’s, and I had a pretty good situation stationed in Colene, Texas until I decided one weekend to go out for a cup of coffee at a local drugstore and was refused service. I organized a sit-in and on Monday morning I was on a plane heading to Korea. I was sent to the 30th Parallel and I thought that the police action in Korea was over and that it would be a nice vacation. But I quickly not only understood what those who preceded me had gone through, I also recognized that there was an imminent danger still there in Korea because of it being so closely located to the DMZ, the dividing line between North and South and, like Senator Phillips, throughout

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Korea I had a number of acquaintances who were shot, didn’t make the newspaper because there was no war. I had buddies that were wounded, did not make the news headlines because there was no war, and being personally shot at, as many of my friends, and lucky to come back. But what that experience did for me was to increase and enhance my commitment to stand up and fight for democracy and for freedom and to have a deeper appreciation of America and in spite of the fact that things were not perfect back at home, to appreciate more deeply than ever the fact that there was a freedom to come home and fight without being in any danger in danger of being oppressed. We owe a great debt of gratitude to the people who went, who died, who gave their lives, because we can protest in freedom here, we can express our opinions without being in imminent danger, and those who died without having ever had expressed to them a deep sense of appreciation, I think have been done a disservice. This resolution is just one more way of many ways we have to continue to express to the families, to those who died, and to those who served like the Jim Phillipses in the War. I’m lucky to have lived in America. I’m lucky to have had the opportunity to serve in the military. I feel honored to have been able to go to Korea because it changed me as a person and when I came home having left as a boy, I returned as a mature man.”

Senator Odom:

“Members of the Senate, about two or three weeks ago, I heard a program on NPR with regard to the 50th Anniversary of this War which I remember very, very distinctly as a young man in the early ’50’s and felt myself fortunate that the War was basically over before I was of draftable age. But as a result of hearing that NPR story, Senator Phillips, they recommended two books and I’ve been able to buy one of them and I’m almost through with it and its called The Coldest War. It’s only maybe two hundred fifty pages long. I will finish that book this weekend and I will bring it in and we’ll just send it around the Senate and you can read it probably in just a few nights, and I think, that’s my way of remembering those people, the men and women over there, Senator Phillips. I think you will find it a fascinating book written by someone who basically lived in holes in the ground for months at a time with no heat. I thank you, I salute you and I salute all the other veterans and Senator Lee that have pursued the course of freedom. Thank you.”

Senator East:

“I thank the Senate and I thank you, Senator Phillips, for this resolution honoring the Korean War veterans. In the last couple of years, two or three years, I’ve been doing a little searching around the courthouses and looking at some of my family history, and there was a young man that was killed in the Korean War. His name was William Coy East. I wanted to call his name because we’re getting right on the verge of that young man being forgotten. His family, with the exception of a few cousins like myself, are about the only people that are left. His mother and father are dead. His aunts and uncles are dead. The boy was killed in 1953 in Korea. He has no brothers and sisters left and I just simply wanted to call his name on the Senate floor so that somebody up there knows that William Coy East is not forgotten. Thank you.”

Senator Foxx:

“About a year and half ago, my husband and I were in Washington, D.C. and we went to the Korean War Memorial, and I want to encourage you to go there if you have a chance to see that Memorial. It’s not far from the Vietnam Memorial, but it is a very moving Memorial and what Senator Odom said about it being the coldest war, it was ironic because what I know about Korea being cold and the day we were there it had snowed a little bit. It was in January. That made it an even more moving experience to me to see those figures who were there in the Korean Memorial and I do hope if you get a chance to go to

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WASHINGTON, you’ll make the effort to go to that Memorial. I think it will help you appreciate more the folks who served in that War and I thank you, too, Senator Phillips.”

Senator Dannelly:

“Thank you very much. I’d like to say a few words about the Korean War. In 1952, I was the Commander of a heavy weapons platoon in the Third Battalion of the Third Army called the “Rock of the Marne” in Korea. I don’t like to talk about war because it’s a terrible thing. It would seem that nations would be able to settle their differences without shedding blood. It was a cold war. I spent many nights in charge of the night-watch detail on the 38th Parallel, and it’s the only place I’ve been in my short time on this earth where in the winter time, in the field, in order to get a latrine we had to take a sledge hammer and a long chisel and try to drive a small hole in the ground, place a stick of dynamite and blow out a small portion. It would take almost a day to dig a latrine for a company. When I got on the plane to come back when they declared a cease-fire, I almost froze from Korea to Sasebo, Japan. There I had a nice time the next day, then boarded another plane and landed in San Francisco. Back during that time my country was not all that good to me, but I kissed the ground when I stepped off the plane. I was so glad to be home. It did me well to read that the leaders of North Korea and South Korea met and maybe eventually fifty years later, they may come to some good solution. Thank you very much.”

Senator Garwood:

“Ladies and gentlemen of the Senate, I served in the United States Army during the Korean War, but my service pales in comparison to that of the men who went to Korea because I was fortunate enough not to have to go. I entered the Army toward the end of the War and I served in the 11th Airborne Division, spent most of my time in Fort Campbell, Kentucky. I could have been sent to Korea, but wasn’t. I was grateful for that at that time, needless to say, as I am grateful for the service that these men who did serve in that cold, cold country, and for the contributions and the ultimate sacrifice that many of them made. I’ll always be grateful for that as I am the privilege of not only serving in the Senate but just living in this country. We need to pause and smell the flowers. Thank you.”

Senator Ballantine:

“I just want to say briefly for all of us who live in a generation who did not have to go to war, to all of you who served, thank you.”

Upon motion of Senator Phillips, the Senate resolution is adopted (46-0).

COMMITTEE REFERRAL RECALL

S.B. 1304, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TRAINING OF MEMBERS OF THE PROPERTY TAX COMMISSION, referred to the Rules and Operations of the Senate Committee on May 18.

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.

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 the Appropriations/Base Budget Committee on April 22, 1999.
Pursuant to Rule 47(a), Senator Perdue offers a motion that the Committee Substitute bill be withdrawn from the Appropriations/Base Budget Committee and re-referred to the State and Local Government 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 State and Local Government Committee.

APPOINTMENT OF CONFERENCE COMMITTEE

H.B. 1546 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALEXANDER AND ANSON COUNTIES MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS CORRECTIONAL FACILITIES.

Pursuant to the message from the House of Representatives received earlier today that the House of Representatives fails to concur in the House Committee Substitute for H.B. 1546, Senator Rand offers a motion that the Senate appoint conferees, which motion prevails.

Senator Rand announces the appointment of Senator Garwood, Chairman, and Senator Miller and Senator Purcell 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 Wellons, the Senate adjourns at 5:23 P.M. in honor of those who served in the Korean War to meet tomorrow, Thursday, June 22, at 11:00 A.M.

ONE HUNDRED TWENTY-NINTH DAY

Senate Chamber
Thursday, June 22, 2000

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, in the parable of the great banquet, the king made meticulous preparations for his dinner party and then offered his hospitality to the 'A' list of distinguished dinner guests, all of whom offered lame excuses for not wanting to attend. The king then turned his attention to the 'B' list guests, those whom scripture describes as 'the good and the bad.' In came the poor, the blind and the lame. It was a typical act of inclusiveness by a gracious ruler, pointing to Your abundant love which is open and available to all, if we will only come.

"Oh God, in our efforts to serve the people of this State through our limited revenues, let us not forget Your relentless hospitality that is offered to 'the good and the bad' alike. Make us generous with the resources You have entrusted to us. In Your Holy Name we pray, Amen."

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

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Wednesday, June 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 Dr. Timothy Reeder from Greenville, North Carolina, who is serving the Senate as Doctor of the Day, and to Kaye Miller from Statesville, 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.R. 1489 (Committee Substitute), A SENATE RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES MCCLURE CLARKE, FORMER MEMBER OF THE GENERAL ASSEMBLY AND CONGRESS,** for adoption.

With unanimous consent, upon motion of Senator Metcalf, the Committee Substitute Senate resolution is withdrawn from today’s Calendar and is placed on the Calendar for Monday, June 26.

**ENROLLED BILLS**

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

**H.B. 1514, AN ACT TO REPEAL THE SUNSET ON REQUIREMENTS PERTAINING TO THE REIMBURSEMENT RATE FOR THE RESPITE CARE PROGRAM, AND TO AUTHORIZE THE MEDICAL CARE COMMISSION TO ADOPT TEMPORARY RULES PERTAINING TO RESPITE CARE.**

**H.B. 1593, AN ACT TO EXTEND THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA.**

**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. 1474, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ASHEVILLE-BUNCOMBE TECHNICAL COMMUNITY COLLEGE TO LEASE CERTAIN PROPERTY BY PRIVATE NEGOTIATION AND TO ALLOW FLEXIBLE USE OF LEASE PROCEEDS,** with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7792 is adopted and engrossed.

**H.B. 1559, 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 CONFORM TO FEDERAL LAW REGARDING DEADLINES FOR PAYMENTS OF CERTAIN ESTIMATED INCOME TAXES, AND TO CLARIFY THE SALES FACTOR FOR DETERMINATION OF STATE CORPORATE INCOME AND FRANCHISE TAX, 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 8205, which changes the title upon concurrence, to read H.B. 1559 (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 CONFORM TO FEDERAL LAW REGARDING PENSION TAX WITHHOLDING AND DEADLINES FOR PAYMENTS OF CERTAIN ESTIMATED INCOME TAXES, TO CLARIFY THE SALES FACTOR FOR DETERMINATION OF STATE CORPORATE INCOME AND FRANCHISE TAX, AND TO ENABLE THE COLLECTION OF TAX DEBT OWED TO NORTH CAROLINA THROUGH THE FEDERAL TREASURY OFFSET PROGRAM, is adopted and engrossed.

CALENDAR (Continued)

H.B. 1551 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY OF DEPARTMENT OF REVENUE LAW ENFORCEMENT AGENTS, TO ALLOW THE SECRETARY OF REVENUE TO ADMINISTER THE OATH OF OFFICE TO DEPARTMENT OF REVENUE LAW ENFORCEMENT AGENTS, TO PROVIDE A CIVIL PENALTY FOR FILING A FRIVOLOUS INCOME TAX RETURN, AND TO CHANGE THE PROCEDURES FOR LAW ENFORCEMENT REPORTING ON NON-TAX-PAID UNAUTHORIZED SUBSTANCES, upon second reading.

With unanimous consent, upon motion of Senator Kerr, the Senate Committee Substitute bill is withdrawn from today’s Calendar and is ordered placed on the Calendar for Monday, June 26, upon second reading.

H.B. 1854 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES AND THE INSURANCE REGULATORY CHARGE, TO INCREASE COURT COSTS, TO INCREASE JAIL FEES FOR PERSONS PAYING JAIL FEES PURSUANT TO PROBATIONARY SENTENCES, TO INCREASE THE FEE IMPOSED FOR EMERGENCY PLANNING, TO AUTHORIZE CERTAIN CHANGES IN PERMITS FOR OVERSIZE LOADS, AND TO ESTABLISH PENALTIES FOR PERMIT VIOLATIONS, upon second reading, 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 re-referred to the Finance Committee.

REPORTS OF COMMITTEES (Continued)

By Senator Lee for the Education/Higher Education Committee:

S.B. 1177 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN AND ENHANCE THE CURRICULUM FOR CHARACTER EDUCATION AND TO APPROPRIATE FUNDS TO IMPLEMENT THE CURRICULUM, with an unfavorable report as to Committee Substitute bill No. 1, but favorable as to Committee Substitute bill No. 2.

June 22, 2000
Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 3981 is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill No. 2 is re-referred to the Appropriations/Base Budget Committee.

COMMITTEE REFERRAL RECALL

S.B. 1481, A BILL TO BE ENTITLED AN ACT TO AMEND THE LEGAL DESCRIPTION OF THE REAL PROPERTY LOCATED WITHIN THE COUNTIES OF DURHAM AND WAKE, AS SET FORTH IN SECTION 2, CHAPTER 435, SESSION LAWS OF 1985, AND AS AMENDED BY SECTION 4, CHAPTER 841, SESSION LAWS OF 1989, referred to the State and Local Government Committee on June 12.

Pursuant to Rule 47(a), Senator Kinnaird offers a motion that the bill be withdrawn from the State and Local Government Committee and placed on today’s Calendar, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the State and Local Government Committee and places it on today’s Calendar.

CALENDAR (Continued)

S.B. 1193 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESOLVE A BOUNDARY OVERLAP BETWEEN THE RONDA AND ROARING RIVER VOLUNTEER FIRE TAX DISTRICTS IN WILKES COUNTY AND TO VALIDATE CERTAIN ACTIONS, AND TO EXPAND THE GLENDALE SPRINGS FIRE PROTECTION DISTRICT IN ASHE COUNTY, 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 to the House of Representatives.

REPORTS OF COMMITTEES (Continued)

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

H.B. 1618, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DE MINIMIS REPORTING EXCEPTION TO ALL DISCHARGES OF PETROLEUM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

S.B. 1330, A BILL TO BE ENTITLED AN ACT TO PROVIDE A NEW TAX CREDIT AS AN INCENTIVE FOR INVESTING IN DRY-CLEANING AND WET-CLEANING EQUIPMENT THAT DOES NOT USE HAZARDOUS SUBSTANCES AS SOLVENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW 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 A691, which changes the title to read S.B. 1330 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT AS AN INCENTIVE FOR INVESTING IN DRY-CLEANING EQUIPMENT THAT DOES NOT USE HAZARDOUS SUBSTANCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is adopted and engrossed.

Upon motion of Senator Albertson, the Committee Substitute bill is re-referred to the Finance Committee.

H.B. 1506 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ESTABLISHMENTS THAT PREPARE OR SERVE FOOD TO A CERTAIN NUMBER OF REGULAR BOARDERS OR PERMANENT HOUSEGUESTS COMPLY WITH STATE FOOD SANITATION 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 5103 is adopted and engrossed.

**CALENDAR (Continued)**

S.B. 1472 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE REVENUE BOND FINANCING OF CERTAIN PRIVATE PROJECTS THAT PERFORM A PUBLIC PURPOSE AND TO REORGANIZE THE INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITY, as amended, upon third reading.

Senator Foxx offers Amendment No. 3 which is adopted (47-0).

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 engrossed and sent to the House of Representatives.

H.B. 1340 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE RESPIRATORY CARE PRACTICE ACT, upon third reading.

With unanimous consent, upon motion of Senator Hoyle, the Senate Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Monday, June 26, upon third reading.

S.B. 1305, A BILL TO BE ENTITLED AN ACT TO ENACT REVISED ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE, CONFORMING AMENDMENTS TO OTHER ARTICLES OF THE UNIFORM COMMERCIAL CODE, AND CONFORMING AMENDMENTS TO OTHER SECTIONS OF THE GENERAL STATUTES AND TO INCREASE CERTAIN FEES UNDER CURRENT ARTICLE 9, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, upon second reading.

The bill passes its second reading by roll-call vote, ayes 48, noes 0, as follows:

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Voting in the negative: None.

The bill is ordered placed on the Calendar for Monday, June 26, upon third reading.

**S.B. 1331, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET OF THE WHITE GOODS TAX AND TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY ISSUES RELATED TO THE SCRAP TIRE DISPOSAL TAX AND THE WHITE GOODS DISPOSAL TAX, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, upon second reading.**

The President orders, without objection, the bill temporarily displaced.

**S.B. 1502, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DUAL REGISTRATION OF INVESTMENT ADVISERS AND TO INCREASE THE REGISTRATION FEE FOR INVESTMENT ADVISER REPRESENTATIVES, upon second reading.**

The bill passes its second reading by roll-call vote, ayes 44, noes 4, as follows:


Voting in the negative: Senators Forrester, Garwood, Moore, and Webster—4.

The bill is ordered placed on the Calendar for Monday, June 26, upon third reading.

**H.B. 1560 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE MODIFICATIONS TO THE WILLIAM S. LEE ACT AND TO RELATED ECONOMIC DEVELOPMENT LAWS, 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 Webster—1.

The Committee Substitute bill is ordered placed on the Calendar for Monday, June 26, upon third reading.

**S.B. 1481, A BILL TO BE ENTITLED AN ACT TO AMEND THE LEGAL DESCRIPTION OF THE REAL PROPERTY LOCATED WITHIN THE COUNTIES OF DURHAM AND WAKE, AS SET FORTH IN SECTION 2, CHAPTER 435, SESSION LAWS OF 1985, AND AS AMENDED BY SECTION 4, CHAPTER 841, SESSION LAWS OF 1989, upon second reading, placed earlier on today’s Calendar.**

The bill passes its second reading by roll-call vote, ayes 48, noes 0, as follows:

June 22, 2000

Voting in the negative: None.

The bill is ordered placed on the Calendar for Monday, June 26, upon third reading.

S.B. 1331, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET OF THE WHITE GOODS TAX AND TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY ISSUES RELATED TO THE SCRAP TIRE DISPOSAL TAX AND THE WHITE GOODS DISPOSAL TAX, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, upon second reading, temporarily displaced earlier.

The bill passes its second reading by roll-call vote, ayes 46, noes 2, as follows:


Voting in the negative: Senators Moore and Webster—2.

The bill is ordered placed on the Calendar for Monday, June 26, upon third reading.

S.B. 760 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE LIMITATION ON LOBBYIST-RELATED FUND-RAISING TO STRENGTHEN THE ACT AND TO COMPLY WITH A COURT DECISION; AND TO PERMIT A MAJORITY OF A COUNTY BOARD OF ELECTIONS TO APPROVE A PLAN TO DESIGNATE ONE-STOP VOTING SITES.

Senator Ballantine offers Amendment No. 1 which fails of adoption (15-33).

The Committee Substitute bill passes its second reading (41-7) and third reading (41-7) and is ordered sent to the House of Representatives.

S.B. 1285 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE LITTER PREVENTION SPECIAL REGISTRATION PLATES.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

WITHDRAWAL FROM CALENDAR

S.B. 1481, A BILL TO BE ENTITLED AN ACT TO AMEND THE LEGAL DESCRIPTION OF THE REAL PROPERTY LOCATED WITHIN THE COUNTIES OF DURHAM AND WAKE, AS SET FORTH IN SECTION 2, CHAPTER 435, SESSION LAWS OF 1985, AND AS AMENDED BY SECTION 4, CHAPTER 841, SESSION LAWS OF 1989, placed earlier on the Calendar for Monday, June 26, upon third reading.

Senator Miller offers a motion that the bill be withdrawn from the Calendar for Monday, June 26, and re-referred to the Finance Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Calendar for Monday, June 26, and re-refers the measure to the Finance Committee.

June 22, 2000
S.B. 1496 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER STATE PROPERTY IN BURKE COUNTY.

The Committee Substitute bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

S.B. 1541 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REALLOCATE STATE LAND IN WAKE COUNTY TO THE DEPARTMENT OF CULTURAL RESOURCES FOR THE NORTH CAROLINA MUSEUM OF ART.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

S.B. 1549 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF MILLENNIAL CAMPUSES AT THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.

The Committee Substitute bill passes its second (47-1) and third readings and is ordered sent to the House of Representatives.

H.B. 1544, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A TAXPAYER IS ENTITLED TO A REFUND OF AN OVERPAYMENT OF THE STATE EXCISE TAX ON CONVEYANCES, as amended by a material amendment on June 21.

The bill, as amended, passes its second reading by roll-call vote, ayes 48, noes 0, as follows:


Voting in the negative: None.

The bill, as amended, passes its third reading and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1.

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. 1656 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPOINTMENT OF A SPECIAL BOARD OF EQUALIZATION AND REVIEW FOR LINCOLN COUNTY.

Referred to Finance Committee.

H.B. 1699 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EQUALIZE RESIDENT AND NONRESIDENT INSURANCE BROKER LICENSE FEES; TO MAKE NORTH CAROLINA INSURANCE PRODUCER LICENSING LAWS COMPLY WITH THE RECIPROCITY REQUIREMENTS IN THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102; TO AMEND THE MINIMUM EDUCATION REQUIREMENTS FOR THE DEPARTMENT OF INSURANCE FINANCIAL EXAMINER AND ANALYST APPLICANTS; TO AMEND
THE DEFINITION OF "PERSON" IN THE BEACH AND FAIR PLAN LAWS; TO AMEND THE DEFINITION OF "BRANCH OFFICE" IN THE MOTOR CLUB LAWS; TO INCREASE THE BOND AMOUNT FOR MANUFACTURED HOUSING LICENSEES; TO REQUIRE NOTIFICATION TO THE MANUFACTURED HOUSING BOARD FROM MANUFACTURED HOUSING LICENSEES OF CHANGES IN OWNERSHIP CONTROL AND BANKRUPTCIES; AND TO EXPEDITE BUILDING PLAN REVIEWS BY EXEMPTING REVIEWS OF COUNTY AND CITY BUILDINGS COMPRISING FEWER THAN TEN THOUSAND SQUARE FEET.

Referred to Finance Committee.

H.B. 1732, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF OCEAN ISLE BEACH TO PROTECT AND REGULATE EROSION CONTROL WORKS AS A PUBLIC ENTERPRISE.

Referred to State and Local Government Committee.

H.B. 1783 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE DISPOSITION OF CERTAIN PROPERTY OF THE TOWN OF OCEAN ISLE BEACH, THE CITY OF KINSTON, AND LENOIR COUNTY BY PRIVATE SALE.

Referred to State and Local Government Committee.

H.B. 1802, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF SALISBURY TO ALLOW THE SALE OF PROPERTY LOCATED WITHIN A DESIGNATED COMMUNITY AND ECONOMIC DEVELOPMENT PROJECT AREA.

Referred to State and Local Government Committee.

The Senate recesses at 12:20 P.M. for the purpose of a Finance Committee meeting, to reconvene at 1:00 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

The Senate recesses at 1:14 P.M. for the purpose of a Finance Committee meeting, to reconvene at 1:19 P.M.

RECESS

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

REPORTS OF COMMITTEES (Continued)

By Senator Hoyle for the Finance Committee:

S.B. 1481, A BILL TO BE ENTITLED AN ACT TO AMEND THE LEGAL DESCRIPTION OF THE REAL PROPERTY LOCATED WITHIN THE COUNTIES OF DURHAM AND WAKE, AS SET FORTH IN SECTION 2, CHAPTER 435, SESSION LAWS OF 1985, AND AS AMENDED BY SECTION 4, CHAPTER 841, SESSION LAWS OF 1989, with a favorable report.

With unanimous consent, upon motion of Senator Hoyle, the rules are suspended and the bill is placed on today's Calendar.

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S.B. 1484, 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, with a favorable report.

With unanimous consent, upon motion of Senator Hoyle, the rules are suspended and the bill is placed on today's Calendar.

By Senator Kerr for the Finance Committee:

H.B. 1854 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES AND THE INSURANCE REGULATORY CHARGE, TO INCREASE COURT COSTS, TO INCREASE JAIL FEES FOR PERSONS PAYING JAIL FEES PURSUANT TO PROBATIONARY SENTENCES, TO INCREASE THE FEE IMPOSED FOR EMERGENCY PLANNING, TO AUTHORIZE CERTAIN CHANGES IN PERMITS FOR OVERSIZE LOADS, AND TO ESTABLISH PENALTIES FOR PERMIT VIOLATIONS, 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, 6310, which changes the title upon concurrence to read H.B. 1854 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES AND THE INSURANCE REGULATORY CHARGE, TO INCREASE COURT COSTS, TO INCREASE JAIL FEES FOR PERSONS PAYING JAIL FEES PURSUANT TO PROBATIONARY SENTENCES, TO INCREASE THE FEE IMPOSED FOR EMERGENCY PLANNING, TO AUTHORIZE CERTAIN CHANGES IN PERMITS FOR OVERSIZE LOADS AND ESTABLISH PENALTIES FOR PERMIT VIOLATIONS, TO AUTHORIZE AGENCIES TO PROVIDE ACCESS TO SERVICES THROUGH ELECTRONIC AN DIGITAL TRANSACTIONS AND TO IMPOSE A FEE FOR THOSE TRANSACTIONS, AND TO REPEAL THE SUNSET OF THE WHITE GOODS TAX AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY ISSUES RELATED TO THE SCRAP TIRE DISPOSAL TAX AND THE WHITE GOODS DISPOSAL TAX, is adopted and engrossed.

CALENDAR (Continued)

H.B. 1840 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1999 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.

Senator Martin of Guilford offers Amendment No. 1 which is adopted (48-0).
Senator Hartsell offers Amendment No. 2 which is adopted (48-0).
Senator Reeves offers Amendment No. 3 which is adopted (43-5).
Senator Plyler offers Amendment No. 4 which is adopted (48-0).
Senator Plyler offers Amendment No. 5 which is adopted (48-0).
Senator Warren offers Amendment No. 6 which is adopted (48-0).
Senator Webster offers Amendment No. 7 which fails of adoption (15-33).
Senator Webster offers Amendment No. 8 which fails of adoption (15-33).

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Senator Foxx offers Amendment No. 9 which fails of adoption (12-36).
Senator Moore offers Amendment No. 10.

The Senate recesses at 2:55 P.M. to reconvene at 3:15 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. 1840 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1999 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, with Amendment No. 10 pending.

Senator Rand offers Amendment No. 11 as a Substitute Amendment for Amendment No. 10.

The Senate recesses at 3:46 P.M. to reconvene at 3:51 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. 1840 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1999 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, with Substitute Amendment No. 11 pending.

Senator Ballantine calls for the "ayes" and "noes" on the call of the question. The call is sustained, ayes 31, noes 17, as follows:


Voting in the negative: Senators Allran, Ballantine, Carpenter, Carrington, Cochrane, East, Forrester, Foxx, Garwood, Hartsell, Horton, Miller, Moore, Reeves, Rucho, Shaw of Guilford, and Webster—17.

Substitute Amendment No. 11 is adopted (41-7).

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.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

H.B. 973

House of Representatives
June 22, 2000

June 22, 2000
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 973, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES ALLOWING A SUPERIOR COURT JUDGE TO PERFORM MARRIAGE CEREMONIES, and requests conferees. The Speaker has appointed:

Representative Hill,
Representative Tucker, and
Representative Brubaker

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:

House of Representatives
June 22, 2000

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)(4)f, the House of Representatives has elected and confirmed E. Norris Tolson of Pinetops to serve an unexpired term on the State Board of Community Colleges beginning June 22, 2000, and ending June 30, 2003.

Respectfully,
S/Denise Weeks
Principal Clerk

Special messages are received from the House of Representatives transmitting bills which are read the first time and disposed of, as follows:

**H.B. 1519** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, AND TO DIRECT THE OVERSIGHT COMMITTEE TO DEVELOP A PLAN TO REFORM THE STATE SYSTEM FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.
Referred to Health Care Committee.

**H.B. 1539** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE STATE BOARD OF EDUCATION AS THE STATE EDUCATION AGENCY RESPONSIBLE FOR ADMINISTERING THE QUALIFIED ZONE ACADEMY BOND PROGRAM.
Referred to Finance Committee.

June 22, 2000
H.B. 1779 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE THE CITY TO ESTABLISH REQUIREMENTS CONCERNING SWEATSHOPS.
Referred to State and Local Government Committee.

H.B. 1804 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES.
Referred to Appropriations/Base Budget Committee.

H.B. 1855 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO PRESCRIPTION DRUG, RETIREE PREMIUMS, AND CHRONIC CONDITION CLAIM COSTS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN.
Referred to Rules and Operations of the Senate Committee.

H.B. 1520 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO THE USE OF RESTRAINTS AND SECLUSION IN CERTAIN FACILITIES, AND REQUIRING THE REPORTING OF CERTAIN DEATHS IN CERTAIN FACILITIES.
Referred to Health Care Committee.

Without objection, the President grants a leave of absence for the remainder of today's Session to Senator Cooper.

CALENDAR (Continued)

S.B. 1323 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE INDIGENT DEFENSE STUDY COMMISSION TO ESTABLISH AN OFFICE OF INDIGENT DEFENSE SERVICES.
The Committee Substitute bill passes its third reading (37-9) and is ordered sent to the House of Representatives.

S.B. 1481, A BILL TO BE ENTITLED AN ACT TO AMEND THE LEGAL DESCRIPTION OF THE REAL PROPERTY LOCATED WITHIN THE COUNTIES OF DURHAM AND WAKE, AS SET FORTH IN SECTION 2, CHAPTER 435, SESSION LAWS OF 1985, AND AS AMENDED BY SECTION 4, CHAPTER 841, SESSION LAWS OF 1989, upon second reading, placed earlier on today's Calendar.
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, June 26, upon third reading.

S.B. 1484, 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

June 22, 2000
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, placed earlier on today’s Calendar.

The 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 bill passes its third reading by a three-fifths majority vote, ayes 46, noes 1, as follows:


Voting in the negative: Senator Webster—1.

The bill is ordered sent to the House of Representatives.

REPORTS OF COMMITTEES (Continued)

By Senator Hoyle for the Finance Committee:

S.B. 1463 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW DARE COUNTY TO EXPAND THE PURPOSE OF SPECIAL TAX DISTRICTS TO UNDERGROUND ELECTRIC UTILITY LINES SO AS TO ALLOW UNDERGROUNDING OF TELEPHONE AND CABLE TELEVISION LINES, 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, 7793, which changes the title to read S.B. 1463 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW DARE COUNTY TO CREATE SPECIAL DISTRICTS TO UNDERGROUND LINES, is adopted and engrossed.

COMMITTEE REFERRAL RECALL

S.B. 1460 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE INCENTIVES FOR DEVELOPMENT OF THE FILM INDUSTRY IN NORTH CAROLINA, referred to the Appropriations/Base Budget Committee on June 21.

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 Monday, June 26, which motion prevails with unanimous consent.

June 22, 2000
The Chair orders the Committee Substitute bill withdrawn from the Appropriations/Base Budget Committee and places it on the Calendar for Monday, June 26.

S.B. 1177 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN AND ENHANCE THE CURRICULUM FOR CHARACTER EDUCATION AND TO APPROPRIATE FUNDS TO IMPLEMENT THE CURRICULUM, referred to the Appropriations/Base Budget Committee earlier today, June 22.

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 Tuesday, June 27, 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 Tuesday, June 27.

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:

H.B. 1602 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT STORMWATER UTILITY FEES MAY BE USED TO FUND ALL COSTS OF STORMWATER MANAGEMENT PROGRAMS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to Finance Committee.

APPOINTMENT OF CONFERENCE COMMITTEE

H.B. 973 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES ALLOWING A SUPERIOR COURT JUDGE TO PERFORM MARRIAGE CEREMONIES.

Pursuant to the message from the House of Representatives received earlier today that the House fails to concur in the Senate Committee Substitute bill for H.B. 973 and requests conferees, Senator Basnight offers a motion that the Senate appoint conferees.

The President Pro Tempore appoints Senator Miller, Chairman, and Senator Albertson and Senator Horton 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 Moore, the Senate adjourns at 4:59 P.M. subject to receipt of messages from the House of Representatives, to meet Monday, June 26, at 6:00 P.M.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

H.B. 1840

House of Representatives
June 22, 2000

June 22, 2000
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 1840, AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1999 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, and requests conferees. The Speaker has appointed Representatives Easterling and Redwine, Co-Chairs; Representatives Owens, Hackney, Baddour, Rogers, Boyd-McIntyre, Oldham, Wright, Jeffus, Wainwright, Earle, Nye, Culpepper, Miller, McCrary, Fox, Crawford, Cole, Cunningham, Allen, Luebke, Buchanan, Culp, Walend, Russell, Gulley, and Justus 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

APPOINTMENT OF CONFERENCE COMMITTEE

H.B. 1840 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1999 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.

Pursuant to the message from the House of Representatives received today that the House fails to concur in the Senate Committee Substitute bill for H.B. 1840 and requests conferees, the President Pro Tempore appoints Senator Plyler Co-Chair; Senator Odom, Co-Chair; and Senator Perdue, Co-Chair; and Senators Albertson, Ballance, Ballantine, Carrington, Carter, Cooper, Dalton, Dannelly, Forrester, Gulley, Hartsell, Hoyle, Jordan, Kerr, Lee, Lucas, Martin of Guilford, Martin of Pitt, Metcalf, Miller, Purcell, Rand, Reeves, 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.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 6:33 P.M.

ONE HUNDRED THIRTIETH DAY

Senate Chamber
Monday, June 26, 2000

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:

"Almighty God, it is not surprising that we have been inundated with e-mail and phone calls in reaction to the vote last week on state employee salaries. If our aides really do know which way the wind is blowing, their reports indicate that there is a veritable

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hurricane of opposition out there, some of it bordering on incivility. And so we are hunkered down to take the inevitable beating from our constituents and this is just Monday.

"Scripture tells us that the wise man who builds a house must begin by first laying a solid foundation, digging deep into the bedrock of faith so that the house can withstand the flood 'when' it comes. Not 'if' it comes, but 'when' it comes. Encountering adversity in our line of work is unavoidable. Our job, it seems, is to know when to bend in the wind so as not to break, and when to hold fast. Oh God, give us a calmness of spirit and the strength to persevere so that we might succeed in these difficult budget negotiations, all of us, peaceably, together. Amen."

With unanimous consent, the President grants leaves of absence for tonight to Senator Hoyle, Senator Jordan, Senator Kinnaird, and Senator Martin of Pitt.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of Thursday, 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. Ralph Gertsch from Raleigh, 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. 1279, AN ACT TO PROVIDE THAT CERTAIN REQUIREMENTS RELATED TO LAND-USE RESTRICTIONS THAT APPLY GENERALLY TO RISK-BASED ENVIRONMENTAL CLEANUPS DO NOT APPLY TO CLEANUPS OF PETROLEUM FROM LEAKING UNDERGROUND STORAGE TANKS AND TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO CONTINUE TO STUDY THE APPLICATION OF LAND-USE RESTRICTIONS TO THE CLEANUP OF ENVIRONMENTAL DAMAGE FROM THESE TANKS THROUGH A STAKEHOLDER NEGOTIATION PROCESS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.**

**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. 1545, AN ACT TO CLARIFY THAT THE EXCISE TAX ON CONVEYANCES APPLIES TO TIMBER DEEDS AND CONTRACTS FOR THE SALE OF STANDING TIMBER.** (Became law upon approval of the Governor, June 22, 2000 – S.L. 2000-16.)

**H.B. 1577, AN ACT TO AUTHORIZE THE ADDITION OF BULLHEAD MOUNTAIN STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.** (Became law upon approval of the Governor, June 22, 2000 – S.L. 2000-17.)

June 26, 2000
REPORT OF COMMITTEE

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 Dalton for the State and Local Government Committee:

S.B. 1300, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MIDLAND, 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 8668 is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Finance Committee.

S.B. 1359, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF WINSTON-SALEM, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill A689, which changes the title to read S.B. 1359 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM TO REMOVE AND DISPOSE OF MOTOR VEHICLES THAT POSE A SAFETY HAZARD, is adopted and engrossed.

Upon the appearance of Senator Hoyle in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

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. 1485, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THOMAS H. DAVIS.

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

The joint resolution passes its second reading (45-0) and third reading, with members standing, and is ordered enrolled.

The President extends the courtesies of the gallery to the family of Thomas H. Davis: Thomas H. Davis, Jr., son; Frank Davis, son; Thomas H. Davis III, grandson; Mrs. Winifred Davis Pierce, daughter; Mrs. Julianna Davis West, daughter; Nancy Davis McGlothlin, daughter; and Egbert Davis, brother.

Upon the appearance of Senator Kinnaird in the Chamber, the Chair acknowledges her presence and the leave of absence granted previously is withdrawn.

CALENDAR

Bills and a resolution on tonight’s Calendar are taken up and disposed of, as follows:

S.R. 1489 (Committee Substitute), A SENATE RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES MCCLURE CLARKE, FORMER MEMBER OF THE GENERAL ASSEMBLY AND CONGRESS, for adoption.

June 26, 2000
With unanimous consent, upon motion of Senator Metcalf, the Senate resolution is taken up out of its regular order of business and is placed before the Senate for immediate consideration, and upon his further motion, the Senate resolution is read in its entirety.

Upon motion of Senator Metcalf, the Senate resolution is adopted (48-0).

The President extends the courtesies of the gallery to the family of Jamie Clarke: his wife, Elspeth, and two sons, Dumont and Douglas.

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:

H.B. 1564 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LAWS REGARDING THE PROCUREMENT OF INFORMATION TECHNOLOGY BY STATE AGENCIES AND INSTITUTIONS.

Referred to Information Technology Committee.

H.B. 1537 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PROMPT PAYMENT OF CLAIMS UNDER HEALTH BENEFIT PLANS, TO MAKE CONFORMING AMENDMENTS TO RELATED CLAIM PAYMENT LAWS, TO PROVIDE STANDARDS FOR THE ESTABLISHMENT AND MAINTENANCE OF EXTERNAL REVIEW PROCEDURES IN HEALTH INSURANCE AND MANAGED CARE TO ASSURE THAT COVERED PERSONS HAVE THE OPPORTUNITY FOR AN INDEPENDENT REVIEW OF A HEALTH BENEFIT PLAN COVERAGE DECISION MADE BY THE INSURER OR MANAGED CARE PLAN; AND TO MAKE CONFORMING AMENDMENTS TO EXISTING LAWS ON UTILIZATION REVIEW AND GRIEVANCES.

Referred to Judiciary I Committee.

H.B. 1819 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE THE RURAL REDEVELOPMENT AUTHORITY TO FINANCE RURAL ECONOMIC DEVELOPMENT PROJECTS AND INVEST IN RURAL BUSINESS DEVELOPMENT.

Referred to Finance Committee.

S.B. 1081 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE ECONOMIC PARITY FOR THE HAULING OF AGGREGATE PRODUCTS FROM LIMITED AREAS OF THE STATE, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, June 27.

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

H.B. 1562

House of Representatives
June 26, 2000

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 1562, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE BY WHICH THE HOLDER OF A
STANDARD COMMERCIAL FISHING LICENSE WILL BE ALLOWED TO TAKE CRABS, TO ALLOW THE HOLDER OF AN INTERIM CRAB LICENSE TO OBTAIN A STANDARD COMMERCIAL FISHING LICENSE, TO PROHIBIT THE MARINE FISHERIES COMMISSION FROM ESTABLISHING FEES FOR CERTAIN PERMITS, TO ABOLISH CERTAIN EXISTING PERMIT FEES, AND TO INCREASE THE AMOUNT OF GILL NET AUTHORIZED FOR USE UNDER A RECREATIONAL COMMERCIAL FISHING LICENSE, and requests conferees. The Speaker has appointed:

Representative Edwards, Chair;
Representative Smith,
Representative Wainwright,
Representative Redwine, and
Representative Culp

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)

S.B. 1481, A BILL TO BE ENTITLED AN ACT TO AMEND THE LEGAL DESCRIPTION OF THE REAL PROPERTY LOCATED WITHIN THE COUNTIES OF DURHAM AND WAKE, AS SET FORTH IN SECTION 2, CHAPTER 435, SESSION LAWS OF 1985, AND AS AMENDED BY SECTION 4, CHAPTER 841, SESSION LAWS OF 1989, 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, by special message, to the House of Representatives.

CONFERENCE REPORT

H.B. 973

Senator Miller, for the Conferences appointed to consider the differences arising between the Senate and the House of Representatives upon H.B. 973 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES ALLOWING A SUPERIOR COURT JUDGE TO PERFORM MARRIAGE CEREMONIES, submits for adoption the following report:

June 26, 2000
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 973, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES ALLOWING A SUPERIOR COURT JUDGE TO PERFORM MARRIAGE CEREMONIES, Senate Judiciary II Committee Substitute Adopted 5/23/00, submit the following report:
The House of Representatives concurs in the Senate Judiciary II Committee Substitute Adopted 5/23/00 with an amendment as follows: On page 1, line 10, delete "superior court judge," and substitute "superior court judge of this State or of another state,"
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 26, 2000.

S/Brad Miller
S/Charles W. Albertson
S/Hamilton C. Horton, Jr.

Conferees for the Senate

S/Dewey L. Hill
S/Russell E. Tucker
Harold J. Brubaker

Conferees for the House of Representatives

The Conference Report is ordered placed on the Calendar for tomorrow, Tuesday, June 27, for adoption.

CALENDAR (Continued)

H.B. 1340 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE RESPIRATORY CARE PRACTICE ACT, upon third reading.

With unanimous consent, upon motion of Senator Hoyle, the Senate Committee Substitute bill is withdrawn from tonight’s Calendar and is placed on the Calendar for Tuesday, June 27, upon third reading.

SENATE PAGES

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

India Kiara Autry, Garland; Paula Michelle Bailey, Weaverville; Allison Bowers, Wilson; Shalonda R. Bullock, Norlina; Charles Richard Chrisawn, Raleigh; Catherine M. Clark, Durham; Aaron Ashley Creech, Zebulon; Kathleen Cross, Burlington; Michael F. Easley, Jr., Raleigh; Rachel C. Evans, Fremont; Mary Ashley Gordon, Camden; Peter Hampton Gray, Lenoir; David Saleebey Griffin, New Bern; Jessica Lee Hart, Winston-Salem; Russell Jinnette, Goldsboro; Bradford B. Johnson, Raleigh; Joyce Justine Jones, Camden; James Matthew Newell, Franklin; Hannah Laine Perry, Wendell; Georgia L. Sawyer, Camden; Joshua Bennett Sink, Lexington; Casey Leann Spivey, Camden; Caroline Stubblefield, Burlington; John Richard Taylor, Chapel Hill; Whitney L. Ward, South Mills; and Kelley M. White, Greenville.

June 26, 2000
With unanimous consent, upon motion of Senator Rand, all bills remaining on the Calendar for tonight will be placed on the Calendar for tomorrow, Tuesday, June 27, as unfinished business.

Upon motion of Senator Basnight, seconded by Senator Shaw of Guilford, the Senate adjourns at 7:08 P.M. subject to receipt of messages from the House of Representatives, to meet tomorrow, Tuesday, June 27, at 3:00 P.M.

ONE HUNDRED THIRTY-FIRST DAY

Senate Chamber
Tuesday, June 27, 2000

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 welcome return of Senator Bob Martin to our Chamber. He has truly been missed.

"How good it was yesterday to pause and remember the lives of Jamie Clarke and Tom Davis. These men are touch stones of faith for us, and their witness of service is a beacon of encouragement, especially in these difficult last days of our Senate Session.

"Oh God, our prayer is that we might serve You, as they did, with integrity and joy. Give us strength of character and purity of faith, so that when our days of service have been accomplished here, we too might be remembered well by those who will follow us. May we be so blessed, as we are certain Jamie and Tom were, to hear You welcome us into Your eternal home with the words, 'Well done, thou good and faithful servants.' This we ask in Your Holy Name, Amen."

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

Senator Basnight, President Pro Tempore, announces the Journal of yesterday, Monday, June 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. Jeffrey Bond from Winston-Salem, North Carolina, who is serving the Senate as Doctor of the Day, and to Sharon Haire from Chapel Hill, North Carolina, who is serving the Senate as Nurse of the Day.

The President extends the privileges of the floor to Russell Walker, former Senator from Randolph County.

RECALL FROM THE HOUSE OF REPRESENTATIVES

H.B. 1544, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A TAXPAYER IS ENTITLED TO A REFUND OF AN OVERPAYMENT OF THE STATE EXCISE TAX ON CONVEYANCES, as amended by a material amendment.

Senator Rand offers a motion to the end that the bill, as amended, be recalled from the
House of Representatives, for further consideration by the Senate, which motion prevails. A message is ordered sent to the House of Representatives requesting the return of H.B. 1544.

CALENDAR

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

S.B. 1177 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN AND ENHANCE THE CURRICULUM FOR CHARACTER EDUCATION AND TO APPROPRIATE FUNDS TO IMPLEMENT THE CURRICULUM.

With unanimous consent, upon motion of Senator Dalton, the Committee Substitute bill No. 2 is withdrawn from today’s Calendar and is placed on the Calendar for Wednesday, June 28.

S.B. 1266 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT THE UNIFORM ELECTRONIC TRANSACTIONS ACT.

With unanimous consent, upon motion of Senator Reeves, the Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Wednesday, June 28.

S.B. 1460 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE INCENTIVES FOR DEVELOPMENT OF THE FILM INDUSTRY IN NORTH CAROLINA.

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 Wednesday, June 28.

H.B. 1340 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE RESPIRATORY CARE PRACTICE ACT, upon third reading.

With unanimous consent, upon motion of Senator Hoyle, the Senate Committee Substitute bill is withdrawn from today’s Calendar and is placed on the Calendar for Wednesday, June 28, 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:

H.B. 1617 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF LEA ISLAND STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

S.B. 1479, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DEEP RIVER HERITAGE CORRIDOR WITHIN CHATHAM, FORSYTH, GUILFORD, LEE, MONTGOMERY, MOORE, AND RANDOLPH COUNTIES, TO ESTABLISH THE DEEP RIVER HERITAGE CORRIDOR PLANNING COMMITTEE, AND TO PROVIDE FOR THE PREPARATION OF A RESOURCE MANAGEMENT PLAN FOR THE DEEP RIVER HERITAGE CORRIDOR, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

June 27, 2000
Pursuant to Rule 45.1, the proposed Committee Substitute bill 2856, which changes the title to read S.B. 1479 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DEEP RIVER HERITAGE CORRIDOR WITHIN THE COUNTIES OF CHATHAM, FORSYTH, GUILFORD, LEE, MONTGOMERY, MOORE, AND RANDOLPH; TO ESTABLISH THE DEEP RIVER HERITAGE CORRIDOR PLANNING COMMITTEE; AND TO PROVIDE FOR THE PREPARATION OF A RESOURCE MANAGEMENT PLAN FOR THE DEEP RIVER HERITAGE CORRIDOR, is adopted and engrossed.

H.B. 1638 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE AMBIENT AIR QUALITY, TO PROVIDE FOR THE USE OF ON-BOARD DIAGNOSTIC EQUIPMENT IN THE MOTOR VEHICLE EMISSIONS INSPECTION AND MAINTENANCE PROGRAM, AND TO EXCLUDE FEDERAL CONGESTION MITIGATION AND AIR QUALITY FUNDS FROM THE DISTRIBUTION FORMULA FOR FUNDS EXPENDED ON TRANSPORTATION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW 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 7379 is adopted and engrossed.

By Senator Hoyle for the Finance Committee:

H.B. 1539 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE STATE BOARD OF EDUCATION AS THE STATE EDUCATION AGENCY RESPONSIBLE FOR ADMINISTERING THE QUALIFIED ZONE ACADEMY BOND PROGRAM, with a favorable report.

H.B. 1579 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF MONROE, with a favorable report.

H.B. 1587 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF SEAGROVE AND PROVIDE THAT IT SHALL NOT BE CONSIDERED IN CALCULATING THE MAXIMUM AMOUNT OF SATELLITE ANNEXATIONS ALLOWED FOR THAT TOWN, with a favorable report.

H.B. 1602 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT STORMWATER UTILITY FEES MAY BE USED TO FUND ALL COSTS OF STORMWATER MANAGEMENT PROGRAMS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

H.B. 1629 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF STATE REVENUE BONDS TO FINANCE IMPROVEMENTS TO THE WATER AND SEWER SYSTEM FOR THE COMMUNITY OF BUTNER AND THE CAMP BUTNER RESERVATION, with a favorable report.

H.B. 1667 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF  

June 27, 2000
CHARLOTTE, with a favorable report.

S.B. 1252, A BILL TO BE ENTITLED AN ACT TO CREATE A TAX INCENTIVE FOR THE REDEVELOPMENT OF BROWNFIELDS PROPERTIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

S.B. 1300 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MIDLAND, SUBJECT TO A REFERENDUM, with a favorable report.

With unanimous consent, upon motion of Senator Hartsell, the Committee Substitute bill is placed at the end of today’s Calendar.

H.B. 1803, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO AMEND AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION, with a favorable report, as amended.

Pursuant to Rule 45.1, Committee Amendment No. 1 is adopted.

S.B. 1448, A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CORPORATE LIMITS OF THE TOWN OF HILLSBOROUGH AN AREA PREVIOUSLY ANNEXED BY THE TOWN UNDER THE VOLUNTARY ANNEXATION PROVISIONS OF PART 4 (ANNEXATION OF NONCONTIGUOUS AREAS) OF ARTICLE 4A OF CHAPTER 160A OF THE GENERAL 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 6785 is adopted and engrossed.

S.B. 1542, A BILL TO BE ENTITLED AN ACT TO MAKE POSSESSION OF MORE THAN THREE VIDEO POKER MACHINES ON ONE PREMISE ILLEGAL IN NORTH CAROLINA AND TO IMPOSE A PRIVILEGE TAX ON ALL VIDEO POKER MACHINES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7796, which changes the title to read S.B. 1542 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE POSSESSION OF VIDEO POKER AND OTHER VIDEO GAME MACHINES IN NORTH CAROLINA UNLAWFUL, is adopted and engrossed.

Upon motion of Senator Hoyle, the Committee Substitute bill is placed on today’s Calendar as the first order of business.

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, 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 2446, which changes the title upon concurrence to read H.B. 1473 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE INCOME TAX CREDIT FOR MANUFACTURERS OF CERTAIN RENEWABLE ENERGY EQUIPMENT AND TO FURTHER ADJUST THE SHARE CERTAIN CITIES RECEIVE FROM THE STATE GROSS RECEIPTS TAX, is adopted and engrossed.

June 27, 2000
RECOGNITION OF MISS NORTH CAROLINA

With unanimous consent, upon motion of Senator Weinstein, privileges of the floor are extended to Lorna McNeill from Lumberton, Miss North Carolina 2000.

Senators Weinstein, Ballance, Carrington, Kinnaird, Miller and Phillips are recognized to escort Miss North Carolina to the Well of the Senate, who is received with a standing ovation.

Senator Weinstein presents Miss North Carolina, who briefly addresses the Senate.

The President recognizes the committee to escort Miss North Carolina from the Chamber, who departs to a standing ovation.

REPORTS OF COMMITTEES (Continued)

By Senator Soles for the Commerce 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 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, 7381, which changes the title upon concurrence to read H.B. 1021 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 3 OF THE UNIFORM COMMERCIAL CODE, is adopted and engrossed.

By Senator Miller for the Judiciary II Committee:

H.B. 1501, A BILL TO BE ENTITLED AN ACT TO ALLOW SERVICE OF PROCESS BY PUBLICATION IN MOTOR VEHICLE LIEN CASES IN SMALL CLAIMS COURT, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION, with a favorable report.

H.B. 1596, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO REVISE OBSOLETE STATUTORY REFERENCES TO VARIOUS ADMINISTRATIVE PROCEDURE ACT PROVISIONS, with a favorable report.

By Senator Kinnaird for the State and Local Government Committee:

H.B. 1504, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF VALDESE TO INCREASE THE MAYOR'S TERM OF OFFICE FROM TWO TO FOUR YEARS, with a favorable report.

H.B. 1507, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON LEG-GRIPPING TRAPS IN DUPLIN COUNTY, with a favorable report.

H.B. 1536, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE SYLVA TOWN COUNCIL AND TO PROVIDE FOR NONPARTISAN ELECTIONS, with a favorable report.
H.B. 1606, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF HIGH POINT TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE, with a favorable report.

H.B. 1675, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF MAYODAN TO ELIMINATE THE REQUIREMENT THAT THE TOWN MANAGER MUST RESIDE WITHIN TOWN LIMITS, with a favorable report.

S.B. 1362, A BILL TO BE ENTITLED AN ACT RELATING TO THE DISPOSAL OF PERSONAL PROPERTY BY GASTON COUNTY, with a favorable report.

H.B. 1659 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH NO-WAKE SPEED ZONES IN CARTERET 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 8209 is adopted and engrossed.

H.B. 1553 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF LUMBERTON TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION AND TO RESTORE THE APPLICABILITY OF THE STATUTE TO THE CITY OF GREENVILLE AFTER ITS ENACTMENT IN 1999 AND ERRONEOUS DELETION IN A LATER ACT THAT SAME YEAR, 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 7380, which changes the title upon concurrence to read H.B. 1553 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF LUMBERTON AND THE TOWN OF PINEVILLE TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION AND TO RESTORE THE APPLICABILITY OF THE STATUTE TO THE CITY OF GREENVILLE AFTER ITS ENACTMENT IN 1999 AND ERRONEOUS DELETION IN A LATER ACT THAT SAME YEAR, is adopted and engrossed.

By Senator Cooper for the Judiciary I Committee:

S.B. 1192, A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FROM STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORY FOR CERTAIN APPLICANTS FOR EMPLOYMENT IN ADULT CARE HOMES, NURSING HOMES, AND HOME CARE AGENCIES, AND TO IMPOSE A CRIMINAL PENALTY FOR FALSIFYING INFORMATION ON EMPLOYMENT APPLICATIONS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 3982, which changes the title to read S.B. 1192 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FROM STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORY FOR CERTAIN APPLICANTS FOR EMPLOYMENT IN ADULT CARE HOMES, NURSING HOMES, HOME CARE AGENCIES, AND CERTAIN MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FACILITIES; TO IMPOSE A CRIMINAL PENALTY FOR FALSIFYING INFORMATION ON EMPLOYMENT APPLICATIONS; AND TO REQUIRE CERTAIN DISCLOSURES BY NURSING

June 27, 2000
HOMES, is adopted and engrossed.

S.B. 1290, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN POLITICAL ACTIVITIES BY BOARD OF ELECTIONS MEMBERS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 4791 is adopted and engrossed.

H.B. 813 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CYBERSTALKING A CRIMINAL OFFENSE, 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 8207, which changes the title upon concurrence to read H.B. 813 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CYBERSTALKING A CRIMINAL OFFENSE, CLARIFY THE CRIMINAL ACT OF INTRODUCING COMPUTER VIRUSES, AND TO PERMIT DOMESTIC VIOLENCE ABUSER TREATMENT AS A SPECIAL CONDITION OF PROBATION IN CERTAIN CRIMINAL CASES AND TO MAKE CONFORMING CHANGES, is adopted and engrossed.

ENROLLED BILLS

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

H.B. 541, AN ACT TO AMEND THE STATUTES REGULATING THE OPERATION OF PERSONAL WATERCRAFT.

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. 1281, AN ACT TO REPEAL THE PROVISIONS REGARDING SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE CITY OF CHERRYVILLE.

S.B. 1461, AN ACT TO AMEND THE LAW ESTABLISHING THE MOUNT AIRY FIREFIGHTERS' SUPPLEMENTARY PENSION FUND.

H.J.R. 1485, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THOMAS H. DAVIS. (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. 133, AN ACT TO EXEMPT FROM PROPERTY TAX MODIFIED MOTOR VEHICLES OWNED BY DISABLED VETERANS WHO ARE ELIGIBLE FOR FEDERAL SPECIAL EQUIPMENT ALLOWANCES. (Became law upon approval of the Governor, June 26, 2000 – S.L. 2000-18.)

H.B. 1326, AN ACT TO DESIGNATE THE STATE SALES TAX REVENUE FROM DRY-CLEANING AND LAUNDRY SERVICES TO THE DRY-CLEANING SOLVENT CLEANUP FUND; TO INCREASE THE STATE SALES TAX ON DRY-

June 27, 2000

H.B. 1573, AN ACT TO CLARIFY THE PROPERTY TAX TREATMENT OF A HEALTH CARE FACILITY UNDERTAKEN BY THE MEDICAL CARE COMMISSION PURSUANT TO THE HEALTH CARE FACILITIES FINANCE ACT AND TO EXTEND THE SUNSET ON THE PROPERTY TAX EXEMPTION FOR CONTINUING CARE RETIREMENT CENTERS. (Became law upon approval of the Governor, June 26, 2000 – S.L. 2000-20.)

CALENDAR (Continued)

S.B. 1542 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE POSSESSION OF VIDEO POKER AND OTHER VIDEO GAME MACHINES IN NORTH CAROLINA UNLAWFUL, placed earlier on today’s Calendar.

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 (44-4) and third readings and is ordered sent, by special message, to the House of Representatives.

WITHDRAWAL FROM CALENDAR

H.B. 1617 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF LEA ISLAND STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, placed on the Calendar for Wednesday, June 28.

Senator Albertson offers a motion that the Committee Substitute bill be withdrawn from the Calendar for Wednesday, June 28, and re-referred to the Agriculture/Environment/Natural Resources Committee, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Calendar for Wednesday, June 28, and re-refers the measure to the Agriculture/Environment/Natural Resources Committee.

CALENDAR (Continued)

Bills on the Calendar carried forward as unfinished business from Monday, June 26, are taken up and disposed of, as follows:

S.B. 1463 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW DARE COUNTY TO CREATE SPECIAL DISTRICTS TO UNDERGROUND LINES, upon second reading.

June 27, 2000
The Committee Substitute bill No. 2 passes its second reading by roll-call vote, ayes 37, noes 11, as follows:


Voting in the negative: Senators Allran, Ballantine, Carpenter, Cochrane, East, Forrester, Foxx, Garwood, Harris, Rucho, and Webster—11.

The Committee Substitute bill No. 2 is ordered placed on the Calendar for tomorrow, Wednesday, June 28, upon third reading.

S.B. 1474 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ASHEVILLE-BUNCOMBE TECHNICAL COMMUNITY COLLEGE TO LEASE CERTAIN PROPERTY BY PRIVATE NEGOTIATION AND TO ALLOW FLEXIBLE USE OF LEASE PROCEEDS.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

S.B. 1305, A BILL TO BE ENTITLED AN ACT TO ENACT REVISED ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE, CONFORMING AMENDMENTS TO OTHER ARTICLES OF THE UNIFORM COMMERCIAL CODE, AND CONFORMING AMENDMENTS TO OTHER SECTIONS OF THE GENERAL STATUTES AND TO INCREASE CERTAIN FEES UNDER CURRENT ARTICLE 9, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, 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, by special message, to the House of Representatives.

WITHDRAWAL FROM CALENDAR

H.B. 1587 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF SEAGROVE AND PROVIDE THAT IT SHALL NOT BE CONSIDERED IN CALCULATING THE MAXIMUM AMOUNT OF SATELLITE ANNEXATIONS ALLOWED FOR THAT TOWN, placed on the Calendar for Wednesday, June 28.

Senator Lee offers a motion that the Committee Substitute bill be withdrawn from the Calendar for Wednesday, June 28, and placed on today's Calendar, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Calendar for Wednesday, June 28, and places it on today's Calendar.

June 27, 2000
CALENDAR (Continued)

S.B. 1331, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET OF THE
WHITE GOODS TAX AND TO DIRECT THE DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES TO STUDY ISSUES RELATED TO THE SCRAP TIRE
DISPOSAL TAX AND THE WHITE GOODS DISPOSAL TAX, AS RECOMMENDED
BY THE ENVIRONMENTAL REVIEW COMMISSION, upon third reading.

The bill passes its third reading by roll-call vote, ayes 47, noes 1, 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, Martin of Pitt, Metcalf, Miller, Moore, Odom,
Phillips, Plyer, Purcell, Rand, Reeves, Robinson, Rucho, Shaw of Cumberland, Shaw of
Guilford, Soles, Warren, Weinstein, and Wellons—47.
Voting in the negative: Senator Webster—1.

The bill is ordered sent to the House of Representatives.

S.B. 1502, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DUAL
REGISTRATION OF INVESTMENT ADVISERS AND TO INCREASE THE
REGISTRATION FEE FOR INVESTMENT ADVISER REPRESENTATIVES, upon
third reading.

The bill passes its third reading by roll-call vote, ayes 46, noes 2, 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, Martin of Pitt, Metcalf, Miller, Odom, Phillips,
Plyer, Purcell, Rand, Reeves, Robinson, Rucho, Shaw of Cumberland, Shaw of Guilford,
Voting in the negative: Senators Moore and Webster—2.

The bill is ordered sent to the House of Representatives.

H.B. 1560 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE
MODIFICATIONS TO THE WILLIAM S. LEE ACT AND TO RELATED ECONOMIC
DEVELOPMENT LAWS, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 46,
noes 1, as follows:
Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, 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 Guilford, Martin of Pitt, Metcalf, Miller, Moore, Odom, Phillips,
Plyer, Purcell, Rand, Reeves, Robinson, Rucho, Shaw of Cumberland, Shaw of Guilford,
Voting in the negative: Senator Webster—1.

The Committee Substitute bill is ordered enrolled and sent to the Governor.

The President Pro Tempore grants a leave of absence for the remainder of today’s
Session to Senator Cooper.

H.B. 1506 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO
REQUIRE ESTABLISHMENTS THAT PREPARE OR SERVE FOOD TO A CERTAIN
NUMBER OF REGULAR BOARDERS OR PERMANENT HOUSEGUESTS COMPLY
WITH STATE FOOD SANITATION REQUIREMENTS.

June 27, 2000
The President *Pro Tempore* rules that the Senate Committee Substitute bill does not require a call of the roll.

With unanimous consent, upon motion of Senator Purcell, the Senate Committee Substitute bill is withdrawn from today’s Calendar and is re-referred to the Agriculture/Environment/Natural Resources Committee.

*The President Pro Tempore grants a leave of absence for the remainder of today’s Session to Senator Gulley.*

**H.B. 1551** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY OF DEPARTMENT OF REVENUE LAW ENFORCEMENT AGENTS, TO ALLOW THE SECRETARY OF REVENUE TO ADMINISTER THE OATH OF OFFICE TO DEPARTMENT OF REVENUE LAW ENFORCEMENT AGENTS, TO PROVIDE A CIVIL PENALTY FOR FILING A FRIVOLOUS INCOME TAX RETURN, AND TO CHANGE THE PROCEDURES FOR LAW ENFORCEMENT REPORTING ON NON-TAX-PAID UNAUTHORIZED SUBSTANCES, upon second reading.

Senator Horton offers Amendment No. 1 which is adopted (44-0).

The Senate Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 34, noes 10, as follows:


Voting in the negative: Senators Allran, Ballance, Ballantine, Cochrane, Forrester, Foxx, Garwood, Moore, Rucho, and Webster—10.

The Senate Committee Substitute bill, as amended, is ordered placed on the Calendar for tomorrow, Wednesday, June 28, upon third reading.

**H.B. 1559** (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 CONFORM TO FEDERAL LAW REGARDING PENSION TAX WITHHOLDING AND DEADLINES FOR PAYMENTS OF CERTAIN ESTIMATED INCOME TAXES, TO CLARIFY THE SALES FACTOR FOR DETERMINATION OF STATE CORPORATE INCOME AND FRANCHISE TAX, AND TO ENABLE THE COLLECTION OF TAX DEBT OWED TO NORTH CAROLINA THROUGH THE FEDERAL TREASURY OFFSET PROGRAM, upon second reading, which title changes upon concurrence.

Senator Kerr offers Amendment No. 1 which is adopted (42-2).

The Senate Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 42, noes 1, as follows:


Voting in the negative: Senator Webster—1.

The Senate Committee Substitute bill, as amended, is ordered placed on the Calendar for tomorrow, Wednesday, June 28, upon third reading.
APPOINTMENT OF ADDITIONAL CONFEREE

H.B. 1840 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1999 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.

Senator Ballance, Deputy President Pro Tempore, announces the appointment of Senator Harris 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. 1562 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE BY WHICH THE HOLDER OF A STANDARD COMMERCIAL FISHING LICENSE WILL BE ALLOWED TO TAKE CRABS, TO ALLOW THE HOLDER OF AN INTERIM CRAB LICENSE TO OBTAIN A STANDARD COMMERCIAL FISHING LICENSE, TO PROHIBIT THE MARINE FISHERIES COMMISSION FROM ESTABLISHING FEES FOR CERTAIN PERMITS, TO ABOLISH CERTAIN EXISTING PERMIT FEES, AND TO INCREASE THE AMOUNT OF GILL NET AUTHORIZED FOR USE UNDER A RECREATIONAL COMMERCIAL GEAR LICENSE.

Pursuant to the message from the House of Representatives received on Monday, June 26, that the House failed to concur in the Senate Committee Substitute for H.B. 1562 and requesting conferees, Senator Albertson offers a motion that the Senate appoint conferees, which motion prevails.

Senator Balance, Deputy President Pro Tempore, announces the appointment of Senator Albertson, Chairman, and Senator Jordan and Senator Shaw of Guilford 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)

H.B. 1854 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES AND THE INSURANCE REGULATORY CHARGE, TO INCREASE COURT COSTS, TO INCREASE JAIL FEES FOR PERSONS PAYING JAIL FEES PURSUANT TO PROBATIONARY SENTENCES, TO INCREASE THE FEE IMPOSED FOR EMERGENCY PLANNING, TO AUTHORIZE CERTAIN CHANGES IN PERMITS FOR OVERSIZE LOADS AND ESTABLISH PENALTIES FOR PERMIT VIOLATIONS, TO AUTHORIZE AGENCIES TO PROVIDE ACCESS TO SERVICES THROUGH ELECTRONIC AND DIGITAL TRANSACTIONS AND TO IMPOSE A FEE FOR THOSE TRANSACTIONS, AND TO REPEAL THE SUNSET OF THE WHITE GOODS TAX AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY ISSUES RELATED TO THE SCRAP TIRE DISPOSAL TAX AND THE WHITE GOODS DISPOSAL TAX, upon second reading, which title changes upon concurrence.

Senator Reeves offers Amendment No. 1 which is adopted (45-0).

The Senate Committee Substitute bill No. 2, as amended, passes its second reading by roll-call vote, ayes 40, noes 6, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Dalton, Dannelly, East, Foxx, Garrou, Garwood,

June 27, 2000

Voting in the negative: Senators Allran, Ballantine, Forrester, Horton, Moore, and Webster—6.

The Senate Committee Substitute bill No. 2, as amended, is ordered placed on the Calendar for tomorrow, Wednesday, June 28, upon third reading.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

H.B. 1544

House of Representatives
June 27, 2000

Mr. President:

Pursuant to your message requesting the return of HB 1544, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A TAXPAYER IS ENTITLED TO A REFUND OF AN OVERPAYMENT OF THE STATE EXCISE TAX ON CONVEYANCES, the House is respectfully honoring your request.

Respectfully,
S/Denise Weeks
Principal Clerk

Upon motion of Senator Rand, the rules are suspended and H.B. 1544 is placed before the Senate for immediate consideration.

Having voted with the majority on second reading, Senator Rand moves that the Journal of Thursday, June 22, reflect the second reading vote as a roll-call vote, with names spread upon the Journal.

Having voted with the majority on third reading, Senator Rand offers a further motion that the vote by which the bill, as amended, passed its third reading be reconsidered, which motion prevails, and the question before the Body becomes the passage of the bill on third reading.

The bill, as amended, passes its third reading by roll-call vote, ayes 45, noes 0, as follows:


Voting in the negative: None.

The bill, as amended, 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

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

H.B. 1546

House of Representatives
June 27, 2000
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 Committee Substitute for HB 1546, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALEXANDER, ANSON AND SCOTLAND COUNTIES MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS CORRECTIONAL FACILITIES, 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

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 Wednesday, June 28, which motion prevails with unanimous consent.

The Chair orders the joint resolution withdrawn from the Rules and Operations of the Senate Committee and placed on the Calendar for Wednesday, June 28.

REPORTS OF COMMITTEES (Continued)

By Senator Hoyle for the Finance Committee:

S.B. 1544, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TOURIST-ORIENTED DIRECTIONAL SIGN (TODS) PROGRAM, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 7795 is adopted and engrossed.

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, 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 A260 is adopted and engrossed.

CALENDAR (Continued)

S.B. 1545, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO ERECT MEMORIAL SIGNS ALONG HIGHWAYS FOR STATE HIGHWAY PATROL MEMBERS AND OTHER LAW ENFORCEMENT PERSONNEL KILLED IN THE LINE OF DUTY.
The bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

**H.B. 1618**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DE MINIMIS REPORTING EXCEPTION TO ALL DISCHARGES OF PETROLEUM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The bill passes its second (46-0) and third readings and is ordered enrolled and sent to the Governor.

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

**S.B. 1359** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM TO REMOVE AND DISPOSE OF MOTOR VEHICLES THAT POSE A SAFETY HAZARD.

The Committee Substitute bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

**H.B. 723** (Senate Committee Substitute), 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, upon third reading.

Senator Rand offers Amendment No. 1 which is adopted (45-0).

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 to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

**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, for concurrence in the House Committee Substitute bill, which changes the title upon concurrence to read **S.B. 1081** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE ECONOMIC PARITY FOR THE HAULING OF AGGREGATE PRODUCTS FROM LIMITED AREAS OF THE STATE.

The Senate concurs in the House Committee Substitute bill (44-0) and the measure is ordered enrolled and sent to the Governor.

**H.B. 973** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES ALLOWING A SUPERIOR COURT JUDGE TO PERFORM MARRIAGE CEREMONIES, for adoption.

Upon motion of Senator Miller, the Senate adopts the Conference Report (41-3).

June 27, 2000
The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**H.B. 1587 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF SEAGROVE AND PROVIDE THAT IT SHALL NOT BE CONSIDERED IN CALCULATING THE MAXIMUM AMOUNT OF SATELLITE ANNEXATIONS ALLOWED FOR THAT TOWN, upon second reading, placed earlier on today’s Calendar.**

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 tomorrow, Wednesday, June 28, upon third reading.

**S.B. 1300 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MIDLAND, SUBJECT TO A REFERENDUM, upon second reading, placed earlier on today’s Calendar.**

The Committee Substitute bill passes its second reading by roll-call vote, ayes 42, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Wednesday, June 28, upon third reading.

Upon motion of Senator Ballance, seconded by Senator East, the Senate adjourns at 5:20 P.M. to meet tomorrow, Wednesday, June 28, at 2:30 P.M.

**ONE HUNDRED THIRTY-SECOND DAY**

Senate Chamber
Wednesday, June 28, 2000

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

June 28, 2000
Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

“God of all creation, it is hard not to notice ‘Acro’, the gigantic dinosaur that towers over Jones Street at the new Science Museum across the street. Just to enter this building is to pay homage to that colossal relic of prehistoric times. He is somewhere around 110 million years old, and in his ‘hay day’ scientists believe that he was the dominant predator of the realm.

“But as magnificent a specimen as he is, we cannot help but be reminded that his extinction is a testimony to his inability to adapt to his changing surroundings. The climate changed and he did not, and so in spite of his exalted position in the kingdom of the wild beasts, he perished.

“Perhaps as we walk by his skeleton each day, we might pause to consider what it means to be adaptable and flexible in our negotiations, to compromise with apparently unyielding circumstances. To do otherwise means we risk turning into old fossils. Help us, oh God, to be a little wiser than that big old lizard. Amen.”

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Tuesday, June 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. Kirk Hasenmueller from Rockingham, 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. 1081, AN ACT TO PROVIDE ECONOMIC PARITY FOR THE HAULING OF AGGREGATE PRODUCTS FROM LIMITED AREAS OF THE STATE.

S.B. 1179, AN ACT PERTAINING TO REPORTING REQUIREMENTS FOR THE HEALTH CARE PERSONNEL REGISTRY; IMPOSING PENALTIES FOR VIOLATIONS OF LICENSING AND OTHER REQUIREMENTS FOR CERTAIN MENTAL HEALTH FACILITIES; AND AUTHORIZING THE ADOPTION OF CERTAIN TEMPORARY AND PERMANENT RULES TO IMPLEMENT REQUIREMENTS FOR CERTAIN MENTAL HEALTH FACILITIES.

H.B. 1560, AN ACT TO MAKE MODIFICATIONS TO THE WILLIAM S. LEE ACT AND TO RELATED ECONOMIC DEVELOPMENT LAWS.

H.B. 1618, AN ACT TO EXTEND THE DE MINIMIS REPORTING EXCEPTION TO ALL DISCHARGES OF PETROLEUM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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. 1264, AN ACT TO AUTHORIZE THE CITY OF MOUNT HOLLY TO ENTER INTO AN ANNEXATION AGREEMENT.

June 28, 2000
S.B. 1334, AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF TABOR CITY.

S.J.R. 819, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WILMER DAVID "VINEGAR BEND" MIZELL, FORMER NORTH CAROLINA CONGRESSMAN. (Res. 5)

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. 1281, AN ACT TO REPEAL THE PROVISIONS REGARDING SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE CITY OF CHERRYVILLE. (Became law upon ratification, June 27, 2000 – S.L. 2000-21.)

S.B. 1461, AN ACT TO AMEND THE LAW ESTABLISHING THE MOUNT AIRY FIREFIGHTERS' SUPPLEMENTARY PENSION FUND. (Became law upon ratification, June 27, 2000 – S.L. 2000-22.)

CONFERENCE REPORT

H.B. 1546

Senator Garwood, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon H.B. 1546, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALEXANDER AND ANSON COUNTIES MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS CORRECTIONAL FACILITIES, 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 1546, AN ACT TO PROVIDE THAT ALEXANDER AND ANSON COUNTIES MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS CORRECTIONAL FACILITIES, Committee Substitute Favorable 5/31/00, submit the following report:

The House concurs in Senate Amendment #1 and the House and Senate agree to the following amendment:

on page 1, line 2, by rewriting that line to read:

"AN ACT TO PROVIDE THAT ALEXANDER, ANSON, AND SCOTLAND COUNTIES MAY".

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 26, 2000.

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With unanimous consent, upon motion of Senator Garwood, the Conference Report is ordered placed on today's 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 Lee for the Education/Higher Education Committee:

S.B. 1212, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PILOT PROGRAMS FOR THE USE OF ALTERNATIVE LEARNING PROGRAMS AND JUVENILE DAY REPORTING CENTERS AS A REQUIRED PLACEMENT FOR SUSPENDED STUDENTS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 8673 is adopted and engrossed.

By Senator Kinnaird for the State and Local Government Committee:

H.B. 1555, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GASTONIA TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE, with a favorable report.

H.B. 1648, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF CHARLOTTE TO PURCHASE PUBLIC TRANSIT EQUIPMENT USING THE COMPETITIVE PROPOSAL METHOD OF PROCUREMENT, with a favorable report.


H.B. 1695, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE CHARTER OF THE CITY OF NEW BERN RELATING TO THE MAYOR AND MAYOR PRO TEM, with a favorable report.

H.B. 1732, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF OCEAN ISLE BEACH TO PROTECT AND REGULATE EROSION CONTROL WORKS AS A PUBLIC ENTERPRISE, with a favorable report.

H.B. 1739, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF ASHEVILLE RESPECTING THE CALLING OF SPECIAL MEETINGS,
AND TO REPEAL AN ACT RESPECTING THE REMOVAL OF GARBAGE WITHIN THAT CITY, with a favorable report.

H.B. 1753, A BILL TO BE ENTITLED AN ACT TO REDUCE THE PISTOL PERMIT FEE IN MARTIN COUNTY FROM TWENTY DOLLARS TO FIVE DOLLARS, with a favorable report.

H.B. 1779 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE THE CITY TO ESTABLISH REQUIREMENTS CONCERNING SWEATSHOPS, with a favorable report.

H.B. 1783 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE DISPOSITION OF CERTAIN PROPERTY OF THE TOWN OF OCEAN ISLE BEACH, THE CITY OF KINSTON, AND LENOIR COUNTY BY PRIVATE SALE, with a favorable report.

H.B. 1802, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF SALISBURY TO ALLOW THE SALE OF PROPERTY LOCATED WITHIN A DESIGNATED COMMUNITY AND ECONOMIC DEVELOPMENT PROJECT AREA, with a favorable report.

CALENDAR

Bills and a resolution on today’s Calendar are taken up and disposed of, as follows:

H.B. 1638 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE AMBIENT AIR QUALITY, TO PROVIDE FOR THE USE OF ON-BOARD DIAGNOSTIC EQUIPMENT IN THE MOTOR VEHICLE EMISSIONS INSPECTION AND MAINTENANCE PROGRAM, AND TO EXCLUDE FEDERAL CONGESTION MITIGATION AND AIR QUALITY FUNDS FROM THE DISTRIBUTION FORMULA FOR FUNDS EXPENDED ON TRANSPORTATION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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 Thursday, June 29.

S.B. 1192 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FROM STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORY FOR CERTAIN APPLICANTS FOR EMPLOYMENT IN ADULT CARE HOMES, NURSING HOMES, HOME CARE AGENCIES, AND CERTAIN MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FACILITIES; TO IMPOSE A CRIMINAL PENALTY FOR FALSIFYING INFORMATION ON EMPLOYMENT APPLICATIONS; AND TO REQUIRE CERTAIN DISCLOSURES BY NURSING HOMES.

With unanimous consent, upon motion of Senator Rand, the Committee Substitute bill is withdrawn from today’s Calendar and is re-referred to the Finance Committee.

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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:

**S.B. 328** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE PAYABLE TO THE REGISTER OF DEEDS FOR THE FILING OF RIGHT-OF-WAY PLANS BY THE DEPARTMENT OF TRANSPORTATION, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for Thursday, June 29.

**H.B. 1529**, A BILL TO BE ENTITLED AN ACT TO PROTECT PERSONS ENROLLED IN AN HMO FROM THE CONSEQUENCES OF THE INSOLVENCY OF THAT HMO BY AUTHORIZING ASSESSMENTS OF REMAINING HMOs IN THE STATE TO PAY FOR UNCOVERED EXPENDITURES OF AND CONTINUATION OF COVERAGE FOR THE ENROLLEES.

Referred to Insurance Committee.

**H.B. 1571**, A BILL TO BE ENTITLED AN ACT PERTAINING TO TIME REQUIREMENTS FOR THE INVESTIGATION OF COMPLAINTS UNDER THE PROTECTION OF THE ABUSED, NEGLECTED, OR EXPLOITED DISABLED ADULT ACT.

Referred to Judiciary II Committee.

**H.B. 1578** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE POWERS AND DUTIES OF THE SECRETARY OF COMMERCE REGARDING INFORMATION TECHNOLOGY MATTERS AND TO REESTABLISH THOSE POWERS AND DUTIES WITHIN THE OFFICE OF THE GOVERNOR, AND TO MAKE OTHER CHANGES IN THE LAWS REGARDING INFORMATION TECHNOLOGY RELATED STATE GOVERNMENT FUNCTIONS.

Referred to Information Technology Committee.

**H.J.R. 1588**, A JOINT RESOLUTION AUTHORIZING THE 1999 GENERAL ASSEMBLY, REGULAR SESSION 2000, TO CONSIDER A JOINT RESOLUTION SUPPORTING THE LOCATION OF A SPACEPORT FOR THE VENTURESTAR PROJECT IN NORTHEASTERN NORTH CAROLINA.

Referred to Rules and Operations of the Senate Committee.

**H.B. 1625** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM FOR THE REMOVAL OF ABANDONED VESSELS IN THE NEUSE RIVER BASIN.

Referred to Agriculture/Environment/Natural Resources Committee.

**H.B. 1748** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE PURPOSES FOR WHICH THE GRANVILLE COUNTY OCCUPANCY TAX CAN BE USED FOR A LIMITED PERIOD OF TIME, TO ESTABLISH A TOURISM DEVELOPMENT AUTHORITY, AND TO MAKE TECHNICAL CHANGES.

Referred to Finance Committee.

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REPORTS OF COMMITTEES (Continued)

By Senator Reeves for the Information Technology Committee:

**H.B. 1564**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LAWS REGARDING THE PROCUREMENT OF INFORMATION TECHNOLOGY BY STATE AGENCIES AND INSTITUTIONS, with a favorable report, as amended.

Pursuant to Rule 45.1, Committee Amendment No. 1 is adopted.

**CALENDAR (Continued)**

**S.J.R. 1225**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF REVEREND EDGAR TUFTS, FOUNDER OF LEES-MCRAE COLLEGE IN BANNER ELK, ON THE ONE HUNDREDTH ANNIVERSARY OF THE COLLEGE.

With unanimous consent, upon motion of Senator Garwood, the joint resolution is taken up out of its regular order of business and is placed before the Senate for immediate consideration.

The joint resolution passes its second reading (49-0) and third reading, with members standing, and is ordered sent to the House of Representatives.

The President extends the courtesies of the gallery to the officials of Lees-McRae College as follows: Dr. Earl J. Robinson, President; Charles Woodrow Teague, Sr., Board of Trustees; Mary White, Associate Professor of English; and Andy Jackson, Director of Public Relations and Marketing.

**H.B. 1340** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE RESPIRATORY CARE PRACTICE ACT, upon third reading.

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

REPORTS OF COMMITTEES (Continued)

By Senator Purcell for the Health Care Committee:

**H.B. 1519** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, AND TO DIRECT THE OVERSIGHT COMMITTEE TO DEVELOP A PLAN TO REFORM THE STATE SYSTEM FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE 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 5112 is adopted and engrossed.

**H.B. 1520** (Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO THE USE OF RERAINTS AND SECLUSION IN CERTAIN FACILITIES, AND REQUIRING THE REPORTING OF CERTAIN DEATHS IN CERTAIN FACILITIES, 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 4339, which changes the title upon concurrence to read **H.B. 1520** (Senate Committee Substitute), A

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BILL TO BE ENTITLED AN ACT PERTAINING TO THE USE OF RESTRAINTS AND SECLUSION IN CERTAIN FACILITIES, REQUIRING THE REPORTING OF CERTAIN DEATHS IN CERTAIN FACILITIES, AND IMPOSING A PENALTY FOR FAILURE TO REPORT, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the Finance Committee.

COURTESIES

Upon motion of Senator Plyler, privileges of the floor are extended to Elaine Townsend, Jim Inko and Sue Berry, representatives from JAARS (Just About Any Required Service), a service organization from Union County, who are escorted to the Well of the Senate by Senators Plyler, Ballance, Hartsell, Perdue, and Purcell. Senator Plyler explains the purpose of JAARS, afterwhich the representatives are escorted from the Senate Chamber with a standing ovation.

REMARKS BY LIEUTENANT GOVERNOR DENNIS WICKER

Upon motion of Senator Basnight, the farewell remarks of Lieutenant Governor Dennis Wicker, are spread upon the Journal as follows:

"Members of the Senate, before we go into the Calendar, with the permission of the Senate, the Chair would like to make some remarks. We, my wife and I, have a son who will be entering year-round school which starts July 12, and unless we go ahead and take a vacation as a family, we will not get one. I made the decision to take that vacation. I think it is one that I need to take with my family, and so if you all are not here after July 12, and I certainly hope that you are able to wrap up the business of the State and go home before that date, this will be the last day, in all likelihood, that I will preside as your Lieutenant Governor and as Presiding Officer of the North Carolina Senate. I want to say to you that for the past eight years, it has been an honor and a privilege for me to serve as your Presiding Officer. It has been really one of the most joyful experiences I have ever had. For the past twenty years of public service, I’ve established many friendships. I believe that I have gained much wisdom and I’ve attempted to contribute to the legislative process and, hopefully, have made a difference. But I want you to know that I have never known a more dedicated and committed group of folks than this North Carolina Senate who really work hard for the future of all North Carolinians. Even with our different backgrounds and our different philosophies and affiliations and ideas, I really do realize that we all have a common value, and that’s making sure that the right thing is done for the people of North Carolina. It is clear to me that the people who serve in this Senate, generally speaking, know and understand that service is an honorable deed and that public service is a sacred trust of the people. On a personal note, I want to say to you that I have tried to preside in a dignified and respectful manner at all times, following the integrity of the process. I have tried to preside with an ‘even hand’ with respect to the Rules, and in those discretionary areas, I have tried to attempt to use my best judgment in making the calls that I’ve had to make, and in many instances they were tough calls. But I really have tried to be fair. In the past, I have had those to encourage me to use the gavel to retaliate against those political opponents that you have in this business and when I did not do so, they said it was a weakness. Well I say to you today, it is not a weakness, it is a strength, because I believe that it is more important to move an agenda along working with everyone, than being an obstructionist engaging in petty vendettas and gamesmanship. I want you to know that if I have ever offended, embarrassed or made any one member feel small while presiding, I want to apologize and ask for your forgiveness. I have never

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intended to do so. It is not my nature to hurt anyone’s feelings and I certainly hope you’ll accept my sincere apologies. I certainly want to thank the Senate members for your courtesy and your friendship. Down the road, I hope we can look each other in the eye when we shake hands. I know I will be able to do so. I want to thank the legislative officers, Madam Principal Clerk for the great job you have done. How wonderful it has been to work with you and your staff, along with the Reading Clerk, I will miss you and your voice, along with the Sergeant-at-Arms who took care of me during the Session. I want to thank the legislative staff who do a wonderful job working hard everyday, every hour to push this Session to a close so that the good things for the people of this State will get done. I want to thank all of those who are connected with the General Assembly, the lobbyists and all alike who work for their causes and their principles and their convictions, and I want to commend you for what you do. I want to thank you for my staff, the most dedicated and committed folks I’ve ever seen. And I want to thank my family, my wife is here today, I think she’s really here to make sure that I do take this vacation; and to tell her how much I love her and I’m looking forward to our future. Let me say in conclusion, that public service is something that I cherish and revere. I’ve given some of the best years of my life to it, and I wouldn’t trade it for anything. I remember my inauguration as the 31st Lieutenant Governor of this State in 1993. I talked about how North Carolina would not be known as the ‘Rip Van Winkle State’ anymore. I was full of dreams for our State and my enthusiasm was high, and thanks to you and the others before you, we are moving ahead and we are known in this country as a state that is reaching out and leading the country in all areas of progress. What I want you to know is that I am, today, more optimistic and excited about our State than I have ever been in my life. Our best days are ahead of us. I believe that the future leadership is going to take this State to greater heights than we have ever been before, and I certainly intend to stay involved and work with you during these exciting times. I want to thank you again. It’s been truly an honor and a privilege to serve you and to work with you. Thank you very much.”

PERSONAL PRIVILEGE

Upon on motion of Senator Ballance, the remarks of Senator Basnight, who rises to a point of personal privilege to honor the Lieutenant Governor, are spread upon the Journal as follows:

“To our Governor, to the members of the Senate and on behalf of the members of the Senate and all the people of this great State, we thank you for your contributions, for being the human being that you are. We are all greatly appreciative, on both sides of this aisle, of those contributions that have come in many different ways and forms of truly your love for this State and her people, which have been magnified many times over. You have shown us and led us as well as anyone could ever ask. You’ve done a job, not just well, not just good, you’ve gone above and beyond any call that any man can make of another man or person that we have. You’ve truly been wonderful. You’ve been fair and you’ve been honest to all of us. I think of calls that I’ve made that maybe at times, seemed to be a little partisan, you rejected that. True to a party and its loyalty, you were there. But your principle and your belief in doing things right always was a course that you would take, even most recently in a conversation that we had. You just told me ‘I couldn’t do that, it’s not in me to do so’. You are a man of high principle. You obviously love this institution a great deal. Your swearing in was not just the beginning of a new era and a new time, it was the beginning of a better North Carolina. You’ve helped create opportunities for so many people. We’re very grateful and on behalf of each and every member here, we thank you and your family. We wish you God’s speed, not because we have to do so, things will come naturally for you. You’ll be there with North Carolina in your future years.

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You're young, you're smart and you're our champion. Thank you, Dennis.”

**CALENDAR (Continued)**

**S.B. 1300** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MIDLAND, SUBJECT TO A REFERENDUM, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 50, 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. 1463** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW DARE COUNTY TO CREATE SPECIAL DISTRICTS TO UNDERGROUND LINES, upon third reading.

The Committee Substitute bill No. 2 passes its third reading by roll-call vote, ayes 38, noes 12, as follows:


Voting in the negative: Senators Allran, Ballantine, Carpenter, Cochrane, East, Forrester, Foxx, Garwood, Hartsell, Moore, Rucho, and Webster—12.

The Committee Substitute bill No. 2 is ordered sent, by special message, to the House of Representatives.

**H.B. 1587** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF SEAGROVE AND PROVIDE THAT IT SHALL NOT BE CONSIDERED IN CALCULATING THE MAXIMUM AMOUNT OF SATELLITE ANNEXATIONS ALLOWED FOR THAT TOWN, upon third reading.

The Committee Substitute bill passes its third reading by roll-call vote, ayes 50, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

**S.B. 1448** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CORPORATE LIMITS OF THE TOWN OF HILLSBOROUGH

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AN AREA PREVIOUSLY ANNEXED BY THE TOWN UNDER THE VOLUNTARY ANNEXATION PROVISIONS OF PART 4 (ANNEXATION OF NONCONTIGUOUS AREAS) OF ARTICLE 4A OF CHAPTER 160A OF THE GENERAL STATUTES, 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, June 29, upon third reading.

**H.B. 1579 (Committee Substitute)**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF MONROE, 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, June 29, upon third reading.

**H.B. 1667 (Committee Substitute)**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF CHARLOTTE, 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, June 29, upon third reading.

**H.B. 1803**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO AMEND AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION, upon second reading, as amended by committee.

The bill, as amended, passes its second reading by roll-call vote, ayes 50, noes 0, as follows:

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Voting in the negative: None.

The bill, as amended, is ordered placed on the Calendar for tomorrow, Thursday, June 29, upon third reading.

S.B. 1362, A BILL TO BE ENTITLED AN ACT RELATING TO THE DISPOSAL OF PERSONAL PROPERTY BY GASTON COUNTY.

The bill passes its second and third readings and is ordered sent, by special message, to the House of Representatives.

S.B. 1479 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DEEP RIVER HERITAGE CORRIDOR WITHIN THE COUNTIES OF CHATHAM, FORSYTH, GUILFORD, LEE, MONTGOMERY, MOORE, AND RANDOLPH; TO ESTABLISH THE DEEP RIVER HERITAGE CORRIDOR PLANNING COMMITTEE; AND TO PROVIDE FOR THE PREPARATION OF A RESOURCE MANAGEMENT PLAN FOR THE DEEP RIVER HERITAGE CORRIDOR.

The Committee Substitute bill passes its second and third readings and is ordered sent, by special message, to the House of Representatives.

H.B. 1504, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF VALDESE TO INCREASE THE MAYOR’S TERM OF OFFICE FROM TWO TO FOUR YEARS.

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

H.B. 1507, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON LEG-GRIPPING TRAPS IN DUPLIN COUNTY.

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

H.B. 1536, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE SYLVA TOWN COUNCIL AND TO PROVIDE FOR NONPARTISAN ELECTIONS.

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

H.B. 1553 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF LUMBERTON AND THE TOWN OF PINEVILLE TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION AND TO RESTORE THE APPLICABILITY OF THE STATUTE TO THE CITY OF GREENVILLE AFTER ITS ENACTMENT IN 1999 AND ERRONEOUS DELETION IN A LATER ACT THAT SAME YEAR.

The Senate Committee Substitute bill passes its second 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. 1606, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF HIGH POINT TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY’S OVERGROWN VEGETATION ORDINANCE.

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

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H.B. 1659 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH NO-WAKE SPEED ZONES IN CARTERET COUNTY.

The Senate Committee Substitute bill passes its second 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. 1675, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF MAYODAN TO ELIMINATE THE REQUIREMENT THAT THE TOWN MANAGER MUST RESIDE WITHIN TOWN LIMITS.

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

REPORTS OF COMMITTEES (Continued)

By Senator Kinnaird for the State and Local Government 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, 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 2451, which changes the title upon concurrence to read H.B. 923 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE STATE EMPLOYEE MINIMUM VACATION LEAVE ACCRUAL RATES AND ALLOW FOR ADVERSE WEATHER LEAVE, is adopted and engrossed.

Upon motion of Senator Kinnaird, the Senate Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

CALENDAR (Continued)

H.B. 1551 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY OF DEPARTMENT OF REVENUE LAW ENFORCEMENT AGENTS, TO ALLOW THE SECRETARY OF REVENUE TO ADMINISTER THE OATH OF OFFICE TO DEPARTMENT OF REVENUE LAW ENFORCEMENT AGENTS, TO PROVIDE A CIVIL PENALTY FOR FILING A FRIVOLOUS INCOME TAX RETURN, AND TO CHANGE THE PROCEDURES FOR LAW ENFORCEMENT REPORTING ON NON-TAX-PAID UNAUTHORIZED SUBSTANCES, as amended, upon third reading.

The President orders, without objection, the Senate Committee Substitute bill temporarily displaced.

H.B. 1559 (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 CONFORM TO FEDERAL LAW REGARDING PENSION TAX WITHHOLDING AND DEADLINES FOR PAYMENTS OF CERTAIN ESTIMATED INCOME TAXES, TO CLARIFY THE SALES FACTOR FOR DETERMINATION OF STATE CORPORATE INCOME AND FRANCHISE TAX, AND TO ENABLE THE COLLECTION OF TAX DEBT OWED TO NORTH CAROLINA THROUGH THE FEDERAL TREASURY OFFSET PROGRAM, as amended, upon third reading.

The President orders, without objection, the Senate Committee Substitute bill temporarily displaced.

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COMMITTEE REFERRAL RECALL

S.B. 1275, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON NEW BILLBOARDS ALONG A DESIGNATED SECTION OF INTERSTATE 40, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, referred to the Judiciary I Committee on May 17.

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 Judiciary II 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 Judiciary II Committee.

CALENDAR (Continued)

H.B. 1854 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES AND THE INSURANCE REGULATORY CHARGE, TO INCREASE COURT COSTS, TO INCREASE JAIL FEES FOR PERSONS PAYING JAIL FEES PURSUANT TO PROBATIONARY SENTENCES, TO INCREASE THE FEE IMPOSED FOR EMERGENCY PLANNING, TO AUTHORIZE CERTAIN CHANGES IN PERMITS FOR OVERSIZE LOADS AND ESTABLISH PENALTIES FOR PERMIT VIOLATIONS, TO AUTHORIZE AGENCIES TO PROVIDE ACCESS TO SERVICES THROUGH ELECTRONIC AND DIGITAL TRANSACTIONS AND TO IMPOSE A FEE FOR THOSE TRANSACTIONS, AND TO REPEAL THE SUNSET OF THE WHITE GOODS TAX AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY ISSUES RELATED TO THE SCRAP TIRE DISPOSAL TAX AND THE WHITE GOODS DISPOSAL TAX, as amended, upon third reading.

The Senate Committee Substitute bill No. 2 passes its third reading by roll-call vote, ayes 43, noes 7, as follows:


Voting in the negative: Senators Allran, Ballantine, Forrester, Foxx, Moore, Rucho, and Webster—7.

The Senate Committee Substitute bill No. 2 is ordered engrossed and sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill No. 2.

H.B. 1629 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF STATE REVENUE BONDS TO FINANCE IMPROVEMENTS TO THE WATER AND SEWER SYSTEM FOR THE COMMUNITY OF BUTNER AND THE CAMP BUTNER RESERVATION.

With unanimous consent, upon motion of Senator Plyer, the Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the Appropriations/Base Budget Committee.

RECALL FROM HOUSE OF REPRESENTATIVES

S.B. 1542 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE POSSESSION OF MORE THAN THREE VIDEO POKER MACHINES ON ONE
PREMISE ILLEGAL IN NORTH CAROLINA AND TO IMPOSE A PRIVILEGE TAX ON ALL VIDEO POKER MACHINES

Without objection, Senator Basnight offers a motion that the committee substitute bill be recalled from the House of Representatives for further consideration by the Senate, which motion prevails, with unanimous consent.

A message is ordered sent to the House of Representatives requesting the return of S.B. 1542.

CALENDAR (Continued)

S.B. 1177 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN AND ENHANCE THE CURRICULUM FOR CHARACTER EDUCATION AND TO APPROPRIATE FUNDS TO IMPLEMENT THE CURRICULUM.

The Committee Substitute bill No. 2 is taken up out of its regular order of business and passes its second (50-0) and third readings and is ordered sent, by special message, to the House of Representatives.

With unanimous consent, upon motion of Senator Basnight, all bills sent to the House of Representatives from today's Calendar through the end of this Session will be sent by special message.

H.B. 1551 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY OF DEPARTMENT OF REVENUE LAW ENFORCEMENT AGENTS, TO ALLOW THE SECRETARY OF REVENUE TO ADMINISTER THE OATH OF OFFICE TO DEPARTMENT OF REVENUE LAW ENFORCEMENT AGENTS, TO PROVIDE A CIVIL PENALTY FOR FILING A FRIVOLOUS INCOME TAX RETURN, AND TO CHANGE THE PROCEDURES FOR LAW ENFORCEMENT REPORTING ON NON-TAX-PAID UNAUTHORIZED SUBSTANCES, as amended, upon third reading.

Senator Horton 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 42, noes 6, as follows:


Voting in the negative: Senators Ballance, Cochrane, Forrester, Moore, Rucho, and Webster—6.

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. 1132 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE PRESERVATION OF FARMLAND AND TO PROMOTE SMALL, FAMILY-OWNED FARMS, 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, Carpenter, Carter, Clodfelter, Cochrane, Cooper, Dalton, Forrester, Foxx, Garrou, Gulley,

June 28, 2000
The Senate Committee Substitute bill is ordered placed on the Calendar for tomorrow, Thursday, June 29, upon third reading.

H.B. 1473 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE INCOME TAX CREDIT FOR MANUFACTURERS OF CERTAIN RENEWABLE ENERGY EQUIPMENT AND TO FURTHER ADJUST THE SHARE CERTAIN CITIES RECEIVE FROM THE STATE GROSS RECEIPTS TAX, upon second reading, which title changes upon concurrence.

Senator Kerr offers Amendment No. 1, which is adopted (45-0), and held to be material constituting the first reading of the measure.

The Senate Committee Substitute bill, as amended, is ordered placed on the Calendar for tomorrow, Thursday, June 29, upon second reading.

H.B. 1539 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE STATE BOARD OF EDUCATION AS THE STATE EDUCATION AGENCY RESPONSIBLE FOR ADMINISTERING THE QUALIFIED ZONE ACADEMY BOND PROGRAM, upon second reading.

The President orders, without objection, the Committee Substitute bill No. 2 temporarily displaced.

H.B. 1602 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT STORMWATER UTILITY FEES MAY BE USED TO FUND ALL COSTS OF STORMWATER MANAGEMENT PROGRAMS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 39, noes 7, as follows:


Voting in the negative: Senators Carpenter, Cochrane, East, Forrester, Hartsell, Horton, and Webster—7.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Thursday, June 29, upon third reading.

S.B. 1252, A BILL TO BE ENTITLED AN ACT TO CREATE A TAX INCENTIVE FOR THE REDEVELOPMENT OF BROWNFIELDS PROPERTIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Senator Odom offers Amendment No. 1 which is adopted (46-0).

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.

S.B. 1266 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT THE UNIFORM ELECTRONIC TRANSACTIONS ACT.

Senator Reeves offers Amendment No. 1 which is adopted (49-0).
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.

**H.B. 1559** (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 CONFORM TO FEDERAL LAW REGARDING PENSION TAX WITHHOLDING AND DEADLINES FOR PAYMENTS OF CERTAIN ESTIMATED INCOME TAXES, TO CLARIFY THE SALES FACTOR FOR DETERMINATION OF STATE CORPORATE INCOME AND FRANCHISE TAX, AND TO ENABLE THE COLLECTION OF TAX DEBT OWED TO NORTH CAROLINA THROUGH THE FEDERAL TREASURY OFFSET PROGRAM, as amended, temporarily displaced earlier, upon third reading.

Senator Webster offers Amendment No. 2.

Senator Kerr offers a motion that Amendment No. 2 do lie upon the table, seconded by Senator Gulley.

Senator Webster calls for the “ayes” and “noes” on the question. The call is sustained, ayes 35, noes 15, as follows:


Voting in the negative: Allran, Ballantine, Carpenter, Carrington, Cochrane, East, Forrester, Foxx, Garwood, Hartsell, Horton, Moore, Rucho, Shaw of Guilford, Webster—15.

Senator Kerr calls the previous question on the bill, seconded by Senator Gulley. The call is sustained (35-15).

The Senate Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 47, noes 3, as follows:


Voting in the negative: Senators Ballantine, Horton, and Webster —3.

The Senate Committee Substitute bill, as amended on June 27, is ordered sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

**WITHDRAWAL FROM CALENDAR**

**H.B. 1546** (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALEXANDER AND ANSON COUNTIES MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS CORRECTIONAL FACILITIES, for adoption, placed on the Calendar for tomorrow, Thursday, June 29.

Senator Rand offers a motion that the rules be suspended and that the Conference Report be withdrawn from the Calendar for Thursday, June 29, and placed on today’s Calendar, for adoption, which motion prevails with unanimous consent.

June 28, 2000
The Chair orders the Conference Report withdrawn from the Calendar for Thursday, June 29 and places it on today's Calendar.

S.B. 1290 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN POLITICAL ACTIVITIES BY BOARD OF ELECTIONS MEMBERS.

The Committee Substitute bill passes its second reading (46-2).
Senator Clodfelter objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Thursday, June 29, upon third reading.

S.B. 1460 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE INCENTIVES FOR DEVELOPMENT OF THE FILM INDUSTRY IN NORTH CAROLINA.

Senator Lee offers Amendment No. 1 which is adopted (48-0).

The President grants a leave of absence for the remainder of today's Session to Senator Cochrane.

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.

RECONSIDERATION

H.B. 1803, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO AMEND AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION, as amended by committee.

Senator Odom offers a motion that the rules be suspended and that the bill, as amended, be placed before the Senate for the purpose of offering a motion to reconsider, which motion prevails.

Having voted in the majority, Senator Odom offers a motion that the vote by which the bill, as amended, passed its second reading today, June 28, be reconsidered, which motion prevails, and the question before the Body becomes the passage of the bill on its second reading.

Senator Odom offers Amendment No. 2, which is adopted (48-0), and held to be material constituting the first reading of the measure.

The bill, as amended, is ordered placed on the Calendar for tomorrow, Thursday, June 29, upon second reading.

S.B. 1544 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TOURIST-ORIENTED DIRECTIONAL SIGN (TODS) PROGRAM.

Senator Foxx 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.

REPORTS OF COMMITTEES (Continued)

By Senator Kinnaird for the State and Local Government Committee:

H.B. 1598, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROPER REPRESENTATION FROM THE TOWN OF OAK ISLAND ON THE BRUNSWICK COUNTY AIRPORT COMMISSION, 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 7384, which changes the title upon concurrence to read H.B. 1598 (Senate Committee Substitute), A

June 28, 2000
BILL TO BE ENTITLED AN ACT TO PROVIDE PROPER REPRESENTATION FROM THE TOWN OF OAK ISLAND ON THE BRUNSWICK COUNTY AIRPORT COMMISSION, TO EXPAND THE BURLINGTON-ALAMANCE AIRPORT AUTHORITY, AND ALLOWING THE TOWN COUNCIL OF THE TOWN OF OAK ISLAND TO SET HEIGHT LIMITS NORTH OF THE INTRACOASTAL WATERWAY IN ACCORDANCE WITH GENERAL LAW, is adopted and engrossed.

WITHDRAWAL FROM CALENDAR

S.B. 1290 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN POLITICAL ACTIVITIES BY BOARD OF ELECTIONS MEMBERS, placed on the Calendar for tomorrow, Thursday, June 29, for third reading.

Senator Clodfelter offers a motion that the Committee Substitute bill be withdrawn from the Calendar for Thursday, June 29, and placed before the Senate for immediate consideration, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Calendar for Thursday, June 29 and places it before the Senate for immediate consideration.

The Committee Substitute bill passes its third reading (45-2) and is ordered sent, by special message, to the House of Representatives.

CALENDAR (continued)

H.B. 813 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CYBERSTALKING A CRIMINAL OFFENSE, CLARIFY THE CRIMINAL ACT OF INTRODUCING COMPUTER VIRUSES, AND TO PERMIT DOMESTIC VIOLENCE ABUSER TREATMENT AS A SPECIAL CONDITION OF PROBATION IN CERTAIN CRIMINAL CASES AND TO MAKE CONFORMING CHANGES, 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.

H.B. 1021 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 3 OF THE UNIFORM COMMERCIAL CODE.

The Senate Committee Substitute bill No. 2 passes its second (47-1) 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. 1501, A BILL TO BE ENTITLED AN ACT TO ALLOW SERVICE OF PROCESS BY PUBLICATION IN MOTOR VEHICLE LIEN CASES IN SMALL CLAIMS COURT, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION.

Senator Plyler offers Amendment No. 1.

Senator Plyler subsequently withdraws Amendment No. 1.

The bill passes its second reading (46-0).

Senator Plyler objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for tomorrow, Thursday, June 29, upon third reading.

H.B. 1596, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO REVISE OBSOLETE STATUTORY REFERENCES TO VARIOUS ADMINISTRATIVE PROCEDURE ACT PROVISIONS.

With unanimous consent, upon motion of Senator Miller, the bill is withdrawn from today's Calendar and is placed on the Calendar for Thursday, June 29.

June 28, 2000
SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

H.B. 1544

House of Representatives
June 28, 2000

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 1544, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A TAXPAYER IS ENTITLED TO A REFUND OF AN OVERPAYMENT OF THE STATE EXCISE TAX ON CONVEYANCES, and requests conferees. The Speaker has appointed:

Representative Miller,
Representative Luebke,
Representative Allen 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:

H.B. 973

House of Representatives
June 28, 2000

Mr. President:

Pursuant to your message that you have adopted the report of the Conferees on Senate Committee Substitute for HB 973, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES ALLOWING A SUPERIOR COURT JUDGE TO PERFORM MARRIAGE CEREMONIES, 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

REPORTS OF COMMITTEES (Continued)

By Senator Kerr for the Finance Committee:

H.B. 1656 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPOINTMENT OF A SPECIAL BOARD OF EQUALIZATION AND REVIEW FOR LINCOLN COUNTY, with a favorable report.

June 28, 2000
H.B. 1699 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EQUALIZE RESIDENT AND NONRESIDENT INSURANCE PRODUCER LICENSE FEE; TO MAKE NORTH CAROLINA INSURANCE PRODUCER LICENSING LAWS COMPLY WITH THE RECIPROCITY REQUIREMENTS IN THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102; TO AMEND THE MINIMUM EDUCATION REQUIREMENTS FOR THE DEPARTMENT OF INSURANCE FINANCIAL EXAMINER AND ANALYST APPLICANTS; TO AMEND THE DEFINITION OF "PERSON" IN THE BEACH AND FAIR PLAN LAWS; TO AMEND THE DEFINITION OF "BRANCH OFFICE" IN THE MOTOR CLUB LAWS; TO INCREASE THE BOND AMOUNT FOR MANUFACTURED HOUSING LICENSEES; TO REQUIRE NOTIFICATION TO THE MANUFACTURED HOUSING BOARD FROM MANUFACTURED HOUSING LICENSEES OF CHANGES IN OWNERSHIP CONTROL AND BANKRUPTCIES; AND TO EXPEDITE BUILDING PLAN REVIEWS BY EXEMPTING REVIEWS OF COUNTY AND CITY BUILDINGS COMPRISING FEWER THAN TEN THOUSAND SQUARE FEET, with a favorable report.

H.B. 1730, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION AND EXTRATERRITORIAL ZONING IN THE VILLAGE OF SUGAR MOUNTAIN, with a favorable report.

H.B. 1819 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE THE RURAL REDEVELOPMENT AUTHORITY TO FINANCE RURAL ECONOMIC DEVELOPMENT PROJECTS AND INVEST IN RURAL BUSINESS DEVELOPMENT, with a favorable report.

H.B. 1624 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE NATIONAL GOVERNORS' ASSOCIATION FOR A STREAMLINED SALES TAX COLLECTION SYSTEM AND TO OTHERWISE IMPROVE COLLECTION, 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 5114 is adopted and engrossed.

**CALENDAR (Continued)**

H.B. 1546 (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALEXANDER AND ANSON COUNTIES MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS CORRECTIONAL FACILITIES, placed earlier on today's Calendar for adoption.

Upon motion of Senator Rand, the Senate adopts the Conference Report (47-0). A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

H.B. 1539 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE STATE BOARD OF EDUCATION AS THE STATE EDUCATION AGENCY RESPONSIBLE FOR ADMINISTERING THE QUALIFIED ZONE ACADEMY BOND PROGRAM, upon second reading, temporarily displaced earlier.

The Committee Substitute bill No. 2 passes its second reading by roll-call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cooper, Dalton, Dannelly, Forrester, Foxx,

Voting in the negative: None.

The Committee Substitute bill No. 2 is ordered placed on the Calendar for tomorrow, Thursday, June 29, upon third reading.

Upon motion of Senator Basnight, seconded by all members of the Senate, the Senate adjourns at 5:26 P.M. in honor of Lieutenant Governor Dennis Wicker, to meet tomorrow, Thursday, June 29, at 1:30 P.M.

ONE HUNDRED THIRTY-THIRD DAY

Senate Chamber
Thursday, June 29, 2000

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 creation, it is in You that we live and move and have our being. You formed us from the dust of the earth and breathed into us the breath of life. You gave us the high dignity and great responsibility of creating our own destiny through the choices we make. Through Your relentless love, You beckon us God-ward and send Your Spirit to guide us. We are free to accept or reject the decisions that can lead us to You.

"However, the choices at our disposal are not always clear and their effects are difficult to discern. Thus we come to You, seeking Your guidance for our deliberations. Let us not seek the ways of partisanship, self-service or retribution, for these lead to our spiritual deaths. Rather, let us choose the ways of compassion, mercy and righteousness that lead to life. Oh Lord, be Thou our vision and Thou our true guide. This we pray in Your Holy Name, Amen."

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

Senator Rand announces the Journal of yesterday, Wednesday, 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 Pro Tempore 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.

Without objection, upon motion of Senator Rand, beginning today through the end of this Session, all enrolled bills ordered sent to the Governor will be sent by special message.

June 29, 2000
ENROLLED BILLS

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

H.B. 973, AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES ALLOWING A SUPERIOR COURT JUDGE TO PERFORM MARRIAGE CEREMONIES.

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

S.B. 1190, AN ACT TO ANNEX A TRACT TO THE TOWN OF CAROLINA BEACH AND TO ALLOW STREET ASSESSMENTS WITHOUT PETITION IN THAT TRACT.

H.B. 1504, AN ACT TO AMEND THE CHARTER OF THE TOWN OF VALDESE TO INCREASE THE MAYOR'S TERM OF OFFICE FROM TWO TO FOUR YEARS.

H.B. 1507, AN ACT TO REPEAL THE PROHIBITION ON LEG-GRIPPING TRAPS IN DUPLIN COUNTY.

H.B. 1536, AN ACT TO PROVIDE STAGGERED TERMS FOR THE SYLVA TOWN COUNCIL AND TO PROVIDE FOR NONPARTISAN ELECTIONS.

H.B. 1546, AN ACT TO PROVIDE THAT ALEXANDER, ANSON, AND SCOTLAND COUNTIES MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS CORRECTIONAL FACILITIES.

H.B. 1587, AN ACT TO ANNEX A DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF SEAGROVE AND PROVIDE THAT IT SHALL NOT BE CONSIDERED IN CALCULATING THE MAXIMUM AMOUNT OF SATELLITE ANNEXATIONS ALLOWED FOR THAT TOWN.

H.B. 1606, AN ACT AUTHORIZING THE CITY OF HIGH POINT TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE.

H.B. 1675, AN ACT AMENDING THE CHARTER OF THE TOWN OF MAYODAN TO ELIMINATE THE REQUIREMENT THAT THE TOWN MANAGER MUST RESIDE WITHIN TOWN 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. 1328, AN ACT TO ENCOURAGE, SUPPORT, AND ACCELERATE THE PERMANENT PROTECTION OF FARMLAND, FORESTLAND, PARKLAND, GAMELAND, WETLANDS, OPEN SPACE, AND CONSERVATION LANDS IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW

June 29, 2000
COMMISSION. (Became law upon approval of the Governor, June 28, 2000 – S.L. 2000-23.)

S.B. 1264, AN ACT TO AUTHORIZE THE CITY OF MOUNT HOLLY TO ENTER INTO AN ANNEXATION AGREEMENT. (Became law upon approval of the Governor, June 28, 2000 – S.L. 2000-24.)

S.B. 1334, AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF TABOR CITY. (Became law upon ratification, June 28, 2000 – S.L. 2000-25.)

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. 1855 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO PRESCRIPTION DRUG, RETIREE PREMIUMS, AND CHRONIC CONDITION CLAIM COSTS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, 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 8214 is adopted and engrossed.

With unanimous consent, upon motion of Senator Rand, the rules are suspended and the Senate Committee Substitute bill is placed on today’s Calendar.

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

H.B. 1625 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM FOR THE REMOVAL OF ABANDONED VESSELS IN THE NEUSE RIVER BASIN, with a favorable report.

With unanimous consent, upon motion of Senator Albertson, the rules are suspended and the Committee Substitute bill is placed on today’s Calendar.

S.B. 1329, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ADDITIONAL NOTICE OF AN APPLICATION FOR A PERMIT UNDER THE MINING ACT OF 1971, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW 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 3991 is adopted and engrossed.

With unanimous consent, upon motion of Senator Albertson, the rules are suspended and the Committee Substitute bill is placed on today’s Calendar.

H.B. 1617 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF LEA ISLAND STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

June 29, 2000
Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 8213, which changes the title upon concurrence to read H.B. 1617 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF LEA ISLAND STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION; TO TRANSFER STATE PROPERTY IN BURKE COUNTY; AND TO REALLOCATE STATE LAND IN WAKE COUNTY TO THE DEPARTMENT OF CULTURAL RESOURCES FOR THE NORTH CAROLINA MUSEUM OF ART, is adopted and engrossed.

With unanimous consent, upon motion of Senator Albertson, the rules are suspended and the Senate Committee Substitute bill is placed on today’s Calendar.

H.B. 1506 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ESTABLISHMENTS THAT PREPARE OR SERVE FOOD TO A CERTAIN NUMBER OF REGULAR BOARDERS OR PERMANENT HOUSEGUESTS COMPLY WITH STATE FOOD SANITATION REQUIREMENTS, 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, 2453 is adopted and engrossed.

With unanimous consent, upon motion of Senator Albertson, the rules are suspended and the Senate Committee Substitute bill No. 2 is placed on today’s Calendar.

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. 1263 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF CHARLOTTE TO USE WHEEL LOCKS TO ENFORCE PARKING ORDINANCES, for concurrence in the House Committee Substitute bill.

Referred to State and Local Government Committee.

S.B. 1269 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT LIABILITY WHEN A PERSON USES AN AUTOMATED EXTERNAL DEFIBRILLATOR TO RENDER EMERGENCY HEALTH CARE TREATMENT TO ATTEMPT TO SAVE THE LIFE OF A PERSON WHO IS IN OR WHO APPEARS TO BE IN CARDIAC ARREST, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Friday, June 30.

H.B. 1609 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AND CLARIFY THE PROCEDURES FOR FILING A MOTION TO TERMINATE PARENTAL RIGHTS IN A PENDING JUVENILE ABUSE, NEGLECT, OR DEPENDENCY PROCEEDING, AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WHETHER INFORMATION SHOULD BE EXPUNGED FROM CERTAIN RECORDS WHEN AN ABUSE, NEGLECT, OR DEPENDENCY REPORT IS NOT SUBSTANTIATED OR PROVEN.

Referred to Judiciary II Committee.

H.B. 1647 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE TO USE THE PROCEDURES OF CHAPTER
136 OF THE GENERAL STATUTES FOR CONDEMNATION FOR ECONOMIC DEVELOPMENT PURPOSES WITHIN A DEFINED AREA.
Referred to Finance Committee.

H.B. 1767 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND MECKLENBURG COUNTY'S AUTHORITY TO SELL COUNTY-OWNED REAL ESTATE.
Referred to State and Local Government Committee.

H.B. 1784, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE BOUNDARIES OF THE SWIFT CREEK AREA SUBJECT TO AN ADVISORY REFERENDUM.
Referred to State and Local Government Committee.

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

S.B. 1542

House of Representatives
June 28, 2000

Mr. President:

Pursuant to your message requesting the return of Committee Substitute for SB 1542, A BILL TO BE ENTITLED AN ACT TO MAKE POSSESSION OF VIDEO POKER AND OTHER VIDEO GAME MACHINES IN NORTH CAROLINA UNLAWFUL, the House respectfully herewith complies.

Respectfully,
S/Denise Weeks
Principal Clerk

CALENDAR

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

S.B. 1448 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CORPORATE LIMITS OF THE TOWN OF HILLSBOROUGH AN AREA PREVIOUSLY ANNEXED BY THE TOWN UNDER THE VOLUNTARY ANNEXATION PROVISIONS OF PART 4 (ANNEXATION OF NONCONTIGUOUS AREAS) OF ARTICLE 4A OF CHAPTER 160A OF THE GENERAL STATUTES, 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, by special message, to the House of Representatives.

June 29, 2000
H.B. 1520 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO THE USE OF RESTRAINTS AND SECLUSION IN CERTAIN FACILITIES, REQUIRING THE REPORTING OF CERTAIN DEATHS AND CERTAIN FACILITIES, AND IMPOSING A PENALTY FOR FAILURE TO REPORT, with a favorable report.

H.B. 1728, A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE A PARCEL RECENTLY IDENTIFIED AS BEING WITHIN THE TOWN LIMITS THAT HAD NEVER BEEN TREATED AS SUCH, with a favorable report.

S.B. 1364, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CABARRUS BOARD OF EQUALIZATION AND REVIEW TO MEET AFTER ITS FORMAL ADJOURNMENT, with a favorable report.

H.B. 1290 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE SPECIAL TAX TREATMENT FOR CERTAIN 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 CERTAIN REAL PROPERTY USED FOR RECYCLING, WASTE REDUCTION, OR RESOURCES RECOVERY, 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 2447, which changes the title upon concurrence to read H.B. 1290 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE TAX LAWS BY MAKING CLARIFYING AND CONFORMING CHANGES TO THE REVENUE AND RELATED LAWS, is adopted and engrossed.

H.B. 1340 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE RESPIRATORY CARE PRACTICE ACT, 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, 8215, which changes the title upon concurrence to read H.B. 1340 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE RESPIRATORY CARE PRACTICE ACT, TO PROVIDE FOR THE PROMPT PAYMENT OF CLAIMS UNDER HEALTH BENEFIT PLANS, AND TO MAKE CONFORMING AMENDMENTS TO RELATED CLAIM PAYMENT LAWS, is adopted and engrossed.

With unanimous consent, upon motion of Senator Hoyle, the rules are suspended and the Senate Committee Substitute bill No. 2 is placed on today's Calendar.

June 29, 2000
H.B. 1579 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF MONROE, 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 enrolled.

H.B. 1667 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF CHARLOTTE, 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 enrolled.

H.B. 1730, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION AND EXTRATERRITORIAL ZONING IN THE VILLAGE OF SUGAR MOUNTAIN, 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 tomorrow, Friday, June 30, upon third reading.

H.B. 1753, A BILL TO BE ENTITLED AN ACT TO REDUCE THE PISTOL PERMIT FEE IN MARTIN COUNTY FROM TWENTY DOLLARS TO FIVE DOLLARS, upon second reading.

The bill passes 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, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Horton, Hoyle, Jordan, Kerr, Kinnaird, Lee, Lucas, Martin of Guilford, Martin of Pitt, Metcalf, Miller,
Moore, Odom, Perdue, Phillips, Purcell, Rand, Reeves, Rucho, Shaw of Guilford, Soles, Warren, Webster, Weinstein, and Wellons—47.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Friday, June 30, upon third reading.

**H.B. 1803**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO AMEND AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION, as amended, upon second reading.

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

**H.B. 1555**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GASTONIA TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE.

The bill passes its second (48-0) and third readings and is ordered enrolled.

**H.B. 1598** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE PROPER REPRESENTATION FROM THE TOWN OF OAK ISLAND ON THE BRUNSWICK COUNTY AIRPORT COMMISSION, TO EXPAND THE BURLINGTON-ALAMANCE AIRPORT AUTHORITY, AND ALLOWING THE TOWN COUNCIL OF THE TOWN OF OAK ISLAND TO SET HEIGHT LIMITS NORTH OF THE INTRACOASTAL WATERWAY IN ACCORDANCE WITH GENERAL LAW, which changes the title 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.

**H.B. 1656** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPOINTMENT OF A SPECIAL BOARD OF EQUALIZATION AND REVIEW FOR LINCOLN COUNTY.

The Committee Substitute bill No. 2 passes its second (49-0) and third readings and is ordered enrolled.

**H.B. 1695**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE CHARTER OF THE CITY OF NEW BERN RELATING TO THE MAYOR AND MAYOR PRO TEM.

The bill passes its second (49-0) and third readings and is ordered enrolled.

**H.B. 1732**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF OCEAN ISLE BEACH TO PROTECT AND REGULATE EROSION CONTROL WORKS AS A PUBLIC ENTERPRISE.

The bill passes its second (49-0) and third readings and is ordered enrolled.

**H.B. 1739**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF ASHEVILLE RESPECTING THE CALLING OF SPECIAL MEETINGS, AND TO REPEAL AN ACT RESPECTING THE REMOVAL OF GARBAGE WITHIN THAT CITY.

The bill passes its second (49-0) and third readings and is enrolled.

**H.B. 1783** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE DISPOSITION OF CERTAIN PROPERTY OF THE TOWN OF
OCEAN ISLE BEACH, THE CITY OF KINSTON, AND LENOIR COUNTY BY PRIVATE SALE.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered enrolled.

**H.B. 1802**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF SALISBURY TO ALLOW THE SALE OF PROPERTY LOCATED WITHIN A DESIGNATED COMMUNITY AND ECONOMIC DEVELOPMENT PROJECT AREA.

The bill passes its second (49-0) and third readings and is ordered enrolled.

**H.B. 1648**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF CHARLOTTE TO PURCHASE PUBLIC TRANSIT EQUIPMENT USING THE COMPETITIVE PROPOSAL METHOD OF PROCUREMENT.

The bill passes its second reading (49-0).

Senator Rucho objects to third reading of the measure. Pursuant to Rule 50, the President *Pro Tempore* orders the measure placed on the Calendar for tomorrow, Friday, June 30, upon third reading.

**H.B. 1670**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF MARSHVILLE AND OTHER LAWS RELATING TO THE CITY BY DELETING THROUGHOUT THE WORDS "BOARD OF ALDERMEN", "BOARD", AND "ALDERMAN" AND SUBSTITUTING, AS APPROPRIATE, THE WORDS "CITY COUNCIL" AND "COUNCIL MEMBER".

Senator Purcell offers Amendment No. 1 which is adopted (49-0).

The bill, as amended, passes its second (49-0) and third readings and is ordered sent, by special message, to the House of Representatives for concurrence in Senate Amendment No. 1.

**H.B. 1779** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE THE CITY TO ESTABLISH REQUIREMENTS CONCERNING SWEATSHOPS.

The Committee Substitute bill passes its second (47-1) and third readings and is ordered enrolled.

*The Chair grants leaves of absence for the remainder of today's Session to Senator East.*

**H.B. 1132** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE PRESERVATION OF FARMLAND AND TO PROMOTE SMALL, FAMILY-OWNED FARMS, 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 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.

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H.B. 1539 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE STATE BOARD OF EDUCATION AS THE STATE EDUCATION AGENCY RESPONSIBLE FOR ADMINISTERING THE QUALIFIED ZONE ACADEMY BOND PROGRAM, upon third reading.

The Committee Substitute bill No. 2 passes its third reading by roll-call vote, ayes 46, noes 1, as follows:


Voting in the negative: Senator Shaw of Guilford—1.

The Committee Substitute bill No. 2 is ordered enrolled and sent to the Governor, by special message.

H.B. 1602 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT STORMWATER UTILITY FEES MAY BE USED TO FUND ALL COSTS OF STORMWATER MANAGEMENT PROGRAMS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, 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 Cochrane, Horton, Shaw of Guilford, and Webster—4.

The Committee Substitute bill is ordered enrolled and sent to the Governor, by special message.

RECONSIDERATION

S.B. 1542 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE POSSESSION OF VIDEO POKER AND OTHER VIDEO GAME MACHINES IN NORTH CAROLINA UNLAWFUL.

Senator Wellons offers a motion that the rules be suspended and that the Committee Substitute bill which was returned by the House at the request of the Senate, be placed before the Senate for immediate consideration.

Having voted with the majority on third reading, Senator Wellons offers a motion that the vote by which the Committee Substitute bill passed its third reading be reconsidered, which motion prevails, and the question before the Body becomes the passage of the Committee Substitute bill upon third reading.

Senator Wellons offers Amendment No. 1 which is adopted (32-12).

Senator Webster offers a motion that the Committee Substitute bill, as amended, be replaced with the original bill, which motion is ruled out of order.

Senator Kinnaird offers Amendment No. 2 which is adopted (41-2).

The Committee Substitute bill, as amended, passes its third reading (40-3) and is ordered engrossed and sent, by special message, to the House of Representatives.

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The Chair grants a leave of absence for the remainder of today’s Session to Senator Metcalf.

COMMITTEE REFERRAL RECALL

H.B. 1629 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF STATE REVENUE BONDS TO FINANCE IMPROVEMENTS TO THE WATER AND SEWER SYSTEM FOR THE COMMUNITY OF BUTNER AND THE CAMP BUTNER RESERVATION, referred to the Appropriations/Base Budget Committee on June 28.

Pursuant to Rule 47(a), Senator Rand offers a motion that the Committee Substitute bill be withdrawn from the Appropriations/Base Budget Committee and placed on today’s Calendar, which motion prevails with unanimous consent.

The Chair advises the Committee Substitute bill withdrawn from the Appropriations/Base Budget Committee and placed on today’s Calendar.

The Chair grants leaves of absence for the remainder of today’s Session to Senators Odom, Perdue, and Plyler.

CALENDAR (Continued)

H.B. 1819 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE THE RURAL REDEVELOPMENT AUTHORITY TO FINANCE RURAL ECONOMIC DEVELOPMENT PROJECTS AND INVEST IN RURAL BUSINESS DEVELOPMENT, upon second reading.

With unanimous consent, upon motion of Senator Kerr, the Committee Substitute bill No. 2 is withdrawn from today’s Calendar and is placed on the Calendar for Friday, June 30.

The Senate recesses at 3:05 P.M. for the purpose of a Finance Committee meeting, to reconvene at 3:10 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

CALENDAR (Continued)

H.B. 1473 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE INCOME TAX CREDIT FOR MANUFACTURERS OF CERTAIN RENEWABLE ENERGY EQUIPMENT AND TO FURTHER ADJUST THE SHARE CERTAIN CITIES RECEIVE FROM THE STATE GROSS RECEIPTS TAX, as amended by a material amendment on June 28, upon second reading.

Senator Albertson offers Amendment No. 2 which is adopted (42-0).

The Senate Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 41, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballantine, Basnight, Carpenter, Carrington, Carter, Cochrane, Cooper, Dalton, Dannelly, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Horton, Hoyle, Jordan, Kerr, Kinnaird, Lee, Lucas, Martin of Guilford, Martin of Pitt, Miller, Moore, Phillips, Purcell, Rand, Reeves,
Rucho, Shaw of Cumberland, Shaw of Guilford, Soles, Webster, Weinstein, and Wellons—41.

Voting in the negative: None.

The Senate Committee Substitute bill, as amended, is ordered placed on the Calendar for tomorrow, Friday, June 30, upon third reading.

**H.B. 1624 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE NATIONAL GOVERNORS' ASSOCIATION FOR A STREAMLINED SALES TAX COLLECTION SYSTEM AND TO OTHERWISE IMPROVE COLLECTION, upon second reading.**

Senator Webster offers Amendment No. 1

Senator Webster subsequently withdraws Amendment No. 1.

The Senate Committee Substitute bill passes its second reading by roll-call vote, ayes 40, noes 2, as follows:


Voting in the negative: Senators Allran and Ballantine—2.

The Senate Committee Substitute bill is ordered placed on the Calendar for tomorrow, Friday, June 30, upon third reading.

**H.B. 1699 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EQUALIZE RESIDENT AND NONRESIDENT INSURANCE BROKER LICENSE FEES; TO MAKE NORTH CAROLINA INSURANCE PRODUCER LICENSING LAWS COMPLY WITH THE RECIPROCITY REQUIREMENTS IN THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102; TO AMEND THE MINIMUM EDUCATION REQUIREMENTS FOR THE DEPARTMENT OF INSURANCE FINANCIAL EXAMINER AND ANALYST APPLICANTS; TO AMEND THE DEFINITION OF "PERSON" IN THE BEACH AND FAIR PLAN LAWS; TO AMEND THE DEFINITION OF "BRANCH OFFICE" IN THE MOTOR CLUB LAWS; TO INCREASE THE BOND AMOUNT FOR MANUFACTURED HOUSING LICENSEES; TO REQUIRE NOTIFICATION TO THE MANUFACTURED HOUSING BOARD FROM MANUFACTURED HOUSING LICENSEES OF CHANGES IN OWNERSHIP CONTROL AND BANKRUPTCIES; AND TO EXPEDITE BUILDING PLAN REVIEWS BY EXEMPTING REVIEWS OF COUNTY AND CITY BUILDINGS COMPRISING FEWER THAN TEN THOUSAND SQUARE FEET, upon second reading.**

The Committee Substitute bill No. 2 passes its second reading by roll-call vote, ayes 43, noes 0, as follows:


Voting in the negative: None.

The Committee Substitute bill No. 2 is ordered placed on the Calendar for tomorrow, Friday, June 30, upon third reading.

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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. 1579, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF MONROE.

H.B. 1667, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF CHARLOTTE.

REPORTS OF COMMITTEES (Continued)

By Senator Hoyle for the Finance Committee:

H.B. 1803, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO AMEND AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION, with a favorable report.

CALENDAR (Continued)

S.B. 1212 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH PILOT PROGRAMS FOR THE USE OF ALTERNATIVE LEARNING PROGRAMS AND JUVENILE DAY REPORTING CENTERS AS A REQUIRED PLACEMENT FOR SUSPENDED STUDENTS.

The Committee Substitute bill passes its second (43-0) and third readings and is ordered sent, by special message, to the House of Representatives.

H.B. 1519 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, AND TO DIRECT THE OVERSIGHT COMMITTEE TO DEVELOP A PLAN TO REFORM THE STATE SYSTEM FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

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. 1564 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LAWS REGARDING THE PROCUREMENT OF INFORMATION TECHNOLOGY BY STATE AGENCIES AND INSTITUTIONS, as amended by committee.

The President Pro Tempore orders, without objection, the Committee Substitute bill, as amended, temporarily displaced.

H.B. 1596, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO REVISE OBSOLETE STATUTORY REFERENCES TO VARIOUS ADMINISTRATIVE PROCEDURE ACT PROVISIONS.

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

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H.B. 1638 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE AMBIENT AIR QUALITY, TO PROVIDE FOR THE USE OF ON-BOARD DIAGNOSTIC EQUIPMENT IN THE MOTOR VEHICLE EMISSIONS INSPECTION AND MAINTENANCE PROGRAM, AND TO EXCLUDE FEDERAL CONGESTION MITIGATION AND AIR QUALITY FUNDS FROM THE DISTRIBUTION FORMULA FOR FUNDS EXPENDED ON TRANSPORTATION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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 tomorrow, Friday, June 30.

H.B. 1855 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO PRESCRIPTION DRUG, RETIREE PREMIUMS, AND CHRONIC CONDITION CLAIM COSTS UNDER THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN, placed earlier on today’s Calendar.

The Senate Committee Substitute bill passes its second reading (42-1) and 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. 1501, A BILL TO BE ENTITLED AN ACT TO ALLOW SERVICE OF PROCESS BY PUBLICATION IN MOTOR VEHICLE LIEN CASES IN SMALL CLAIMS COURT, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION.

Senator Gulley offers Amendment No. 2 which is adopted (41-2).
Senator Rucho offers Amendment No. 3 which is adopted (43-0).

The bill, as amended, passes its third reading (39-2) and is ordered sent, by special message, to the House of Representatives, for concurrence in Senate Amendments No. 2 and No. 3.

PERSONAL PRIVILEGE

With unanimous consent, upon motion of Senator Lee who rises to a point of personal privilege, a resolution honoring the North Carolina General Assembly for supporting the State University and Community College Bond Package, in memory of Michael Hooker, former Chancellor of the University of North Carolina at Chapel Hill, is spread upon the Journal as follows:

RESOLUTION OF APPRECIATION
HONORING
THE NORTH CAROLINA GENERAL ASSEMBLY
FOR SUPPORTING THE STATE UNIVERSITY AND COMMUNITY COLLEGE BOND PACKAGE

WHEREAS, The University of North Carolina at Chapel Hill has great need for building repair, renovation, and new construction;

WHEREAS, Carolina’s needs are similarly reflected on the campuses of its sister UNC institutions and those of the state’s community college system;

WHEREAS, Carolina is one of the nation’s pre-eminent research universities and, as such, has a unique set of needs and priorities that must be met to serve its students and the

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citizens of North Carolina, as well as to help attract important resources—both dollars and personnel—to fulfill its mission;

WHEREAS, the capital needs of UNC-Chapel Hill, the nation’s oldest public university, are further exacerbated by the great age of many of its facilities;

WHEREAS, although the 1999 General Assembly did not reach consensus on the capital financing issue, its members showed great insight in appointing the Joint Select Committee on Funding for Higher Education Facilities, which this spring toured the state’s campuses and studied how capital needs could be met;

WHEREAS, the Joint Committee earlier this month recommended a $3.1 billion bond referendum to help meet the university and community college systems’ critical needs, and earmarked some $500 million of that amount for projects at Carolina;

WHEREAS, both houses of the North Carolina General Assembly subsequently adopted the plan, and the referendum will be placed on the state ballot in November;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of The University of North Carolina at Chapel Hill offers its deepest gratitude to the North Carolina General Assembly and its Joint Committee on Funding for Higher Education Facilities for their work to find appropriate financing methods for the University’s daunting facilities needs; tenders its special thanks to the legislative leadership and to our local delegation for so wisely recognizing the importance of these needs within the scope of Carolina’s mission; and pledges to work diligently to assure a positive outcome for the November bond issue.

(UNC Seal)  
Adopted by The University of North Carolina at Chapel Hill Board of Trustees on May 25, 2000

WITHDRAWAL FROM CALENDAR

H.B. 1648, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF CHARLOTTE TO PURCHASE PUBLIC TRANSIT EQUIPMENT USING THE COMPETITIVE PROPOSAL METHOD OF PROCUREMENT, placed on the Calendar for tomorrow, Friday, June 30.

Senator Rucho offers a motion that the bill be withdrawn from the Calendar for Friday, June 30, and placed before the Senate for immediate consideration, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Calendar for Friday, June 30, and places it before the Senate for immediate consideration.

Senator Rucho offers Amendment No. 1 which is adopted (40-0).

The bill, as amended, passes its third reading (40-0) and is ordered sent, by special message, to the House of Representatives, for concurrence in Senate Amendment No. 1.

CALENDAR (Continued)

S.B. 328 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE PAYABLE TO THE REGISTER OF DEEDS FOR THE FILING OF RIGHT-OF-WAY PLANS BY THE DEPARTMENT OF TRANSPORTATION, for concurrence in the House Committee Substitute bill, upon second reading.

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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 (40-0) and the measure is ordered enrolled and sent to the Governor, by special message.

**H.B. 1340** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE RESPIRATORY CARE PRACTICE ACT, TO PROVIDE FOR THE PROMPT PAYMENT OF CLAIMS UNDER HEALTH BENEFIT PLANS, AND TO MAKE CONFORMING AMENDMENTS TO RELATED CLAIM PAYMENT LAWS, placed earlier on today’s Calendar.

The President *Pro Tempore* rules that the Senate Committee Substitute bill No. 2 does not require a call of the roll.

The Senate Committee Substitute bill No. 2 passes its second (40-0) 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. 1629** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF STATE REVENUE BONDS TO FINANCE IMPROVEMENTS TO THE WATER AND SEWER SYSTEM FOR THE COMMUNITY OF BUTNER AND THE CAMP BUTNER RESERVATION, placed earlier on today’s Calendar.

The Committee Substitute bill passes its second (40-1) and third readings and is ordered enrolled and sent to the Governor, by special message.

**S.B. 1329** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ADDITIONAL NOTICE OF AN APPLICATION FOR A PERMIT UNDER THE MINING ACT OF 1971, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, placed earlier on today’s Calendar.

Senator Albertson offers Amendment No. 1 which is adopted (41-0).

The Committee Substitute bill, as amended, passes its second (39-1) and third readings and is ordered engrossed and sent, by special message, to the House of Representatives.

**H.B. 1506** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE ESTABLISHMENTS THAT PREPARE OR SERVE FOOD TO A CERTAIN NUMBER OF REGULAR BOARDERS OR PERMANENT HOUSEGUESTS COMPLY WITH STATE FOOD SANITATION REQUIREMENTS, placed earlier on today’s Calendar.

The Senate Committee Substitute bill No. 2 passes its second (39-0) 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. 1617** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF LEA ISLAND STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION; TO TRANSFER STATE PROPERTY IN BURKE COUNTY; AND TO REALLOCATE STATE LAND IN WAKE COUNTY TO THE DEPARTMENT OF CULTURAL RESOURCES FOR THE NORTH CAROLINA MUSEUM OF ART, placed earlier on today’s Calendar.

The Senate Committee Substitute bill passes its second (40-0) 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. 1625 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM FOR THE REMOVAL OF ABANDONED VESSELS IN THE NEUSE RIVER BASIN, placed earlier on today’s Calendar.

The Committee Substitute bill passes its second (39-0) and third readings and is ordered enrolled and sent to the Governor, by special message.

H.B. 1564 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LAWS REGARDING THE PROCUREMENT OF INFORMATION TECHNOLOGY BY STATE AGENCIES AND INSTITUTIONS, as amended by committee and temporarily displaced earlier.

The Committee Substitute bill, as amended, passes its second (40-0) and third readings and is ordered sent, by special message, to the House of Representatives, for concurrence in Senate Amendment No. 1.

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. 897 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE TITLE PROTECTION FOR THE SAFETY PROFESSION, for concurrence in the House Committee Substitute bill No. 2, which is placed on the Calendar for tomorrow, Friday, June 30.

S.B. 1316 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ADDITIONAL INFORMATION PRIOR TO THE REEXAMINATION OF CANDIDATES FOR ENGINEERING AND SURVEYING LICENSURE; TO CHANGE THE ANNUAL ENGINEERING AND SURVEYING LICENSE EXPIRATION DATE FOR BUSINESSES; TO AUTHORIZE THE BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS TO ADOPT RULES REGULATING THE OPERATION OF ENGINEERING AND LAND SURVEYING OFFICES; AND TO AUTHORIZE SOIL SCIENTISTS LICENSED UNDER CHAPTER 89F OF THE GENERAL STATUTES TO FORM PROFESSIONAL CORPORATIONS UNDER CHAPTER 55B OF THE GENERAL STATUTES AND LIMITED LIABILITY COMPANIES UNDER CHAPTER 57C OF THE GENERAL STATUTES, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Friday, June 30.

COMMITTEE REFERRAL RECALL

S.B. 1275, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON NEW BILLBOARDS ALONG A DESIGNATED SECTION OF INTERSTATE 40, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, referred to the Judiciary II Committee on June 28.

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.

June 29, 2000
PERSONAL PRIVILEGE

With unanimous consent, upon motion of Senator Clodfelter, the remarks of Senator Jordan, who rises to a point of personal privilege, are spread upon the Journal as follows:

“Mr. President and members of this Body, I rise to pay respect to someone from my community, John D. Williams, Captain of the United States Coast Guard, who is in charge of the Coast Guard Station in Wilmington that serves North Carolina, South Carolina, and parts of Virginia. We had a change of command just recently in Wilmington and I rise because the gentleman who served there, John D. Williams, has a very distinguished career. Let me just say one or two words about Captain Williams. He began his career as a Media Relations Specialist at the Coast Guard Station Office of Public Affairs. During this assignment he worked closely with Alex Haley and wrote the Coast Guard commercial used during the TV series Roots. In 1979, Captain Williams entered the Marine’s Safety Program as an assistant. Captain Williams has had assignments at the Marine Inspection Office in New Orleans, boat safety industry training, and Marine Safety Office in Hampton Roads and from 1990 to ’92, Captain Williams served as Commanding Officer of the Coast Guard Eastern Region Recruiting Command before returning to the Headquarters as the Minority Policy Advisor. Captain Williams was assigned as Executive Officer of the Coast Guard Integrated Support Command, Portsmouth, Virginia. In 1994, he served with the Department of Transportation where he was on the Governmental Team that assisted Vice President Gore in developing the National Performance Review. He is also a member of the leadership Hampton Roads Class of 1997. Captain Williams’ awards include the Coast Guard Meritorious Service Medal; the Coast Guard Commendation Medal, he received three times; the Coast Guard Achievement Medal, he received four awards there; the Competence Letter of Commendation, two awards; an Arctic Service Medal, the Arctic Service Medal; the Coast Guard Good Conduct Medal, two awards. Captain Williams is a recipient of the NAACP award, Wilkin Service Award, the Hampton Roads Image Award, and the DOT Award for Outstanding Achievement in Diversity. I rise also to pay respect to this gentleman because it was approximately one hundred years ago that the first African-American headed up the ports of Wilmington, and it’s a big honor for us in Wilmington. Captain Williams hails from Charlotte, Mecklenburg County, and I know the Senators there are happy to have had this gentleman come from Mecklenburg County. Thank you.”

The Senate recesses at 4:44 P.M. for the purpose of a State and Local Government Committee meeting, to reconvene at 4:55 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

REPORTS OF COMMITTEES (Continued)

By Senator Kinnaird for the State and Local Government Committee:

H.B. 1653, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF BROADWAY TO ALLOW THE MAYOR TO BE ELECTED IN THE SAME YEARS AS TWO TOWN COMMISSIONERS, with a favorable report.

With unanimous consent, upon motion of Senator Kinnaird, the rules are suspended and the bill is placed on today’s Calendar.
H.B. 1756, A BILL TO BE ENTITLED AN ACT TO REPEAL CHAPTER 61 OF THE 1989 SESSION LAWS WHICH ALLOWED PASQUOTANK COUNTY ADDITIONAL FLEXIBILITY TO FUND PUBLIC SCHOOL CONSTRUCTION, with a favorable report.

With unanimous consent, upon motion of Senator Kinnaird, the rules are suspended and the bill is placed on today’s Calendar.

S.B. 1275, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON NEW BILLBOARDS ALONG A DESIGNATED SECTION OF INTERSTATE 40, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

With unanimous consent, upon motion of Senator Kinnaird, the rules are suspended and the bill is placed on today’s Calendar.

H.B. 1744 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF ROWLAND TO PROVIDE THAT TOWN ELECTIONS SHALL BE CONDUCTED USING THE NONPARTISAN PLURALITY METHOD, with a favorable report.

With unanimous consent, upon motion of Senator Kinnaird, the rules are suspended and the Committee Substitute bill is placed on today’s Calendar.

The Senate recesses at 5:08 P.M. to reconvene at 5:18 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

CALENDAR (Continued)

H.B. 1653, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF BROADWAY TO ALLOW THE MAYOR TO BE ELECTED IN THE SAME YEARS AS TWO TOWN COMMISSIONERS, placed earlier on today’s Calendar.

The bill passes its second (39-0) and third readings and is ordered enrolled.

H.B. 1744 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF ROWLAND TO PROVIDE THAT TOWN ELECTIONS SHALL BE CONDUCTED USING THE NONPARTISAN PLURALITY METHOD, placed earlier on today’s Calendar.

The Committee Substitute bill passes its second (39-0) and third readings and is ordered enrolled.

H.B. 1756, A BILL TO BE ENTITLED AN ACT TO REPEAL CHAPTER 61 OF THE 1989 SESSION LAWS WHICH ALLOWED PASQUOTANK COUNTY ADDITIONAL FLEXIBILITY TO FUND PUBLIC SCHOOL CONSTRUCTION, placed earlier on today’s Calendar.

The bill passes its second (39-0) and third readings and is ordered enrolled.

S.B. 1275, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON NEW BILLBOARDS ALONG A DESIGNATED SECTION OF INTERSTATE 40, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, placed earlier on today’s Calendar.
The bill passes its second (29-10) 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 5:35 P.M. to meet tomorrow, Friday, June 30, at 10:00 A.M.

ONE HUNDRED THIRTY-FOURTH DAY

Senate Chamber
Friday, June 30, 2000

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 Eternal God, we praise You for Your Power and the unity of Your being. You are one God, there is no other. We are created by You out of nothing, and without You we return to nothing. You are the wind that lifts the wings of the birds. You are the song that bears glad tidings of joy. These things we know.

"But sometimes we are battered by untamed waters. We hear music that lulls our good will to sleep, and works that deceive with the sweetness of honey. And so we turn our loyalties to little gods. Broken by our fears, we kneel at the altars of privilege and self. Soon we forget that You, oh God, first knitted our bodies together and made our minds to dream.

"God of first things, reclaim our bodies and minds as Your own. Move us according to Your Will and we will come alive. Make us captive to Your Spirit and we shall be truly free. Amen."

With unanimous consent, the President Pro Tempore grants leaves of absence for today to Senator East, Senator Forrester, Senator Gulley, Senator Martin of Pitt, and Senator Rucho.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Thursday, 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.

CALENDAR

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

H.B. 1730, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION AND EXTRATERRITORIAL ZONING IN THE VILLAGE OF SUGAR MOUNTAIN, upon third reading.

The bill passes its third reading by roll-call vote, ayes 43, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Cochrane, Cooper, Dalton, Dannelly, Foxx, Garrou, Garwood, Hagan, Harris, Hartsell, Horton, Hoyle, Kerr, Kinnaird, Lee, Lucas, Martin of Guilford, Metcalf, Miller, Moore, Odom, Perdue, Phillips, Plyler, Purcell, Rand,

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Reeves, Robinson, Shaw of Guilford, Soles, Warren, Webster, Weinstein, and Wellons—43.

Voting in the negative: None.
The bill is ordered enrolled.

**H.B. 1753**, A BILL TO BE ENTITLED AN ACT TO REDUCE THE PISTOL PERMIT FEE IN MARTIN COUNTY FROM TWENTY DOLLARS TO FIVE DOLLARS, 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. 1728**, A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE A PARCEL RECENTLY IDENTIFIED AS BEING WITHIN THE TOWN LIMITS THAT HAD NEVER BEEN TREATED AS SUCH, upon second reading.

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 Wednesday, July 5, upon third reading.

**H.B. 1803**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO AMEND AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION, upon second reading.

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 Wednesday, July 5, upon third reading.

**S.B. 1364**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CABARRUS BOARD OF EQUALIZATION AND REVIEW TO MEET AFTER ITS FORMAL ADJOURNMENT.

The bill passes its second (44-0) and third readings and is ordered sent, by special message, to the House of Representatives.

June 30, 2000
COMMITTEE REFERRAL RECALL

S.B. 1263 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF CHARLOTTE TO USE WHEEL LOCKS TO ENFORCE PARKING ORDINANCES, referred to the State and Local Government Committee on June 29.

Pursuant to Rule 47(a), Senator Rand offers a motion that the House Committee Substitute bill be withdrawn from the State and Local Government Committee 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 State and Local Government Committee and places it before the Senate for immediate consideration, 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 (44-0) and the measure is ordered enrolled.

CALENDAR (continued)

H.B. 1473 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE INCOME TAX CREDIT FOR MANUFACTURERS OF CERTAIN RENEWABLE ENERGY EQUIPMENT AND TO FURTHER ADJUST THE SHARE CERTAIN CITIES RECEIVE FROM THE STATE GROSS RECEIPTS TAX, as amended, upon third reading, which title changes upon concurrence.

The Senate Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 43, 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. 1624 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE NATIONAL GOVERNORS' ASSOCIATION FOR A STREAMLINED SALES TAX COLLECTION SYSTEM AND TO OTHERWISE IMPROVE COLLECTION, upon third reading.

Senator Webster offers Amendment No. 2.

Senator Hoyle offers a motion that Amendment No. 2 do lie upon the table, seconded by Senator Rand. The motion prevails (33-12) and Amendment No. 2 lies upon the table.

The Senate Committee Substitute bill passes its third reading by roll-call vote, ayes 40, noes 5, as follows:


Voting in the negative: Senators Allran, Ballantine, Foxx, Hartsell, and Webster—5.

June 30, 2000
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. 1699 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EQUALIZE RESIDENT AND NONRESIDENT INSURANCE BROKER LICENSE FEE.; TO MAKE NORTH CAROLINA INSURANCE PRODUCER LICENSING LAWS COMPLY WITH THE RECIPROCITY REQUIREMENTS IN THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102; TO AMEND THE MINIMUM EDUCATION REQUIREMENTS FOR THE DEPARTMENT OF INSURANCE FINANCIAL EXAMINER AND ANALYST APPLICANTS; TO AMEND THE DEFINITION OF "PERSON" IN THE BEACH AND FAIR PLAN LAWS; TO AMEND THE DEFINITION OF "BRANCH OFFICE" IN THE MOTOR CLUB LAWS; TO INCREASE THE BOND AMOUNT FOR MANUFACTURED HOUSING LICENSEES; TO REQUIRE NOTIFICATION TO THE MANUFACTURED HOUSING BOARD FROM MANUFACTURED HOUSING LICENSEES OF CHANGES IN OWNERSHIP CONTROL AND BANKRUPTCIES; AND TO EXPEDITE BUILDING PLAN REVIEWS BY EXEMPTING REVIEWS OF COUNTY AND CITY BUILDINGS COMPRISING FEWER THAN TEN THOUSAND SQUARE FEET, upon third reading.

The Committee Substitute bill No. 2 passes its third reading by roll-call vote, ayes 45, 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. 1290 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE TAX LAWS BY MAKING CLARIFYING AND CONFORMING CHANGES TO THE REVENUE AND RELATED LAWS, 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 Wednesday, July 5, upon third reading.

H.B. 1819 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE THE RURAL REDEVELOPMENT AUTHORITY TO FINANCE RURAL ECONOMIC DEVELOPMENT PROJECTS AND INVEST IN RURAL BUSINESS DEVELOPMENT, upon second reading.

The President Pro Tempore orders, without objection, the Committee Substitute bill No. 2 temporarily displaced.

June 30, 2000
ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 328, AN ACT TO INCREASE THE FEE PAYABLE TO THE REGISTER OF DEEDS FOR THE FILING OF RIGHT-OF-WAY PLANS BY THE DEPARTMENT OF TRANSPORTATION.

S.B. 1260, AN ACT TO AMEND THE PUBLIC RECORDS LAW TO PROTECT THE INTEGRITY OF ELECTRONIC RECORDS WITHIN THE STATE'S COMPUTER SYSTEMS.

S.B. 1318, AN ACT TO PROVIDE THAT AN ENTERPRISE TIER TWO AREA MAY NOT BE REDESIGNATED AS A HIGHER-NUMBERED TIER AREA UNTIL IT HAS BEEN AN ENTERPRISE TIER TWO AREA FOR TWO CONSECUTIVE YEARS.

H.B. 723, 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.

H.B. 1288, AN ACT TO RECOGNIZE METROPOLITAN PLANNING ORGANIZATIONS IN STATE LAW AND TO PROVIDE A PROCESS FOR VOLUNTARY EVALUATION OF METROPOLITAN PLANNING ORGANIZATION BOUNDARIES, STRUCTURE, AND GOVERNANCE.

H.B. 1302, AN ACT TO EXEMPT FROM TAX MOTOR FUEL SOLD TO CHARTER SCHOOLS.

H.B. 1539, AN ACT TO DESIGNATE THE STATE BOARD OF EDUCATION AS THE STATE EDUCATION AGENCY RESPONSIBLE FOR ADMINISTERING THE QUALIFIED ZONE ACADEMY BOND PROGRAM.

H.B. 1602, AN ACT TO CLARIFY THAT STORMWATER UTILITY FEES MAY BE USED TO FUND ALL COSTS OF STORMWATER MANAGEMENT PROGRAMS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

H.B. 1625, AN ACT TO ESTABLISH A PILOT PROGRAM FOR THE REMOVAL OF ABANDONED VESSELS IN THE NEUSE RIVER BASIN.

H.B. 1629, AN ACT TO AUTHORIZE THE ISSUANCE OF STATE REVENUE BONDS TO FINANCE IMPROVEMENTS TO THE WATER AND SEWER SYSTEM FOR THE COMMUNITY OF BUTNER AND THE CAMP BUTNER RESERVATION.

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

S.B. 1293, AN ACT TO MODIFY THE TAX LIMIT FOR THE TOWN OF BADIN.

H.B. 1553, AN ACT TO AUTHORIZE THE CITY OF LUMBERTON AND THE TOWN OF PINEVILLE TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION AND TO RESTORE THE APPLICABILITY OF THE STATUTE TO THE CITY OF GREENVILLE AFTER ITS ENACTMENT IN 1999 AND ERRONEOUS DELETION IN A LATER ACT THAT SAME YEAR.

H.B. 1555, AN ACT AUTHORIZING THE CITY OF GASTONIA TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE.

H.B. 1653, AN ACT AMENDING THE CHARTER OF THE TOWN OF BROADWAY TO ALLOW THE MAYOR TO BE ELECTED IN THE SAME YEARS AS TWO TOWN COMMISSIONERS.

H.B. 1656, AN ACT TO AUTHORIZE THE APPOINTMENT OF A SPECIAL BOARD OF EQUALIZATION AND REVIEW FOR LINCOLN COUNTY.

H.B. 1659, AN ACT TO ESTABLISH NO-WAKE SPEED ZONES IN CARTERET COUNTY.

H.B. 1695, AN ACT TO MAKE CHANGES IN THE CHARTER OF THE CITY OF NEW BERN RELATING TO THE MAYOR AND MAYOR PRO TEM.

H.B. 1732, AN ACT AUTHORIZING THE TOWN OF OCEAN ISLE BEACH TO PROTECT AND REGULATE EROSION CONTROL WORKS AS A PUBLIC ENTERPRISE.

H.B. 1739, AN ACT TO AMEND THE CHARTER OF THE CITY OF ASHEVILLE RESPECTING THE CALLING OF SPECIAL MEETINGS, AND TO REPEAL AN ACT RESPECTING THE REMOVAL OF GARBAGE WITHIN THAT CITY.

H.B. 1744, AN ACT AMENDING THE CHARTER OF THE TOWN OF ROWLAND TO PROVIDE THAT TOWN ELECTIONS SHALL BE CONDUCTED USING THE NONPARTISAN PLURALITY METHOD.

H.B. 1756, AN ACT TO REPEAL CHAPTER 61 OF THE 1989 SESSION LAWS WHICH ALLOWED PASQUOTANK COUNTY ADDITIONAL FLEXIBILITY TO FUND PUBLIC SCHOOL CONSTRUCTION.

H.B. 1779, AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE THE CITY TO ESTABLISH REQUIREMENTS CONCERNING SWEATSHOPS.

H.B. 1783, AN ACT ALLOWING THE DISPOSITION OF CERTAIN PROPERTY OF THE TOWN OF OCEAN ISLE BEACH, THE CITY OF KINSTON, AND LENOIR COUNTY BY PRIVATE SALE.

H.B. 1802, AN ACT TO AMEND THE CHARTER OF THE CITY OF SALISBURY TO ALLOW THE SALE OF PROPERTY LOCATED WITHIN A DESIGNATED

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COMMUNITY AND ECONOMIC DEVELOPMENT 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:

H.B. 1667, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF CHARLOTTE. (Became law upon ratification, June 29, 2000 - S.L. 2000-26.)

S.B. 1190, AN ACT TO ANNEX A TRACT TO THE TOWN OF CAROLINA BEACH AND TO ALLOW STREET ASSESSMENTS WITHOUT PETITION IN THAT TRACT. (Became law upon ratification, June 29, 2000 - S.L. 2000-27.)

H.B. 1504, AN ACT TO AMEND THE CHARTER OF THE TOWN OF VALDESE TO INCREASE THE MAYOR'S TERM OF OFFICE FROM TWO TO FOUR YEARS. (Became law upon ratification, June 29, 2000 - S.L. 2000-28.)

H.B. 1507, AN ACT TO REPEAL THE PROHIBITION ON LEG-GRIPPING TRAPS IN DUPLIN COUNTY. (Became law upon ratification, June 29, 2000 - S.L. 2000-29.)

H.B. 1536, AN ACT TO PROVIDE STAGGERED TERMS FOR THE SYLVA TOWN COUNCIL AND TO PROVIDE FOR NONPARTISAN ELECTIONS. (Became law upon ratification, June 29, 2000 - S.L. 2000-30.)

H.B. 1546, AN ACT TO PROVIDE THAT ALEXANDER, ANSON, AND SCOTLAND COUNTIES MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS CORRECTIONAL FACILITIES. (Became law upon ratification, June 29, 2000 - S.L. 2000-31.)

H.B. 1587, AN ACT TO ANNEX A DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF SEAGROVE AND PROVIDE THAT IT SHALL NOT BE CONSIDERED IN CALCULATING THE MAXIMUM AMOUNT OF SATELLITE ANNEXATIONS ALLOWED FOR THAT TOWN. (Became law upon ratification, June 29, 2000 - S.L. 2000-32.)

H.B. 1606, AN ACT AUTHORIZING THE CITY OF HIGH POINT TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE. (Became law upon ratification, June 29, 2000 - S.L. 2000-33.)

H.B. 1675, AN ACT AMENDING THE CHARTER OF THE TOWN OF MAYODAN TO ELIMINATE THE REQUIREMENT THAT THE TOWN MANAGER MUST RESIDE WITHIN TOWN LIMITS. (Became law upon ratification, June 29, 2000 - S.L. 2000-34.)

H.B. 1579, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF MONROE. (Became law upon ratification, June 29, 2000 - S.L. 2000-35.)

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the June 30, 2000
reports accompanying them, and take their place on the Calendar, as follows:

By Senator Kerr for the Finance Committee:

S.B. 1529, A BILL TO BE ENTITLED AN ACT TO ADJUST AND ADD FEES CHARGED BY 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 8675 is adopted and engrossed.

With unanimous consent, upon motion of Senator Kerr, the rules are suspended and the Committee Substitute bill is placed at the end of today’s Calendar.

H.B. 1647 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE TO USE THE PROCEDURES OF CHAPTER 136 OF THE GENERAL STATUTES FOR CONDEMNATION FOR ECONOMIC DEVELOPMENT PURPOSES WITHIN A DEFINED AREA, 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 8217 is adopted and engrossed.

With unanimous consent, upon motion of Senator Kerr, the rules are suspended and the Senate Committee Substitute bill is placed at the end of today’s Calendar.

H.B. 1748 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE PURPOSES FOR WHICH THE GRANVILLE COUNTY OCCUPANCY TAX CAN BE USED FOR A LIMITED PERIOD OF TIME, TO ESTABLISH A TOURISM DEVELOPMENT AUTHORITY, AND TO MAKE TECHNICAL 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 A264, which changes the title upon concurrence to read H.B. 1748 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE PURPOSES FOR WHICH THE GRANVILLE COUNTY OCCUPANCY TAX CAN BE USED FOR A LIMITED PERIOD OF TIME, TO ESTABLISH A TOURISM DEVELOPMENT AUTHORITY, TO MAKE TECHNICAL CHANGES, TO CHANGE THE PURPOSES FOR WHICH THE BANNER ELK OCCUPANCY TAX MAY BE USED, AND TO MAKE CONFORMING CHANGES, is adopted and engrossed.

With unanimous consent, upon motion of Senator Kerr, the rules are suspended and the Senate Committee Substitute bill is placed at the end of today’s Calendar.

**CALENDAR (Continued)**

H.B. 1520 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO THE USE OF RESTRAINTS AND SECLUSION IN CERTAIN FACILITIES, REQUIRING THE REPORTING OF CERTAIN DEATHS IN CERTAIN FACILITIES, AND IMPOSING A PENALTY FOR FAILURE TO REPORT.

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. 1638 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE AMBIENT AIR QUALITY, TO PROVIDE FOR THE USE OF ON-BOARD
DIAGNOSTIC EQUIPMENT IN THE MOTOR VEHICLE EMISSIONS INSPECTION AND MAINTENANCE PROGRAM, AND TO EXCLUDE FEDERAL CONGESTION MITIGATION AND AIR QUALITY FUNDS FROM THE DISTRIBUTION FORMULA FOR FUNDS EXPENDED ON TRANSPORTATION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The President Pro Tempore orders, without objection, the Senate Committee Substitute bill temporarily displaced.

REPORTS OF COMMITTEES (Continued)

By Senator Miller for the Judiciary II Committee:

H.B. 979 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE RIGHTS OF A DECEDEDET'S SPOUSE, 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 8216 is adopted and engrossed.

With unanimous consent, upon motion of Senator Miller, the rules are suspended and the Senate Committee Substitute bill is placed on today's Calendar.

CALENDAR (Continued)

S.B. 897 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE TITLE PROTECTION FOR THE SAFETY PROFESSION, for concurrence in House Committee Substitute bill No. 2.

The President Pro Tempore rules that House Committee Substitute bill No. 2 does not require a call of the roll.

The Senate concurs in the House Committee Substitute bill No. 2 (44-0) and the measure is ordered enrolled and sent to the Governor, by special message.

S.B. 1269 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT LIABILITY WHEN A PERSON USES AN AUTOMATED EXTERNAL DEFIBRILLATOR TO RENDER EMERGENCY HEALTH CARE TREATMENT TO ATTEMPT TO SAVE THE LIFE OF A PERSON WHO IS IN OR WHO APPEARS TO BE IN CARDIAC ARREST, 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, by special message.

S.B. 1316 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO AUTHORIZE THE BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS TO ADOPT RULES TO REQUIRE ADDITIONAL INFORMATION PRIOR TO THE REEXAMINATION OF AN APPLICANT; LIMIT THE NUMBER OF OFFICES A LICENSEE MAY SUPERVISE; AND CHANGE THE ANNUAL LICENSE RENEWAL DATE FOR BUSINESSES, for concurrence in the House Committee Substitute bill, which changes the title upon concurrence to read S.B. 1316 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ADDITIONAL INFORMATION PRIOR TO THE REEXAMINATION OF CANDIDATES FOR ENGINEERING AND SURVEYING LICENSURE; TO CHANGE THE ANNUAL ENGINEERING AND SURVEYING LICENSE EXPIRATION DATE FOR BUSINESSES; TO AUTHORIZE THE BOARD OF EXAMINERS FOR ENGINEERS
AND SURVEYORS TO ADOPT RULES REGULATING THE OPERATION OF ENGINEERING AND LAND SURVEYING OFFICES; AND TO AUTHORIZE SOIL SCIENTISTS LICENSED UNDER CHAPTER 89F OF THE GENERAL STATUTES TO FORM PROFESSIONAL CORPORATIONS UNDER CHAPTER 55B OF THE GENERAL STATUTES AND LIMITED LIABILITY COMPANIES UNDER CHAPTER 57C OF THE GENERAL STATUTES.

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.

COMMITTEE REFERRAL

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 INSURED OR ENROLLEES CAUSED BY THE MANAGED CARE ENTITY'S FAILURE TO EXERCISE ORDINARY CARE, ordered held in the Office of the Principal Clerk on July 20, 1999, pending referral to committee.

The Committee Substitute bill No. 2 is withdrawn from the Office of the Principal Clerk and referred to the Judiciary I Committee.

The Senate recesses at 11:22 A.M. for the purpose of a State and Local Government Committee meeting, to reconvene at 11:40 A.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

REPORTS OF COMMITTEES (Continued)

By Senator Kinnaird for the State and Local Government Committee:

H.B. 1767 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND MECKLENBURG COUNTY'S AUTHORITY TO SELL COUNTY-OWNED REAL ESTATE, with a favorable report.

With unanimous consent, upon motion of Senator Kinnaird, the Committee Substitute bill is placed on today's Calendar.

H.B. 1784, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE BOUNDARIES OF THE SWIFT CREEK AREA SUBJECT TO AN ADVISORY REFERENDUM, with a favorable report.

With unanimous consent, upon motion of Senator Kinnaird, the rules are suspended and the bill is placed on today's Calendar.

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:

H.B. 1508 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE FINGERPRINTING REQUIREMENT FOR RENEWAL OF A CONCEALED HANDGUN PERMIT WHERE DOING SO WOULD NOT IMPEDER
CRIMINAL RECORD UPDATES; TO DECREASE THE FEE FOR RENEWAL OF A CONCEALED HANDGUN PERMIT; AND TO CLARIFY THAT THE RELEASE FORM SUBMITTED FOR A CONCEALED HANDGUN APPLICANT'S MENTAL HEALTH RECORDS MAY BE AN ORIGINAL OR PHOTOCOPIED FORM.

Referred to Finance Committee.

CALENDAR (Continued)

S.B. 1529 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADJUST AND ADD FEES CHARGED BY THE REGISTER OF DEEDS, placed earlier on today’s Calendar.

The Committee Substitute bill passes its second (41-0) and third readings and is ordered sent, by special message, to the House of Representatives.

H.B. 1748 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE PURPOSES FOR WHICH THE GRANVILLE COUNTY OCCUPANCY TAX CAN BE USED FOR A LIMITED PERIOD OF TIME, TO ESTABLISH A TOURISM DEVELOPMENT AUTHORITY, TO MAKE TECHNICAL CHANGES, TO CHANGE THE PURPOSES FOR WHICH THE BANNER ELK OCCUPANCY TAX MAY BE USED, AND TO MAKE CONFORMING CHANGES, upon second reading, placed earlier on today’s Calendar, which title changes upon concurrence.

The Senate Committee Substitute bill passes its second reading by roll-call vote, ayes 39, noes 0, as follows:


Voting in the negative: None.

The Senate Committee Substitute bill is ordered placed on the Calendar for Wednesday, July 5, upon third reading.

H.B. 1647 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE TO USE THE PROCEDURES OF CHAPTER 136 OF THE GENERAL STATUTES FOR CONDEMNATION FOR ECONOMIC DEVELOPMENT PURPOSES WITHIN A DEFINED AREA, placed earlier on today’s Calendar.

The President Pro Tempore rules that the Senate Committee Substitute bill does not require a call of the roll.

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.

The Chair grants a leave of absence for the remainder of today’s Session to Senator Dalton.

H.B. 979 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE RIGHTS OF A DECEDEDET'S SPOUSE, placed earlier on today’s Calendar.

Senator Hagan offers Amendment No. 1 which is adopted (43-0).

The Senate Committee Substitute bill, as amended, passes its second reading (41-1).

June 30, 2000
Senator Hagan objects to third reading of the measure. Pursuant to Rule 50, the President Pro Tempore orders the measure placed on the Calendar for Wednesday, July 5, upon third reading.

H.B. 1767 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND MECKLENBURG COUNTY’S AUTHORITY TO SELL COUNTY-OWNED REAL ESTATE, placed earlier on today’s Calendar.

The Committee Substitute bill passes its second (43-0) and third readings and is ordered enrolled.

H.B. 1784, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE BOUNDARIES OF THE SWIFT CREEK AREA SUBJECT TO AN ADVISORY REFERENDUM, placed earlier on today’s Calendar.

The bill passes its second (43-0) and third readings and is ordered enrolled.

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. 1343 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA RURAL INTERNET ACCESS AUTHORITY AND TO DIRECT THE REGIONAL PARTNERSHIPS, WITH THE ASSISTANCE OF THE NORTH CAROLINA RURAL ECONOMIC DEVELOPMENT CENTER, TO STUDY AND REPORT ON THE INFORMATION TECHNOLOGY INFRASTRUCTURE AND INFORMATION TECHNOLOGY NEEDS OF THE STATE, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Rand, the rules are suspended, without objection, and the House Committee Substitute bill is placed before the Senate for immediate consideration.

The Senate fails to concur in the House Committee Substitute bill (0-43).

Senator Rand offers a motion that the Senate appoint conferees, which motion prevails.

Senator Rand announces the appointment of Senator Reeves, Chairman, and Senators Allran, Jordan, and Metcalf 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.

CALENDAR (Continued)

H.B. 1819 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE THE RURAL REDEVELOPMENT AUTHORITY TO FINANCE RURAL ECONOMIC DEVELOPMENT PROJECTS AND INVEST IN RURAL BUSINESS DEVELOPMENT, upon second reading, temporarily displaced earlier.

The President Pro Tempore rules that the Committee Substitute bill No. 2 does not require a call of the roll.

Senator Kerr offers Amendment No. 1 which is adopted (42-0).

The Committee Substitute bill No. 2, as amended, passes its second reading (42-0).

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 Wednesday, July 5, upon third reading.

June 30, 2000
APPOINTMENT OF CONFERENCE COMMITTEE

H.B. 1544, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A TAXPAYER IS ENTITLED TO A REFUND OF AN OVERPAYMENT OF THE STATE EXCISE TAX ON CONVEYANCES.

Pursuant to the message from the House of Representatives received on June 28, that the House fails to concur in Senate Amendment No. 1 to H.B. 1544 and requests conferees, Senator Rand offers a motion that the Senate appoint conferees, which motion prevails.

Senator Rand announces the appointment of Senator Kerr, Chairman, and Senator Gulley and Senator Hoyle 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.

The Senate recesses at 1:04 P.M. 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.

Upon the appearance of Senator Dalton and Senator Gulley 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 Carpenter.

REPORTS OF COMMITTEES (Continued)

By Senator Kerr for the Finance Committee:

H.B. 1508 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE FINGERPRINTING REQUIREMENT FOR RENEWAL OF A CONCEALED HANDGUN PERMIT WHERE DOING SO WOULD NOT IMPEDE CRIMINAL RECORD UPDATES; TO DECREASE THE FEE FOR RENEWAL OF A CONCEALED HANDGUN PERMIT; AND TO CLARIFY THAT THE RELEASE FORM SUBMITTED FOR A CONCEALED HANDGUN APPLICANT'S MENTAL HEALTH RECORDS MAY BE AN ORIGINAL OR PHOTOCOPIED FORM, with a favorable report.

With unanimous consent, upon motion of Senator Kerr, the rules are suspended and the Committee Substitute bill remains before the Senate for immediate consideration, upon second reading.

The President Pro Tempore rules that the Committee Substitute bill does not require a call of the roll.

Senator Odom offers Amendment No. 1 which is adopted (41-2), which changes the title upon concurrence to read H.B. 1508 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE FINGERPRINTING REQUIREMENT FOR RENEWAL OF A CONCEALED HANDGUN PERMIT WHERE DOING SO WOULD NOT IMPEDE CRIMINAL RECORD UPDATES; TO DECREASE THE FEE FOR RENEWAL OF A CONCEALED HANDGUN PERMIT; TO EXTEND THE CONCEALED HANDGUN PERMIT PERIOD TO FIVE YEARS; AND TO CLARIFY THAT THE RELEASE FORM SUBMITTED FOR A CONCEALED HANDGUN

June 30, 2000
APPLICANT’S MENTAL HEALTH RECORDS MAY BE AN ORIGINAL OR PHOTOCOPIED FORM.

The Committee Substitute bill, as amended, passes its second reading (42-1) and third reading (42-1) and is ordered sent, by special message, to the House of Representatives, for concurrence in Senate Amendment No. 1.

REPORTS OF COMMITTEES (Continued)

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

H.B. 1431 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION A TOBACCO TRUST FUND AND A HEALTH TRUST FUND AND COMMISSIONS TO ADMINISTER THOSE FUNDS AND TO PROVIDE IMMUNITY FOR PHASE II OFFICIALS, 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 A266, which changes the title upon concurrence to read H.B. 1431 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF THE HEALTH AND WELLNESS TRUST FUND AND ITS COMMISSION, THE CREATION OF THE TOBACCO TRUST FUND AND ITS COMMISSION, TO AMEND THE AUTHORITY OF THE GENERAL ASSEMBLY RELATIVE TO THE NONPROFIT CORPORATION ESTABLISHED PURSUANT TO THE TOBACCO SETTLEMENT CONSENT DECREE, AND TO MAKE CONFORMING CHANGES, is adopted and engrossed.

With unanimous consent, upon motion of Senator Rand, the rules are suspended and the Senate Committee Substitute bill remains before the Senate for immediate consideration.

Without objection, upon motion of Senator Horton, the comments made by Senator Horton and Senator Rand regarding H.B. 1431 are spread upon the Journal as follows:

Senator Horton:

“Senator Rand, really, none of us have had a lot of time to go over this. I know you understand, so I may be speaking out of sheer ignorance, but on page 2 of the explanatory notes, it indicates that tobacco related businesses and tobacco related employment exclude the manufacturing of tobacco products or the sale of tobacco products at wholesale or retail. My question concerns the tobacco warehouse industry. As you know, that is a single purpose industry and if the warehouse system ever ends, that entire industry can simply be wiped aside. It has employed thousands of people at the various tobacco markets of our State. My question is whether it is intended that warehousing and people employed in the tobacco warehouse business are to be excluded from the benefits of this tobacco trust fund?”

Senator Rand:

“It does not. It says the term does not include the manufacturing of tobacco products or the sale of tobacco products at wholesale or retail. It doesn’t say tobacco itself, but let me, I understand what you’re talking about. Let me look at this a minute more. It is not intended in anyway to take warehouse men out of the equation. They should be a…”

Senator Horton:

“It is the purpose of the bill that they be included?”

Senator Rand:

“Yes, it is.”

June 30, 2000
Senator Rand offers Amendment No. 1 which is adopted (43-1).

The Senate Committee Substitute bill, as amended, 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.

CALENDAR (Continued)

H.B. 1638 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE AMBIENT AIR QUALITY, TO PROVIDE FOR THE USE OF ON-BOARD DIAGNOSTIC EQUIPMENT IN THE MOTOR VEHICLE EMISSIONS INSPECTION AND MAINTENANCE PROGRAM, AND TO EXCLUDE FEDERAL CONGESTION MITIGATION AND AIR QUALITY FUNDS FROM THE DISTRIBUTION FORMULA FOR FUNDS EXPENDED ON TRANSPORTATION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, temporarily displaced earlier.

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 5.

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. 1639 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A TAX INCENTIVE FOR THE REDEVELOPMENT OF BROWNFIELDS PROPERTIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to Finance Committee.

H.B. 1838 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN SHALL COVER THE COST OF ONE ANNUAL PAP SMEAR FOR ANY COVERED FEMALE UNDER THE PLAN’S WELLNESS BENEFIT AND TO ALLOW INDIVIDUALS EXCLUDED FROM MEMBERSHIP IN THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN FOR FILING FRAUDULENT CLAIMS TO BE CONSIDERED FOR REINSTATEMENT IN THE PLAN.

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

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

S.B. 1343                            House of Representatives
                                      June 30, 2000

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that Representative Nesbitt has been added as one of the conferees on House Committee Substitute for SB 1343, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA RURAL INTERNET ACCESS AUTHORITY AND TO DIRECT THE REGIONAL PARTNERSHIPS, WITH THE ASSISTANCE OF THE NORTH
CAROLINA RURAL ECONOMIC DEVELOPMENT CENTER, TO STUDY AND REPORT ON THE INFORMATION TECHNOLOGY INFRASTRUCTURE AND INFORMATION TECHNOLOGY NEEDS OF THE STATE.

Respectfully,
S/Denise Weeks
Principal Clerk

The Senate recesses at 3:05 P.M. to reconvene at 4:00 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

CONFERENCE REPORT

H.B. 1840

Senator Plyler, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon H.B. 1840 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1999 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, 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 1840, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1999 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, Senate Appropriations/Base Budget Committee Substitute, Fifth Edition Engrossed 6/22/2000, 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 6/22/2000, and the House concurs in the Senate Appropriations/Base Budget Committee Substitute, Fifth Edition Engrossed 6/22/2000, with the following amendment:

Delete the entire Senate Appropriations/Base Budget Committee Substitute, Fifth Edition Engrossed 6/22/2000, and substitute the attached Proposed Conference Committee Substitute H1840-PCCS7390.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 30, 2000.

S/Aaron Plyler
S/Bev Perdue

S/Ruth M. Easterling
S/David Redwine

June 30, 2000
Senator Albertson, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon H.B. 1562, (Senate Committee

June 30, 2000
Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE BY WHICH THE HOLDER OF A STANDARD COMMERCIAL FISHING LICENSE WILL BE ALLOWED TO TAKE CRABS, TO ALLOW THE HOLDER OF AN INTERIM CRAB LICENSE TO OBTAIN A STANDARD COMMERCIAL FISHING LICENSE, TO PROHIBIT THE MARINE FISHERIES COMMISSION FROM ESTABLISHING FEES FOR CERTAIN PERMITS, TO ABOLISH CERTAIN EXISTING PERMIT FEES, AND TO INCREASE THE AMOUNT OF GILL NET AUTHORIZED FOR USE UNDER A RECREATIONAL COMMERCIAL GEAR LICENSE, 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 1562, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE BY WHICH THE HOLDER OF A STANDARD COMMERCIAL FISHING LICENSE WILL BE ALLOWED TO TAKE CRABS, TO ALLOW THE HOLDER OF AN INTERIM CRAB LICENSE TO OBTAIN A STANDARD COMMERCIAL FISHING LICENSE, TO PROHIBIT THE MARINE FISHERIES COMMISSION FROM ESTABLISHING FEES FOR CERTAIN PERMITS, TO ABOLISH CERTAIN EXISTING PERMIT FEES, AND TO INCREASE THE AMOUNT OF GILL NET AUTHORIZED FOR USE UNDER A RECREATIONAL COMMERCIAL GEAR LICENSE, Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 6/13/00 (Second Edition), submit the following report:

The House of Representatives concurs in the Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 6/13/00 (Second Edition). The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 30, 2000.

S/Luther H. Jordan  S/Ronald L. Smith
S/Robert G. Shaw  S/William L. Wainwright
E. David Redwine
S/Arlie F. Culp

Conferees for the Senate  Conferees for the House of Representatives

Upon motion of Senator Albertson, the rules are suspended and the Conference Report is placed before the Senate for immediate consideration.

Upon his further motion, the Conference Report is adopted (44-0) and 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 Soles, the Senate adjourns at 5:11 P.M. subject to receipt of messages from the House of Representatives and ratification of bills, to meet Tuesday, July 4, at 7:00 P.M.

June 30, 2000
SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

H.B. 1840

House of Representatives
June 30, 2000

Mr. President:

Pursuant to your message that you have adopted the report of the Conferees for Conference Committee Substitute to HB 1840, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1999 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, 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

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

H.B. 1506, AN ACT TO REQUIRE ESTABLISHMENTS THAT PREPARE OR SERVE FOOD TO A CERTAIN NUMBER OF REGULAR BOARDERS OR PERMANENT HOUSEGUESTS COMPLY WITH STATE FOOD SANITATION REQUIREMENTS.

H.B. 1519, AN ACT TO ESTABLISH THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, AND TO DIRECT THE OVERSIGHT COMMITTEE TO DEVELOP A PLAN TO REFORM THE STATE SYSTEM FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

H.B. 1840, AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1999 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.

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

S.B. 1263, AN ACT TO PERMIT THE CITY OF CHARLOTTE TO USE WHEEL LOCKS TO ENFORCE PARKING ORDINANCES.

H.B. 1598, AN ACT TO PROVIDE PROPER REPRESENTATION FROM THE TOWN OF OAK ISLAND ON THE BRUNSWICK COUNTY AIRPORT COMMISSION, TO EXPAND THE BURLINGTON-ALAMANCE AIRPORT AUTHORITY, AND ALLOWING THE TOWN COUNCIL OF THE TOWN OF OAK ISLAND TO SET HEIGHT LIMITS NORTH OF THE INTRACOASTAL WATERWAY IN ACCORDANCE WITH GENERAL LAW.

June 30, 2000
H.B. 1648, AN ACT AUTHORIZING THE CITY OF CHARLOTTE TO PURCHASE PUBLIC TRANSIT EQUIPMENT USING THE COMPETITIVE PROPOSAL METHOD OF PROCUREMENT.

H.B. 1670, AN ACT TO AMEND THE CHARTER OF THE TOWN OF MARSHVILLE AND OTHER LAWS RELATING TO THE TOWN BY DELETING THROUGHOUT THE WORDS "BOARD OF ALDERMEN", "BOARD", AND "ALDERMAN" AND SUBSTITUTING, AS APPROPRIATE, THE WORDS "TOWN COUNCIL" AND "COUNCIL MEMBER".

H.B. 1730, AN ACT CONCERNING ANNEXATION AND EXTRATERRITORIAL ZONING IN THE VILLAGE OF SUGAR MOUNTAIN.

H.B. 1753, AN ACT TO REDUCE THE PISTOL PERMIT FEE IN MARTIN COUNTY FROM TWENTY DOLLARS TO FIVE DOLLARS.

H.B. 1767, AN ACT TO EXPAND MECKLENBURG COUNTY'S AUTHORITY TO SELL COUNTY-OWNED REAL ESTATE.

H.B. 1784, AN ACT TO CLARIFY THE BOUNDARIES OF THE SWIFT CREEK AREA SUBJECT TO AN ADVISORY REFERENDUM.

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. 1293, AN ACT TO MODIFY THE TAX LIMIT FOR THE TOWN OF BADIN. (Became law upon ratification, June 30, 2000 – S.L. 2000-36.)

H.B. 1553, AN ACT TO AUTHORIZE THE CITY OF LUMBERTON AND THE TOWN OF PINEVILLE TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION AND TO RESTORE THE APPLICABILITY OF THE STATUTE TO THE CITY OF GREENVILLE AFTER ITS ENACTMENT IN 1999 AND ERRONEOUS DELETION IN A LATER ACT THAT SAME YEAR. (Became law upon ratification, June 30, 2000 – S.L. 2000-37.)

H.B. 1555, AN ACT AUTHORIZING THE CITY OF GASTONIA TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE. (Became law upon ratification, June 30, 2000 – S.L. 2000-38.)


H.B. 1656, AN ACT TO AUTHORIZE THE APPOINTMENT OF A SPECIAL BOARD OF EQUALIZATION AND REVIEW FOR LINCOLN COUNTY. (Became law upon ratification, June 30, 2000 – S.L. 2000-40.)
H.B. 1659, AN ACT TO ESTABLISH NO-WAKE SPEED ZONES IN CARTERET COUNTY. (Became law upon ratification, June 30, 2000 – S.L. 2000-41.)

H.B. 1695, AN ACT TO MAKE CHANGES IN THE CHARTER OF THE CITY OF NEW BERN RELATING TO THE MAYOR AND MAYOR PRO TEM. (Became law upon ratification, June 30, 2000 – S.L. 2000-42.)

H.B. 1732, AN ACT AUTHORIZING THE TOWN OF OCEAN ISLE BEACH TO PROTECT AND REGULATE EROSION CONTROL WORKS AS A PUBLIC ENTERPRISE. (Became law upon ratification, June 30, 2000 – S.L. 2000-43.)

H.B. 1739, AN ACT TO AMEND THE CHARTER OF THE CITY OF ASHEVILLE RESPECTING THE CALLING OF SPECIAL MEETINGS, AND TO REPEAL AN ACT RESPECTING THE REMOVAL OF GARBAGE WITHIN THAT CITY. (Became law upon ratification, June 30, 2000 – S.L. 2000-44.)

H.B. 1744, AN ACT AMENDING THE CHARTER OF THE TOWN OF ROWLAND TO PROVIDE THAT TOWN ELECTIONS SHALL BE CONDUCTED USING THE NONPARTISAN PLURALITY METHOD. (Became law upon ratification, June 30, 2000 – S.L. 2000-45.)

H.B. 1756, AN ACT TO REPEAL CHAPTER 61 OF THE 1989 SESSION LAWS WHICH ALLOWED PASQUOTANK COUNTY ADDITIONAL FLEXIBILITY TO FUND PUBLIC SCHOOL CONSTRUCTION. (Became law upon ratification, June 30, 2000 – S.L. 2000-46.)

H.B. 1779, AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE THE CITY TO ESTABLISH REQUIREMENTS CONCERNING SWEATSHOPS. (Became law upon ratification, June 30, 2000 – S.L. 2000-47.)


H.B. 1802, AN ACT TO AMEND THE CHARTER OF THE CITY OF SALISBURY TO ALLOW THE SALE OF PROPERTY LOCATED WITHIN A DESIGNATED COMMUNITY AND ECONOMIC DEVELOPMENT PROJECT AREA. (Became law upon ratification, June 30, 2000 – S.L. 2000-49.)

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. 1200 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL VOLUNTARY MUNICIPAL PARTICIPATION IN ROAD CONSTRUCTION, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is ordered held in the Office of the Principal Clerk, pending referral.

June 30, 2000
S.B. 1311 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF THE MOUNTAINS TO SEA STATE PARK TRAIL TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, for concurrence in House Amendment No. 1, which is ordered placed on the Calendar for Wednesday, July 5.

H.B. 1607 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE BAIL BOND FORFEITURE PROCEEDINGS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S BAIL BOND LAWS COMMITTEE.

The Committee Substitute bill is ordered held in the Office of the Principal Clerk, pending referral to committee.

Pursuant to Senator Ballance's motion to adjourn having prevailed, the Senate adjourns at 7:16 P.M.

ONE HUNDRED THIRTY-FIFTH DAY

Senate Chamber
Tuesday, July 4, 2000

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:

"Oh God of all the nations, we approach You on this Independence Day with a profound sense of gratitude for the blessings of our land. We are moved with pride for the beauty of our Nation, and for its sheer size and diversity. We are grateful for the founders of our Nation, many of whom sacrificed their lives to secure the freedoms we enjoy, not the least of which was the freedom to practice our faith. How ironic that we may be the most religiously free Nation on earth, and yet how tepid is our religious devotion at times.

"Oh God, replace our zealous patriotism with an even greater zeal for human cooperation. Subdue our quest for power over others, and instill in us a commitment for exercising power with others. Grant us insight to recognize the aspirations of persons outside of our District and our State and Nation as the common experience of Your one human family. This we pray in Your Holy Name, Amen."


Senator Rand announces the Journal of Friday, 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.

July 4, 2000
PLEDGE OF ALLEGIANCE

Led by the President Pro Tempore, the members, guests, and all those present stand and pledge allegiance to the flag of the United States of America.

COMMITTEE REFERRAL RECALL

H.B. 1502, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL COURT OFFICIALS TO RESPOND TO ADVERSE WEATHER AND OTHER EMERGENCY SITUATIONS BY CANCELING COURT SESSIONS AND CLOSING COURT OFFICES AND TO AUTHORIZE THE CHIEF JUSTICE TO EXTEND STATUTES OF LIMITATIONS AND OTHER COMPARABLE DEADLINES IN RESPONSE TO CATASTROPHIC CONDITIONS, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION, referred to the Judiciary II Committee on May 30.

Pursuant to Rule 47(a), Senator Rand offers a motion that the 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 bill withdrawn from the Judiciary II Committee and re-refers the measure to the Judiciary I Committee.

H.B. 1804 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, referred to the Appropriations/Base Budget Committee on June 22.

Pursuant to Rule 47(a), Senator Rand offers a motion that the Committee Substitute bill No. 2 be withdrawn from the Appropriations/Base Budget Committee 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 Appropriations/Base Budget Committee and re-refers the measure to the Judiciary I Committee.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 897, AN ACT TO PROVIDE TITLE PROTECTION FOR THE SAFETY PROFESSION.

S.B. 1215, AN ACT TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES PERTAINING TO MEDICAL CARE COMMISSION AUTHORITY TO ADOPT RULES REGULATING ADULT CARE HOMES AND SOCIAL SERVICES COMMISSION AUTHORITY TO ADOPT RULES PERTAINING TO PUBLIC ASSISTANCE PROGRAMS.

S.B. 1234, AN ACT TO REQUIRE THAT ADULT CARE HOMES AND NURSING HOMES ENSURE THAT RESIDENTS AND EMPLOYEES ARE IMMUNIZED AGAINST INFLUENZA VIRUS AND THAT RESIDENTS ARE ALSO IMMUNIZED AGAINST PNEUMOCOCCAL DISEASE.

July 4, 2000
S.B. 1269, AN ACT TO LIMIT LIABILITY WHEN A PERSON USES AN AUTOMATED EXTERNAL DEFIBRILLATOR TO RENDER EMERGENCY HEALTH CARE TREATMENT TO ATTEMPT TO SAVE THE LIFE OF A PERSON WHO IS IN OR WHO APPEARS TO BE IN CARDIAC ARREST.

S.B. 1316, AN ACT TO REQUIRE ADDITIONAL INFORMATION PRIOR TO THE REEXAMINATION OF CANDIDATES FOR ENGINEERING AND SURVEYING LICENSURE; TO CHANGE THE ANNUAL ENGINEERING AND SURVEYING LICENSE EXPIRATION DATE FOR BUSINESSES; TO AUTHORIZE THE BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS TO ADOPT RULES REGULATING THE OPERATION OF ENGINEERING AND LAND SURVEYING OFFICES; AND TO AUTHORIZE SOIL SCIENTISTS LICENSED UNDER CHAPTER 89F OF THE GENERAL STATUTES TO FORM PROFESSIONAL CORPORATIONS UNDER CHAPTER 55B OF THE GENERAL STATUTES AND LIMITED LIABILITY COMPANIES UNDER CHAPTER 57C OF THE GENERAL STATUTES.

S.B. 1329, AN ACT TO PROVIDE FOR ADDITIONAL NOTICE OF AN APPLICATION FOR A PERMIT UNDER THE MINING ACT OF 1971, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

S.B. 1347, AN ACT TO MANDATE THE ASSESSMENT OF DRIVERS LICENSE POINTS FOR FAILURE TO RESTRAIN A CHILD IN A MOTOR VEHICLE.

H.B. 1551, AN ACT TO MODIFY THE AUTHORITY OF DEPARTMENT OF REVENUE LAW ENFORCEMENT AGENTS, TO ALLOW THE SECRETARY OF REVENUE TO ADMINISTER THE OATH OF OFFICE TO DEPARTMENT OF REVENUE LAW ENFORCEMENT AGENTS, TO PROVIDE A CIVIL PENALTY FOR FILING A FRIVOLOUS INCOME TAX RETURN, AND TO CHANGE THE PROCEDURES FOR LAW ENFORCEMENT REPORTING ON NON-TAX-PAID UNAUTHORIZED SUBSTANCES.

H.B. 1617, AN ACT TO AUTHORIZE THE ADDITION OF LEA ISLAND STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION; TO TRANSFER STATE PROPERTY IN BURKE COUNTY; AND TO REALLOCATE STATE LAND IN WAKE COUNTY TO THE DEPARTMENT OF CULTURAL RESOURCES FOR THE NORTH CAROLINA MUSEUM OF ART.

H.B. 1699, AN ACT TO EQUALIZE RESIDENT AND NONRESIDENT INSURANCE BROKER LICENSE FEES; TO MAKE NORTH CAROLINA INSURANCE PRODUCER LICENSING LAWS COMPLY WITH THE RECIPROCITY REQUIREMENTS IN THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102; TO AMEND THE MINIMUM EDUCATION REQUIREMENTS FOR THE DEPARTMENT OF INSURANCE FINANCIAL EXAMINER AND ANALYST APPLICANTS; TO AMEND THE DEFINITION OF "PERSON" IN THE BEACH AND FAIR PLAN LAWS; TO AMEND THE DEFINITION OF "BRANCH OFFICE" IN THE MOTOR CLUB LAWS; TO INCREASE THE BOND AMOUNT FOR MANUFACTURED HOUSING LICENSEES; TO REQUIRE NOTIFICATION TO THE MANUFACTURED HOUSING BOARD FROM MANUFACTURED HOUSING LICENSEES OF CHANGES IN OWNERSHIP CONTROL AND BANKRUPTCIES; AND TO EXPEDITE BUILDING PLAN REVIEWS BY EXEMPTING REVIEWS OF
COUNTY AND CITY BUILDINGS COMPRISING FEWER THAN TEN THOUSAND SQUARE FEET.

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

S.B. 1193, AN ACT TO RESOLVE A BOUNDARY OVERLAP BETWEEN THE RONDA AND ROARING RIVER VOLUNTEER FIRE TAX DISTRICTS IN WILKES COUNTY AND TO VALIDATE CERTAIN ACTIONS, AND TO EXPAND THE GLENDALE SPRINGS FIRE PROTECTION DISTRICT IN ASHE COUNTY.

S.B. 1289, AN ACT TO PERMIT MECKLENBURG COUNTY TO ENGAGE IN CONDITIONAL ZONING.

S.B. 1363, AN ACT ALLOWING THE CITY OF WHITEVILLE TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS.

S.B. 1382, AN ACT TO EXEMPT SURRY COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION AND EXPANSION OF A BUILDING TO BE USED AS A MULTIPURPOSE FACILITY.

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. 1514, AN ACT TO REPEAL THE SUNSET ON REQUIREMENTS PERTAINING TO THE REIMBURSEMENT RATE FOR THE RESPITE CARE PROGRAM, AND TO AUTHORIZE THE MEDICAL CARE COMMISSION TO ADOPT TEMPORARY RULES PERTAINING TO RESPITE CARE. (Became law upon approval of the Governor, June 30, 2000 – S.L. 2000-50.)

S.B. 1279, AN ACT TO PROVIDE THAT CERTAIN REQUIREMENTS RELATED TO LAND-USE RESTRICTIONS THAT APPLY GENERALLY TO RISK-BASED ENVIRONMENTAL CLEANUPS DO NOT APPLY TO CLEANUPS OF PETROLEUM FROM LEAKING UNDERGROUND STORAGE TANKS AND TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO CONTINUE TO STUDY THE APPLICATION OF LAND-USE RESTRICTIONS TO THE CLEANUP OF ENVIRONMENTAL DAMAGE FROM THESE TANKS THROUGH A STAKEHOLDER NEGOTIATION PROCESS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (Became law upon approval of the Governor, June 30, 2000 – S.L. 2000-51.)

H.B. 541, AN ACT TO AMEND THE STATUTES REGULATING THE OPERATION OF PERSONAL WATERCRAFT. (Became law upon approval of the Governor, June 30, 2000 – S.L. 2000-52.)

H.B. 1593, AN ACT TO EXTEND THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA. (Became law upon approval of the Governor, June 30, 2000 – S.L. 2000-53.)

July 4, 2000
H.B. 1618, AN ACT TO EXTEND THE DE MINIMIS REPORTING EXCEPTION TO ALL DISCHARGES OF PETROLEUM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (Became law upon the approval of the Governor, June 30, 2000 – S.L. 2000-54.)

S.B. 1179, AN ACT PERTAINING TO REPORTING REQUIREMENTS FOR THE HEALTH CARE PERSONNEL REGISTRY; IMPOSING PENALTIES FOR VIOLATIONS OF LICENSING AND OTHER REQUIREMENTS FOR CERTAIN MENTAL HEALTH FACILITIES; AND AUTHORIZING THE ADOPTION OF CERTAIN TEMPORARY AND PERMANENT RULES TO IMPLEMENT REQUIREMENTS FOR CERTAIN MENTAL HEALTH FACILITIES. (Became law upon the approval of the Governor, June 30, 2000 – S.L. 2000-55.)

H.B. 1560, AN ACT TO MAKE MODIFICATIONS TO THE WILLIAM S. LEE ACT AND TO RELATED ECONOMIC DEVELOPMENT LAWS. (Became law upon the approval of the Governor, June 30, 2000 – S.L. 2000-56.)

S.B. 1081, AN ACT TO PROVIDE ECONOMIC PARITY FOR THE HAULING OF AGGREGATE PRODUCTS FROM LIMITED AREAS OF THE STATE. (Became law upon the approval of the Governor, June 30, 2000 – S.L. 2000-57.)

H.B. 973, AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES ALLOWING A SUPERIOR COURT JUDGE TO PERFORM MARRIAGE CEREMONIES. (Became law upon the approval of the Governor, June 30, 2000 – S.L. 2000-58.)

S.B. 1263, AN ACT TO PERMIT THE CITY OF CHARLOTTE TO USE WHEEL LOCKS TO ENFORCE PARKING ORDINANCES. (Became law upon ratification, June 30, 2000 – S.L. 2000-59.)

H.B. 1598, AN ACT TO PROVIDE PROPER REPRESENTATION FROM THE TOWN OF OAK ISLAND ON THE BRUNSWICK COUNTY AIRPORT COMMISSION, TO EXPAND THE BURLINGTON-ALAMANCE AIRPORT AUTHORITY, AND ALLOWING THE TOWN COUNCIL OF THE TOWN OF OAK ISLAND TO SET HEIGHT LIMITS NORTH OF THE INTRACOASTAL WATERWAY IN ACCORDANCE WITH GENERAL LAW. (Became law upon ratification, June 30, 2000 – S.L. 2000-60.)

H.B. 1648, AN ACT AUTHORIZING THE CITY OF CHARLOTTE TO PURCHASE PUBLIC TRANSIT EQUIPMENT USING THE COMPETITIVE PROPOSAL METHOD OF PROCUREMENT. (Became law upon ratification, June 30, 2000 – S.L. 2000-61.)

H.B. 1730, AN ACT CONCERNING ANNEXATION AND EXTRATERRITORIAL ZONING IN THE VILLAGE OF SUGAR MOUNTAIN. (Became law upon ratification, June 30, 2000 - S.L. 2000-63.)

H.B. 1753, AN ACT TO REDUCE THE PISTOL PERMIT FEE IN MARTIN COUNTY FROM TWENTY DOLLARS TO FIVE DOLLARS. (Became law upon ratification, June 30, 2000 - S.L. 2000-64.)

H.B. 1767, AN ACT TO EXPAND MECKLENBURG COUNTY'S AUTHORITY TO SELL COUNTY-OWNED REAL ESTATE. (Became law upon ratification, June 30, 2000 - S.L. 2000-65.)

H.B. 1784, AN ACT TO CLARIFY THE BOUNDARIES OF THE SWIFT CREEK AREA SUBJECT TO AN ADVISORY REFERENDUM. (Became law upon ratification, June 30, 2000 - S.L. 2000-66.)


S.B. 328, AN ACT TO INCREASE THE FEE PAYABLE TO THE REGISTER OF DEEDS FOR THE FILING OF RIGHT-OF-WAY PLANS BY THE DEPARTMENT OF TRANSPORTATION. (Became law upon approval of the Governor, June 30, 2000 - S.L. 2000-68.)

H.B. 1539, AN ACT TO DESIGNATE THE STATE BOARD OF EDUCATION AS THE STATE EDUCATION AGENCY RESPONSIBLE FOR ADMINISTERING THE QUALIFIED ZONE ACADEMY BOND PROGRAM. (Became law upon approval of the Governor, June 30, 2000 - S.L. 2000-69.)

H.B. 1602, AN ACT TO CLARIFY THAT STORMWATER UTILITY FEES MAY BE USED TO FUND ALL COSTS OF STORMWATER MANAGEMENT PROGRAMS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (Became law upon approval of the Governor, June 30, 2000 - S.L. 2000-70.)

S.B. 1260, AN ACT TO AMEND THE PUBLIC RECORDS LAW TO PROTECT THE INTEGRITY OF ELECTRONIC RECORDS WITHIN THE STATE'S COMPUTER SYSTEMS. (Became law upon approval of the Governor, June 30, 2000 - S.L. 2000-71.)

H.B. 1302, AN ACT TO EXEMPT FROM TAX MOTOR FUEL SOLD TO CHARTER SCHOOLS. (Became law upon approval of the Governor, June 30, 2000 - S.L. 2000-72.)

S.B. 1318, AN ACT TO PROVIDE THAT AN ENTERPRISE TIER TWO AREA MAY NOT BE REDESIGNATED AS A HIGHER-NUMBERED TIER AREA UNTIL IT HAS BEEN AN ENTERPRISE TIER TWO AREA FOR TWO CONSECUTIVE YEARS. (Became law upon approval of the Governor, June 30, 2000 - S.L. 2000-73.)

July 4, 2000
H.B. 1625, AN ACT TO ESTABLISH A PILOT PROGRAM FOR THE REMOVAL OF ABANDONED VESSELS IN THE NEUSE RIVER BASIN. (Became law upon approval of the Governor, June 30, 2000 – S.L. 2000-74.)

H.B. 723, 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. (Became law upon approval of the Governor, June 30, 2000 – S.L. 2000-75.)

WITHDRAWAL FROM CLERK'S OFFICE

Special messages previously received in the Office of the Principal Clerk from the House of Representatives transmitting bills, ordered held in the Office of the Principal Clerk on June 30, pending referral to committee are withdrawn from the Principal Clerk’s Office and referred as follows:

H.B. 1607 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE BAIL BOND FORFEITURE PROCEEDINGS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S BAIL BOND LAWS COMMITTEE.

Referred to Judiciary II Committee.

H.B. 1608 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE SUPERVISION OF FIRST-YEAR BAIL BONDSMEN AND RUNNERS; TO MAKE IT A CLASS I FELONY FOR A PERSON TO ACT AS A RUNNER OF BAIL BONDSMAN WITHOUT OBTAINING AND MAINTAINING THE REQUIRED LICENSE OR FOR A BONDSMAN TO KNOWINGLY AND WILLFULLY FAIL TO RETURN ANY COLLATERAL SECURITY VALUED AT MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS; TO REQUIRE THAT COLLATERAL SECURITY IN THE FORM OF CASH OR NEGOTIABLE INSTRUMENTS BE HELD IN TRUST ACCOUNTS; TO PROVIDE FOR THE DISPOSITION OF OUTSTANDING BAIL BOND OBLIGATIONS UPON THE DEATH, OR TERMINAL ILLNESS OF A BAIL BONDSMAN; AND TO INCREASE THE MINIMUM SECURITIES DEPOSIT REQUIRED OF PROFESSIONAL BONDSMEN.

Referred to Judiciary II Committee.

H.B. 1696 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE COMMISSIONER OF INSURANCE AND STATE FIRE MARSHAL TO ESTABLISH PUBLIC PROTECTION CLASSIFICATIONS FOR FIRE INSURANCE RATING PURPOSES.

Referred to Insurance Committee.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

H.B. 1431
House of Representatives
June 30, 2000

July 4, 2000
Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in Senate Committee Substitute to HB 1431, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF THE HEALTH AND WELLNESS TRUST FUND AND ITS COMMISSION, THE CREATION OF THE TOBACCO TRUST FUND AND ITS COMMISSION, TO AMEND THE AUTHORITY OF THE GENERAL ASSEMBLY RELATIVE TO THE NONPROFIT CORPORATION ESTABLISHED PURSUANT TO THE TOBACCO SETTLEMENT CONSENT DECREE, AND TO MAKE CONFORMING CHANGES, and requests conferees. The Speaker has appointed:

Representative Miller, Chair;
Representative Alexander,
Representative Allen,
Representative Baddour,
Representative Daughtry,
Representative Russell, and
Representative Hill

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:

H.B. 1854

House of Representatives
June 30, 2000

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in Senate Committee Substitute # 2 to HB 1854, A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES AND THE INSURANCE REGULATORY CHARGE, TO INCREASE COURT COSTS, TO INCREASE JAIL FEES FOR PERSONS PAYING JAIL FEES PURSUANT TO PROBATIONARY SENTENCES, TO INCREASE THE FEE IMPOSED FOR EMERGENCY PLANNING, TO AUTHORIZE CERTAIN CHANGES IN PERMITS FOR OVERSIZE LOADS AND ESTABLISH PENALTIES FOR PERMIT VIOLATIONS, TO AUTHORIZE AGENCIES TO PROVIDE ACCESS TO SERVICES THROUGH ELECTRONIC AND DIGITAL TRANSACTIONS AND TO IMPOSE A FEE FOR THOSE TRANSACTIONS, AND TO REPEAL THE SUNSET OF THE WHITE GOODS TAX AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY ISSUES RELATED TO THE SCRAP TIRE DISPOSAL TAX AND THE WHITE GOODS DISPOSAL TAX, and requests conferees. The Speaker has appointed:

Representative Miller, Chair;
Representative Luebke,

July 4, 2000
Representative Daughtry, and
Representative Allen,

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:

H.B. 1562
House of Representatives
June 30, 2000

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House failed to adopt the Conference Report for the Senate Committee Substitute to HB 1562, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE BY WHICH THE HOLDER OF A STANDARD COMMERCIAL FISHING LICENSE WILL BE ALLOWED TO TAKE CRABS, TO ALLOW THE HOLDER OF AN INTERIM CRAB LICENSE TO OBTAIN A STANDARD COMMERCIAL FISHING LICENSE, TO PROHIBIT THE MARINE FISHERIES COMMISSION FROM ESTABLISHING FEES FOR CERTAIN PERMITS, TO ABOLISH CERTAIN EXISTING PERMIT FEES, AND TO INCREASE THE AMOUNT OF GILL NET AUTHORIZED FOR USE UNDER A RECREATIONAL COMMERCIAL GEAR LICENSE. The Speaker has appointed Representatives Redwine, Wainwright, and Edwards on the part of the House as new conferees 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

APPOINTMENT OF CONFERENCE COMMITTEE

H.B. 1431 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF THE HEALTH AND WELLNESS TRUST FUND AND ITS COMMISSION, THE CREATION OF THE TOBACCO TRUST FUND AND ITS COMMISSION, TO AMEND THE AUTHORITY OF THE GENERAL ASSEMBLY RELATIVE TO THE NONPROFIT CORPORATION ESTABLISHED PURSUANT TO THE TOBACCO SETTLEMENT CONSENT DECREE, AND TO MAKE CONFORMING CHANGES.

Pursuant to the message from the House of Representatives received today that the House of Representatives fails to concur in the Senate Committee Substitute and requests conferees, Senator Rand offers a motion that the Senate appoint conferees, which motion prevails.

Senator Rand announces the appointment of Senator Rand, Chairman, and Senators East, Forrester, Garrou, Gulley, Kerr, Martin of Guilford, Purcell, 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.
Upon motion of Senator Rand, seconded by Senator Miller, the Senate adjourns in memory of the signers of the Declaration of Independence, to meet tomorrow, Wednesday, July 5, at 1:30 P.M.

ONE HUNDRED THIRTY-SIXTH DAY

Senate Chamber
Wednesday, July 5, 2000

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:

"Loving God, we give You thanks for the July 4th holiday which has just passed. For the opportunity to reflect on the blessings of freedom and heritage and, quite honestly, the blessing of our families. For the opportunity to savor grilled hamburgers, homemade ice cream and sweet corn. We marvel each year at the unexpected thrill of fireworks in the dark sky and things that go boom in the night.

"God of all goodness, teach us to so value our lives and our days that we do not waste our time on this earth. Teach us to cherish each moment of life, to love the little things and to delight in the richness of Your good creation. And now, refreshed by our time apart, give us clarity of purpose and unity of spirit as we address the legislation before us in these closing days of our Session. This we pray in Your Holy Name, Amen."

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

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Tuesday, July 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 Pro Tempore of the Senate extends courtesies of the floor to Dr. Leopold Waldenberg from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day.

COURTESIES

Upon motion of Senator Dalton, privileges of the floor are extended to guests from the Governor’s School East Choral Students Program - 2000, who are escorted to the Well of the Senate by Senators Dalton, Garrou, Horton, Kinnaird, Lee, Miller and Reeves. The guests are received with a standing ovation.

Senator Dalton is recognized and introduces the guests to the Senate, who perform two short Latin musical presentations. Those present are: Joseph Milner, Governor’s School East Director; Lisa Fredenburgh, Choir Director; Nancy Wheelin, Assistant Conductor; Johnathan Hudson, Teaching Assistant; James Banner, Megan Barnhill, Yvonne Bratcher, Louise Brock, Leif Broderson, Meredith Brown, Joseph Bumgarner, Tara Cates, Kathryn Cherry, Carmen Cline, Matthew Coleman, Rebecca Collins, Christopher Cook, Karmann Cressman, Sarah Crowley, Nicolas Daniels, Brandon Freeman, Jessica Grant, Lindsay

July 5, 2000
Hamrick, Nathaniel Harris, Cameron Howell, James Jirtle, Ginger Jones, Megan Kauffman, Mitchell Killman, Aaron Kiser, Jason Lowman, Karolyn Luckhardt, Kyle Lundy, Heather Martin, Kathryn McCoy, Daniel Parker, Margaret Piggot, Robert Powell, Emily Pruitt, Johanna Rankin, Alex Reynolds, Johnathan Sauls, Paul Seales, Will Senechal, Aaron Steveson, Scott Taylor, Anna Trice, Kyle VanZanot, Tyler White, Deanna Williams, Clayton Womble, and Brent Young.

The Choral Director is recognized, to briefly address the Senate.

The President Pro Tempore congratulates the students and recognizes the committee to escort the guests from the Chamber, who depart to a standing ovation.

ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

**H.B. 1564, AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LAWS REGARDING THE PROCUREMENT OF INFORMATION TECHNOLOGY BY STATE AGENCIES AND INSTITUTIONS.**

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. 1193, AN ACT TO RESOLVE A BOUNDARY OVERLAP BETWEEN THE RONDA AND ROARING RIVER VOLUNTEER FIRE TAX DISTRICTS IN WILKES COUNTY AND TO VALIDATE CERTAIN ACTIONS, AND TO EXPAND THE GLENDALE SPRINGS FIRE PROTECTION DISTRICT IN ASHE COUNTY.** (Became law upon ratification, July 4, 2000 – S.L. 2000-76.)

**S.B. 1289, AN ACT TO PERMIT MECKLENBURG COUNTY TO ENGAGE IN CONDITIONAL ZONING.** (Became law upon ratification, July 4, 2000 – S.L. 2000-77.)

**S.B. 1363, AN ACT ALLOWING THE CITY OF WHITEVILLE TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS.** (Became law upon ratification, July 4, 2000 – S.L. 2000-78.)

**S.B. 1382, AN ACT TO EXEMPT SURRY COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION AND EXPANSION OF A BUILDING TO BE USED AS A MULTIPURPOSE FACILITY.** (Became law upon ratification, July 4, 2000 – S.L. 2000-79.)

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. 1571, A BILL TO BE ENTITLED AN ACT PERTAINING TO TIME REQUIREMENTS FOR THE INVESTIGATION OF COMPLAINTS UNDER THE**
PROTECTION OF THE ABUSED, NEGLECTED, OR EXPLOITED DISABLED ADULT ACT, with a favorable report.

H.B. 1609 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AND CLARIFY THE PROCEDURES FOR FILING A MOTION TO TERMINATE PARENTAL RIGHTS IN A PENDING JUVENILE ABUSE, NEGLECT, OR DEPENDENCY PROCEEDING, AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WHETHER INFORMATION SHOULD BE EXPUNGED FROM CERTAIN RECORDS WHEN AN ABUSE, NEGLECT, OR DEPENDENCY REPORT IS NOT SUBSTANTIATED OR PROVEN, with a favorable report.

By Senator Purcell for the Health Care Committee:

H.B. 1838 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN SHALL COVER THE COST OF ONE ANNUAL PAP SMEAR FOR ANY COVERED FEMALE UNDER THE PLAN'S WELLNESS BENEFIT AND TO ALLOW INDIVIDUALS EXCLUDED FROM MEMBERSHIP IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN FOR FILING FRAUDULENT CLAIMS TO BE CONSIDERED FOR REINSTATEMENT IN THE PLAN, with a favorable report.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the Appropriations/Base Budget Committee.

By Senator Albertson for the Agriculture/Environment/Natural Resources Committee:

H.B. 1218, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS ENVIRONMENTAL LAWS, 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 7391, which changes the title upon concurrence, to read H.B. 1218 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS: (1) TO PROMOTE WATER CONSERVATION BY PROVIDING FOR THE USE OF SUB-METERS IN CONSECUTIVE WATER SYSTEMS; (2) RELATED TO URBAN WATERFRONT REDEVELOPMENT; (3) TO PROVIDE FOR VARIANCES UNDER THE DREDGE AND FILL PERMIT PROGRAM; (4) TO CLARIFY THE AUTHORITY OF THE GOVERNOR TO MAKE APPOINTMENTS TO THE ENVIRONMENTAL MANAGEMENT COMMISSION; (5) TO REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO CONSULT WITH STAKEHOLDERS PRIOR TO DEVELOPING RIPARIAN BUFFER RULES; (6) TO PROHIBIT THE MARINE FISHERIES COMMISSION FROM ESTABLISHING FEES FOR CERTAIN PERMITS AND TO ABOLISH CERTAIN EXISTING PERMIT FEES; AND (7) TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES, is adopted and engrossed.

With unanimous consent, upon motion of Senator Albertson, the rules are suspended and the Senate Committee Substitute bill is placed on today's Calendar.

July 5, 2000
By Senator Reeves for the Information Technology Committee:

H.B. 1578 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE POWERS AND DUTIES OF THE SECRETARY OF COMMERCE REGARDING INFORMATION TECHNOLOGY MATTERS AND TO REESTABLISH THOSE POWERS AND DUTIES WITHIN THE OFFICE OF THE GOVERNOR, AND TO MAKE OTHER CHANGES IN THE LAWS REGARDING INFORMATION TECHNOLOGY RELATED STATE GOVERNMENT FUNCTIONS, with a favorable report, as amended.

Pursuant to Rule 45.1, Committee Amendment No. 1 is adopted.

CALENDAR

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

H.B. 1728, A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE A PARCEL RECENTLY IDENTIFIED AS BEING WITHIN THE TOWN LIMITS THAT HAD NEVER BEEN TREATED AS SUCH, 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 enrolled.

H.B. 1748 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE PURPOSES FOR WHICH THE GRANVILLE COUNTY OCCUPANCY TAX CAN BE USED FOR A LIMITED PERIOD OF TIME, TO ESTABLISH A TOURISM DEVELOPMENT AUTHORITY, TO MAKE TECHNICAL CHANGES, TO CHANGE THE PURPOSES FOR WHICH THE BANNER ELK OCCUPANCY TAX MAY BE USED, AND TO MAKE CONFORMING CHANGES, upon third reading, which title changes upon concurrence.

Senator Moore offers Amendment No. 1 which is adopted (48-0).

The Senate Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 49, 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.

July 5, 2000
H.B. 1803, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO AMEND AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION, as amended, upon third reading, which title changes upon concurrence.

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 sent, by special message, to the House of Representatives, for concurrence in Senate Amendments No. 1 and No. 2.

S.B. 1288 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF CHARLOTTE TO ENGAGE IN CONDITIONAL ZONING, for concurrence in the House Committee Substitute bill, which changes the title upon concurrence, to read S.B. 1288 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF CHARLOTTE AND THE TOWNS OF CORNELIUS, DAVIDSON, HUNTERSVILLE, MATTHEWS, MINT HILL, AND PINEVILLE TO ENGAGE IN CONDITIONAL ZONING.

The Senate concurs in the House Committee Substitute bill (49-0) and the measure is ordered enrolled.

H.B. 1290 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE TAX LAWS BY MAKING CLARIFYING AND CONFORMING CHANGES TO THE REVENUE AND RELATED LAWS, upon third reading, which title changes upon concurrence.

With unanimous consent, upon motion of Senator Kerr, the Senate Committee Substitute bill is placed at the end of today’s Calendar.

H.B. 1819 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE THE RURAL REDEVELOPMENT AUTHORITY TO FINANCE RURAL ECONOMIC DEVELOPMENT PROJECTS AND INVEST IN RURAL BUSINESS DEVELOPMENT.

With unanimous consent, upon motion of Senator Kerr, the Committee Substitute bill No. 2 is withdrawn from today’s Calendar and is placed on the Calendar for Thursday, July 6.

APPOINTMENT OF CONFERENCE COMMITTEE

H.B. 1854 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES AND THE INSURANCE REGULATORY CHARGE, TO INCREASE COURT COSTS, TO INCREASE JAIL FEES FOR PERSONS PAYING JAIL FEES PURSUANT TO PROBATIONARY SENTENCES, TO INCREASE THE FEE IMPOSED FOR EMERGENCY PLANNING, TO AUTHORIZE CERTAIN CHANGES IN PERMITS FOR OVERSIZE LOADS AND ESTABLISH PENALTIES FOR PERMIT VIOLATIONS, TO AUTHORIZE AGENCIES TO PROVIDE ACCESS TO SERVICES THROUGH ELECTRONIC AND DIGITAL TRANSACTIONS AND TO IMPOSE A FEE FOR THOSE TRANSACTIONS, AND TO REPEAL THE SUNSET OF THE WHITE GOODS TAX AND DIRECT THE
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY ISSUES RELATED TO THE SCRAP TIRE DISPOSAL TAX AND THE WHITE GOODS DISPOSAL TAX.

Pursuant to the message from the House of Representatives received on July 4, that the House fails to concur in Senate Committee Substitute bill No. 2 for H.B. 1854 and requests conferees, Senator Ballance offers a motion that the Senate appoint conferees, which motion prevails.

Senator Ballance, 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 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.

CALENDAR (Continued)

H.B. 1638 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE AMBIENT AIR QUALITY, TO PROVIDE FOR THE USE OF ON-BOARD DIAGNOSTIC EQUIPMENT IN THE MOTOR VEHICLE EMISSIONS INSPECTION AND MAINTENANCE PROGRAM, AND TO EXCLUDE FEDERAL CONGESTION MITIGATION AND AIR QUALITY FUNDS FROM THE DISTRIBUTION FORMULA FOR FUNDS EXPENDED ON TRANSPORTATION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

Senator Cochrane offers Amendment No. 1 which fails of adoption (15-32).

The Senate Committee Substitute bill passes its second (47-1) 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. 979 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE RIGHTS OF A DECEDEDENT'S SPOUSE.

The Senate Committee Substitute bill passes its third reading (48-0) and is ordered engrossed sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

The Senate recesses at 2:31 P.M. for the purpose of an Insurance Committee meeting, to reconvene at 2:40 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Frank Ballance, Deputy President Pro Tempore.

COMMITTEE REFERRAL RECALL

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 the Judiciary I Committee on April 29, 1999.

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
Education/Higher Education Committee, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the Judiciary I Committee and re-references the measure to the Education/Higher Education Committee.

CALENDAR (Continued)

S.B. 927 (Committee Substitute), 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, for concurrence in the House Committee Substitute bill, which changes the title upon concurrence to read S.B. 927 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES GOVERNING SERVICES FOR THE BLIND.

The Senate concurs in the House Committee Substitute bill (43-0) and the measure is ordered enrolled and sent to the Governor, by special message.

S.B. 1195 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION, IN COOPERATION WITH LOCAL ELECTED OFFICIALS, TO ESTABLISH RURAL TRANSPORTATION PLANNING ORGANIZATIONS TO PLAN RURAL TRANSPORTATION SYSTEMS AND TO ADVISE THE DEPARTMENT ON RURAL TRANSPORTATION POLICY, 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. 1200 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL VOLUNTARY MUNICIPAL PARTICIPATION IN ROAD CONSTRUCTION, for concurrence in the House Committee Substitute bill.

The Senate fails to concur in the House Committee Substitute bill (0-45).

Senator Gulley offers a motion that the Senate appoint conferees, which motion prevails.

Senator Rand announces the appointment of Senator Gulley, Chairman, and Senator Hoyle 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 the House of Representatives informing that Honorable Body of such action and requesting conferees.

S.B. 1311 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF THE MOUNTAINS TO SEA STATE PARK TRAIL TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, for concurrence in House Amendment No. 1.

The Senate fails to concur in House Amendment No. 1 (2-45).

Senator Lee offers a motion that the Senate appoint conferees, which motion prevails.

Senator Rand announces the appointment of Senator Lee, Chairman, and Senators Albertson, Gulley, Horton and Wellons as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent the House of Representatives informing that Honorable Body of such action and requesting conferees.

S.B. 1340 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUS OF A GUARDIAN OF THE PERSON OF A JUVENILE, for concurrence in the House Committee Substitute bill.

July 5, 2000
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.

**H.B. 1218** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS: (1) TO PROMOTE WATER CONSERVATION BY PROVIDING FOR THE USE OF SUB-METERS IN CONSECUTIVE WATER SYSTEMS; (2) RELATED TO URBAN WATERFRONT REDEVELOPMENT; (3) TO PROVIDE FOR VARIANCES UNDER THE DREDGE AND FILL PERMIT PROGRAM; (4) TO CLARIFY THE AUTHORITY OF THE GOVERNOR TO MAKE APPOINTMENTS TO THE ENVIRONMENTAL MANAGEMENT COMMISSION; (5) TO REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO CONSULT WITH STAKEHOLDERS PRIOR TO DEVELOPING RIPARIAN BUFFER RULES; (6) TO PROHIBIT THE MARINE FISHERIES COMMISSION FROM ESTABLISHING FEES FOR CERTAIN PERMITS AND TO ABOLISH CERTAIN EXISTING PERMIT FEES; AND (7) TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES, placed earlier on today’s Calendar, which title changes upon concurrence.

The Senate Committee Substitute bill passes its second reading (48-0).

Senator Ballantine 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, Thursday, June 6.

**H.B. 1290** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE TAX LAWS BY MAKING CLARIFYING AND CONFORMING CHANGES TO THE REVENUE AND RELATED LAWS, upon third reading, temporarily displaced earlier, 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 re-referred to the Finance Committee.

**SENATE PAGES**

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

Stefanie Crawford, Burlington; Megan Flora, Lenoir; Katherine Elizabeth Franklin, Morganton; Jennifer-Anne F. Godwin, Fayetteville; Richard Beach Gray, Wanchese; Amy Lauren Greenway, Rutherfordton; Turner Bentley Harris, Kings Mountain; Robert C. Hewett, Greensboro; Aaron Jacob Hill, Fayetteville; Whitney V. Isenhower, Newton; Bethany Keegan, Whispering Pines; Aaron Richard Ledbetter, Forest City; Emily Leigh McDonald, Spindale; Ronald D. Montgomery II, Wilmington; Byron Lee Moore, Raleigh; Devin Odom, Lexington; Amy Oraefo, Raleigh; Stephen Jordan Pierce, Kernersville; Adrian Reeves Raley, Raleigh; Scott D. Ray, Weaverville; Claire Sproul, Candlerville; and Garrett Elisabeth Young, Greenville.

**WITHDRAWAL FROM CALENDAR**

**H.B. 1218** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS: (1) TO PROMOTE WATER CONSERVATION BY PROVIDING FOR THE USE OF SUB-METERS IN CONSECUTIVE WATER SYSTEMS; (2) RELATED TO URBAN WATERFRONT

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REDEVELOPMENT; (3) TO PROVIDE FOR VARIANCES UNDER THE DREDGE AND FILL PERMIT PROGRAM; (4) TO CLARIFY THE AUTHORITY OF THE GOVERNOR TO MAKE APPOINTMENTS TO THE ENVIRONMENTAL MANAGEMENT COMMISSION; (5) TO REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO CONSULT WITH STAKEHOLDERS PRIOR TO DEVELOPING RIPARIAN BUFFER RULES; (6) TO PROHIBIT THE MARINE FISHERIES COMMISSION FROM ESTABLISHING FEES FOR CERTAIN PERMITS AND TO ABOLISH CERTAIN EXISTING PERMIT FEES; AND (7) TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES, placed on the Calendar for Thursday, July 6.

Senator Ballantine offers a motion that the Senate Committee Substitute bill be withdrawn from the Calendar for Thursday, July 6, and placed before the Senate for immediate consideration, upon third reading, which motion prevails, with unanimous consent.

The Chair orders the Senate Committee Substitute bill withdrawn from the Calendar for Thursday, July 6, and places it before the Senate for immediate consideration.

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.

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. 1444 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A DESIGN-BUILD CONSTRUCTION METHOD FOR A CONVENTION CENTER IN CABARRUS COUNTY, AND TO ALLOW LEASE OF PROPERTY FOR A HOTEL, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Rand, 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 (49-0) and the measure is ordered enrolled.

H.B. 1630 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CONSTRUCTION OF PILOT PRIVATELY FUNDED TOLL ROAD OR BRIDGE PROJECT AND TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF STATE-OWNED AND OPERATED TOLL ROADS OR BRIDGES.

Referred to Finance Committee.

REPORTS OF COMMITTEES (Continued)

By Senator Reeves for the Information Technology Committee:

H.B. 1493 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CONSUMERS WITH CONTROL OVER TELEPHONE SOLICITATION CALLS TO THEIR HOMES, 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 6317 is adopted and engrossed.

July 5, 2000
Upon motion of Senator Basnight, seconded by Senator Lucas, the Senate adjourns at 3:16 P.M. subject to receipt of messages from the House of Representatives, to meet tomorrow, Thursday, July 6, at 1:30 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. 393 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE RULES OF CIVIL PROCEDURE TO REQUIRE BRIEFS AND MEMORANDA IN SUPPORT OR OPPOSITION OF DISPOSITIVE MOTIONS AND OPPOSING AFFIDAVITS TO BE SERVED UPON ALL PARTIES AND TO REQUIRE WRITTEN MOTIONS TO STATE THE GROUNDS FOR THE MOTION WITH PARTICULARITY, for concurrence in House Committee Substitute bill No. 2.
Referred to Judiciary II Committee.

H.B. 1518 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT GROUP CREDIT ACCIDENT AND HEALTH INSURANCE MAY BE ISSUED TO A CREDITOR TO INSURE DEBTORS OF THE CREDITOR.
Referred to Insurance Committee.

H.B. 1583 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE A NEW TAX CREDIT AS AN INCENTIVE FOR INVESTING IN DRY-CLEANING EQUIPMENT THAT DOES NOT USE HAZARDOUS SUBSTANCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.
Referred to Finance Committee.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 6:00 P.M.

ONE HUNDRED THIRTY-SEVENTH DAY

Senate Chamber
Thursday, July 6, 2000

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 God, we remember with gratitude the young singers from The Governor's School who blessed us yesterday with their stunning performance. Their director thoughtfully selected two pieces whose lyrics were so apt for this time and place, so ironic when sung from the Well of the Senate.

"They sang 'Ubi caritas et amore, Deus ibi est,' 'where people gather together in love, God is there.' How reassuring to know that God is in our midst when our hearts are motivated by love. But then came the urgent, disturbing piece which began 'Demon, demon... Devil, Devil... ' lurking everywhere, hiding, teasing. The dissonant words
tumbled around this Chamber. How strangely beautiful even evil can sound. Sin always masquerades as good. In the span of just a few minutes, the declaration that God is here, and so is the Tempter.

“Oh God of mercy, keep us as the apple of Your eye, hide us under the safety of Your wing, and deliver us from the evil one who waits like the lion ready to devour us at every turn. Abide with us this day and strengthen us, we pray in Your Holy Name, Amen.”

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

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Wednesday, 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. George Podgorny from Winston-Salem, North Carolina, who is serving the Senate as Doctor of the Day.

The President Pro Tempore extends the privileges of the floor to Jim Speed, former Senator from Franklin 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:

**H.B. 1288**, AN ACT TO RECOGNIZE METROPOLITAN PLANNING ORGANIZATIONS IN STATE LAW AND TO PROVIDE A PROCESS FOR VOLUNTARY EVALUATION OF METROPOLITAN PLANNING ORGANIZATION BOUNDARIES, STRUCTURE, AND GOVERNANCE. (Became law upon approval of the Governor, July 5, 2000 - S.L. 2000-80.)

**H.B. 1629**, AN ACT TO AUTHORIZE THE ISSUANCE OF STATE REVENUE BONDS TO FINANCE IMPROVEMENTS TO THE WATER AND SEWER SYSTEM FOR THE COMMUNITY OF BUTNER AND THE CAMP BUTNER RESERVATION. (Became law upon approval of the Governor, July 5, 2000 - S.L. 2000-81.)

**H.B. 1506**, AN ACT TO REQUIRE ESTABLISHMENTS THAT PREPARE OR SERVE FOOD TO A CERTAIN NUMBER OF REGULAR BOARDERS OR PERMANENT HOUSEGUESTS COMPLY WITH STATE FOOD SANITATION REQUIREMENTS. (Became law upon approval of the Governor, July 5, 2000 - S.L. 2000-82.)

**H.B. 1519**, AN ACT TO ESTABLISH THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, AND TO DIRECT THE OVERSIGHT COMMITTEE TO DEVELOP A PLAN TO REFORM THE STATE SYSTEM FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES. (Became law upon approval of the Governor, July 5, 2000 - S.L. 2000-83.)

July 6, 2000
ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 927, AN ACT TO AMEND THE GENERAL STATUTES GOVERNING SERVICES FOR THE BLIND.

S.B. 1195, AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION, IN COOPERATION WITH LOCAL ELECTED OFFICIALS, TO ESTABLISH RURAL TRANSPORTATION PLANNING ORGANIZATIONS TO PLAN RURAL TRANSPORTATION SYSTEMS AND TO ADVISE THE DEPARTMENT ON RURAL TRANSPORTATION POLICY.

S.B. 1340, AN ACT TO CLARIFY THE STATUS OF A GUARDIAN OF THE PERSON OF A JUVENILE.

H.B. 813, AN ACT TO MAKE CYBERSTALKING A CRIMINAL OFFENSE, CLARIFY THE CRIMINAL ACT OF INTRODUCING COMPUTER VIRUSES, AND TO PERMIT DOMESTIC VIOLENCE ABUSER TREATMENT AS A SPECIAL CONDITION OF PROBATION IN CERTAIN CRIMINAL CASES AND TO MAKE CONFORMING CHANGES.

H.B. 1021, AN ACT TO AMEND ARTICLE 3 OF THE UNIFORM COMMERCIAL CODE.

H.B. 1520, AN ACT PERTAINING TO THE USE OF RESTRAINTS AND SECLUSION IN CERTAIN FACILITIES, REQUIRING THE REPORTING OF CERTAIN DEATHS IN CERTAIN FACILITIES, AND IMPOSING A PENALTY FOR FAILURE TO REPORT.

H.B. 1624, AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE NATIONAL GOVERNORS' ASSOCIATION FOR A STREAMLINED SALES TAX COLLECTION SYSTEM AND TO OTHERWISE IMPROVE COLLECTION.

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

S.B. 1288, AN ACT TO PERMIT THE CITY OF CHARLOTTE AND THE TOWNS OF CORNELIUS, DAVIDSON, HUNTERSVILLE, MATTHEWS, MINT HILL, AND PINEVILLE TO ENGAGE IN CONDITIONAL ZONING.

S.B. 1302, AN ACT TO ASSIST CABARRUS COUNTY WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES.

S.B. 1418, AN ACT TO PROVIDE FOR DIRECT ELECTION OF THE MAYOR OF YANCEYVILLE AND FOR THE TOWN MANAGER FORM OF GOVERNMENT FOR THAT TOWN.

S.B. 1443, AN ACT TO ALLOW A NEGOTIATED OFFER AND UPSET BID PROCESS FOR SALE OF THE CURRENT CABARRUS COUNTY SCHOOLS
SENATE JOURNAL

CENTRAL OFFICE AND FOR A DESIGN-BUILD CONSTRUCTION METHOD FOR THE CABARRUS SCHOOL CENTRAL OFFICE AND BUS FACILITY.

S.B. 1444, AN ACT TO ALLOW A DESIGN-BUILD CONSTRUCTION METHOD FOR A CONVENTION CENTER IN CABARRUS COUNTY, AND TO ALLOW LEASE OF PROPERTY FOR A HOTEL.

H.B. 1647, AN ACT TO ALLOW THE CITY OF CHARLOTTE TO USE THE PROCEDURES OF CHAPTER 136 OF THE GENERAL STATUTES FOR CONDEMNATION FOR ECONOMIC DEVELOPMENT PURPOSES WITHIN A DEFINED AREA.

H.B. 1728, AN ACT TO REMOVE FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE A PARCEL RECENTLY IDENTIFIED AS BEING WITHIN THE TOWN LIMITS THAT HAD NEVER BEEN TREATED AS SUCH.

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. 1518 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT GROUP CREDIT ACCIDENT AND HEALTH INSURANCE MAY BE ISSUED TO A CREDITOR TO INSURE DEBTORS OF THE CREDITOR, with a favorable report.

Without objection, upon motion of Senator Wellons, the Committee Substitute bill is placed on today's Supplemental Calendar.

H.B. 1529, A BILL TO BE ENTITLED AN ACT TO PROTECT PERSONS ENROLLED IN AN HMO FROM THE CONSEQUENCES OF THE INSOLVENCY OF THAT HMO BY AUTHORIZING ASSESSMENTS OF REMAINING HMOs IN THE STATE TO PAY FOR UNCOVERED EXPENDITURES OF AND CONTINUATION OF COVERAGE FOR THE ENROLLEES, 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 2455 is adopted and engrossed.

Upon motion of Senator Wellons, the Senate Committee Substitute bill is re-referred to the Finance Committee.

H.B. 1696 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE COMMISSIONER OF INSURANCE AND STATE FIRE MARSHAL TO ESTABLISH PUBLIC PROTECTION CLASSIFICATIONS FOR FIRE INSURANCE RATING PURPOSES, 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 2457, which changes the title upon concurrence, to read H.B. 1696 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE COMMISSIONER OF INSURANCE AND STATE FIRE MARSHAL TO ESTABLISH

July 6, 2000
PUBLIC PROTECTION CLASSIFICATIONS FOR INSURANCE RATING PURPOSES, is adopted and engrossed.

Without objection, upon motion of Senator Wellons, the Senate Committee Substitute bill is placed on today’s Supplemental Calendar.

By Senator Miller for the Judiciary II Committee:

H.B. 1607 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE BAIL BOND FORFEITURE PROCEEDINGS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION’S BAIL BOND LAWS COMMITTEE, with a favorable report.

Without objection, upon motion of Senator Miller, the Committee Substitute bill is placed on today’s Supplemental Calendar.

By Senator Hoyle for the Finance Committee:

S.B. 1192 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FROM STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORY FOR CERTAIN APPLICANTS FOR EMPLOYMENT IN ADULT CARE HOMES, NURSING HOMES, HOME CARE AGENCIES, AND CERTAIN MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FACILITIES; TO IMPOSE A CRIMINAL PENALTY FOR FALSIFYING INFORMATION ON EMPLOYMENT APPLICATIONS; AND TO REQUIRE CERTAIN DISCLOSURES BY NURSING HOMES, 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 2863, which changes the title to read S.B. 1192 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FROM STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORY FOR CERTAIN APPLICANTS FOR EMPLOYMENT IN ADULT CARE HOMES, NURSING HOMES, HOME CARE AGENCIES, AND CERTAIN MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FACILITIES; TO IMPOSE A CRIMINAL PENALTY FOR FALSIFYING INFORMATION ON EMPLOYMENT APPLICATIONS; TO REQUIRE CERTAIN DISCLOSURES BY NURSING HOMES; AND PERTAINING TO RULES FOR THE OPERATION OF THE ADULT CARE PORTION OF NURSING HOMES, is adopted and engrossed.

Without objection, upon motion of Senator Hoyle, the Committee Substitute bill No. 2 is placed on today’s Supplemental Calendar.

H.B. 1290 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE TAX LAWS BY MAKING CLARIFYING AND CONFORMING CHANGES TO THE REVENUE AND RELATED 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, 5119, is adopted and engrossed.

Without objection, upon motion of Senator Hoyle, the Senate Committee Substitute bill No. 2 is placed on today’s Supplemental Calendar.

The Senate recesses at 1:57 P.M. to reconvene at 2:05 P.M.

July 6, 2000
RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

CONFERENCE REPORT

S.B. 1343

Senator Reeves, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon S.B. 1343 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA RURAL INTERNET ACCESS AUTHORITY AND TO DIRECT THE REGIONAL PARTNERSHIPS, WITH THE ASSISTANCE OF THE NORTH CAROLINA RURAL ECONOMIC DEVELOPMENT CENTER, TO STUDY AND REPORT ON THE INFORMATION TECHNOLOGY INFRASTRUCTURE AND INFORMATION TECHNOLOGY NEEDS OF THE STATE, 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 1343, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA RURAL INTERNET ACCESS AUTHORITY AND TO DIRECT THE REGIONAL PARTNERSHIPS, WITH THE ASSISTANCE OF THE NORTH CAROLINA RURAL ECONOMIC DEVELOPMENT CENTER, TO STUDY AND REPORT ON THE INFORMATION TECHNOLOGY INFRASTRUCTURE AND INFORMATION TECHNOLOGY NEEDS OF THE STATE, House Committee Substitute Favorable 6/28/00, submit the following report:

Delete the entire House Committee Substitute and substitute the attached Proposed Conference Committee Substitute S1343-PCCS 6802 LC.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 6, 2000.

S/Eric M. Reeves          S/Steve M. Metcalf          S/Russell E. Tucker
S/Stephen M. Metcalf      S/Austin M. Allran         S/Drew P. Saunders
S/Luther Henry Jordan, Jr. S/Terri W. Wallend         S/Martin Nesbitt
S/Austin M. Allran

Conferees for the Senate  Conferees for the
                          House of Representatives

The text of the attached Proposed Conference Committee Substitute S1343-PCCS 6802 LC is as follows:

July 6, 2000
A BILL TO BE ENTITLED
AN ACT TO CREATE THE NORTH CAROLINA RURAL INTERNET ACCESS AUTHORITY AND TO DIRECT THE REGIONAL PARTNERSHIPS, WITH THE ASSISTANCE OF THE NORTH CAROLINA RURAL ECONOMIC DEVELOPMENT CENTER, TO STUDY AND REPORT ON THE INFORMATION TECHNOLOGY INFRASTRUCTURE AND INFORMATION TECHNOLOGY NEEDS OF THE STATE.

The General Assembly of North Carolina enacts:

Section 1. Article 10 of Chapter 143B of the General Statutes is amended by adding a new Part to read:

"Part 2E. North Carolina Rural Internet Access Authority.

§ 143B-437.40. Short title and intent.
This Part is the 'North Carolina Rural Internet Access Authority Act.' The General Assembly finds as follows:

1. Access to computers and the Internet, along with the ability to effectively use these technologies, are becoming increasingly important for full participation in America's economic, political, and social life.

2. Affordable, high-speed Internet access is a key competitive factor for economic development and quality of life in the New Economy of the global marketplace.

3. In the digital age, universal connectivity at affordable prices is a necessity for business transactions, education and training, health care, government services, and the democratic process.

4. Unequal access to computer technology and Internet connectivity by income, educational level and/or geography could deepen and reinforce the divisions that exist in our society.

5. The intent of the Rural Internet Access Authority is to close this digital divide for the citizens of North Carolina.

§ 143B-437.41. Definitions.
The following definitions apply in this Part:

1. Authority. -- The North Carolina Rural Internet Access Authority.

2. Commission. -- The governing body of the Authority.

3. High-speed broadband Internet access. -- Internet access with transmission speeds of at least 128 kilobits per second for residential customers and at least 256 kilobits per second for business customers.


5. Rural county. -- A county with a density of fewer than 200 people per square mile based on the 1990 United States decennial census.

§ 143B-437.42. Creation of Authority and Commission.

(a) Creation. -- The North Carolina Rural Internet Access Authority is created within the Department of Commerce and, notwithstanding any other provision of law, is subject to the direction and supervision of the Secretary of Commerce only with respect to the management functions of coordinating and reporting. These functions of the Secretary of Commerce are ministerial and shall be performed only pursuant to the direction and policy of the Commission.

The purpose of the Authority is to manage, oversee, and monitor efforts to provide rural counties with high-speed broadband Internet access. The Authority shall also serve as the central rural Internet access policy planning body of the State and shall communicate and coordinate with State, regional, and local agencies and private entities in order to implement a coordinated rural Internet access policy.

(b) Commission. -- The Authority is governed by a Commission that consists of 21 members, six members appointed by the Governor, six members appointed by the General
Assembly upon the recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121, six members appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121, and the following three ex officio, voting members: the State's Chief Information Officer, the chair of the North Carolina Rural Economic Development Center, and the Secretary of Commerce.

It is the intent of the General Assembly that the appointing authorities, in making appointments, shall appoint members who represent the geographic, gender, and racial diversity of the State, members who represent rural counties, members who represent regional partnerships, and members who represent the communications industry, which may include local telephone exchange companies, rural telephone cooperatives, Internet service providers, commercial wireless communications carriers, and other communications businesses.

(c) Oath. -- As the holder of an office, each member of the Commission must take the oath required by Section 7 of Article VI of the North Carolina Constitution before assuming the duties of a Commission member.

(d) Terms; Commencement; Staggering. -- Except as provided in subsection (f) of this section, all terms of office shall commence on August 1 of the year the appointment is made. The appointing officers shall designate one-half of their appointees to serve one-year terms; members may serve up to four consecutive one-year terms. The appointing officers shall designate their remaining appointees to serve three-year terms; members may serve up to two consecutive three-year terms.

(e) Chair. -- The Governor shall designate one of the members appointed by the Governor as the Chair of the Commission. The Governor shall convene the first meeting of the Commission.

(f) Vacancies. -- All members of the Commission shall remain in office until their successors are appointed and qualify. A vacancy in an appointment made by the Governor shall be filled by the Governor for the remainder of the unexpired term. A vacancy in an appointment made by the General Assembly shall be filled in accordance with G.S. 120-122. A person appointed to fill a vacancy must qualify in the same manner as a person appointed for a full term.

(g) Removal of Commission Members. -- The Governor may remove any member of the Commission for misfeasance, malfeasance, or nonfeasance in accordance with G.S. 143B-13(d). The Governor or the person who appointed a member may remove the member for using improper influence in accordance with G.S. 143B-13(c).

(h) Compensation of the Commission. -- No part of the revenues or assets of the Authority shall inure to the benefit of or be distributable to the members of the Commission or officers or other private persons. The members of the Commission shall receive no salary for their services but may receive per diem and allowances in accordance with G.S. 138-5.

(i) Staff. -- The North Carolina Rural Economic Development Center, Inc., shall provide administrative and professional staff support for the Authority under contract.

(j) Conflicts of Interest. -- Members of the Authority shall comply with the provisions of G.S. 14-234 prohibiting conflicts of interest. In addition, if any member, officer, or employee of the Authority is interested either directly or indirectly, or is an officer or employee of or has an ownership interest in any firm or corporation, not including units of local government, interested directly or indirectly, in any contract with the Authority, the member, officer, or employee must disclose the interest to the Commission, which must set forth the disclosure in the minutes of the Commission. The member, officer, or employee having an interest may not participate on behalf of the Authority in the authorization of any contract.

"§ 143B-437.43. Powers, duties, and goals of the Authority.

July 6, 2000
(a) Powers. -- The Authority shall have the following powers:

(1) To employ, contract with, direct, and supervise all personnel and consultants.

(2) To apply for, accept, and utilize grants, contributions, and appropriations in order to carry out its duties and goals as defined in this Part.

(3) To enter into contracts and to provide support and assistance to local governments, nonprofit entities, and regional partnerships, in carrying out its duties and goals under this Part.

(4) To review and recommend changes in all laws, rules, programs, and policies of this State or any agency or subdivision thereof to further the goals of rural Internet access.

(b) Duties. -- The Authority shall have the following duties:

(1) To develop and recommend to the Governor, the General Assembly, and the North Carolina Rural Redevelopment Authority a plan to provide rural counties with high-speed broadband Internet access.

(2) To propose funding that may be needed from the North Carolina Rural Redevelopment Authority established in Part 2D of this Article and from other appropriate sources for incentives for the private sector to make necessary investments to achieve the Authority's goals and objectives.

(3) To set specific targets and milestones to achieve the goals and objectives set out in subsection (c) of this section.

(c) Goals. -- The goals and objectives of the Authority are:

(1) Local dial-up Internet access provided from every telephone exchange within one year.

(2) High-speed Internet access available to every citizen of North Carolina within three years, at prices in rural counties that are comparable to prices in urban North Carolina.

(3) Two model Telework Centers in either enterprise tier one or enterprise tier two area established by January 1, 2002. To the extent practicable, the Centers should be established in existing facilities.

(4) Significant increases in ownership of computers, related web devices, and Internet subscriptions promoted throughout North Carolina.

(5) Accurate, current, and complete information provided through the Internet to citizens about the availability of present telecommunications and Internet services with periodic updates on the future deployment of new telecommunications and Internet services.

(6) Development of government Internet applications promoted to make citizen interactions with government agencies and services easier and more convenient and to facilitate the delivery of more comprehensive programs, including training, education, and health care.

(7) Open technology approaches employed to encourage all potential providers to participate in the implementation of high-speed Internet access with no technology bias.

(8) To coordinate activities, conduct and sponsor research, and recommend and advocate actions, including regulatory and legislative actions to achieve its goals and objectives.

(d) Limitations. -- The Authority does not have the power of eminent domain or the power to levy any tax.

(e) Reports. -- The Authority must submit quarterly reports to the Governor, the Joint Select Committee on Information Technology, and the Joint Legislative Commission on Governmental Operations. The reports must summarize the Authority's activities during
the quarter and contain any information about the Authority's activities that is requested by
the Governor, the Committee, or the Commission."

Section 2. G.S. 120-123 is amended by adding a new subdivision to read:

"(71) The North Carolina Rural Internet Access Authority created in Part 2E
of Article 10 of Chapter 143B of the General Statutes."

Section 3. Each regional partnership, as defined in G.S. 143B-437.21, shall,
with the assistance of the North Carolina Rural Economic Development Center, study the
information technology infrastructure and information technology needs of each county
within its particular region. Each study shall include an inventory of existing information
technology infrastructure, an inventory of information technology needs, an analysis of
how the information technology needs affect industrial and business recruitment, and
recommendations that address the information technology needs of each region. In
conducting the studies required by this section, the regional partnerships shall consider the
findings of the Connect NC study. The regional partnerships may contract with the North
Carolina Rural Economic Development Center as needed to undertake these studies. No
later than November 1, 2001, each regional partnership shall report the results of its study,
including any legislative proposals, to the Joint Select Committee on Information Technology.

Section 4. This act does not obligate the General Assembly to appropriate
funds.

Section 5. This act is effective when it becomes law. The North Carolina
Rural Internet Access Authority created in this act is dissolved effective December 31,
2003. This act is repealed effective December 31, 2003. Part 2E of Article 10 of Chapter
143B of the General Statutes and G.S. 120-123(71), as enacted by this act, are repealed
effective December 1, 2003.

Upon motion of Senator Reeves, the Conference Report is placed on the Calendar for
tomorrow, Friday, July 7.

COMMITTEE REFERRAL RECALL

S.B. 393 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE RULES OF CIVIL PROCEDURE TO REQUIRE BRIEFS AND MEMORANDA IN SUPPORT OR OPPOSITION OF DISPOSITIVE MOTIONS AND OPPOSING AFFIDAVITS TO BE SERVED UPON ALL PARTIES AND TO REQUIRE WRITTEN MOTIONS TO STATE THE GROUNDS FOR THE MOTION WITH PARTICULARITY, referred to the Judiciary II Committee on July 5.

Pursuant to Rule 47(a), Senator Miller offers a motion that the House Committee Substitute bill be withdrawn from the Judiciary II Committee and placed on today’s Supplemental Calendar, which motion prevails with unanimous consent.

The Chair orders the House Committee Substitute bill withdrawn from the Judiciary II Committee and places it on today’s Supplemental Calendar.

REPORTS OF COMMITTEES (Continued)

By Senator Cooper for the Judiciary I Committee:

S.B. 1335, 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, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.
Pursuant to Rule 45.1, the proposed Committee Substitute bill 8678, which changes the title to read S.B. 1335 (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 OTHER TECHNICAL AND CONFORMING CHANGES, is adopted and engrossed.

Without objection, upon motion of Senator Cooper, the Committee Substitute bill is placed on today’s Supplemental Calendar.

H.B. 1502, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL COURT OFFICIALS TO RESPOND TO ADVERSE WEATHER AND OTHER EMERGENCY SITUATIONS BY CANCELING COURT SESSIONS AND CLOSING COURT OFFICES AND TO AUTHORIZE THE CHIEF JUSTICE TO EXTEND STATUTES OF LIMITATIONS AND OTHER COMPARABLE DEADLINES IN RESPONSE TO CATASTROPHIC CONDITIONS, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION, 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 5116 is adopted and engrossed.

By Senator Shaw of Cumberland for the Transportation Committee:

H.B. 1498, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN MANAGER OF BUTNER TO ADMINISTER ITS ANNUAL POWELL BILL STATE STREET AID ALLOCATION, with a favorable report.

Without objection, upon motion of Senator Shaw of Cumberland, the bill is placed on today’s Supplemental Calendar.

SPECIAL MESSAGES 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. 1290 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN POLITICAL ACTIVITIES BY BOARD OF ELECTIONS MEMBERS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Clodfelter, the rules are suspended, without objection, and the House Committee Substitute bill is placed on today’s Supplemental Calendar.

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

S.B. 1200

House of Representatives
July 5, 2000

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute for SB 1200, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL VOLUNTARY MUNICIPAL PARTICIPATION IN ROAD CONSTRUCTION, the Speaker has appointed as conferees on the part of the House:

July 6, 2000
Representative Buchanan,  
Representative Cole,  
Representative Crawford, and  
Representative Sossaman

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:

S.B. 1311  
House of Representatives  
July 5, 2000

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Amendment #1 for SB 1311, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF THE MOUNTAINS TO SEA STATE PARK TRAIL TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, the Speaker has appointed as conferees on the part of the House:

Representative Gibson,  
Representative Warwick,  
Representative Hackney, and  
Representative Culp

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 Chair grants a leave of absence for the remainder of today's Session to Senator Webster.

CALENDAR

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

H.B. 1493 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CONSUMERS WITH CONTROL OVER TELEPHONE SOLICITATION CALLS TO THEIR HOMES.  
Senator Weinstein offers Amendment No. 1 which is adopted (43-2).  
Senator Gulley offers Amendment No. 2 which fails of adoption (22-24).

July 6, 2000
The Senate 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, for concurrence in the Senate Committee Substitute bill.

**H.B. 1571**, A BILL TO BE ENTITLED AN ACT PERTAINING TO TIME REQUIREMENTS FOR THE INVESTIGATION OF COMPLAINTS UNDER THE PROTECTION OF THE ABUSED, NEGLECTED, OR EXPLOITED DISABLED ADULT ACT.

The bill passes its second (47-1) and third readings and is ordered enrolled and sent to the Governor, by special message.

**H.B. 1578** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE POWERS AND DUTIES OF THE SECRETARY OF COMMERCE REGARDING INFORMATION TECHNOLOGY MATTERS AND TO REESTABLISH THOSE POWERS AND DUTIES WITHIN THE OFFICE OF THE GOVERNOR, AND TO MAKE OTHER CHANGES IN THE LAWS REGARDING INFORMATION TECHNOLOGY RELATED STATE GOVERNMENT FUNCTIONS, as amended by committee.

Senator Reeves offers Amendment No. 2 which is adopted (48-0).

The Committee Substitute bill, as amended, passes its second (48-0) and third readings and is ordered sent, by special message, to the House of Representatives, for concurrence in Senate Amendments No. 1 and No. 2.

**WITHDRAWAL FROM CALENDAR**

**S.B. 1343** (Conference Report), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA RURAL INTERNET ACCESS AUTHORITY AND TO DIRECT THE REGIONAL PARTNERSHIPS, WITH THE ASSISTANCE OF THE NORTH CAROLINA RURAL ECONOMIC DEVELOPMENT CENTER, TO STUDY AND REPORT ON THE INFORMATION TECHNOLOGY INFRASTRUCTURE AND INFORMATION TECHNOLOGY NEEDS OF THE STATE, placed on the Calendar for tomorrow, Friday, July 7, for adoption.

Senator Reeves offers a motion that the Conference Report be withdrawn from the Calendar for Friday, July 7, and placed on today’s Supplemental Calendar, which motion prevails with unanimous consent.

The Chair orders the Conference Report withdrawn from the Calendar for Friday, July 7, and places it on today’s Supplemental Calendar.

**CALENDAR (Continued)**

**H.B. 1609** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AND CLARIFY THE PROCEDURES FOR FILING A MOTION TO TERMINATE PARENTAL RIGHTS IN A PENDING JUVENILE ABUSE, NEGLECT, OR DEPENDENCY PROCEEDING, AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WHETHER INFORMATION SHOULD BE EXPUNGED FROM CERTAIN RECORDS WHEN AN ABUSE, NEGLECT, OR DEPENDENCY REPORT IS NOT SUBSTANTIATED OR PROVEN.

Senator Wellons offers Amendment No. 1 which is adopted (46-0).

Senator Wellons offers Amendment No. 2 which is adopted (47-0).

The Committee Substitute bill No. 2, as amended, passes its second (47-0) and third readings and is ordered sent, by special message to the House of Representatives, for concurrence in Senate Amendments No. 1 and No. 2.

July 6, 2000
H.B. 1819 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE THE RURAL REDEVELOPMENT AUTHORITY TO FINANCE RURAL ECONOMIC DEVELOPMENT PROJECTS AND INVEST IN RURAL BUSINESS DEVELOPMENT.

Senator Kerr offers Amendment No. 2 which is adopted (48-0).

The Committee Substitute bill No. 2, as amended, passes its third reading (48-0) and is ordered engrossed and sent, by special message, to the House of Representatives, for concurrence in Senate Amendments No. 1 and No. 2.

The Senate recesses at 2:46 P.M. 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.

The Senate recesses at 3:23 P.M. for the purpose of a Rules and Operations of the Senate Committee meeting, to reconvene at 3:28 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

REPORTS OF COMMITTEES (Continued)

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

S.B. 1385, 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 3999, which changes the title to read S.B. 1385 (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 AND TO MAKE CHANGES IN THE LAW 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.

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 6, 2000

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that Representative Weiss has been added as a conferee on Senate Committee Substitute for July 6, 2000
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
Principal Clerk

SUPPLEMENTAL CALENDAR

H.B. 1290 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE TAX LAWS BY MAKING CLARIFYING AND CONFORMING CHANGES TO THE REVENUE AND RELATED LAWS, upon second reading, placed earlier on today’s Supplemental Calendar, which title changes upon concurrence.

The Senate Committee Substitute bill No. 2 passes its second reading by roll-call vote, ayes 47, noes 0, as follows:


Voting in the negative: None.

Senator Rand offers a motion that the rules be suspended to the end that the bill be brought before the Senate, upon third reading, which motion prevails, with unanimous consent.

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, by special message, to the House of Representatives, for concurrence in Senate Committee Substitute bill No. 2.

S.B. 1192 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FROM STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORY FOR CERTAIN APPLICANTS FOR EMPLOYMENT IN ADULT CARE HOMES, NURSING HOMES, HOME CARE AGENCIES, AND CERTAIN MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FACILITIES; TO IMPOSE A CRIMINAL PENALTY FOR FALSIFYING INFORMATION ON EMPLOYMENT APPLICATIONS; TO REQUIRE CERTAIN DISCLOSURES BY NURSING HOMES; AND PERTAINING TO RULES FOR THE OPERATION OF THE ADULT CARE PORTION OF NURSING HOMES, placed earlier on today’s Supplemental Calendar.

July 6, 2000
The Committee Substitute bill No. 2 passes its second reading (47-0) and third reading (46-0) and is ordered sent, by special message, to the House of Representatives.

**S.B. 1335** (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 OTHER TECHNICAL AND CONFORMING CHANGES, placed earlier on today’s Supplemental Calendar.

The President *Pro Tempore* orders, without objection, the Committee Substitute bill temporarily displaced.

**H.B. 1498**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN MANAGER OF BUTNER TO ADMINISTER ITS ANNUAL POWELL BILL STATE STREET AID ALLOCATION, placed earlier on today’s Supplemental Calendar.

The President *Pro Tempore* orders, without objection, the bill temporarily displaced.

**H.B. 1518** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT CREDIT ACCIDENT AND HEALTH INSURANCE MAY BE ISSUED TO A CREDITOR TO INSURE DEBTORS OF THE CREDITOR, placed earlier on today’s Supplemental Calendar.

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. 1607** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE BAIL BOND FORFEITURE PROCEEDINGS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION’S BAIL BOND LAWS COMMITTEE, placed earlier on today’s Supplemental Calendar.

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. 1696** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE COMMISSIONER OF INSURANCE AND STATE FIRE MARSHAL TO ESTABLISH PUBLIC PROTECTION CLASSIFICATIONS FOR INSURANCE RATING PURPOSES, placed earlier on today’s Supplemental Calendar, which title changes upon concurrence.

With unanimous consent, upon motion of Senator Wellons, the Senate Committee Substitute bill is withdrawn from today’s Calendar and is re-referred to the Insurance Committee.

### CONFERENCE REPORT

**H.B. 1544**

Senator Gulley, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 1544**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A TAXPAYER IS ENTITLED TO A REFUND OF AN OVERPAYMENT OF THE STATE EXCISE TAX ON CONVEYANCES, submits for adoption the following report:

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

July 6, 2000
The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1544, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A TAXPAYER IS ENTITLED TO A REFUND OF AN OVERPAYMENT OF THE STATE EXCISE TAX ON CONVEYANCES, First Edition as Amended by the Senate in Amendment #1, adopted 6/21/00, submit the following report:

The House and Senate agree to the following amendment to Senate Amendment #1 and the House concurs in Senate Amendment #1 as amended:

On page 1, lines 5 through 14, by deleting those lines;

and on page 1, lines 17 and 18, by rewriting those lines to read: “an overpayment 30 days after the request for a refund is filed by the taxpayer with the board of county commissioners.”;

and on page 1, line 20 through page 2, line 2, by rewriting those lines to read: “and on page 2, lines 33 and 37, by deleting the date ‘July 1, 1997,’ and substituting ‘January 1, 2000,’”.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 6, 2000.

S/John Kerr
S/Wib Gulley
S/David Hoyle

S/George W. Miller
S/Paul Luebke
S/Gordon Allen
S/Rep. Pope

Conferees for the Senate
Conferees for the
House of Representatives

Upon motion of Senator Gulley, the rules are suspended and the Conference Report is ordered placed on today’s Supplemental Calendar, for adoption, upon second reading.

SUPPLEMENTAL CALENDAR (Continued)

S.B. 393 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE RULES OF CIVIL PROCEDURE TO REQUIRE BRIEFS AND MEMORANDA IN SUPPORT OR OPPOSITION OF DISPOSITIVE MOTIONS AND OPPOSING AFFIDAVITS TO BE SERVED UPON ALL PARTIES AND TO REQUIRE WRITTEN MOTIONS TO STATE THE GROUNDS FOR THE MOTION WITH PARTICULARITY, for concurrence in House Committee Substitute bill No. 2, placed earlier on today’s Supplemental Calendar.

The Senate concurs in House Committee Substitute bill No. 2, (47-0) and the measure is ordered enrolled and sent to the Governor, by special message.

S.B. 1290 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN POLITICAL ACTIVITIES BY BOARD OF ELECTIONS MEMBERS, for concurrence in the House Committee Substitute bill, placed earlier on today’s Supplemental Calendar.

July 6, 2000
Committee and July immediate for Insurance FOR CLASSIFICATIONS THE CLARIFY Rand, Lucas, Lee, Forrester, Foxx, FIRE STATE Substitute bill upon adoption, Carpenter, Carrington, today's Supplemental THAT A STATE THE AID STREET TECHNOLOGY INFORMATION today's President MANAGER OF CAROLINA NORTHERN Honorable Body REPORT AND AID STREET TECHNOLOGY INFORMATION THE NORTHERN ENCYCLOPEDIA OF CAROLINA EXCISE TAXPAYER CALENDAR. Pursuant to The Chair The Senate adopts the Conference Report (Conference Report), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA RURAL INTERNET ACCESS AUTHORITY AND TO DIRECT THE REGIONAL PARTNERSHIPS, WITH THE ASSISTANCE OF THE NORTH CAROLINA RURAL ECONOMIC DEVELOPMENT CENTER, TO STUDY AND REPORT ON THE INFORMATION TECHNOLOGY INFRASTRUCTURE AND INFORMATION TECHNOLOGY NEEDS OF THE STATE, for adoption, placed earlier on today's Supplemental Calendar. Upon motion of Senator Reeves, the Senate adopts the Conference Report (46-0). The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

H.B. 1498, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN MANAGER OF BUTNER TO ADMINISTER ITS ANNUAL POWELL BILL STATE STREET AID ALLOCATION, temporarily displaced earlier. The bill passes its second reading (46-0). Senator Gulley objects to third reading of the measure. Pursuant to Rule 50, the President Pro Tempore orders the measure placed on the Calendar for tomorrow, Friday, July 7.

H.B. 1544 (Conference Report), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A TAXPAYER IS ENTITLED TO A REFUND OF AN OVERPAYMENT OF THE STATE EXCISE TAX ON CONVEYANCES, for adoption, placed earlier on today's Supplemental Calendar. Upon motion of Senator Gulley, the Senate adopts the Conference Report on its second reading by roll-call vote, ayes 45, noes 0, as follows:


Voting in the negative: None.
The Conference Report remains on the Calendar for tomorrow, Friday, July 7, for adoption, upon third reading.

COMMITTEE REFERRAL RECALL

H.B. 1696 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE COMMISSIONER OF INSURANCE AND STATE FIRE MARSHAL TO ESTABLISH PUBLIC PROTECTION CLASSIFICATIONS FOR INSURANCE RATING PURPOSES, re-referred to the Insurance Committee earlier today.
Pursuant to Rule 47(a), Senator Wellons offers a motion that the Senate Committee Substitute bill be withdrawn from the Insurance Committee and placed before the Senate for immediate consideration, which motion prevails with unanimous consent.
The Chair orders the Senate Committee Substitute bill withdrawn from the Insurance Committee and places it before the Senate for immediate consideration.
Senator Wellons offers Amendment No. 1 which is adopted (45-0).

July 6, 2000
The Senate Committee Substitute bill, as amended, passes its second (44-0) 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. 1335 (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 OTHER TECHNICAL AND CONFORMING CHANGES, placed on today’s Supplemental Calendar and temporarily displaced earlier.

Senator Odom offers Amendment No. 1 which is adopted (45-0).

Senator Ballantine offers Amendment No. 2 which is adopted (43-0).

The President Pro Tempore orders, without objection, the Committee Substitute bill, as amended, temporarily displaced.

S.B. 1385 (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 AND TO MAKE CHANGES IN THE LAW RELATING TO APPOINTMENTS TO PUBLIC OFFICE, placed earlier on today’s Supplemental Calendar.

Senator Rand offers Amendment No. 1 which adopted (42-1).

Senator Soles offers Amendment No. 2 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, by special message, to House of Representatives.

REPORTS OF COMMITTEES (Continued)

By Senator Miller for the Judiciary II Committee:

H.B. 1499 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR’S DWI TASK FORCE AND TO CLARIFY THE EFFECTIVE DATE FOR COMMERCIAL MOTOR VEHICLE INSURANCE PROVISIONS OF SESSION LAW 330 OF THE 1999 GENERAL ASSEMBLY, 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 8218 is adopted and engrossed.

COMMITTEE REFERRAL RECALL

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 the Judiciary I Committee on February 23, 1999.

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 Appropriations/Base Budget Committee, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Judiciary I Committee and refers the measure to the Appropriations/Base Budget Committee.

July 6, 2000
The Senate recesses at 4:58 P.M. to reconvene at 5:30 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

The Chair grants a leave of absence for the remainder of today's Session to Senator Cochrane.

SUPPLEMENTAL CALENDAR (Continued)

S.B. 1335 (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 OTHER TECHNICAL AND CONFORMING CHANGES, as amended, temporarily displaced earlier.

Senator Cooper offers Amendment No. 3 which is adopted (43-0).
Senator Cooper offers Amendment No. 4 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, by special message, to the House of Representatives.

CONFERENCE REPORT

H.B. 1854

Senator Kerr, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon H.B. 1854 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES AND THE INSURANCE REGULATORY CHARGE, TO INCREASE COURT COSTS, TO INCREASE JAIL FEES FOR PERSONS PAYING JAIL FEES PURSUANT TO PROBATIONARY SENTENCES, TO INCREASE THE FEE IMPOSED FOR EMERGENCY PLANNING, TO AUTHORIZE CERTAIN CHANGES IN PERMITS FOR OVERSIZE LOADS AND ESTABLISH PENALTIES FOR PERMIT VIOLATIONS, TO AUTHORIZE AGENCIES TO PROVIDE ACCESS TO SERVICES THROUGH ELECTRONIC AND DIGITAL TRANSACTIONS AND TO IMPOSE A FEE FOR THOSE TRANSACTIONS, AND TO REPEAL THE SUNSET OF THE WHITE GOODS TAX AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY ISSUES RELATED TO THE SCRAP TIRE DISPOSAL TAX AND THE WHITE GOODS DISPOSAL 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 1854, AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES AND THE INSURANCE REGULATORY CHARGE, TO INCREASE COURT COSTS, TO INCREASE JAIL FEES FOR PERSONS PAYING JAIL FEES PURSUANT TO PROBATIONARY SENTENCES, TO INCREASE THE FEE IMPOSED FOR EMERGENCY PLANNING, TO AUTHORIZE CERTAIN CHANGES IN PERMITS FOR OVERSIZE LOADS AND ESTABLISH PENALTIES

July 6, 2000
FOR PERMIT VIOLATIONS, TO AUTHORIZE AGENCIES TO PROVIDE ACCESS TO SERVICES THROUGH ELECTRONIC AND DIGITAL TRANSACTIONS AND TO IMPOSE A FEE FOR THOSE TRANSACTIONS, AND TO REPEAL THE SUNSET OF THE WHITE GOODS TAX AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY ISSUES RELATED TO THE SCRAP TIRE DISPOSAL TAX AND THE WHITE GOODS DISPOSAL TAX, Fifth Edition Engrossed 6/28/00, submit the following report:

The House and Senate agree to the following amendment to the Fifth Edition Engrossed 6/28/00, and the House concurs in the Fifth Edition engrossed 6/28/00 as amended:

On page 11, lines 12 through 20, by rewriting those lines to read:
“person and a public agency. The fee may be collected by the agency or by its third party agent.
(c) The fee imposed under subsection (b) of this section must be approved by the Information Resource Management Commission, in consultation with the Joint Legislative Commission on Governmental Operations. The revenue derived from the fee must be credited to a nonreverting agency reserve account. The funds in the account may be expended only for e-commerce initiatives and projects approved by the Information Resource Management Commission, in consultation with the Joint Select Committee on Information Technology. For purposes of this subsection, the term ‘public agencies’ does not include a county, unit, special district, or other political subdivision of government.
(d) This section does not apply to the Judicial Department.”.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 6, 2000.

S/John Kerr  
S/Fletcher L. Hartsell, Jr.  
S/David Hoyle

S/George Miller  
S/Gordon P. Allen  
S/Daughtry  
S/Paul Luebke

Conferees for the Senate  
Conferees for the House of Representatives

Upon motion of Senator Kerr the rules are suspended and the Conference Report is placed before the Senate for immediate consideration.

Upon motion of Senator Kerr, the Conference Report is adopted (44-0). A message is ordered sent to the House of Representatives informing that Honoring 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:

H.B. 1853 (Committee Substitute No. 2), 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 AND TO AMEND THE LAWS REGARDING CERTAIN REVENUE BONDS THAT MAY BE ISSUED BY THE BOARD OF GOVERNORS.

Referred to Finance Committee.

S.B. 1286 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW RECALL ELECTIONS IN THE CITY OF RANDLEMAN, for concurrence in the House Committee Substitute bill, placed on the Calendar for Friday, July 7.

S.B. 1477 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A NEW, SUSTAINABLY DESIGNED, STATE OFFICE BUILDING AND WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE USED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED THIRTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS, AND TO PROVIDE FOR A NEW EASTERN WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED FOUR MILLION DOLLARS, for concurrence in House Amendment No. 1.

Upon motion of Senator Rand, the rules are suspended, without objection, and the Committee Substitute bill is placed before the Senate for immediate consideration.

The Senate fails to concur in House Amendment No. 1 (0-44).

Senator Rand offers a motion that the Senate appoint conferees, which motion prevails.

Senator Ballance, Deputy President Pro Tempore, announces the appointment Senator Kerr, Chairman, and Senators Garwood, Hoyle, 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.

S.B. 1341 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PREVENT INAPPROPRIATE DEVELOPMENT IN THE ONE HUNDRED-YEAR FLOODPLAN AND TO REDUCE FLOOD HAZARDS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, for concurrence in the House Committee Substitute bill.

Referred to Agriculture/Environment/Natural Resources Committee.

Upon motion of Senator Ballance, seconded by Senator Odom, the Senate adjourns at 6:23 P.M. to meet tomorrow, Friday, July 7, at 10:00 A.M.

ONE HUNDRED THIRTY-EIGHTH DAY

Senate Chamber
Friday, July 7, 2000

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.

July 7, 2000
Prayer is offered by The Reverend Sally Bates, Senate Chaplain, as follows:

"God of seemingly hopeless causes, we stand before a mound of pending legislation with the clock ticking its final hours and we pray for something akin to a miracle. We recall that when Joshua and his warriors faced the Amorites in battle, he petitioned You to stop the journey of the sun in the sky so that he might benefit from extra hours of daylight in which to defeat his oppressors. Scripture tells us that 'the sun stayed in the midst of heaven and did not hasten to go down for about a whole day. There has been no day like it before or since, when the Lord hearkened to the voice of a man. And the Lord fought for Israel.'

"Oh God, given what lies before us, we need some kind of clock stopping miracle like Joshua's in order to get it all done. But barring that, we would be immensely grateful for a special measure of cooperation with the House and with each other, and clarity and brevity of speech.

"May our inevitable fourth quarter desperation be the occasion for rediscovering our dependence on Your strength. Then, in just a few more days, may we be heard saying with humble gratitude that there has indeed 'been no day like it before or since' when You fought for Your people. Amen."

With unanimous consent, the President Pro Tempore grants leaves of absence for today to Senator Cochrane, Senator Hoyle, and Senator Martin of Pitt.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Thursday, 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.

**CALENDAR**

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

**H.B. 1499** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S DWI TASK FORCE, AND TO CLARIFY THE EFFECTIVE DATE FOR COMMERCIAL MOTOR VEHICLE INSURANCE PROVISIONS OF SESSION LAW 330 OF THE 1999 GENERAL ASSEMBLY.

With unanimous consent, upon motion of Senator Ballance, the Senate Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the **Judiciary II Committee**.

**ENROLLED BILLS**

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

**S.B. 393**, AN ACT TO AMEND THE RULES OF CIVIL PROCEDURE TO REQUIRE BRIEFS AND MEMORANDA IN SUPPORT OR OPPOSITION OF DISPOSITION MOTIONS AND OPPOSING AFFIDAVITS TO BE SERVED UPON ALL PARTIES AND TO REQUIRE WRITTEN MOTIONS TO STATE THE GROUNDS FOR THE MOTION WITH PARTICULARITY.

July 7, 2000
S.B. 1275, an act to extend the moratorium on new billboards along a designated section of Interstate 40, as recommended by the environmental review commission.

S.B. 1290, an act to prohibit certain political activities by board of elections members.

H.B. 1473, an act to modify the income tax credit for manufacturers of certain renewable energy equipment and to further adjust the share certain cities receive from the state gross receipts tax.

H.B. 1518, an act to clarify that group credit accident and health insurance may be issued to a creditor to insure debtors of the creditor.

H.B. 1559, an act to update the reference to the internal revenue code used in defining and determining certain state tax provisions, to conform to federal law regarding pension tax withholding and deadlines for payments of certain estimated income taxes, to clarify the sales factor for determination of state corporate income and franchise tax, and to enable the collection of tax debt owed to North Carolina through the federal treasury offset program.

H.B. 1571, an act pertaining to time requirements for the investigation of complaints under the protection of the abused, neglected, or exploited disabled adult act.

H.B. 1607, an act to modernize bail bond forfeiture proceedings, as recommended by the legislative research commission's bail bond laws committee.

H.B. 1638, an act to improve ambient air quality, to provide for the use of on-board diagnostic equipment in the motor vehicle emissions inspection and maintenance program, and to exclude federal congestion mitigation and air quality funds from the distribution formula for funds expended on transportation, as recommended by the environmental review commission.

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

S.B. 1300, an act to incorporate the town of Midland, subject to a referendum.

S.B. 1364, an act to authorize the Cabarrus Board of Equalization and Review to meet after its formal adjournment.

S.B. 1481, an act to amend the legal description of the real property located within the counties of Durham and Wake, as

July 7, 2000

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. 1288, AN ACT TO PERMIT THE CITY OF CHARLOTTE AND THE TOWNS OF CORNELIUS, DAVIDSON, HUNTERSVILLE, MATTHEWS, MINT HILL, AND PINEVILLE TO ENGAGE IN CONDITIONAL ZONING. (Became law upon ratification, July 6, 2000 – S.L. 2000-84.)

S.B. 1302, AN ACT TO ASSIST CABARRUS COUNTY WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES. (Became law upon ratification, July 6, 2000 – S.L. 2000-85.)

S.B. 1418, AN ACT TO PROVIDE FOR DIRECT ELECTION OF THE MAYOR OF YANCEYVILLE AND FOR THE TOWN MANAGER FORM OF GOVERNMENT FOR THAT TOWN. (Became law upon ratification, July 6, 2000 – S.L. 2000-86.)

S.B. 1443, AN ACT TO ALLOW A NEGOTIATED OFFER AND UPSET BID PROCESS FOR SALE OF THE CURRENT CABARRUS COUNTY SCHOOLS CENTRAL OFFICE AND FOR A DESIGN-BUILD CONSTRUCTION METHOD FOR THE CABARRUS SCHOOL CENTRAL OFFICE AND BUS FACILITY. (Became law upon ratification, July 6, 2000 – S.L. 2000-87.)

S.B. 1444, AN ACT TO ALLOW A DESIGN-BUILD CONSTRUCTION METHOD FOR A CONVENTION CENTER IN CABARRUS COUNTY, AND TO ALLOW LEASE OF PROPERTY FOR A HOTEL. (Became law upon ratification, July 6, 2000 – S.L. 2000-88.)

H.B. 1647, AN ACT TO ALLOW THE CITY OF CHARLOTTE TO USE THE PROCEDURES OF CHAPTER 136 OF THE GENERAL STATUTES FOR CONDEMNATION FOR ECONOMIC DEVELOPMENT PURPOSES WITHIN A DEFINED AREA. (Became law upon ratification, July 6, 2000 – S.L. 2000-89.)


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. 1447 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE SUNDARY AMENDMENTS CONCERNING THE TOWN OF CHAPEL HILL AND TO EXEMPT THE TOWN OF NEWPORT FROM CERTAIN STATUTORY REQUIREMENTS IN THE ACQUISITION OF A SPECIFIC PIECE OF

July 7, 2000
FIRE EQUIPMENT, for concurrence in House Committee Substitute bill No. 2, which is placed on today's Calendar.

**H.B. 1566** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A PROCEDURE FOR CREATION OF A TEMPORARY LIEN ON A MOTOR VEHICLE WHEN A MANUFACTURER'S STATEMENT OF ORIGIN OR AN EXISTING CERTIFICATE OF TITLE ON A MOTOR VEHICLE IS UNAVAILABLE AND TO MAKE OTHER CONFORMING CHANGES.

Referred to Finance Committee.

**H.B. 1768** (Committee Substitute), A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS CHANGES TO CERTAIN GENERAL AND LOCAL LAWS AFFECTING ORANGE COUNTY.

Referred to Finance Committee.

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

**H.B. 1855**

House of Representatives
July 6, 2000

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 1855, A BILL TO BE ENTITLED AN ACT PERTAINING TO PRESCRIPTION DRUG, RETIREE PREMIUMS, AND CHRONIC CONDITION CLAIM COSTS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, and requests conferees. The Speaker has appointed:

Representative Wright,
Representative Nye,
Representative Earle,
Representative Edwards, and
Representative Barbee

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)**

**S.B. 1286** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW RECALL ELECTIONS IN THE CITY OF RANDLEMAN, 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.

**S.B. 1447** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE SUNDRY AMENDMENTS CONCERNING THE TOWN OF CHAPEL

July 7, 2000
HILL AND TO EXEMPT THE TOWN OF NEWPORT FROM CERTAIN
STATUTORY REQUIREMENTS IN THE ACQUISITION OF A SPECIFIC PIECE OF
FIRE EQUIPMENT, for concurrence in House Committee Substitute bill No. 2, placed
earlier on today’s Calendar.

The Senate concurs in House Committee Substitute bill No. 2 (45-0) and the measure
is ordered enrolled.

RECONSIDERATION

H.B. 1544 (Conference Report), A BILL TO BE ENTITLED AN ACT TO CLARIFY
THAT A TAXPAYER IS ENTITLED TO A REFUND OF AN OVERPAYMENT OF
THE STATE EXCISE TAX ON CONVEYANCES, for adoption.

Senator Rand offers a motion that the Conference Report be taken up out of its regular
order of business and placed before the Senate for immediate consideration, which motion
prevails.

Having voted with the majority, Senator Rand offers a motion that the vote by which
the Conference Report was adopted on second reading on July 6, be reconsidered, which
motion prevails (44-0), and the question before the Body becomes the adoption of the
Conference Report, upon second reading.

Upon motion of Senator Rand, the Senate adopts the Conference Report on its second
reading by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Ballantine, Basnight,
Carpenter, Carrington, Carter, Clodfelter, Cooper, Dalton, Dannelly, East, Forrester, Foxx,
Garrou, Garwood, Hagan, Harris, Hartsell, Horton, Jordan, Kerr, Kinnaird, Lee, Lucas,
Martin of Guilford, Metcalf, Miller, Moore, Odom, Perdue, Phillips, Plyler, Purcell, Rand,
Reeves, Robinson, Rucho, Shaw of Cumberland, Shaw of Guilford, Soles, Warren,
Webster, Weinstein and Wellons—45.

Voting in the negative: None.

The Conference Report is placed on the Calendar for Monday, July 10, for adoption,
upon third reading.

INTRODUCTION OF A RESOLUTION

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

By Senators Rand, Albertson, Ballance, Ballantine, Basnight, Carpenter, Carrington,
Carter, Clodfelter, Cooper, Dalton, Dannelly, East, Forrester, Garrou, Garwood, Hagan,
Harris, Hartsell, Horton, Jordan, Kerr, Kinnaird, Lee, Martin of Guilford, Metcalf, Miller,
Moore, Odom, Perdue, Phillips, Plyler, Purcell, Reeves, Robinson, Rucho, Shaw of
Guilford, Soles, Warren, Webster, Weinstein and Wellons:

S.J.R. 1558, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE
DIE OF THE GENERAL ASSEMBLY.

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 (45-0) and third readings and 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

July 7, 2000
reports accompanying them, and take their place on the Calendar, as follows:

By Senator Miller for the Judiciary II 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, 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 7394, which changes the title upon concurrence to read H.B. 968 (Senate 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, TO AUTHORIZE ADMINISTRATIVE LAW JUDGES TO AWARD REASONABLE ATTORNEY'S FEES IN CERTAIN CASES, AND TO AUTHORIZE THE COURTS TO AWARD REASONABLE ATTORNEY'S FEES FOR ADMINISTRATIVE HEARINGS, is adopted and engrossed.

With unanimous consent, upon motion of Senator Miller, the rules are suspended and the Senate Committee Substitute bill is placed on today's Supplemental Calendar.

APPOINTMENT OF CONFERENCE COMMITTEE

H.B. 1855, A BILL TO BE ENTITLED AN ACT PERTAINING TO PRESCRIPTION DRUG, RETIREE PREMIUMS, AND CHRONIC CONDITION CLAIM COSTS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN.

Pursuant to the message from the House of Representatives received earlier today that the House of Representatives fails to concur in the Senate Committee Substitute bill and requests conferees, Senator Ballance 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 Senators Carrington, Dannelly, and Purcell 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.

The Senate recesses at 11:04 A.M. for the purpose of a Finance Committee meeting, to reconvene at 11:25 A.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

The Chair grants leaves of absence for the remainder of today's Session to Senator Forrester and Senator Jordan.

REPORTS OF COMMITTEES (Continued)

By Senator Kerr for the Finance Committee:

H.B. 1853 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT July 7, 2000
APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL
IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE
UNIVERSITY OF NORTH CAROLINA AND TO AMEND THE LAWS REGARDING
CERTAIN REVENUE BONDS THAT MAY BE ISSUED BY THE BOARD OF
GOVERNORS, with a favorable report.

Upon motion of Senator Kerr, the rules are suspended and the Committee Substitute
bill No. 2 is placed on today’s Calendar.

CALENDAR (Continued)

H.B. 1502 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO
AUTHORIZE LOCAL COURT OFFICIALS TO RESPOND TO ADVERSE WEATHER
AND OTHER EMERGENCY SITUATIONS BY CANCELING COURT SESSIONS
AND CLOSING COURT OFFICES AND TO AUTHORIZE THE CHIEF JUSTICE TO
EXTEND STATUTES OF LIMITATIONS AND OTHER COMPARABLE DEADLINES IN RESPONSE TO CATASTROPHIC CONDITIONS, AS
RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION.

The President Pro Tempore orders, without objection, the Senate Committee
Substitute bill temporarily displaced.

H.B. 1498, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN
MANAGER OF BUTNER TO ADMINISTER ITS ANNUAL POWELL BILL STATE
STREET AID ALLOCATION.

Senator Dalton offers Amendment No. 1 which is adopted (42-0).

The bill, as amended, passes its third reading (42-0) and is ordered sent, by special
message, to the House of Representatives for concurrence in Senate Amendment No.1.

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

H.B. 1502 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO
AUTHORIZE LOCAL COURT OFFICIALS TO RESPOND TO ADVERSE WEATHER
AND OTHER EMERGENCY SITUATIONS BY CANCELING COURT SESSIONS
AND CLOSING COURT OFFICES AND TO AUTHORIZE THE CHIEF JUSTICE TO
EXTEND STATUTES OF LIMITATIONS AND OTHER COMPARABLE DEADLINES IN RESPONSE TO CATASTROPHIC CONDITIONS, AS
RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION, temporarily displaced earlier.

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. 1853 (Committee Substitute No. 2), 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 AND TO AMEND THE LAWS REGARDING
CERTAIN REVENUE BONDS THAT MAY BE ISSUED BY THE BOARD OF
GOVERNORS, placed earlier on today’s Calendar.

The Committee Substitute bill No. 2 passes its second (43-1) and third readings and is
ordered enrolled and sent to the Governor, by special message.

July 7, 2000
The Senate recesses at 12:03 P.M. 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.

Upon the appearance of Senator Cochrane in the Chamber, the Chair acknowledges her presence and the leave of absence granted previously is withdrawn.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

H.B. 1501
House of Representatives
July 7, 2000

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 # 3 to HB 1501, A BILL TO BE ENTITLED AN ACT TO ALLOW SERVICE OF PROCESS BY PUBLICATION IN MOTOR VEHICLE LIEN CASES IN SMALL CLAIMS COURT, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION, and requests conferees. The Speaker has appointed:

Representative Sutton,
Representative Crawford, and
Representative Gulley

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:

H.B. 1748
House of Representatives
July 7, 2000

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 1748, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PURPOSES FOR WHICH THE GRANVILLE COUNTY OCCUPANCY TAX CAN BE USED FOR A LIMITED PERIOD OF TIME, TO ESTABLISH A TOURISM DEVELOPMENT AUTHORITY, TO MAKE TECHNICAL CHANGES, TO CHANGE THE PURPOSES FOR WHICH THE BANNER ELK OCCUPANCY TAX MAY BE USED, AND TO MAKE CONFORMING CHANGES, and requests conferees. The Speaker has appointed:

July 7, 2000
Representative Fox,
Representative Jarrell, and
Representative 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

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

H.B. 684

House of Representatives
July 7, 2000

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 684, 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, 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. 1477

House of Representatives
July 7, 2000

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Amendment # 1 to Committee Substitute for SB 1477, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A NEW, SUSTAINABLY DESIGNED, STATE OFFICE BUILDING AND WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE USED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED THIRTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS, AND TO PROVIDE FOR A NEW EASTERN WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED FOUR MILLION DOLLARS, the Speaker has appointed as conferees on the part of the House:

Representative Baddour,
Representative Owens,
Representative Warner,
Representative Russell, and
Representative Hunter
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:

S.B. 1343
House of Representatives
July 7, 2000

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 1343, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA RURAL INTERNET ACCESS AUTHORITY AND TO DIRECT THE REGIONAL PARTNERSHIPS, WITH THE ASSISTANCE OF THE NORTH CAROLINA RURAL ECONOMIC DEVELOPMENT CENTER, TO STUDY AND REPORT ON THE INFORMATION TECHNOLOGY INFRASTRUCTURE AND INFORMATION TECHNOLOGY NEEDS OF THE STATE.

Pursuant to your message that you have adopted the report of the Conferees, the President may order the bill enrolled.

Respectfully,
S/Denise Weeks
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 1343, the President Pro Tempore orders the bill enrolled and sent to the Governor, by special message.

SUPPLEMENTAL CALENDAR

H.B. 968 (Senate 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, TO AUTHORIZE ADMINISTRATIVE LAW JUDGES TO AWARD REASONABLE ATTORNEY’S FEES IN CERTAIN CASES, AND TO AUTHORIZE THE COURTS TO AWARD REASONABLE ATTORNEY’S FEES FOR ADMINISTRATIVE HEARINGS, placed earlier on today’s Supplemental Calendar.

Senator Miller offers Amendment No. 1 which is adopted (46-0).

July 7, 2000
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.

CONFERENCE REPORT

S.B. 1200

Senator Gulley, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon S.B. 1200 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL VOLUNTARY MUNICIPAL PARTICIPATION IN ROAD CONSTRUCTION, 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 1200 (Third Edition), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL VOLUNTARY MUNICIPAL PARTICIPATION IN ROAD CONSTRUCTION, House Committee Substitute Favorable 6/22/00, submit the following report:

The House and Senate agree to the following amendment to the House Committee Substitute Favorable 6/22/00, and the Senate concurs in the House Committee Substitute as amended:

on page 3, lines 34-41, rewrite those lines to read:

“(el) Reimbursement Procedure. -- Any participation shall be set forth in an agreement between the municipality and the Department of Transportation. Upon request of the municipality, the Department of Transportation shall allow the municipality a period of not less than three years from the date construction of the project is initiated to reimburse the Department their agreed upon share of the costs of rights-of-way necessary for the project. The Department of Transportation shall not charge a municipality any interest on its agreed upon share of rights-of-way costs during the initial three years.”

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 7, 2000.

S/Wib P. Gulley  S/Charles F. Buchanan
S/Len Sossaman

Conferees for the Senate  Conferees for the
House of Representatives

Upon motion of Senator Gulley, the rules are suspended and the Conference Report is placed on today’s Supplemental Calendar.

The Conference Report is adopted (45-0) and a special message is ordered sent to the House of Representatives informing that Honorable Body of such action.

July 7, 2000
REPORTS OF COMMITTEES (Continued)

By Senator Perdue for Appropriations/Base Budget Committee:

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, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill A699, which changes the title to read S.B. 165 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR CERTAIN FELONIES AND STORED IN THE STATE DNA DATABASE, TO REQUIRE THAT A PORTION OF THE EVIDENCE THAT CONTAINS DNA AND THAT IS COLLECTED IN A CRIMINAL INVESTIGATION BE RETAINED BY LAW ENFORCEMENT OFFICIALS FOR FIVE YEARS AFTER PROSECUTION, AND TO ESTABLISH PILOT PROGRAMS TO IMPLEMENT THIS PROCEDURE, is adopted and engrossed.

Upon motion of Senator Rand, the rules are suspended and the Committee Substitute bill is placed before the Senate for immediate consideration.

Senator Rand offers Amendment No. 1.

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, July 10, with Amendment No. 1 pending.

CONFERENCE REPORT

H.B. 1748

Senator Odom, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon H.B. 1748 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE PURPOSES FOR WHICH THE GRANVILLE COUNTY OCCUPANCY TAX CAN BE USED FOR A LIMITED PERIOD OF TIME, TO ESTABLISH A TOURISM DEVELOPMENT AUTHORITY, TO MAKE TECHNICAL CHANGES, TO CHANGE THE PURPOSES FOR WHICH THE BANNER ELK OCCUPANCY TAX MAY BE USED, AND TO MAKE CONFORMING 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 House Bill 1748, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PURPOSES FOR WHICH THE GRANVILLE COUNTY OCCUPANCY TAX CAN BE USED FOR A LIMITED PERIOD OF TIME, TO ESTABLISH A TOURISM DEVELOPMENT AUTHORITY, TO MAKE TECHNICAL CHANGES, TO CHANGE THE PURPOSES FOR WHICH THE BANNER ELK OCCUPANCY TAX MAY BE USED, AND TO MAKE CONFORMING CHANGES, Fourth Edition Engrossed 7/5/00, submit the following report:

July 7, 2000
The House and Senate agree to the following amendments to the Fourth Edition Engrossed 7/5/00, and the House concurs in the Fourth Edition Engrossed 7/5/00 as amended:

on page 8, line 24, by deleting the phrase "hotel or motel" and substituting the phrase "hotel, motel, or bed and breakfast"; and

on page 9, line 2, by deleting the phrase "hotel or motel" and substituting the phrase "hotel, motel, or bed and breakfast.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 7, 2000.

S/T. L. Odom
S/Walter Dalton
S/John A. Garwood
S/Ken Moore
S/ David F. Weinstein

Conferees for the Senate

S/Stanley H. Fox
S/Mary L. Jarrell
Gregory J. Thompson

Conferees for the House of Representatives

Senator Odom offers a motion that the rules be suspended and that the Conference Report be placed before the Senate for immediate consideration.

Upon motion of Senator Odom, the Conference Report is adopted (46-0).

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 Wellons, the Senate adjourns at 3:20 P.M. subject to receipt of messages from the House of Representatives, to meet Monday, July 10, at 7:00 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. 1210 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE BASIS FOR ISSUING PERMANENT PLATES TO CHURCH BUSES; TO CREATE THE FUND FOR THE REDUCTION OF CLASS SIZE IN PUBLIC SCHOOLS AND THE LITTER PREVENTION ACCOUNT; TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SEVEN NEW SPECIAL REGISTRATION PLATES; AND TO EXEMPT THE FOLLOWING SPECIAL PLATES FROM THE TEN DOLLAR ADDITIONAL FEE IMPOSED FOR A SPECIAL REGISTRATION PLATE: LEGION OF VALOR, SILVER STAR RECIPIENT, 100% DISABLED VETERAN, AND EX-PRISONER OF WAR; AND TO REQUIRE RED LENSES ON BRAKE LIGHTS, for concurrence in House Committee Substitute No. 2.

The House Committee Substitute bill No. 2 is ordered held in the Office of the Senate Principal Clerk, pending referral.

July 7, 2000
S.B. 1472 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE REVENUE BOND FINANCING OF CERTAIN PRIVATE PROJECTS THAT PERFORM A PUBLIC PURPOSE AND TO REORGANIZE THE INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITY, for concurrence in House Amendment No 1.

The Committee Substitute bill is ordered held in the Office of the Senate Principal Clerk, pending referral.

H.B. 1566 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A PROCEDURE FOR CREATION OF A TEMPORARY LIEN ON A MOTOR VEHICLE WHEN A MANUFACTURER'S STATEMENT OF ORIGIN OR AN EXISTING CERTIFICATE OF TITLE ON A MOTOR VEHICLE IS UNAVAILABLE AND TO MAKE OTHER CONFORMING CHANGES.

The Committee Substitute bill No. 2 is ordered held in the Office of the Senate Principal Clerk, pending referral to committee.

H.B. 1768 (Committee Substitute), A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS CHANGES TO CERTAIN GENERAL AND LOCAL LAWS AFFECTING ORANGE COUNTY.

The Committee Substitute bill is ordered held in the Office of the Senate Principal Clerk, pending referral to committee.

Pursuant to Senator Ballance’s motion to adjourn having prevailed, the Senate adjourns at 9:55 P.M.

ONE HUNDRED THIRTY-NINTH DAY

Senate Chamber
Monday, July 10, 2000

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 mercy and justice, we give You thanks for the end which looms so close. Oh God, we know that before it ever receives the Governor’s signature and reaches the State statute book, every new piece of legislation we consider will have been scrutinized by an army of legal aides, eager to stretch the spirit of the law while honoring the letter. Where the law touches them, many citizens will do the same. The State defines the boundaries, and citizens, in their own interests, will lean on those boundaries to the very limit that the law permits.

“But the law of the Kingdom of God knows nothing of such subtle interpretations, for the whole of the law is summed up in just three words, ‘You shall love.’ The frequent question in this Chamber, ‘Who benefits?,’ is quite unknown in the Kingdom, for there the most relevant question asked of each new situation is ‘What does love demand?’

“Help us, oh God, to live less by the law of cherished rights and more by the law of unlimited responsibility. Even when our own self-interest is at stake, teach us to keep loving until it hurts. Amen.”

July 10, 2000
With unanimous consent, the President Pro Tempore grants leaves of absence for tonight to Senator Martin of Pitt, Senator Moore, and Senator Rucho.

Senator Ballance, Deputy President Pro Tempore, announces the Journal of Friday, 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 Brenda Cleary from Raleigh, 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. 1183 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE FUTURE OF THE NORTH CAROLINA RAILROAD STUDY COMMISSION, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, July 11.

S.B. 1460 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE INCENTIVES FOR DEVELOPMENT OF THE FILM INDUSTRY IN NORTH CAROLINA, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, Tuesday, July 11.

WITHDRAWAL FROM CALENDAR

S.B. 1460 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE INCENTIVES FOR DEVELOPMENT OF THE FILM INDUSTRY IN NORTH CAROLINA, placed on the Calendar for tomorrow, Tuesday, July 11.

Senator Lee offers a motion that the House Committee Substitute bill be withdrawn from the Calendar for Tuesday, July 11, and placed on tonight’s Calendar, which motion prevails with unanimous consent.

The Chair orders the House Committee Substitute bill withdrawn from the Calendar for Tuesday, July 11, and places it on tonight’s Calendar, for concurrence in the House Committee Substitute bill.

CALENDAR

Bills on tonight’s Calendar are taken up and disposed of, as follows:

S.B. 165 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR CERTAIN FELONIES AND STORED IN THE STATE DNA DATABASE, TO REQUIRE THAT A PORTION OF THE EVIDENCE THAT CONTAINS DNA AND THAT IS COLLECTED IN A CRIMINAL INVESTIGATION BE RETAINED BY LAW ENFORCEMENT OFFICIALS FOR FIVE YEARS AFTER PROSECUTION, AND TO ESTABLISH PILOT PROGRAMS TO IMPLEMENT THIS PROCEDURE, with Amendment No. 1 pending.

The President Pro Tempore orders, without objection, the Committee Substitute bill temporarily displaced, with Amendment No. 1 pending.

July 10, 2000
S.B. 1210 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE BASIS FOR ISSUING PERMANENT PLATES TO CHURCH BUSES; TO CREATE THE FUND FOR THE REDUCTION OF CLASS SIZE IN PUBLIC SCHOOLS AND THE LITTER PREVENTION ACCOUNT; TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SEVEN NEW SPECIAL REGISTRATION PLATES; AND TO EXEMPT THE FOLLOWING SPECIAL PLATES FROM THE TEN DOLLAR ADDITIONAL FEE IMPOSED FOR A SPECIAL REGISTRATION PLATE: LEGION OF VALOR, SILVER STAR RECIPIENT, 100% DISABLED VETERAN, AND EX-PRISONER OF WAR; AND TO REQUIRE RED LENSES OF BRAKE LIGHTS, for concurrence in House Committee Substitute bill No. 2.

The President Pro Tempore rules that House Committee Substitute bill No. 2 does not require a call of the roll.

With unanimous consent, upon motion of Senator Kerr, House Committee Substitute bill No. 2 is withdrawn from tonight's Calendar and is placed on the Calendar for tomorrow, Tuesday, July 11.

S.B. 1472 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE REVENUE BOND FINANCING OF CERTAIN PRIVATE PROJECTS THAT PERFORM A PUBLIC PURPOSE AND TO REORGANIZE THE INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITY, for concurrence in House Amendment No. 1.

The President Pro Tempore rules that the Committee Substitute bill does not require a call of the roll.

The Senate concurs in House Amendment No. 1 (45-0) and the measure is ordered enrolled and sent to the Governor, by special message.

COMMITTEE REFERRAL RECALL

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 the Rules and Operations of the Senate Committee on July 14, 1999.

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

The Chair orders the Committee Substitute bill withdrawn from the Rules and Operations of the Senate Committee and re-refers the measure to the Transportation Committee.

CALENDAR (Continued)

H.B. 1544 (Conference Report), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A TAXPAYER IS ENTITLED TO A REFUND OF AN OVERPAYMENT OF THE STATE EXCISE TAX ON CONVEYANCES, 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 affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Carpenter, Carrington, Carter, Clodfelter, Crich, Cooper, Dalton, Dannelley, East, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Harris, Horton, Hoyle, Jordan, Kerr, Kinnaird, Lee, Lucas, Martin of Guilford, Metcalf, Miller, Odom, Perdue, Phillips, Plyler,

July 10, 2000
Purcell, Rand, Reeves, Robinson, Shaw of Guilford, Soles, Warren, Webster, Weinstein, and Wellons—45.

Voting in the negative: None.

A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

S.B. 1460 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE INCENTIVES FOR DEVELOPMENT OF THE FILM INDUSTRY IN NORTH CAROLINA, for concurrence in the House Committee Substitute bill, placed earlier on tonight's Calendar.

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.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 1305, AN ACT TO ENACT REVISED ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE, CONFORMING AMENDMENTS TO OTHER ARTICLES OF THE UNIFORM COMMERCIAL CODE, AND CONFORMING AMENDMENTS TO OTHER SECTIONS OF THE GENERAL STATUTES AND TO INCREASE CERTAIN FEES UNDER CURRENT ARTICLE 9, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

S.B. 1343, AN ACT TO CREATE THE NORTH CAROLINA RURAL INTERNET ACCESS AUTHORITY AND TO DIRECT THE REGIONAL PARTNERSHIPS, WITH THE ASSISTANCE OF THE NORTH CAROLINA RURAL ECONOMIC DEVELOPMENT CENTER, TO STUDY AND REPORT ON THE INFORMATION TECHNOLOGY INFRASTRUCTURE AND INFORMATION TECHNOLOGY NEEDS OF THE STATE.

H.B. 979, AN ACT TO MODIFY THE RIGHTS OF A DECEDENT'S SPOUSE.

H.B. 1132, AN ACT TO PROMOTE THE PRESERVATION OF FARMLAND AND TO PROMOTE SMALL, FAMILY-OWNED FARMS.

H.B. 1218, AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS: (1) TO PROMOTE WATER CONSERVATION BY PROVIDING FOR THE USE OF SUBMETERS IN CONSECUTIVE WATER SYSTEMS; (2) RELATED TO URBAN WATERFRONT REDEVELOPMENT; (3) TO PROVIDE FOR VARIANCES UNDER THE DREDGE AND FILL PERMIT PROGRAM; (4) TO CLARIFY THE AUTHORITY OF THE GOVERNOR TO MAKE APPOINTMENTS TO THE ENVIRONMENTAL MANAGEMENT COMMISSION; (5) TO REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO CONSULT WITH STAKEHOLDERS PRIOR TO DEVELOPING RIPARIAN BUFFER RULES; (6) TO PROHIBIT THE MARINE FISHERIES COMMISSION FROM ESTABLISHING FEES FOR CERTAIN PERMITS AND TO ABOLISH CERTAIN EXISTING PERMIT FEES; AND (7) TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES.

H.B. 1493, AN ACT TO PROVIDE CONSUMERS WITH CONTROL OVER TELEPHONE SOLICITATION CALLS TO THEIR HOMES.

July 10, 2000
H.B. 1578, AN ACT TO REPEAL THE POWERS AND DUTIES OF THE SECRETARY OF COMMERCE REGARDING INFORMATION TECHNOLOGY MATTERS AND TO REESTABLISH THOSE POWERS AND DUTIES WITHIN THE OFFICE OF THE GOVERNOR, AND TO MAKE OTHER CHANGES IN THE LAWS REGARDING INFORMATION TECHNOLOGY RELATED STATE GOVERNMENT FUNCTIONS.

H.B. 1609, AN ACT TO AUTHORIZE AND CLARIFY THE PROCEDURES FOR FILING A MOTION TO TERMINATE PARENTAL RIGHTS IN A PENDING JUVENILE ABUSE, NEGLECT, OR DEPENDENCY PROCEEDING, AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WHETHER INFORMATION SHOULD BE EXPUNGED FROM CERTAIN RECORDS WHEN AN ABUSE, NEGLECT, OR DEPENDENCY REPORT IS NOT SUBSTANTIATED OR PROVEN.

H.B. 1819, AN ACT TO CREATE THE RURAL REDEVELOPMENT AUTHORITY TO FINANCE RURAL ECONOMIC DEVELOPMENT PROJECTS AND INVEST IN RURAL BUSINESS DEVELOPMENT.

H.B. 1853, 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 AND TO AMEND THE LAWS REGARDING CERTAIN REVENUE BONDS THAT MAY BE ISSUED BY THE BOARD OF GOVERNORS.

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

S.B. 1286, AN ACT TO ALLOW RECALL ELECTIONS IN THE CITY OF RANDLEMAN.

S.B. 1354, AN ACT TO AUTHORIZE MECKLENBURG COUNTY TO MATCH FEDERAL INDEPENDENT LIVING FUNDS IN THE EVENT THE STATE DOES NOT PROVIDE MATCHING FUNDS.

S.B. 1362, AN ACT RELATING TO THE DISPOSAL OF PERSONAL PROPERTY BY GASTON COUNTY.

S.B. 1447, AN ACT TO MAKE SUNDARY AMENDMENTS CONCERNING THE TOWN OF CHAPEL HILL AND TO EXEMPT THE TOWN OF NEWPORT FROM CERTAIN STATUTORY REQUIREMENTS IN THE ACQUISITION OF A SPECIFIC PIECE OF FIRE EQUIPMENT.

S.B. 1448, AN ACT TO REMOVE FROM THE CORPORATE LIMITS OF THE TOWN OF HILLSBOROUGH AN AREA PREVIOUSLY ANNEXED BY THE TOWN UNDER THE VOLUNTARY ANNEXATION PROVISIONS OF PART 4 (ANNEXATION OF NONCONTIGUOUS AREAS) OF ARTICLE 4A OF CHAPTER 160A OF THE GENERAL STATUTES.

July 10, 2000
S.B. 1474, AN ACT TO AUTHORIZE ASHEVILLE-BUNCOMBE TECHNICAL COMMUNITY COLLEGE TO LEASE CERTAIN PROPERTY BY PRIVATE NEGOTIATION AND TO ALLOW FLEXIBLE USE OF LEASE PROCEEDS.

H.B. 1803, AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO AMEND AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION AND TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS.

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. 1300, AN ACT TO INCORPORATE THE TOWN OF MIDLAND, SUBJECT TO A REFERENDUM. (Became law upon ratification, July 7, 2000 – S.L. 2000-91.)

S.B. 1364, AN ACT TO AUTHORIZE THE CABARRUS BOARD OF EQUALIZATION AND REVIEW TO MEET AFTER ITS FORMAL ADJOURNMENT. (Became law upon ratification, July 7, 2000 – S.L. 2000-92.)


CALENDAR (Continued)

S.B. 165 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR CERTAIN FELONIES AND STORED IN THE STATE DNA DATABASE, TO REQUIRE THAT A PORTION OF THE EVIDENCE THAT CONTAINS DNA AND THAT IS COLLECTED IN A CRIMINAL INVESTIGATION BE RETAINED BY LAW ENFORCEMENT OFFICIALS FOR FIVE YEARS AFTER PROSECUTION, AND TO ESTABLISH PILOT PROGRAMS TO IMPLEMENT THIS PROCEDURE, with Amendment No. 1 pending, temporarily displaced earlier.

With unanimous consent, upon motion of Senator Rand, the Committee Substitute bill is withdrawn from tonight’s Calendar and is placed on the Calendar for Tuesday, July 11.

SENATE PAGES

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

Amanda Leigh Albertson, Fayetteville; Allison Jane Avery, Gastonia; Ashley Bridgers, Raleigh; Elizabeth Ayres Briley, Greenville; Jesse B. Caldwell, Gastonia; Damian Anthony Cannon, Raleigh; Brandan Scott Carpenter, Cherryville; Jeffery Davidson, Asheboro; Crystal Nicole Dowless, Lake Waccamaw; Alexander L. Freeman, Raleigh; Charles P. Gaylor, Goldsboro; Erica Ann Gregory, Elizabeth City; William C. Henderson, Keene, New Hampshire; Keli E. Johnson, Wilkesboro; Molly M. King, Raleigh; Hugh Lloyd King, Tryon; Bennett Winslow Mauze', Wilson; Devin McKim,
Upon motion of Senator Ballance, seconded by Senator Webster, the Senate adjourns at 7:28 P.M. subject to receipt of messages from the House of Representatives, to meet tomorrow, Tuesday, July 11, at 2:30 P.M.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

H.B. 1544
House of Representatives
July 10, 2000

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 for HB 1544, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A TAXPAYER IS ENTITLED TO A REFUND OF AN OVERPAYMENT OF THE STATE EXCISE TAX ON CONVEYANCES, 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:

H.B. 1854
House of Representatives
July 10, 2000

Mr. President:

Pursuant to your message that you have adopted the report of the Conferees on Senate Committee Substitute for HB 1854, A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES AND THE INSURANCE REGULATORY CHARGE, TO INCREASE COURT COSTS, TO INCREASE JAIL FEES FOR PERSONS PAYING JAIL FEES PURSUANT TO PROBATIONARY SENTENCES, TO INCREASE THE FEE IMPOSED FOR EMERGENCY PLANNING, TO AUTHORIZE CERTAIN CHANGES IN PERMITS FOR OVERSIZE LOADS AND ESTABLISH PENALTIES FOR PERMIT VIOLATIONS, TO AUTHORIZE AGENCIES TO PROVIDE ACCESS TO SERVICES THROUGH ELECTRONIC AND DIGITAL TRANSACTIONS AND TO IMPOSE A FEE FOR THOSE TRANSACTIONS, AND TO REPEAL THE SUNSET OF THE WHITE GOODS TAX AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY ISSUES RELATED TO THE SCRAP TIRE DISPOSAL TAX AND THE WHITE GOODS DISPOSAL TAX, 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.  

July 10, 2000
and the bill is ordered enrolled.

Respectfully,
S/Denise Weeks
Principal Clerk

Special messages are received from the House of Representatives transmitting bills which are read the first time and disposed of, as follows:

S.B. 1381 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REALLOCATE THE PROCEEDS OF THE CLEAN WATER BONDS, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for Tuesday, July 11.

H.B. 1049 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATED TO THE LICENSURE OF PHYSICIANS IN THIS STATE, which is ordered held in the Office of the Principal Clerk, pending referral to committee.

Pursuant to Senator Ballance’s motion to adjourn having prevailed, the Senate adjourns at 8:40 P.M.

ONE HUNDRED FORTIETH DAY

Senate Chamber
Tuesday, July 11, 2000

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:

“Holy God, we praise You for the wonder of this day. We thank You for the calling You have given these men and women to serve the people of North Carolina. Perhaps You have noticed that many of the Senators have been on their knees in recent days, huddling behind their desks in tight little groups. While this posture is due more to their desperation than their devotion, no doubt this humble stance pleases You. Kneeling always becomes us, especially when You are the object of our attention.

“We are very conscious these days of our alliances with other Senators, and seek always to have those with influence ‘on board’ with us when our bill comes on the floor. As we go about forging our voting blocs, let us not forget to occasionally drop to our knees in Your presence, to make sure we are ‘on board’ with You. Amen.”

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

Senator Ballance, Deputy President Pro Tempore, announces the Journal of yesterday, Monday, July 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. Robert Palmer from Tryon, 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. 1460, AN ACT TO PROVIDE INCENTIVES FOR DEVELOPMENT OF THE FILM INDUSTRY IN NORTH CAROLINA.

S.B. 1472, AN ACT TO PROVIDE REVENUE BOND FINANCING OF CERTAIN PRIVATE PROJECTS THAT PERFORM A PUBLIC PURPOSE AND TO REORGANIZE THE INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITY.

S.B. 1529, AN ACT TO ADJUST AND ADD FEES CHARGED BY THE REGISTER OF DEEDS.

H.B. 1544, AN ACT TO CLARIFY THAT A TAXPAYER IS ENTITLED TO A REFUND OF AN OVERPAYMENT OF THE STATE EXCISE TAX ON CONVEYANCES.

H.B. 1854, AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES AND THE INSURANCE REGULATORY CHARGE, TO INCREASE COURT COSTS, TO INCREASE JAIL FEES FOR PERSONS PAYING JAIL FEES PURSUANT TO PROBATIONARY SENTENCES, TO INCREASE THE FEE IMPOSED FOR EMERGENCY PLANNING, TO AUTHORIZE CERTAIN CHANGES IN PERMITS FOR OVERSIZE LOADS AND ESTABLISH PENALTIES FOR PERMIT VIOLATIONS, TO AUTHORIZE AGENCIES TO PROVIDE ACCESS TO SERVICES THROUGH ELECTRONIC AND DIGITAL TRANSACTIONS AND TO IMPOSE A FEE FOR THOSE TRANSACTIONS, AND TO REPEAL THE SUNSET OF THE WHITE GOODS TAX AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY ISSUES RELATED TO THE SCRAP TIRE DISPOSAL TAX AND THE WHITE GOODS DISPOSAL TAX.

S.B. 1252, AN ACT TO CREATE A TAX INCENTIVE FOR THE REDEVELOPMENT OF BROWNFIELDS PROPERTIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

S.B. 1284, AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO REVISE OBSOLETE STATUTORY REFERENCES TO VARIOUS ADMINISTRATIVE PROCEDURE ACT PROVISIONS.

H.B. 1498, AN ACT TO AUTHORIZE THE TOWN MANAGER OF BUTNER TO ADMINISTER ITS ANNUAL POWELL BILL STATE STREET AID ALLOCATION.

H.B. 1502, AN ACT TO AUTHORIZE LOCAL COURT OFFICIALS TO RESPOND TO ADVERSE WEATHER AND OTHER EMERGENCY SITUATIONS BY CANCELING COURT SESSIONS AND CLOSING COURT OFFICES AND TO AUTHORIZE THE CHIEF JUSTICE TO EXTEND STATUTES OF LIMITATIONS

July 11, 2000
AND OTHER COMPARABLE DEADLINES IN RESPONSE TO CATASTROPHIC CONDITIONS, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION.

H.B. 1696, AN ACT TO CLARIFY THE AUTHORITY OF THE COMMISSIONER OF INSURANCE AND STATE FIRE MARSHAL TO ESTABLISH PUBLIC PROTECTION CLASSIFICATIONS FOR INSURANCE RATING PURPOSES.

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. 1286, AN ACT TO ALLOW RECALL ELECTIONS IN THE CITY OF RANDLEMAN. (Became law upon ratification, July 10, 2000 – S.L. 2000-94.)

S.B. 1354, AN ACT TO AUTHORIZE MECKLENBURG COUNTY TO MATCH FEDERAL INDEPENDENT LIVING FUNDS IN THE EVENT THE STATE DOES NOT PROVIDE MATCHING FUNDS. (Became law upon ratification, July 10, 2000 – S.L. 2000-95.)

S.B. 1362, AN ACT RELATING TO THE DISPOSAL OF PERSONAL PROPERTY BY GASTON COUNTY. (Became law upon ratification, July 10, 2000 – S.L. 2000-96.)

S.B. 1447, AN ACT TO MAKE SUNDRY AMENDMENTS CONCERNING THE TOWN OF CHAPEL HILL AND TO EXEMPT THE TOWN OF NEWPORT FROM CERTAIN STATUTORY REQUIREMENTS IN THE ACQUISITION OF A SPECIFIC PIECE OF FIRE EQUIPMENT. (Became law upon ratification, July 10, 2000 – S.L. 2000-97.)


S.B. 1474, AN ACT TO AUTHORIZE ASHEVILLE-BUNCOMBE TECHNICAL COMMUNITY COLLEGE TO LEASE CERTAIN PROPERTY BY PRIVATE NEGOTIATION AND TO ALLOW FLEXIBLE USE OF LEASE PROCEEDS. (Became law upon ratification, July 10, 2000 – S.L. 2000-99.)

H.B. 1803, AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO AMEND AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION AND TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS. (Became law upon ratification, July 10, 2000 – S.L. 2000-100.)

S.B. 1275, AN ACT TO EXTEND THE MORATORIUM ON NEW BILLBOARDS ALONG A DESIGNATED SECTION OF INTERSTATE 40, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (Became law upon approval of the Governor, July 11, 2000 – S.L. 2000-101.)
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. 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, with a favorable report.

With unanimous consent, upon motion of Senator Hoyle, the rules are suspended and the Committee Substitute bill is placed on today’s Supplemental Calendar.

H.B. 1566 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A PROCEDURE FOR CREATION OF A TEMPORARY LIEN ON A MOTOR VEHICLE WHEN A MANUFACTURER’S STATEMENT OF ORIGIN OR AN EXISTING CERTIFICATE OF TITLE ON A MOTOR VEHICLE IS UNAVAILABLE AND TO MAKE OTHER CONFORMING CHANGES, 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 5121 is adopted and engrossed.

With unanimous consent, upon motion of Senator Hoyle, the rules are suspended and the Senate Committee Substitute bill is placed on today’s Supplemental Calendar.

H.B. 1583 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE A NEW TAX CREDIT AS AN INCENTIVE FOR INVESTING IN DRY-CLEANING EQUIPMENT THAT DOES NOT USE HAZARDOUS SUBSTANCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, 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 8219, which changes the title upon concurrence to read H.B. 1583 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCENTIVE FOR INVESTING IN DRY-CLEANING EQUIPMENT THAT DOES NOT USE HAZARDOUS SUBSTANCES AND TO MODIFY THE AUTHORIZATION FOR INVESTING STATE FUNDS IN RURAL NORTH CAROLINA, is adopted and engrossed.

With unanimous consent, upon motion of Senator Hoyle, the rules are suspended and the Senate Committee Substitute bill is placed on today’s Supplemental Calendar.

H.B. 1768 (Committee Substitute), A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS CHANGES TO CERTAIN GENERAL AND LOCAL LAWS AFFECTING ORANGE 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 4340, which changes the title upon concurrence to read H.B. 1768 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS CHANGES TO CERTAIN GENERAL AND LOCAL LAWS AFFECTING CARTERET, ORANGE, AND PENDER COUNTIES, is adopted and engrossed.

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With unanimous consent, upon motion of Senator Hoyle, the rules are suspended and the Senate Committee Substitute bill is placed on today’s Supplemental Calendar.

By Senator Cooper for the Judiciary I Committee:

H.B. 1804 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, 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 5120 is adopted and engrossed.

With unanimous consent, upon motion of Senator Cooper, the rules are suspended and the Senate Committee Substitute bill is placed on today’s Supplemental Calendar.

CALENDAR

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

S.B. 1183 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE FUTURE OF THE NORTH CAROLINA RAILROAD STUDY COMMISSION, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is taken up out of its regular order of business.

The Senate concurs in the House Committee Substitute bill (38-0) and the measure is ordered enrolled and sent to the Governor, by special message.

S.B. 1210 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE BASIS FOR ISSUING PERMANENT PLATES TO CHURCH BUSES; TO CREATE THE FUND FOR THE REDUCTION OF CLASS SIZE IN PUBLIC SCHOOLS AND THE LITTER PREVENTION ACCOUNT; TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SEVEN NEW SPECIAL REGISTRATION PLATES; AND TO EXEMPT THE FOLLOWING SPECIAL PLATES FROM THE TEN DOLLAR ADDITIONAL FEE IMPOSED FOR A SPECIAL REGISTRATION PLATE: LEGION OF VALOR, SILVER STAR RECIPIENT, 100% DISABLED VETERAN, AND EX-PRISONER OF WAR; AND TO REQUIRE RED LENSES ON BRAKE LIGHTS, for concurrence in House Committee Substitute bill No. 2.

The House Committee Substitute bill No. 2 is taken up out of its regular order of business.

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.

S.B. 165 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR CERTAIN FELONIES AND STORED IN THE STATE DNA DATABASE, TO REQUIRE THAT A PORTION OF THE EVIDENCE THAT CONTAINS DNA AND THAT IS COLLECTED IN A CRIMINAL INVESTIGATION BE RETAINED BY LAW ENFORCEMENT OFFICIALS FOR FIVE YEARS AFTER PROSECUTION, AND TO ESTABLISH PILOT PROGRAMS TO IMPLEMENT THIS PROCEDURE.

The President Pro Tempore orders, without objection, the Committee Substitute bill temporarily displaced.

July 11, 2000
S.B. 1381 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REALLOCATE THE PROCEEDS OF THE CLEAN WATER BONDS, for concurrence in the House Committee Substitute bill.

The Senate fails to concur in the House Committee Substitute bill (11-36).

Senator Kerr offers a motion that the Senate appoint conferees, which motion prevails.

Senator Ballance, Deputy President Pro Tempore, announces the appointment of Senator Kerr, Chairman, and Senators Albertson, Ballantine, Hagan, Garrou, and Metcalf 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. 1501, A BILL TO BE ENTITLED AN ACT TO ALLOW SERVICE OF PROCESS BY PUBLICATION IN MOTOR VEHICLE LIEN CASES IN SMALL CLAIMS COURT, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION.

Pursuant to a message received from the House of Representatives on July 7, that the House fails to concur in Senate Amendment No. 3 to H.B. 1501 and requests conferees, Senator Gulley offers a motion that the Senate appoint conferees, which motion prevails.

Senator Rand announces the appointment of Senator Gulley, Chairman, and Senators Ballantine and Plyler 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.

**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. 586 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AUTHORIZE THE CREATION OF MILLENNIAL CAMPUSES AT THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND TO PERMIT THE STATE EDUCATION ASSISTANCE AUTHORITY TO INVEST A PORTION OF THE PARENTAL SAVINGS TRUST FUND IN PREFERRED OR COMMON STOCKS ISSUED BY A COMPANY INCORPORATED OR OTHERWISE LOCATED WITHIN OR WITHOUT THE UNITED STATES, for concurrence in House Committee Substitute bill No. 2.

Without objection, the rules are suspended and the House Committee Substitute bill No. 2 is ordered placed on today’s Supplemental Calendar.

S.B. 1046 (House 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, for concurrence in the House Committee Substitute bill.

Without objection, the rules are suspended and the House Committee Substitute bill is ordered placed on today’s Supplemental Calendar.

S.B. 1359 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM TO REMOVE AND DISPOSE OF MOTOR VEHICLES THAT POSE A SAFETY HAZARD, for concurrence in House Committee Substitute bill No. 2.

July 11, 2000
Without objection, the rules are suspended and House Committee Substitute bill No. 2 is ordered placed on today’s Supplemental Calendar.

S.B. 1542 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PLACE A MORATORIUM ON THE INTRODUCTION OF NEW VIDEO GAMING MACHINES INTO THIS STATE, TO LIMIT THE NUMBER OF VIDEO GAMING MACHINES TO THREE PER LOCATION, TO DEFINE LOCATION, TO PROVIDE FOR REGISTRATION OF MACHINES, TO REQUIRE REPORTS TO THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY, EXEMPTING CERTAIN ACTIVITIES, INCREASING CRIMINAL PENALTIES FOR VIOLATION, PROVIDING FOR SUSPENSION OR REVOCATION OF LICENSES FOR VIOLATION, REQUIRING LABELING OF MACHINES AS TO PENALTIES FOR CASH PAYOUTS, AND PROVIDING FOR SEIZURE OF UNLAWFUL VIDEO GAMING MACHINES, for concurrence in the House Committee Substitute bill.

Without objection, the rules are suspended and the House Committee Substitute bill is ordered placed on today’s Supplemental Calendar.

S.B. 1082 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE TERMS OF MEMBERS OF THE STRUCTURAL PEST CONTROL COMMITTEE THAT ARE APPOINTED BY THE GENERAL ASSEMBLY FROM TWO YEARS TO FOUR YEARS AND TO REQUIRE THAT THE MEMBER RECOMMENDED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES BE ACTIVELY ENGAGED IN THE PEST CONTROL INDUSTRY, for concurrence in the House Committee Substitute bill.

Referred to Agriculture/Environment/Natural Resources Committee.

S.B. 1152 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AUTHORIZING CITIES TO DEMOLISH AND REMOVE CERTAIN NONRESIDENTIAL BUILDINGS AND STRUCTURES TO ENHANCE ECONOMIC DEVELOPMENT EFFORTS, for concurrence in the House Committee Substitute bill No. 2.

Without objection, the rules are suspended and House Committee Substitute bill No. 2 is ordered placed on today’s Supplemental Calendar.

S.B. 1463 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW DARE COUNTY TO CREATE SPECIAL DISTRICTS TO UNDERGROUND LINES, for concurrence in the House Committee Substitute bill.

Without objection, the rules are suspended and the House Committee Substitute bill is ordered placed on today’s Supplemental Calendar.

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

S.B. 1200

House of Representatives
July 11, 2000

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 1200, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL VOLUNTARY MUNICIPAL PARTICIPATION IN ROAD CONSTRUCTION.

July 11, 2000
Pursuant to your message that you have adopted the report of the Conferees, the President may order the bill enrolled.

Respectfully,
S/Denise Weeks
Principal Clerk

Pursuant to the Senate having adopted the Conference Report on S.B. 1200, 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:

H.B. 1748
House of Representatives
July 11, 2000

Mr. President:

Pursuant to your message that you have adopted the report of the Conferees on Senate Committee Substitute for HB 1748, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PURPOSES FOR WHICH THE GRANVILLE COUNTY OCCUPANCY TAX CAN BE USED FOR A LIMITED PERIOD OF TIME, TO ESTABLISH A TOURISM DEVELOPMENT AUTHORITY, TO MAKE TECHNICAL CHANGES, TO CHANGE THE PURPOSES FOR WHICH THE BANNER ELK OCCUPANCY TAX MAY BE USED, AND TO MAKE CONFORMING CHANGES, 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

The Senate recesses at 3:26 P.M. to reconvene at 4:00 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

The Senate recesses at 4:13 P.M. to reconvene at 4:28 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

The Chair grants a leave of absence for the remainder of today's Session to Senator Harris.

SUPPLEMENTAL CALENDAR

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

July 11, 2000
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, placed earlier on today’s Supplemental Calendar.

The President Pro Tempore orders, without objection, the Committee Substitute bill temporarily displaced.

RECONSIDERATION

S.B. 1311 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF THE MOUNTAINS TO SEA STATE PARK TRAIL TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Senator Lee offers a motion that the rules be suspended and that the Committee Substitute bill be placed before the Senate for immediate consideration, which motion prevails.

Having voted with the majority, Senator Lee offers a motion that the vote by which the Senate failed to concur in House Amendment No. 1 on July 5 be reconsidered, and further moves that the conferees appointed by the Senate be dismissed, which motions prevail, and the question before the Body becomes concurrence in House Amendment No. 1.

Without objection, upon motion of Senator Lee, the Committee Substitute bill is placed on today’s Supplemental Calendar, in its regular order of business.

COMMITTEE REFERRAL RECALL

S.B. 1082 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE TERMS OF MEMBERS OF THE STRUCTURAL PEST CONTROL COMMITTEE THAT ARE APPOINTED BY THE GENERAL ASSEMBLY FROM TWO YEARS TO FOUR YEARS AND TO REQUIRE THAT THE MEMBER RECOMMENDED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES BE ACTIVELY ENGAGED IN THE PEST CONTROL INDUSTRY, referred to the Agriculture/Environment/Natural Resources Committee earlier today, July 11.

Pursuant to Rule 47(a), Senator Albertson offers a motion that the House Committee Substitute bill be withdrawn from the Agriculture/Environment/Natural Resources Committee and placed on today’s Supplemental Calendar, which motion prevails with unanimous consent.

The Chair orders the House Committee Substitute bill withdrawn from the Agriculture/Environment/Natural Resources Committee and places it on today’s Supplemental Calendar.

Upon the appearance of Senator Harris in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

SUPPLEMENTAL CALENDAR (Continued)

H.B. 1768 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS CHANGES TO CERTAIN GENERAL AND LOCAL LAWS AFFECTING CARTERET, ORANGE AND PENDER COUNTIES, placed earlier on today’s Supplemental Calendar.

July 11, 2000
The Senate Committee Substitute bill passes its second (39-0) 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. 1359 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM TO REMOVE AND DISPOSE OF MOTOR VEHICLES THAT POSE A SAFETY HAZARD, for concurrence in House Committee Substitute bill No. 2, placed earlier on today’s Supplemental Calendar.

The Senate concurs in House Committee Substitute bill No. 2 (43-0) and the measure is ordered enrolled.

S.B. 1463 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW DARE COUNTY TO CREATE SPECIAL DISTRICTS TO UNDERGROUND LINES, for concurrence in the House Committee Substitute bill, placed earlier on today’s Supplemental Calendar.

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 (42-0) and the measure is ordered enrolled.

H.B. 1566 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A PROCEDURE FOR CREATION OF A TEMPORARY LIEN ON A MOTOR VEHICLE WHEN A MANUFACTURER’S STATEMENT OF ORIGIN OR AN EXISTING CERTIFICATE OF TITLE ON A MOTOR VEHICLE IS UNAVAILABLE AND TO MAKE OTHER CONFORMING CHANGES, placed earlier on today’s Supplemental Calendar.

The President Pro Tempore rules that the Senate Committee Substitute bill does not require a call of the roll.

Senator Wellons 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.

SPECIAL MESSAGES 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. 1640 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYEE COMPENSATION AND PERFORMANCE EVALUATION PROVISIONS OF THE STATE PERSONNEL ACT, CHAPTER 126 OF THE GENERAL STATUTES.

Referred to Appropriations/Base Budget Committee.

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

S.B. 1381

House of Representatives
July 11, 2000

July 11, 2000
Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute for SB 1381, A BILL TO BE ENTITLED AN ACT TO REALLOCATE THE PROCEEDS OF THE CLEAN WATER BONDS, the Speaker has appointed as conferees on the part of the House:

Representative Owens,  
Representative Dedmon,  
Representative Nesbitt,  
Representative Warner,  
Representative Wainwright and  
Representative Gillespie

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

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, dated April 30, 2000.

SUPPLEMENTAL CALENDAR (Continued)

H.B. 1583 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCENTIVE FOR INVESTING IN DRY-CLEANING EQUIPMENT THAT DOES NOT USE HAZARDOUS SUBSTANCES AND TO MODIFY THE AUTHORIZATION FOR INVESTING STATE FUNDS IN RURAL NORTH CAROLINA, placed earlier on today’s Supplemental Calendar.

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. 1804 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, placed earlier on today’s Supplemental Calendar.

The Senate Committee Substitute bill passes its second (45-1) and third readings and is ordered sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

July 11, 2000
COMMITTEE REFERRAL RECALL

H.B. 1499 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S DWI TASK FORCE AND TO CLARIFY THE EFFECTIVE DATE FOR COMMERCIAL MOTOR VEHICLE INSURANCE PROVISIONS OF SESSION LAW 330 OF THE 1999 GENERAL ASSEMBLY, referred to the Judiciary II Committee on July 7.

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 on today’s Supplemental Calendar, which motion prevails with unanimous consent.

The Chair orders the Senate Committee Substitute bill withdrawn from the Judiciary II Committee and places it on today’s Supplemental Calendar.

CONFERENCE REPORT

H.B. 1501

Senator Gulley, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon H.B. 1501, A BILL TO BE ENTITLED AN ACT TO ALLOW SERVICE OF PROCESS BY PUBLICATION IN MOTOR VEHICLE LIEN CASES IN SMALL CLAIMS COURT, AS RECOMMENDED BY THE NORTH CAROLINA COURTS 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 1501, A BILL TO BE ENTITLED AN ACT TO ALLOW SERVICE OF PROCESS BY PUBLICATION IN MOTOR VEHICLE LIEN CASES IN SMALL CLAIMS COURT, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION, submit the following report:

The Senate recedes from Senate Amendment # 3.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 11, 2000.

S/Wib P. Gulley
S/Patrick J. Ballantine
S/Aaron W. Plyler

Conferees for the Senate

S/Ronnie N. Sutton
S/James W. Crawford, Jr.
S/ Jim Gulley

Conferees for the House of Representatives

With unanimous consent, upon motion of Senator Gulley, the rules are suspended and the Conference Report is placed on today’s Supplemental Calendar, for adoption.

July 11, 2000
CONFERENCE REPORT

S.B. 1477

Senator Kerr, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon S.B. 1477, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A NEW, SUSTAINABLY DESIGNED, STATE OFFICE BUILDING AND WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE USED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED THIRTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS, AND TO PROVIDE FOR A NEW EASTERN WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED FOUR MILLION DOLLARS, 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 1477, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A NEW, SUSTAINABLY DESIGNED, STATE OFFICE BUILDING AND WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE USED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED THIRTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS, AND TO PROVIDE FOR A NEW EASTERN WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED FOUR MILLION DOLLARS, Finance Committee Substitute Adopted 6/13/00, submit the following report:

The House of Representatives recedes from House Amendment # 1.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 11, 2000.

S/John H. Kerr III
S/Philip A. Baddour, Jr.
S/David W. Hoyle
S/Bill Owens
S/Anthony E. Rand
S/Alex Warner
S/John Garwood
S/Carolyn B. Russell
S/Howard J. Hunter, Jr.

Conferees for the Senate  Conferees for the
House of Representatives

With unanimous consent, upon motion of Senator Kerr, the rules are suspended and the Conference Report is placed on today’s Supplemental Calendar, for adoption.

July 11, 2000
S.B. 165 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR CERTAIN FELONIES AND STORED IN THE STATE DNA DATABASE, TO REQUIRE THAT A PORTION OF THE EVIDENCE THAT CONTAINS DNA AND THAT IS COLLECTED IN A CRIMINAL INVESTIGATION BE RETAINED BY LAW ENFORCEMENT OFFICIALS FOR FIVE YEARS AFTER PROSECUTION, AND TO ESTABLISH PILOT PROGRAMS TO IMPLEMENT THIS PROCEDURE, temporarily displaced earlier.

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

SUPPLEMENTAL CALENDAR (Continued)

S.B. 586 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF MILLENNIAL CAMPUSES AT THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND TO PERMIT THE STATE EDUCATION ASSISTANCE AUTHORITY TO INVEST A PORTION OF THE PARENTAL SAVINGS TRUST FUND IN PREFERRED OR COMMON STOCKS ISSUED BY A COMPANY INCORPORATED OR OTHERWISE LOCATED WITHIN OR WITHOUT THE UNITED STATES, for concurrence in House Committee Substitute bill No. 2, placed earlier on today's Supplemental Calendar.

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.

S.B. 1046 (House 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, for concurrence in the House Committee Substitute bill, placed earlier on today's Supplemental Calendar.

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. 1152 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AUTHORIZING CITIES TO DEMOLISH AND REMOVE CERTAIN NONRESIDENTIAL BUILDINGS AND STRUCTURES TO ENHANCE ECONOMIC DEVELOPMENT EFFORTS, for concurrence in House Committee Substitute bill No. 2, placed earlier on today's Supplemental Calendar.

The Senate concurs in House Committee Substitute bill No. 2 (45-1) and the measure is ordered enrolled and sent to the Governor, by special message.

S.B. 1266 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT THE UNIFORM ELECTRONIC TRANSACTIONS ACT, for concurrence in the House Committee Substitute bill, placed earlier on today's Supplemental Calendar.

The Senate concurs in the House Committee Substitute bill (47-0) and the measure is ordered enrolled and sent to the Governor, by special message.

S.B. 1542 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PLACE A MORATORIUM ON THE INTRODUCTION OF NEW VIDEO GAMING MACHINES INTO THIS STATE, TO LIMIT THE NUMBER OF VIDEO GAMING

July 11, 2000
MACHINES TO THREE PER LOCATION, TO DEFINE LOCATION, TO PROVIDE FOR REGISTRATION OF MACHINES, TO REQUIRE REPORTS TO THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY, EXEMPTING CERTAIN ACTIVITIES, INCREASING CRIMINAL PENALTIES FOR VIOLATION, PROVIDING FOR SUSPENSION OR REVOCATION OF LICENSES FOR VIOLATION, REQUIRING LABELING OF MACHINES AS TO PENALTIES FOR CASH PAYOUTS, AND PROVIDING FOR SEIZURE OF UNLAWFUL VIDEO GAMING MACHINES, for concurrence in the House Committee Substitute bill, placed earlier on today’s Supplemental Calendar.

The Senate fails to concur in the House Committee Substitute bill (2-45).

Senator Wellons offers a motion that the Senate appoint conferees, which motion prevails.

Senator Ballance, Deputy President Pro Tempore, announces the appointment of Senator Wellons, Chairman, Senators Albertson, Clodfelter, Forrester, Hagan, Hoyle, and Soles 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. 1082 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE TERMS OF MEMBERS OF THE STRUCTURAL PEST CONTROL COMMITTEE THAT ARE APPOINTED BY THE GENERAL ASSEMBLY FROM TWO YEARS TO FOUR YEARS AND TO REQUIRE THAT THE MEMBER RECOMMENDED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES BE ACTIVELY ENGAGED IN THE PEST CONTROL INDUSTRY, for concurrence in the House Committee Substitute bill, placed earlier on today’s Supplemental Calendar.

The Senate fails to concur in the House Committee Substitute bill (0-47).

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 Jordan and Senator Shaw of Guilford 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. 1311 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF THE MOUNTAINS TO SEA STATE PARK TRAIL TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, for concurrence in House Amendment No. 1, placed earlier on today’s Supplemental Calendar.

The Senate concurs in House Amendment No. 1 (47-0) and the measure is ordered enrolled and sent to the Governor, by special message.

H.B. 1499 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S DWI TASK FORCE AND TO CLARIFY THE EFFECTIVE DATE FOR COMMERCIAL MOTOR VEHICLE INSURANCE PROVISIONS OF SESSION LAW 330 OF THE 1999 GENERAL ASSEMBLY, placed earlier on today’s Supplemental Calendar.

Senator Gulley offers Amendment No. 1 which is adopted (44-1), changing the title upon concurrence to read H.B. 1499 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S DWI TASK FORCE, TO PROVIDE FOR A CHALLENGE TO THE TRANSFER OF FEDERAL FUNDS, AND TO CLARIFY THE EFFECTIVE DATE
FOR COMMERCIAL MOTOR VEHICLE INSURANCE PROVISIONS OF SESSION LAW 330 OF THE 1999 GENERAL ASSEMBLY.

Senator Horton offers a motion that the Senate Committee Substitute bill, as amended, do lie upon the table, seconded by Senator Reeves. The motion fails to prevail (19-26) and the question before the Body becomes the passage of the Senate Committee Substitute bill, as amended, upon second reading.

Senator Ballantine offers Amendment No. 2.

With unanimous consent, upon motion of Senator Gulley, the Senate Committee Substitute bill, as amended, is placed on the Calendar for tomorrow, Wednesday, July 12, with Amendment No. 2 pending.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 1183, AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE FUTURE OF THE NORTH CAROLINA RAILROAD STUDY COMMISSION.

S.B. 1210, AN ACT TO MODIFY THE BASIS FOR ISSUING PERMANENT PLATES TO CHURCH BUSES; TO CREATE THE FUND FOR THE REDUCTION OF CLASS SIZE IN PUBLIC SCHOOLS AND THE LITTER PREVENTION ACCOUNT; TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SEVEN NEW SPECIAL REGISTRATION PLATES; AND TO EXEMPT THE FOLLOWING SPECIAL PLATES FROM THE TEN DOLLAR ADDITIONAL FEE IMPOSED FOR A SPECIAL REGISTRATION PLATE: LEGION OF VALOR, SILVER STAR RECIPIENT, 100% DISABLED VETERAN, AND EX-PRISONER OF WAR; AND TO REQUIRE RED LENSES ON BRAKE LIGHTS.

S.B. 1200, AN ACT TO AUTHORIZE ADDITIONAL VOLUNTARY MUNICIPAL PARTICIPATION IN ROAD CONSTRUCTION.

H.B. 1290, AN ACT TO IMPROVE THE ADMINISTRATION OF THE TAX LAWS BY MAKING CLARIFYING AND CONFORMING CHANGES TO THE REVENUE AND RELATED LAWS.

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

H.B. 1748, AN ACT TO CHANGE THE PURPOSES FOR WHICH THE GRANVILLE COUNTY OCCUPANCY TAX CAN BE USED FOR A LIMITED PERIOD OF TIME, TO ESTABLISH A TOURISM DEVELOPMENT AUTHORITY, TO MAKE TECHNICAL CHANGES, TO CHANGE THE PURPOSES FOR WHICH THE BANNER ELK OCCUPANCY TAX MAY BE USED, AND TO MAKE CONFORMING CHANGES.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

H.B. 1501

House of Representatives
July 11, 2000

July 11, 2000
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 HB 1501, A BILL TO BE ENTITLED AN ACT TO ALLOW SERVICE OF PROCESS BY PUBLICATION IN MOTOR VEHICLE LIEN CASES IN SMALL CLAIMS COURT, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION, TO AUTHORIZE AN INCREASE OF THE TOTAL WIDTH OF VEHICLES OR COMBINATIONS OF VEHICLES OPERATED ON THE STATE HIGHWAYS, AND TO DIRECT THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF MOTOR VEHICLE LENGTH, 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. 1477

House of Representatives
July 11, 2000

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 SB 1477, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A NEW, SUSTAINABLY DESIGNED, STATE OFFICE BUILDING AND WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE USED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED THIRTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS, AND TO PROVIDE FOR A NEW EASTERN WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED FOUR MILLION DOLLARS, 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

SUPPLEMENTAL CALENDAR (Continued)

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, placed earlier on today’s Supplemental Calendar.

Senator Lee offers Amendment No. 1 which is adopted (43-0), changing the title upon concurrence to read 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 AND 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, as amended, passes its second (43-0) and third readings and is ordered sent, by special message, to the House of Representatives for concurrence in Senate Amendment No. 1.

S.B. 1477 (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A NEW, SUSTAINABLY DESIGNED, STATE OFFICE BUILDING AND WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE USED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED THIRTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS, AND TO PROVIDE FOR A NEW EASTERN WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED FOUR MILLION DOLLARS, for adoption, placed earlier on today’s Supplemental Calendar.

Upon motion of Senator Kerr, the Conference Report is adopted (43-0).

Pursuant to a message received earlier today from the House of Representatives that the House has adopted the report of the Conferees, the bill is ordered enrolled and sent to the Governor, by special message.

H.B. 1501 (Conference Report), A BILL TO BE ENTITLED AN ACT TO ALLOW SERVICE OF PROCESS BY PUBLICATION IN MOTOR VEHICLE LIEN CASES IN SMALL CLAIMS COURT, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION, for adoption, placed earlier on today’s Supplemental Calendar.

Upon motion of Senator Gulley, the Conference Report is adopted (44-1).

A message is ordered 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. 1184 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A VOLUNTARILY FUNDED STATEWIDE SPAY/NEUTER PROGRAM TO PROVIDE EDUCATION ON THE BENEFITS OF SPAYING AND NEUTERING PETS AND TO PROVIDE FINANCIAL ASSISTANCE TO COUNTIES AND CITIES OFFERING LOW-INCOME PERSONS REDUCED-COST SPAY/NEUTER SERVICES FOR DOGS AND CATS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Kinnaird the rules are suspended and the House Committee Substitute bill is placed on today’s Supplemental Calendar for immediate consideration.

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 (46-0) and the measure is ordered enrolled and sent to the Governor, by special message.

July 11, 2000
S.B. 1542 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PLACE A MORATORIUM ON THE INTRODUCTION OF NEW VIDEO GAMING MACHINES INTO THIS STATE, TO LIMIT THE NUMBER OF VIDEO GAMING MACHINES TO THREE PER LOCATION, TO DEFINE LOCATION, TO PROVIDE FOR REGISTRATION OF MACHINES, TO REQUIRE REPORTS TO THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY, EXEMPTING CERTAIN ACTIVITIES, INCREASING CRIMINAL PENALTIES FOR VIOLATION, PROVIDING FOR SUSPENSION OR REVOCATION OF LICENSES FOR VIOLATION, REQUIRING LABELING OF MACHINES AS TO PENALTIES FOR CASH PAYOUTS, AND PROVIDING FOR SEIZURE OF UNLAWFUL VIDEO GAMING MACHINES.

Senator Ballance, Deputy President Pro Tempore, announces the appointment of Senator Robinson 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.

Upon motion of Senator Ballance, seconded by Senator Webster, the Senate adjourns at 6:12 P.M. subject to receipt of messages from the House of Representatives, to meet tomorrow, Wednesday, July 12, at 9:00 A.M.

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. 432 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO RULES ADOPTED BY THE MEDICAL CARE COMMISSION FOR THE OPERATION OF THE ADULT CARE PORTION OF A COMBINATION HOME, AND TO RETRIEVE PREMIUMS UNDER THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN, AND TO AMEND THE PHYSICIAN AND OPTOMETRIST LICENSURE LAWS, TO PROVIDE IMMUNITY AND EXPAND DISCIPLINE OPTIONS, AND TO PROVIDE THAT THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN SHALL COVER THE COST OF ONE ANNUAL PAP SMEAR FOR ANY COVERED FEMALE UNDER THE PLAN’S WELLNESS BENEFIT, AND TO ALLOW INDIVIDUALS EXCLUDED FROM MEMBERSHIP IN THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN FOR FILING FRAUDULENT CLAIMS TO BE CONSIDERED FOR REINSTATEMENT IN THE PLAN, for concurrence in the House Committee Substitute bill which is placed on the Calendar for Wednesday, July 12.

Pursuant to Senator Ballance’s motion to adjourn having prevailed, the Senate adjourns at 6:20 P.M.
ONE HUNDRED FORTY-FIRST DAY

Senate Chamber
Wednesday, July 12, 2000

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, You are the Creator of the universe and the Sustainer of all life. In faith we call You Lord, Lord not only of the cosmos but also of our lives. In professing such faith, we place the entirety of our being under Your purposes, including our work here in the Senate.

"Oh God, do not let our pronouncements of truth and justice be merely pious proclamations, but living ideals after which we consistently strive. Although we are members of individual political parties, let our first allegiance be to Your Will and Your Kingdom. May our faith in You be woven into our every discussion and every decision, every victory and every defeat, for we recognize that true belief is not simply a matter of speaking fine sounding phrases, but of living faithfully in Your love and caring for Your children.

"And now, oh Lord, bless this long, and we hope last day which lies before us. Amen."

With unanimous consent, the President Pro Tempore grants leaves of absence for today to Senator Moore, Senator Reeves, and Senator Rucho.

Senator Rand, Chairman of the Rules and Operations of the Senate Committee, announces the Journal of yesterday, Tuesday, July 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 Pro Tempore of the Senate extends courtesies of the floor to Dr. Thomas Pulliam from Winston-Salem, North Carolina, who is serving the Senate as Doctor of the Day.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

H.B. 677

House of Representatives
July 11, 2000

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 Committee Substitute for HB 677, 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, and requests conferees. The Speaker has appointed:

July 12, 2000
Representative Haire,
Representative Tolson, and
Representative Yongue

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. 1082
House of Representatives
July 11, 2000

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute for SB 1082, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TERMS OF MEMBERS OF THE STRUCTURAL PEST CONTROL COMMITTEE THAT ARE APPOINTED BY THE GENERAL ASSEMBLY FROM TWO YEARS TO FOUR YEARS AND TO REQUIRE THAT THE MEMBER RECOMMENDED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES BE ACTIVELY ENGAGED IN THE PEST CONTROL INDUSTRY, the Speaker has appointed as conferees on the part of the House:

Representative Hill,
Representative Owens, 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:

S.B. 1542
House of Representatives
July 11, 2000

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute for SB 1542, A BILL TO BE ENTITLED AN ACT TO PLACE A MORATORIUM ON THE INTRODUCTION OF NEW VIDEO GAMING MACHINES INTO THIS STATE, TO LIMIT THE NUMBER OF VIDEO GAMING MACHINES TO THREE PER LOCATION, TO DEFINE LOCATION, TO PROVIDE FOR REGISTRATION OF MACHINES, TO REQUIRE REPORTS TO THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY, EXEMPTING CERTAIN

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ACTIVITIES, INCREASING CRIMINAL PENALTIES FOR VIOLATION, PROVIDING FOR SUSPENSION OR REVOCATION OF LICENSES FOR VIOLATION, REQUIRING LABELING OF MACHINES AS TO PENALTIES FOR CASH PAYOUTS, AND PROVIDING FOR SEIZURE OF UNLAWFUL VIDEO GAMING MACHINES, the Speaker has appointed as conferees on the part of the House:

Representative Goodwin,
Representative Wright,
Representative Creech,
Representative Decker,
Representative Baddour,
Representative Russell,
Representative Sutton, and
Representative Gibson

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

APPOINTMENT OF CONFERENCE 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.

Pursuant to the message from the House of Representatives that the House fails to concur in Senate Amendment No. 1 for H.B. 677 and requests conferees, Senator Ballance offers a motion that the Senate appoint conferees, which motion prevails.

Senator Ballance, Deputy President Pro Tempore, announces the appointment of Senator Lee, Chairman, and Senators Carpenter, Hoyle 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.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 586, AN ACT TO AUTHORIZE THE CREATION OF MILLENNIAL CAMPUSES AT THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND TO PERMIT THE STATE EDUCATION ASSISTANCE AUTHORITY TO INVEST A PORTION OF THE PARENTAL SAVINGS TRUST FUND IN PREFERRED OR COMMON STOCKS ISSUED BY A COMPANY INCORPORATED OR OTHERWISE LOCATED WITHIN OR WITHOUT THE UNITED STATES.

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S.B. 1046, AN ACT TO MAKE CERTAIN EMPLOYEES OF STATE LICENSING AND EXAMINING BOARDS MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.

S.B. 1152, AN ACT AUTHORIZING CITIES TO DEMOLISH AND REMOVE CERTAIN NONRESIDENTIAL BUILDINGS AND STRUCTURES TO ENHANCE ECONOMIC DEVELOPMENT EFFORTS.

S.B. 1184, AN ACT TO ESTABLISH A VOLUNTARILY FUNDED STATEWIDE SPAY/NEUTER PROGRAM TO PROVIDE EDUCATION ON THE BENEFITS OF SPAYING AND NEUTERING PETS AND TO PROVIDE FINANCIAL ASSISTANCE TO COUNTIES AND CITIES OFFERING LOW-INCOME PERSONS REDUCED-COST SPAY/NEUTER SERVICES FOR DOGS AND CATS.

S.B. 1266, AN ACT TO ADOPT THE UNIFORM ELECTRONIC TRANSACTIONS ACT.

S.B. 1311, AN ACT TO AUTHORIZE THE ADDITION OF THE MOUNTAINS TO SEA STATE PARK TRAIL TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

S.B. 1477, AN ACT TO PROVIDE FOR A NEW, SUSTAINABLY DESIGNED, STATE OFFICE BUILDING AND WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE USED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED THIRTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS, AND TO PROVIDE FOR A NEW EASTERN WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED FOUR MILLION DOLLARS.

H.B. 968, AN ACT TO MODIFY THE PROCEDURES CONCERNING FINAL ADMINISTRATIVE DECISIONS IN CONTESTED CASES HEARD BY THE OFFICE OF ADMINISTRATIVE HEARINGS, TO AUTHORIZE ADMINISTRATIVE LAW JUDGES TO AWARD REASONABLE ATTORNEY'S FEES IN CERTAIN CASES, AND TO AUTHORIZE THE COURTS TO AWARD REASONABLE ATTORNEY'S FEES FOR ADMINISTRATIVE HEARINGS.

H.B. 1501, AN ACT TO ALLOW SERVICE OF PROCESS BY PUBLICATION IN MOTOR VEHICLE LIEN CASES IN SMALL CLAIMS COURT, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION, TO AUTHORIZE AN INCREASE OF THE TOTAL WIDTH OF VEHICLES OR COMBINATIONS OF VEHICLES OPERATED ON THE STATE HIGHWAYS, AND TO DIRECT THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF MOTOR VEHICLE LENGTH.

H.B. 1508, AN ACT TO ELIMINATE THE FINGERPRINTING REQUIREMENT FOR RENEWAL OF A CONCEALED HANDGUN PERMIT WHERE DOING SO WOULD NOT IMPEDE CRIMINAL RECORD UPDATES; TO DECREASE THE FEE FOR RENEWAL OF A CONCEALED HANDGUN PERMIT; TO EXTEND THE CONCEALED HANDGUN PERMIT PERIOD TO FIVE YEARS; AND TO CLARIFY

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THAT THE RELEASE FORM SUBMITTED FOR A CONCEALED HANDGUN APPLICANT'S MENTAL HEALTH RECORDS MAY BE AN ORIGINAL OR PHOTOCOPIED FORM.

H.B. 1583, AN ACT TO PROVIDE AN INCENTIVE FOR INVESTING IN DRY-CLEANING EQUIPMENT THAT DOES NOT USE HAZARDOUS SUBSTANCES AND TO MODIFY THE AUTHORIZATION FOR INVESTING STATE FUNDS IN RURAL NORTH CAROLINA.

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

S.B. 1359, AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM TO REMOVE AND DISPOSE OF MOTOR VEHICLES THAT POSE A SAFETY HAZARD.

S.B. 1454, AN ACT TO PROHIBIT THE SHINING OF LIGHTS IN DEER AREAS IN HAYWOOD COUNTY.

S.B. 1463, AN ACT TO ALLOW DARE COUNTY TO CREATE SPECIAL DISTRICTS TO UNDERGROUND LINES.

H.B. 1768, AN ACT MAKING OMNIBUS CHANGES TO CERTAIN GENERAL AND LOCAL LAWS AFFECTING CARTERET, ORANGE, AND PENDER COUNTIES.

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. 1617, AN ACT TO AUTHORIZE THE ADDITION OF LEA ISLAND STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION; TO TRANSFER STATE PROPERTY IN BURKE COUNTY; AND TO REALLOCATE STATE LAND IN WAKE COUNTY TO THE DEPARTMENT OF CULTURAL RESOURCES FOR THE NORTH CAROLINA MUSEUM OF ART. (Became law upon approval of the Governor, July 11, 2000 – S.L. 2000-102.)

CALENDAR

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

H.B. 1499 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S DWI TASK FORCE AND TO CLARIFY THE EFFECTIVE DATE FOR COMMERCIAL MOTOR VEHICLE INSURANCE PROVISIONS OF SESSION LAW 330 OF THE 1999 GENERAL ASSEMBLY, as amended, which title changes upon concurrence, with Amendment No. 2 pending.

The President Pro Tempore orders, without objection, the Senate Committee Substitute bill, as amended, temporarily displaced with Amendment No. 2 pending.

July 12, 2000
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, for concurrence in the House Committee Substitute bill, which changes the title upon concurrence to read S.B. 432 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO RULES ADOPTED BY THE MEDICAL CARE COMMISSION FOR THE OPERATION OF THE ADULT CARE PORTION OF A COMBINATION HOME, AND TO RETIREE PREMIUMS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, AND TO AMEND THE PHYSICIAN AND OPTOMETRIST LICENSURE LAWS, TO PROVIDE IMMUNITY AND EXPAND DISCIPLINE OPTIONS, AND TO PROVIDE THAT THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN SHALL COVER THE COST OF ONE ANNUAL PAP SMEAR FOR ANY COVERED FEMALE UNDER THE PLAN'S WELLNESS BENEFIT, AND TO ALLOW INDIVIDUALS EXCLUDED FROM MEMBERSHIP IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN FOR FILING FRAUDULENT CLAIMS TO BE CONSIDERED FOR REINSTATEMENT IN THE PLAN.

The Senate fails to concur in the House Committee Substitute bill (0-37).

Senator Carpenter offers a motion that the Senate appoint conferees, which motion prevails.

Senator Ballance, Deputy President Pro Tempore, announces the appointment of Senator Purcell, Chairman, and Senators Carpenter, Lucas, and Rand 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, and requesting conferees.

CONFERENCE REPORT

H.B. 684

Senator Odom, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon 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 AND 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, 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 684, 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

July 12, 2000

The House concurs in the Senate State and Local Government Committee Substitute Adopted 6/21/99, Fourth Edition Engrossed 6/23/99 with the following amendments:

(1) on page 1, lines 6 through 11 by deleting the words “AND 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”

(2) on page 2, line 8 through page 3, line 4 by rewriting those lines to read: “Section 4. This act is effective when it becomes law.”

The Senate agrees to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 6, 2000.

S/T. L. Odom
S/Daniel G. Clodfelter
S/Charlie S. Dannelly

S/R. J. Hensley, Jr.
S/Beverly Earle
S/Drew P. Saunders
S/William Edwin McMahan
S/Jennifer Weiss

Conferees for the Senate

Conferees for the
House of Representatives

Upon motion of Senator Odom, the rules are suspended, and the Conference Report is ordered placed before the Senate for immediate consideration, for adoption.

Upon motion of Senator Odom, the Conference Report is adopted (39-0).

A special message is ordered sent to the House of Representatives informing that Honorable Body of such action.

CALENDAR (Continued)

H.B. 1499 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S DWI TASK FORCE AND TO CLARIFY THE EFFECTIVE DATE FOR COMMERCIAL MOTOR VEHICLE INSURANCE PROVISIONS OF SESSION LAW 330 OF THE 1999 GENERAL ASSEMBLY, as amended, which title changes upon concurrence, temporarily displaced earlier today with Amendment No. 2 pending.

Senator Miller offers Amendment No. 3 as a substitute for Amendment No. 2, which is adopted (35-2).

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Senator Ballance offers Amendment No. 4.
Senator Gulley offers Amendment No. 5 as a substitute for Amendment No. 4. Senator Gulley subsequently withdraws Amendment No. 5.
Senator Ballance calls the previous question on Amendment No. 4, seconded by Senator Kerr. The call is not sustained (22-24).
Senator Odom offers a motion that the vote by which the Senate failed to sustain the call of the previous question on Amendment No. 4 be reconsidered, which motion is ruled out of order.
Amendment No. 4 fails of adoption (14-32).
Senator Webster offers a motion to divide the question on the bill in accordance with Rule 28 by dividing Sections 1 through 3 from Sections 4 and succeeding Sections through Section 18.
Senator Rand offers a substitute motion for the motion to divide the question, and calls the previous question on the bill, seconded by Senator Odom. The call is sustained (37-7).
The Senate Committee Substitute bill, as amended, passes its second (39-6) 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.

APPOINTMENT OF ADDITIONAL CONFERENCEE

S.B. 1082 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE TERMS OF MEMBERS OF THE STRUCTURAL PEST CONTROL COMMITTEE THAT ARE APPOINTED BY THE GENERAL ASSEMBLY FROM TWO YEARS TO FOUR YEARS AND TO REQUIRE THAT THE MEMBER RECOMMENDED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES BE ACTIVELY ENGAGED IN THE PEST CONTROL INDUSTRY.

Senator Ballance, Deputy President Pro Tempore, announces the appointment of Senator Hoyle 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.

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. 767 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE LIMITATION ON LOBBYIST-RELATED FUND-RAISING TO STRENGTHEN THE ACT AND TO COMPLY WITH A COURT DECISION; AND TO DIRECT THE STATE BOARD OF ELECTIONS TO STUDY AND REPORT ON THE DESIGNATION, OPERATION, AND FUNDING OF MULTIPLE ONE-STOP ABSENTEE VOTING SITES BY COUNTY BOARDS OF ELECTIONS AND THE FUNDING OF SUCH SITES, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Miller, the rules are suspended, without objection, and the House Committee Substitute bill is placed before the Senate for immediate consideration.
The Senate fails to concur in the House Committee Substitute bill (2-40).

Senator Miller offers a motion that the Senate appoint conferees, which motion prevails.

Senator Ballance, Deputy President Pro Tempore, announces the appointment of Senator Miller, Chairman, and Senators Cooper, Gulley, and Martin of Guilford 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

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ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

S.B. 1323 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE INDIGENT DEFENSE STUDY COMMISSION TO ESTABLISH AN OFFICE OF INDIGENT DEFENSE SERVICES, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Ballance, the rules are suspended, without objection, and the House Committee Substitute bill is placed before the Senate for immediate consideration.

The Senate fails to concur in the House Committee Substitute bill (1-44).

Senator Ballance offers a motion that the Senate appoint conferees, which motion prevails.

Senator Ballance, Deputy President Pro Tempore, announces the appointment of Senator Ballance, Chairman, and Senators Horton, Jordan, Kinnaird, and Odom 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 and requesting conferees.

CONFERENCE REPORT

S.B. 414

Senator Kinnaird, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon 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, 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 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, House Committee Substitute Favorable 6/28/99, Third Edition Engrossed 7/13/99, submit the following report:

The House of Representatives and the Senate agree to the following amendment to the House Committee Substitute Favorable 6/28/99, Third Edition Engrossed 7/13/99, and the Senate concurs in the House Committee Substitute Favorable 6/28/99, Third Edition Engrossed 7/13/99, with the following amendment:


July 12, 2000
The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 11, 2000.

S/Ellie Kinnaird  
Allen H. Wellons  
S/Frank W. Ballance, Jr.  
S/William Martin  
S/H. M. Michaux, Jr.  
Milton F. Fitch, Jr.  
S/Gene Arnold  
S/R. J. Hensley, Jr.  

**Conferees for the Senate**  
**Conferees for the**  
**House of Representatives**

The text of the attached Proposed Conference Committee S414-PCCS-2866 is as follows:

**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 SEVENTY-ONE 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 General Assembly of North Carolina enacts:

Section 1. G.S. 160A-443(5a) reads as rewritten:

"(5a) If the governing body shall have adopted an ordinance, or the public officer shall have:

a. In a municipality located in counties which have a population in excess of 463,000 71,000 by the last federal census, other than municipalities with a population in excess of 190,000 by the last federal census, issued an order, ordering a dwelling to be repaired or vacated and closed, as provided in subdivision (3)a, and if the owner has vacated and closed such dwelling and kept such dwelling vacated and closed for a period of one year pursuant to the ordinance or order;

b. In a municipality with a population in excess of 190,000 by the last federal census, commenced proceedings under the substandard housing regulations regarding a dwelling to be repaired or vacated and closed, as provided in subdivision (3)a., and if the owner has vacated and closed such dwelling and kept such dwelling vacated and closed for a period of one year pursuant to the ordinance or after such proceedings have commenced, then if the governing body shall find that the owner has abandoned the intent and purpose to repair, alter or improve the dwelling in order to render it fit for human habitation and that the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, morals and welfare of the municipality in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable

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housing in this State, then in such circumstances, the governing body may, after the expiration of such one year period, enact an ordinance and serve such ordinance on the owner, setting forth the following:

a. If it is determined that the repair of the dwelling to render it fit for human habitation can be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling, the ordinance shall require that the owner either repair or demolish and remove the dwelling within 90 days; or

b. If it is determined that the repair of the dwelling to render it fit for human habitation cannot be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling, the ordinance shall require the owner to demolish and remove the dwelling within 90 days.

This ordinance shall be recorded in the Office of the Register of Deeds in the county wherein the property or properties are located and shall be indexed in the name of the property owner in the grantor index. If the owner fails to comply with this ordinance, the public officer shall effectuate the purpose of the ordinance.

This subdivision only applies to municipalities located in counties which have a population in excess of 163,000 by the last federal census."

Section 2. This act is effective when it becomes law.

Upon motion of Senator Kinnaird, the rules are suspended, without objection, and the Conference Report is placed before the Senate for immediate consideration.

Upon motion of Senator Kinnaird, the Conference Report is adopted (46-0).

A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

APPOINTMENT OF ADDITIONAL CONFEREE

S.B. 432 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO RULES ADOPTED BY THE MEDICAL CARE COMMISSION FOR THE OPERATION OF THE ADULT CARE PORTION OF A COMBINATION HOME, AND TO RETIRE PREMIUMS UNDER THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN, AND TO AMEND THE PHYSICIAN AND OPTOMETRIST LICENSURE LAWS, TO PROVIDE IMMUNITY AND EXPAND DISCIPLINE OPTIONS, AND TO PROVIDE THAT THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN SHALL COVER THE COST OF ONE ANNUAL PAP SMEAR FOR ANY COVERED FEMALE UNDER THE PLAN’S WELLNESS BENEFIT, AND TO ALLOW INDIVIDUALS EXCLUDED FROM MEMBERSHIP IN THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN FOR FILING FRAUDULENT CLAIMS TO BE CONSIDERED FOR REINSTATEMENT IN THE PLAN.

Senator Ballance, Deputy President Pro Tempore, announces the appointment of Senator Hagan 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.

The Senate recesses at 11:01 A.M. to reconvene at 1:30 P.M.

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RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

The Chair grants a leave of absence for the remainder of today’s Session to Senator Carrington.

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. 1748, AN ACT TO CHANGE THE PURPOSES FOR WHICH THE GRANVILLE COUNTY OCCUPANCY TAX CAN BE USED FOR A LIMITED PERIOD OF TIME, TO ESTABLISH A TOURISM DEVELOPMENT AUTHORITY, TO MAKE TECHNICAL CHANGES, TO CHANGE THE PURPOSES FOR WHICH THE BANNER ELK OCCUPANCY TAX MAY BE USED, AND TO MAKE CONFORMING CHANGES. (Became law upon ratification, July 11, 2000 – S.L. 2000-103.)

S.B. 1359, AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM TO REMOVE AND DISPOSE OF MOTOR VEHICLES THAT POSE A SAFETY HAZARD. (Became law upon ratification, July 12, 2000 – S. L. 2000-104.)

S.B. 1454, AN ACT TO PROHIBIT THE SHINING OF LIGHTS IN DEER AREAS IN HAYWOOD COUNTY. (Became law upon ratification, July 12, 2000 – S. L. 2000-105.)

S.B. 1463, AN ACT TO ALLOW DARE COUNTY TO CREATE SPECIAL DISTRICTS TO UNDERGROUND LINES. (Became law upon ratification, July 12, 2000 – S. L. 2000-106.)

H.B. 1768, AN ACT MAKING OMNIBUS CHANGES TO CERTAIN GENERAL AND LOCAL LAWS AFFECTING CARTERET, ORANGE, AND PENDER COUNTIES. (Became law upon ratification, July 12, 2000 – S. L. 2000-107.)

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. 1804, AN ACT TO ESTABLISH THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES.

H.B. 1566, AN ACT TO PROVIDE FOR A PROCEDURE FOR CREATION OF A TEMPORARY LIEN ON A MOTOR VEHICLE WHEN A MANUFACTURER’S STATEMENT OF ORIGIN OR AN EXISTING CERTIFICATE OF TITLE ON A MOTOR VEHICLE IS UNAVAILABLE AND TO MAKE OTHER CONFORMING CHANGES.

July 12, 2000
SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

H.B. 677
House of Representatives
July 12, 2000

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that Representative Bowie has been added as a conferee to Committee Substitute for HB 677, 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.

Respectfully,
S/Denise Weeks
Principal Clerk

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

S.B. 432
House of Representatives
July 12, 2000

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute for SB 432, A BILL TO BE ENTITLED AN ACT PERTAINING TO RULES ADOPTED BY THE MEDICAL CARE COMMISSION FOR THE OPERATION OF THE ADULT CARE PORTION OF A COMBINATION HOME, AND TO RETIREE PREMIUMS UNDER THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN, AND TO AMEND THE PHYSICIAN AND OPTOMETRIST LICENSURE LAWS, TO PROVIDE IMMUNITY AND EXPAND DISCIPLINE OPTIONS, AND TO PROVIDE THAT THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN SHALL COVER THE COST OF ONE ANNUAL PAP SMEAR FOR ANY COVERED FEMALE UNDER THE PLAN’S WELLNESS BENEFIT, AND TO ALLOW INDIVIDUALS EXCLUDED FROM MEMBERSHIP IN THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN FOR FILING FRAUDULENT CLAIMS TO BE CONSIDERED FOR REINSTATEMENT IN THE PLAN, the Speaker has appointed as conferees on the part of the House:

Representative Wright,
Representative Nye,
Representative Justus, and
Representative Miller

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

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

S.B. 414

House of Representatives
July 12, 2000

Mr. President:

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 Conferences on 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 LOCATED IN COUNTIES WITH POPULATIONS IN EXCESS OF SEVENTY-ONE THOUSAND PEOPLE BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT, 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 for S.B. 414, the President Pro Tempore orders the bill enrolled and sent to the Governor, by special message.

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. 1192 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FROM STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORY FOR CERTAIN APPLICANTS FOR EMPLOYMENT IN ADULT CARE HOMES, NURSING HOMES, HOME CARE AGENCIES, AND CERTAIN MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FACILITIES; TO IMPOSE A CRIMINAL PENALTY FOR FALSIFYING INFORMATION ON EMPLOYMENT APPLICATIONS; TO REQUIRE CERTAIN DISCLOSURES BY NURSING HOMES; AND PERTAINING TO RULES FOR THE OPERATION OF THE ADULT CARE PORTION OF NURSING HOMES, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Rand, the rules are suspended, without objection, and the House Committee Substitute bill is placed before the Senate for immediate consideration.

The Senate concurs in the House Committee Substitute bill (40-0) and the measure is ordered enrolled and sent to the Governor, by special message.

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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.

Upon motion of Senator Ballance, the remarks of Senator Hoyle memorializing the life of David Clark, former member of the North Carolina General Assembly, are spread upon the Journal as follows:

Senator Hoyle:

"Thank you Mr. President and members of the Senate. As I was saying earlier, the copy of this resolution is on your desk. In the interest of time, I apologize for the lateness of the hour for this resolution coming to the floor, but this resolution was introduced by Representative Barefoot back in early May on a Monday evening in the House and it was an evening that we had chosen not to have a calendar in the Senate, so we decided we would do this at another time but the family has been unable to get here. So to get this ratified I would ask your indulgence for just a few moments as we memorialize the life of David Clark, a really great North Carolinian. If a person were destined for a life of public service based on his family roots, it was certainly David Clark. What a legacy of public service to this State and this Nation that David inherited. His father was a member of the General Assembly. His grandfather was Chief Justice of the North Carolina Supreme Court. His great-grandfather was two times Governor of North Carolina, a U.S. Senator, Secretary of the Navy, and came within an eyelash of being elected Vice President of the United States, and his great-great-grandfather served in the Revolutionary War and took part in the battle that gave Lord Cornwallis a lot of trouble in the Battle of Charlotte in September 1780. But David Clark was not one to rest on his family's laurels. He was determined to build upon that legacy of service. When our Nation found itself embroiled in World War II, David withdrew from college, enlisted in the Air Force and became a bomber pilot in the Pacific and was decorated. When peace came, David was anxious to serve the State as generations of his family had done so well in the past. One month before he was sworn in and received his law license, he was elected to the North Carolina House of Representatives. That was in 1951. In 1957, David voluntarily left the House because he felt compelled to do all that he could do to help save the failing economy in his home County of Lincoln. The biggest employee there had closed and over 3,000 jobs were lost. The counties surrounding Lincoln at the time were enjoying some prosperity but David felt that it was time for him to get involved actively to help resurrect his beloved Lincoln County. So he went to work. He first turned to the Small Business Administration, which was a new Federal Agency, and over the next five years more SBA loans were made in Lincolnton and Lincoln County than any other single area in the United States, and thanks to a large part to the work of David Clark. Some 3,000 jobs were created in the County and by the time David came back to the General Assembly as a Senator, he saw the light I guess, in 1963, Lincoln County had been removed from the federal list of areas of substantial and persistent unemployment. Outside the doors of this Chamber on the wall next to the elevators there is a plaque with the name of David Clark on it. He served this Senate Chamber in the first year when this building was built. David was a family man, a kind and loving husband, a father, and grandfather. In June 1989,
David was severely injured in a very tragic accident and a very ironic accident as well. He was struck by a vehicle that was owned by one of the companies that he was a principle in, one of his aviation companies, and he never walked again after that accident. But the aftermath of that tragedy showed the true spirit and strength and character of David Clark. He was never bitter. Rather, he went on with his life and worked in his office, in his law practice, on West Main Street in Lincolnton until his untimely death in 1997. He was truly a great man, a great friend, a great leader and a man with great history and very deep, deep roots in North Carolina. I’m honored to present this resolution and I commend it to you. Thank you.”

The joint resolution passes its second reading (43-0) and third reading with members standing, and is ordered enrolled.

PERSONAL PRIVILEGES

Upon motion of Senator Foxx, remarks regarding the Senators who will not be serving in the 2001 General Assembly are spread upon the Journal, as follows:

Senator Basnight:

“Don East, you’ve been a wonderful member to the time that you worked on behalf of the people of this State. All of us surely will miss you in many different ways. You have spoken when words needed to be spoken on the floor of this Senate and you did it from the beliefs of what you said to be true. You did it to have an impact and you have, on all the people of this State because of your influence and your time that you served here. For that, on behalf of this Senate, I thank you from the bottom of my heart.”

Senator Albertson:

“In that regard, Mr. President, I will always remember Senator Don East and Senator Hugh Webster, two people who took time out of their busy schedules to come to Duplin County after the flood to help our people. And for that, I will always be grateful to both of you.”

Senator Odom:

“We’ve been recognizing a lot of our brothers and sisters in this Chamber who will definitely not be with us next year and I think it would be appropriate, especially for Senator Plyler and I, to bid an affectionate farewell to Senator Perdue. It’s been my great pleasure to work with Beverly and with Aaron Plyler for the past six years in the appropriations process, and Beverly and the rest of us have become like brothers and sisters. We have spent untold, probably thousands of hours over the past six years with the budgetary process. This is a lady that I have grown to respect and to love. It’s going to be a different place down here, Beverly, without your presence and your fierce advocacy for your constituents down east, but also for so many of the causes that you have advocated. For one, I wanted to publicly say ‘thank you’ and to also extend my deep appreciation to you for your support over the past years and especially the last couple of years through my family situation. Some of us have shared in so many other family situations with you and with Aaron and with so many of the rest of us. I talked a little earlier today with Senator Cooper, and it was hard to talk to him without having some tears in my eyes because he is like a brother and you are my sister. I simply say ‘thank you’ for who you are, for what you’ve been, and I wish you the best and Godspeed. Thank you.”
Senator Plyler:

"Thank you Mr. President and members of the Senate. She has been a true soldier in the process of appropriations. Some said well, how are you going to get along with a lady on the appropriations process? Well, that wasn't any problem. We didn't consider Beverly as a lady. We considered her as a true member of the appropriations process, and she did well and she can hold her ground, and there's no doubt about where she will go and what she will be doing for the next eight years. I'm not making a campaign speech, I'm just telling the truth. But, I have enjoyed serving with her and Fountain and all the rest of the Chairs of the subcommittees and, of course, Senator Cooper, Senator Phillips, and the other members that are retiring. Senator Soles and I have been here a pretty good while and we've seen a lot come and go but I'm telling you a lot of good ones are going right now, and we do appreciate you very, very much."

Senator Martin of Pitt:

"Ladies and gentlemen of the Senate, I ditto everything that's been said about Beverly, sometimes she didn't do like we wanted to do. But this is not all about Beverly, in that we are showing off kinfolk. I have a granddaughter on the floor here. I'd like for you to know that she's one of the best we have. She's a little different, I think, from most of the younger generation today in that she minds Momma and Pop and Granddaddy and Grandmother, and we have no trouble with her whatsoever. But the significant thing I wanted to point out to you today was the first time I ran for this job, I got caught in a runoff, and I had her Mother lined up to work the polls for me on July the 17th, which was the day of the runoff, but it so happened on July 16th this young lady arrived in town, and it wrecked my day for that poll. I had to get me another pollworker in haste. That is my granddaughter, Molly King. She's been paging for us several times, and I just wanted you to know what a fine young lady she is. Thank you, Mr. Chairman."

Senator Basnight:

"We can assure you that there's not a better Grandfather in this State than yours."

Senator Odom:

"I just want to make an announcement. I love seeing the grandchildren around and the children, and the end of the Session is good in that respect. My announcement is sometime within the next two hours, five of my wonderful grandchildren will also be here with us. Thank you."

Senator Allran:

"Thank you, Mr. President, ladies and gentlemen of the Senate, there's someone else that I would like to speak on behalf of, and that's a very great lady and I won't give a campaign speech either. But 20 years ago, I came to the State Legislature, and in that particular group of people one other person was also in that class, and that was Senator Betsy Cochrane. And I'm sure 20 years ago when she got here and when I got here, she didn't ever imagine that she would be here for 20 years any more than I ever thought I would be, but we're both still here, and hopefully I'll still be here next year. Betsy will not be for obvious reasons, but she may just be in a different capacity, who knows. At any rate, Betsy has been a great friend of mine all these years. She is a woman of great integrity and strong principles and virtue. She always speaks her mind and she has been a very, very loyal member of the Senate and has brought great credit upon this Body and the people of North Carolina, and I hope you wish her well, too. Thank you."

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Senator Basnight:

"Senator Cochrane, you’ve been a fierce competitor, and rightfully so, and we will thank you from the vantage point of what we hold, for all that you have done and contributed to this State. You’ve done a wonderful job."

Senator Lee:

"Mr. President, I arrived here in the Senate in 1990, and I had no idea like it’s already been indicated, what to expect from the Senate, and I feel blessed to have the opportunity to work with all of the persons who are leaving. I remember one of the first sounds I heard in Appropriations was that infectious laugh of Beverly Perdue while she was still a member of the House. But one of the first people I served with on a study committee was Roy Cooper, and I can say that I knew him before he and his lovely wife were married. I watched them court across the room, as a matter of fact. I started to admire Roy because of the dedicated commitment he made to that Salvage Study Committee which we struggled to try and find some meaning to. But I’ve always thought he was a man with great aspirations and a person I’ve come to admire through the years. I believe he has a wonderfully bright future in our State, and I know that he will be missed here in this Senate as will all of our friends. But there’s an old adage which says that if you want to measure how much you will be missed, stick your hand in a bucket of water, remove it, and the hole left is how much you’ll be missed. But that’s not the case with any of the people leaving, and certainly not the case with Roy. I like to think that their place is permanent and when they vacate it, no one can fill it, no one can replace them, and we’ll always remember them with great admiration. Roy, I’ve considered you to be one of my leaders. Certainly, as Majority Leader you have been fair, you have been open, and you have certainly responded to those of us who yearn for leadership. I look forward to following you as you move into your future, and I wish you Godspeed. Mr. President, may I have one more moment to, this is a favorite poem of mine and I will paraphrase it as a farewell to our friends. It’s a poem by Charles Day. ‘Farewell my friends, farewell and hail. You’re off to seek the Holy Grail. I’m sure you understand why. But we’ll remember once you’re gone, those aspirations that drove you on. Tiddley, widdley, toodlely loo, eventually, the rest of us will follow you. But until then, we bid you goodbye.’ "

Senator Purcell:

"It’s kind of sad back here with all these good folks leaving. I thought I’d try to cheer people up a little bit. We talked about drinking this morning and these two fellows spent all night at the bar. They were walking on down the railroad track and one of them said, ‘This is the flattest stairway I’ve ever been down in my life,’ and the other guy said, ‘That’s not what bothers me, it’s these low hand rails.’ "

Senator Jordan:

"Mr. President and members of this Body, I was sitting thinking about three particular members who were leaving, but I thought that they’re not leaving us because I’ve got this strong feeling by November or January, either Senator Perdue or Senator Cochrane or Senator Cooper are going to be sticking their hands in our pockets trying to get their budget together and we can show them how to really cut. Thank you."

Senator Soles:

"Mr. President, ladies and gentlemen of the Senate, I’ve sat here and I’ve seen all these young people leaving, and I really don’t understand it. You know you don’t really get into the swing of things ‘til you’ve been here 20 or 25 years. And I want to say to all of you retired members how much we’re going to miss you, but I could not help but sit here and

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wonder why Senator Allran spoke only about Betsy Cochrane, Fountain spoke only about Beverly Perdue. Heck, I'm going to be here next time, and one of them's going to be here and I want to tell both of them I love them and I'm going to be sitting right here."

**Senator Basnight:**

"Senator Shaw, you got any good words of wisdom?"

**Senator Shaw of Guilford:**

"No, sir, I've always heard that you should have said something about somebody while they're still living so if anybody wants to come on with something, come on."

**Senator Basnight:**

"Senator Shaw got pretty emotional one day for those of you who weren't here, as he can do rightfully so in the explaining and telling a story of the case he's building on the Senate floor. This particular one, it happened and Senator Ezzell if you remember, sat here, he was over here one time and he moved over here, and they were separated in some fashion. I'll never forget Senator Ezzell hitting that little, not buzzer, but the little ringbell that he had on his scooter after we were all invaded by the Cambodians that day, as Senator Shaw described our invasion on the Senate floor, certainly different from that was an analogy that he was using. So that was one of the famous fun times of times here in the Senate. But times will never be forgotten by me and all of us together, for what these contributions have been. Beverly, you have represented a group of people on the coast that truly have been of little help to you politically in any fashion, certainly a liability, I guess I could say. But there are people who worked the lowlands of this State, who work our waters, and they have no voice normally. But you have spoken well for that group and others as well, and for that I greatly appreciate the strength that you've offered and the opportunities that they can also share in the good fortunes of our State. Senator Cooper, being replaced right this second by Senator Kerr, but as I look there we all know that Roy Cooper is a man of high integrity but also a man who would fight the fights that many people did not want to be involved in. Those kinds of fights that brought fairness to our people of our State who do not have that recognition that they deserved on too many occasions, and fights that people did not want you to get involved in or some members didn't from time to time, because there were very powerful people in our State who do not want those types of disputes settled on this floor, and for that Roy, I certainly thank you. Betsy, you've always been, to a large extent, the salvation of the senior citizens of our State and the aging population as they grow and they need attention of people with strong voice and strong will. You have been that spokesperson and for that we thank you very generously from our heart. You have done a wonderful job by the people of this State. Don, I'll come back one more time to offer you that friendship that we've carried in the past, to extend it among all of us, because I believe once a Senator always a Senator. It is sort of a reunion when we come back and speak and see others at later times, as I've met Senators of the past. You'll always remain that friend of mine and everyone in here, and each and every time that I reminisce, I'll think of the times that you stood in defiance of the issue that was before us, to stand and simply say your piece, the piece of the unspoken. For that, we thank you. Jim Phillips, you're like the kind of father that all of us have had, the kind we admire and look up to, and we never forget a father. You also never forget a friend and the friendship that you build, and you don't build those easily or quickly. It takes some time and it takes respect from each party against the other party and himself. You are a wonderful human being. Your mark has been felt and it will be left forevermore. Each and everyone of you have done great things for the people of your State. We'll never forget you in many different ways. Godspeed and God bless to each and everyone of our good soldiers."

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The Senate recesses at 2:12 P.M. to reconvene at 4:00 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

Upon the appearance of Senator Moore in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

The Chair grants leaves of absence for the remainder of today’s Session to Senator Garwood and Senator Reeves.

The Senate recesses at 4:38 P.M. to reconvene at 5:30 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

S.B. 767 House of Representatives

July 12, 2000

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute for SB 767, A BILL TO BE ENTITLED AN ACT TO REVISE THE LIMITATION ON LOBBYIST-RELATED FUNDRAISING TO STRENGTHEN THE ACT AND TO COMPLY WITH A COURT DECISION; AND TO DIRECT THE STATE BOARD OF ELECTIONS TO STUDY AND REPORT ON THE DESIGNATION, OPERATIONS, AND FUNDING OF MULTIPLE ONE-STOP ABSENTEE VOTING SITES BY COUNTY BOARDS OF ELECTIONS AND THE FUNDING OF SUCH SITES, the Speaker has appointed as conferees on the part of the House:

Representative Baddour,
Representative Alexander,
Representative Bonner,
Representative Redwine,
Representative Nesbitt,
Representative Michaux,
Representative Hackney, and
Representative Justus

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

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

S.B. 1323  
House of Representatives  
July 12, 2000

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute for SB 1323, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE INDIGENT DEFENSE STUDY COMMISSION TO ESTABLISH AN OFFICE OF INDIGENT DEFENSE SERVICES, the Speaker has appointed as conferees on the part of the House:

Representative Hackney,  
Representative Kiser,  
Representative Nesbitt,  
Representative Thomas, and  
Representative Goodwin

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

Special messages are received from the House of Representatives transmitting bills which are read the first time and disposed of, as follows:

S.B. 787 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS STUDY COMMITTEES AND COMMISSIONS, AND TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, for concurrence in the House Committee Substitute bill.

The rules are suspended and the House Committee Substitute bill is placed on today’s Calendar.

S.B. 1385 (House 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 THE LAW RELATING TO APPOINTMENTS TO PUBLIC OFFICE, for concurrence in the House Committee Substitute bill.

The rules are suspended and the House Committee Substitute bill is placed on today’s Calendar.

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CONFERENCE REPORT

S.B. 767

Senator Miller, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon S.B. 767 (House Committee Substitute), a bill to be entitled an Act to revise the limitation on lobbyist-related fundraising to strengthen the Act and to comply with a Court decision; and to direct the State Board of Elections to study and report on the designation, operation, and funding of multiple one-stop absentee voting sites by county boards of elections and the funding of such sites, 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 767, an Act to revise the limitation on lobbyist-related fundraising to strengthen the Act and to comply with a Court decision; and to direct the State Board of Elections to study and report on the designation, operation, and funding of multiple one-stop absentee voting sites by county boards of elections and the funding of such sites, House Committee Substitute Favorable 7/6/00, Third Edition Engrossed, submit the following report:

The Senate concurs in the House Committee Substitute Favorable 7/6/00, Third Edition Engrossed with the following amendments:

(1) on page 1, lines 4 through 7, by rewriting those lines to read:
"decision; to authorize the State Board of Elections to adopt a plan designating one-stop voting sites in a county where the county board of elections was unable to reach unanimity on a plan and a member or members of that county board has petitioned the State Board to adopt a plan; and to provide funding for counties to operate multiple one-stop voting sites."; and

(2) on page 2, line 27, by inserting after the word "not" the word "directly"; and

(3) on page 3, lines 12 through 23, by rewriting those lines to read:
"Section 2. G.S. 163-227.2(g) reads as rewritten:
'(g) Notwithstanding any other provision of this section, a county board of elections by unanimous vote of all its members may provide for one or more sites in that county for absentee ballots to be applied for and cast under this section. Any site other than the county board of elections office shall be in any building or part of a building that the county board of elections is entitled under G.S. 163-129 to demand and use as a voting place. Every individual staffing any of those sites shall be a member or full-time employee of the county board of elections or an employee of the county board of elections whom the board has given training equivalent to that given a full-time employee. Those sites must be approved by the State Board of Elections as part of a Plan for Implementation approved by both the county board of elections and by the State Board of Elections."

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Elections which shall also provide adequate security of the ballots and provisions to avoid allowing persons to vote who have already voted. The Plan for Implementation shall include a provision for the presence of political party observers at each one-stop site equivalent to the provisions in G. S. 163-45 for party observers at voting places on election day. If a county board of elections has considered a proposed Plan or Plans for Implementation and has been unable to reach unanimity in favor of a Plan, a member or members of that county board of elections may petition the State Board of Elections to adopt a plan for it. If petitioned, the State Board may also receive and consider alternative petitions from another member or members of that county board. The State Board of Elections may adopt a Plan for that county. The State Board, in that plan, shall take into consideration factors including geographic, demographic, and partisan interests of that county.'

Section 3(a). There is appropriated from the General Fund for the 2000-2001 fiscal year the sum of two hundred fifty thousand dollars ($250,000) to the State Board of Elections for the purpose of funding and administering a one-time grant-in-aid program to counties to operate multiple One-Stop absentee voting sites.

Section 3(b). Counties shall use funds granted pursuant to this section to offset costs associated with the implementation of GS. 163-227.2(g).

Section 3(c). The State Board of Elections shall develop and issue procedures related to a grant process for grant applications and grant awards to counties. The procedures developed shall include a requirement that counties submit a plan outlining how the funds will be used. The procedures shall be developed and issued no later than July 31, 2000. The procedures shall include a specific application deadline and the date by which grant award decisions shall be made by the board. County grants-in-aid to boards of county commissioners shall be awarded no later than September 15, 2000.

Section 3(d). Criteria for the amount of grant awards shall include county population and county voter registration and shall be used to encourage greater voter accessibility in the various counties. No board of county commissioners shall use grant funds issued pursuant to this section to supplant funds previously budgeted for the county board of elections."

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 12, 2000.

S/Brad Miller        S/Phil Baddour, Jr.
S/Roy A. Cooper     S/Martha Alexander
S/Wib Gulley        S/Donald Bonner
S/William Martin    S/Joe Hackney
                    Larry Justus
                    S/H. M. Michaux, Jr.
                    S/Martin Nesbitt
                    S/David Redwine

Conferees for the Senate

Conferees for the
House of Representatives

Upon motion of Senator Miller, the rules are suspended, without objection, and the Conference Report is placed on today’s Calendar.

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CONFERENCE REPORT

S.B. 1381

Senator Kerr, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon S.B. 1381 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REALLOCATE THE PROCEEDS OF THE CLEAN WATER 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 1381, A BILL TO BE ENTITLED AN ACT TO REALLOCATE THE PROCEEDS OF THE CLEAN WATER BONDS, House Committee Substitute Favorable 7/6/00, submit the following report:

The Senate and House of Representatives agree to the following amendment to the House Committee Substitute Favorable 7/6/00, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute Favorable 7/6/00 and substitute the attached Proposed Conference Committee Substitute S1381-PCS7809-LC.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 12, 2000.

S/John H. Kerr III          S/Bill Owens
S/Charles W. Albertson       S/Andrew Thomas Dedmon
S/Patrick J. Ballantine      S/Martin Nesbitt
S/Kay R. Hagan               S/Alex Warner
S/Linda Garrou               S/William L. Wainwright
S/Stephen M. Metcalf         S/Mitch Gillespie

Conferees for the Senate    Conferees for the House of Representatives

The text of the attached Proposed Conference Committee S1381-PCS7809-LC is as follows:

A BILL TO BE ENTITLED
AN ACT TO REALLOCATE THE PROCEEDS OF THE CLEAN WATER BONDS.

The General Assembly of North Carolina enacts:

Section 1. Withdrawal of Loan Funds. -- Pursuant to Section 5.1(i) of S.L. 1998-132, the following amounts of the Clean Water Bond proceeds allocated for loans in Section 5.1(h) of S.L. 1998-132 are withdrawn from allocation under Section 5.1(h) of S.L. 1998-132 and reallocated as provided in Section 2 of this act:

1. Water supply and distribution systems and water conservation projects:
   a. Reserved for loans to local government units whose bond

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rating is less than 75 or
who have no bond rating.................................$ 3,500,000
b. Reserved for loans to local
government units whose bond
rating is 75 or more........................................$ 90,600,000.

(2) Wastewater collection systems and wastewater treatment works:
a. Reserved for loans to local
government units whose bond
rating is less than 75 or who
have no bond rating........................................$ 7,100,000
b. Reserved for loans to local
government units whose bond
rating is 75 or more........................................$ 98,800,000

Total Withdrawn for Reallocation........................................$200,000,000.

Section 2.(a) Reallocation for High-Unit Cost Grants. -- Of the funds withdrawn pursuant to Section 1 of this act from allocation under Section 5.1(h) of S.L. 1998-132, the sum of one hundred forty-six million dollars ($146,000,000) shall be used by the Department of Environment and Natural Resources to provide grants to local government units for the same purpose and in accordance with Section 5.1(c) of S.L. 1998-132 and shall be allocated for this purpose as follows:

(1) High-Unit Cost Wastewater Account:
a. Reserved for grants to local
government units whose bond
rating is less than 75 or who
have no bond rating........................................$ 37,960,000
b. Reserved for grants to local
government units whose bond
rating is 75 or greater........................................$ 35,040,000.

(2) High-Unit Cost Water Supply Account:
a. Reserved for grants to local
government units whose bond
rating is less than 75 or who
have no bond rating........................................$ 37,960,000
b. Reserved for grants to local
government units whose bond
rating is 75 or greater........................................$ 35,040,000

Total Reallocated for Grants
Under Section 5.1(c)..............................................$146,000,000.

Section 2.(b) Reallocation for Unsewered Community Grants. -- Of the funds withdrawn pursuant to Section 1 of this act from allocation under Section 5.1(h) of S.L. 1998-132, the sum of twenty-five million nine hundred twenty thousand dollars ($25,920,000) is reallocated to be used to provide unsewered community grants to eligible local government units to assist with wastewater treatment works and wastewater collection systems for the same purpose and in accordance with Section 5.1(g) of S.L. 1998-132. Grants from amounts reallocated shall be awarded and administered by the Rural Economic Development Center in accordance with Section 5.1(g) of S.L. 1998-132. The funds reallocated under this section shall be awarded on the criteria set out in Section 5.1(g) of S.L. 1998-132.

Section 2.(c) Reallocation for Supplemental and Capacity Grants. -- Of the funds withdrawn pursuant to Section 1 of this act from allocation under Section 5.1(h) of S.L. 1998-132, the sum of twenty-eight million eighty thousand dollars ($28,080,000) is reallocated to be used to provide supplemental and capacity grants to eligible local

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government units to match federal, State, and other grant or loan program funds to plan or improve needed water and sewer projects. Grants from amounts reallocated shall be awarded and administered by the Rural Economic Development Center in accordance with Section 5.1(f) of S.L. 1998-132 and this section. The proceeds reallocated under this section shall be allocated between supplemental grants and capacity grants as follows:

1. Supplemental Grants $22,460,000
2. Capacity Grants $5,620,000

The funds reallocated under this section shall be awarded on the criteria set out in Section 5.1(f) of S.L. 1998-132.

Notwithstanding the provisions of Section 5.1(f) of S.L. 1998-132, a maximum of twelve million dollars ($12,000,000) of supplemental grant funds and a maximum of three million dollars ($3,000,000) of capacity grant funds may be certified by the Rural Economic Development Center to the State Treasurer each fiscal year through June 30, 2005, and the State Treasurer may issue the amount certified up to fifteen million dollars ($15,000,000) each fiscal year through June 30, 2005. Upon certification for the fiscal year ending June 30, 2005, the State Treasurer may issue the remaining balance of the funds allocated under Section 5.1(f) of S.L. 1998-132 and under this section for any purpose authorized under Section 5.1(f) of S.L. 1998-132.

Section 2.(d) Moratorium. -- The Department of Environment and Natural Resources may award no more than one-half of the funds reallocated under subsection (a) of this section before March 31, 2001. Funds awarded by the Department of Environment and Natural Resources before March 31, 2001, may be awarded only as grants to eligible applicants whose applications for grants had been received by the Department on or before July 1, 2000. An application received on or before July 1, 2000, may be updated and supplemental information regarding the application may be submitted to the Department of Environment and Natural Resources on or before August 15, 2000. No applications may be updated or supplemented with additional information after that date.

The Rural Economic Development Center may award no more than one-half of the funds reallocated under subsection (b) of this section before March 31, 2001. The Rural Economic Development Center may award no more than one-half of the funds reallocated under subsection (c) of this section before March 31, 2001.

Section 2.1. Study. -- The State Infrastructure Council established in G.S. 143B-344.30 shall study the geographic distribution of loans and grants from the proceeds of the Clean Water Bonds and determine the extent to which geographic disparities and inequities of distribution exist. The Department of Environment and Natural Resources and the Rural Economic Development Center, Inc., shall cooperate with the Council in its study. The Council shall also develop a plan to redress the disparities or inequities identified. To the extent that any disparities or inequities can be addressed only through legislative action, the Council shall develop and recommend legislative proposals. No later than December 1, 2000, the Council shall report the results of its evaluation, any administrative actions taken, and any legislative proposals developed to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Fiscal Research Division.

Section 3. 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 applicants 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 applicant during any fiscal year shall be eight million dollars ($8,000,000).

(2a) The maximum principal amount of grants made to any applicant during any fiscal year over a period of three fiscal years shall be three million dollars ($3,000,000). The Department of Environment and Natural Resources may limit the maximum principal amount of a grant under this subdivision 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.

(2b) Notwithstanding G.S. 159G-6(a)(2a), the maximum principal amount of grants made to any applicant for a high-unit cost wastewater project under G.S. 159G-6(b)(2) during any fiscal year shall be three million dollars ($3,000,000) if the applicant is a sewer district that includes three or more local government units. Notwithstanding G.S. 159G-6(a)(2a), the maximum principal amount of grants made to any applicant for a high-unit cost water supply system under G.S. 159G-6(c)(2) during any fiscal year shall be three million dollars ($3,000,000) if the applicant is either: (i) a water district that includes three or more local government units, or (ii) a county in which less than fifty percent (50%) of the population of the county is served by a public water system that is owned or operated by a local government unit or a nonprofit water corporation.

(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 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 an applicant 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 applicant to provide funds for one or more revolving loans or grants.

Section 4. Section 3 of this act is effective retroactively to July 1, 1999, and applies to grants made on or after the date this act becomes law. The remainder of this act becomes effective August 1, 2000.

Upon motion of Senator Kerr, the rules are suspended, without objection, and the Conference Report is placed on today's Calendar.

CONFERENCE REPORT

S.B. 1323

Senator Ballance, for the Conferences appointed to consider the differences arising between the Senate and the House of Representatives upon S.B. 1323 (House Committee
A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE INDIGENT DEFENSE STUDY COMMISSION TO ESTABLISH AN OFFICE OF INDIGENT DEFENSE 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 Senate Bill 1323, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE INDIGENT DEFENSE STUDY COMMISSION TO ESTABLISH AN OFFICE OF INDIGENT DEFENSE SERVICES, House Committee Substitute Favorable 7/6/00, submit the following report:

The Senate and the House of Representatives agree to the following amendment to the House Committee Substitute Favorable 7/6/00, and the Senate concurs in the House Committee Substitute Favorable 7/6/00, as amended:

Delete the entire House Committee Substitute Favorable 7/6/00, and substitute the Judiciary II Committee Substitute Adopted 6/20/00, Second Edition, with the following amendments:

on page 3, line 7 through 9, rewrite those lines to read: “whether a person is indigent and entitled to legal representation, and counsel shall be appointed as provided in G. S. 7A-452.”;

and on page 4, line 1 insert after the period the sentence “One appointee shall be Native American.”;

and on page 4, lines 6 and 7, rewrite those lines to read: “(1) The initial appointments by the Chief Justice, the Governor, and the General Assembly shall be for four years.”;

and on page 6, line 12, insert after the period the following: “The Commission shall solicit written comments from the affected local district bar, senior resident superior court judge, and chief district court judge. Those comments, along with the recommendations of the Commission, shall be forwarded to the members of the General Assembly who represent the affected district and to other interested parties.”;

and on page 7, lines 15 through 29, rewrite those lines to read:

§ 7A-498.7 Public Defender Offices.
(a) The following counties of the State are organized into the defender districts listed below and in each of those defender districts an office of public defender is established:

<table>
<thead>
<tr>
<th>Defender District</th>
<th>Counties</th>
</tr>
</thead>
<tbody>
<tr>
<td>3A</td>
<td>Pitt</td>
</tr>
<tr>
<td>3B</td>
<td>Carteret</td>
</tr>
<tr>
<td>12</td>
<td>Cumberland</td>
</tr>
</tbody>
</table>

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14  Durham
15B  Orange, Chatham
16A  Scotland, Hoke
16B  Robeson
18  Guilford
26  Mecklenburg
27A  Gaston
28  Buncombe

After notice to, and consultation with, the affected district bar, senior resident superior court judge, and chief district court judge, the Commission on Indigent Defense Services may recommend to the General Assembly that a district or regional public defender office be established. A legislative act is required in order to establish a new office or to abolish an existing office.

(b) For each new term, and to fill any vacancy, public defenders shall be appointed from a list of not less than two and not more than three names nominated by written ballot of the attorneys resident in the defender district who are licensed to practice law in North Carolina. The balloting shall be conducted pursuant to rules adopted by the Commission on Indigent Defense Services. The appointment shall be made by the senior resident superior court judge of the superior court district or set of districts as defined in G. S. 7A-44.1 that includes the county or counties of the defender district for which the public defender is being appointed.”;

and on page 8, lines 24 through 43, rewrite those lines to read:

“(b) The term of office of public defender appointed under this section is four years. A public defender or assistant public defender may be suspended or removed from office, and reinstated, for the same causes and under the same procedures as are applicable to removal of a district attorney.


(a) The appellate defender shall be appointed by the Commission on Indigent Defense Services for a term of four years. A vacancy in the office of appellate defender shall be filled by appointment of the Commission on Indigent Defense Services for the unexpired term. The appellate defender may be suspended or removed from office for cause by two-thirds vote of all the members of the Commission on Indigent Defense Services. The Commission shall provide the appellate defender with timely written notice of the alleged causes and an opportunity for hearing before the Commission prior to taking any final action to remove or suspend the appellate defender, and the appellate defender shall be given written notice of the Commission’s decision. The appellate defender may obtain judicial review of suspension or removal by the Commission by filing a petition within 30 days of receiving notice of the decision with the Superior Court of Wake County. Review of the Commission’s decision shall be heard on the record and not as a de novo review or trial de novo. The Commission shall adopt rules implementing this section.

(b) The appellate defender shall perform such duties as may be directed by the Office of Indigent Defense Services, including:

(1) Representing indigent persons subsequent to conviction in trial courts. The Office of Indigent Defense Services may, following consultation with the appellate defender and consistent with the resources available to the appellate defender to ensure quality criminal defense services by the appellate defender’s office, assign appeals, or authorize the appellate defender to assign appeals, to a local public defender’s office or to private assigned counsel.

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(2) Maintaining a clearinghouse of materials and a repository of briefs prepared by the appellate defender to be made available to private counsel representing indigents in criminal cases.

(3) Providing continuing legal education training to assistant appellate defenders and to private counsel representing indigents in criminal cases, including capital cases, as resources are available.

(4) Providing consulting services to attorneys representing defendants in capital cases.

(5) Recruiting qualified members of the private bar who are willing to provide representation in State and federal death penalty postconviction proceedings.

(6) In the appellate defender's discretion, serving as counsel of record for indigent defendants in capital cases in State court.

(7) Undertaking direct representation and consultation in capital cases pending in federal court only to the extent that such work is fully federally funded.

(c) The appellate defender shall appoint assistants and staff, not to exceed the number authorized by the Office of Indigent Defense Services. The assistants and staff shall serve at the pleasure of the appellate defender.

(d) Funds to operate the office of appellate defender, including office space, office equipment, supplies, postage, telephone, library, staff salaries, training, and travel, shall be provided by the Office of Indigent Defense Services from funds authorized by law. Salaries shall be set by the Office of Indigent Defense Services.”;

and on page 13, lines 18 through 26, rewrite those lines to read:

“(a) Counsel for an indigent person shall be assigned by the court. Upon the court’s determination that a person is indigent and entitled to counsel under this Article, counsel shall be appointed in accordance with rules adopted by the Office of Indigent Defense Services. In noncapital cases, the court shall assign counsel pursuant to rules adopted by the Office of Indigent Defense Services. In capital cases, the Office of Indigent Defense Services or designee of the Office of Indigent Defense Services shall assign counsel; at least one member of each capital defense team, where practicable, shall be a member of the bar in that division. In the courts of those counties which have a public defender, however, the public defender may tentatively assign himself or an assistant public defender to represent an indigent person, subject to subsequent approval determination of entitlement to counsel by the court. Court and approval by the court in noncapital cases and by the Office of Indigent Defense Services in capital cases.”;

and on page 29, lines 14 through 28, rewrite those lines:

“Section 48. Persons holding the position of public defender or appellate defender on the date this act becomes law are entitled to serve the remainder of their terms.”

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 12, 2000.

S/Frank W. Ballance, Jr.  S/Joe Hackney
S/Luther Jordan  S/Joe L. Kiser

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Upon motion of Senator Ballance, the rules are suspended, without objection, and the Conference Report is placed on today's Calendar.

CALENDAR (Continued)

S.B. 767 (Conference Report), A BILL TO BE ENTITLED AN ACT TO REVISE THE LIMITATION ON LOBBYIST-RELATED FUNDRAISING TO STRENGTHEN THE ACT AND TO COMPLY WITH A COURT DECISION; AND TO DIRECT THE STATE BOARD OF ELECTIONS TO STUDY AND REPORT ON THE DESIGNATION, OPERATION, AND FUNDING OF MULTIPLE ONE-STOP ABSENTEE VOTING SITES BY COUNTY BOARDS OF ELECTIONS AND THE FUNDING OF SUCH SITES, placed earlier on today's Calendar, for adoption.

Upon motion of Senator Miller, the Senate adopts the Conference Report (33-1). A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

CONFERENCE REPORT

H.B. 1431

Senator Rand, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon H.B. 1431 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF THE HEALTH AND WELLNESS TRUST FUND AND ITS COMMISSION, THE CREATION OF THE TOBACCO TRUST FUND AND ITS COMMISSION, TO AMEND THE AUTHORITY OF THE GENERAL ASSEMBLY RELATIVE TO THE NONPROFIT CORPORATION ESTABLISHED PURSUANT TO THE TOBACCO SETTLEMENT CONSENT DECREES, AND TO MAKE CONFORMING 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 House Bill 1431, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF THE HEALTH AND WELLNESS TRUST FUND AND ITS COMMISSION, THE CREATION OF THE TOBACCO TRUST FUND AND ITS COMMISSION, TO AMEND THE AUTHORITY OF THE GENERAL ASSEMBLY RELATIVE TO THE NONPROFIT CORPORATION ESTABLISHED PURSUANT TO THE TOBACCO SETTLEMENT CONSENT DECREES, AND TO MAKE CONFORMING CHANGES, Senate Rules and Operations of the Senate Committee Substitute, Fifth Edition Engrossed 6/30/2000, submit the following report:

The Senate and House agree to the following amendments to the Senate Rules and Operations of the Senate Committee Substitute, Fifth Edition Engrossed 6/30/2000, and

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the House concurs in the Senate Rules and Operations of the Senate Committee Substitute, Fifth Edition Engrossed 6/30/2000, with the following amendment:

Delete the entire Senate Rules and Operations of the Senate Committee Substitute, Fifth Edition Engrossed 6/30/2000 and substitute the attached Proposed Conference Committee Substitute H1431-PCCS7397.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 12, 2000.

S/Anthony E. Rand        S/George W. Miller, Jr.
S/Don W. East            S/Martha B. Alexander
S/James S. Forrester     S/Gordon P. Allen
S/Linda Garrou          S/Philip A. Baddour, Jr.
S/Wib P. Gulley         S/N. Leo Daughtry
S/William Martin        S/Carolyn B. Russell
S/William R. Purcell    S/David F. Weinstein
S/David F. Weinstein    S/Allen H. Wellons

Conferees for the Senate  Conferees for the
                          House of Representatives

The text of the attached Proposed Conference Committee Substitute H1431-PCCS7397 is as follows:

A BILL TO BE ENTITLED
AN ACT TO PROVIDE FOR THE CREATION OF THE HEALTH AND WELLNESS
TRUST FUND AND ITS COMMISSION, THE CREATION OF THE TOBACCO
TRUST FUND AND ITS COMMISSION, AND TO MAKE CONFORMING
CHANGES.
The General Assembly of North Carolina enacts:

PART I. ALLOCATION OF FUNDS
   Section 1. G.S. 143-16.4 reads as rewritten:
"§ 143-16.4. Settlement Reserve Fund.
   (a) The 'Settlement Reserve Fund' is established as a restricted reserve in the General
       Fund. Funds Except as otherwise provided in this section, funds shall be expended
       from the Settlement Reserve Fund only by specific appropriation by the General Assembly.

   (a1) A Health Trust Account is established in the Settlement Reserve Fund. The portion
       of each Master Settlement Agreement payment identified in Section 6(3) of S.L.
       1999-2 shall be credited to the Health Trust Account. The State Controller shall transfer
       all funds in the Health Trust Account to the Health and Wellness Trust Fund created in
       Article 6C of Chapter 147 of the General Statutes.

   (a2) A Tobacco Trust Account is established in the Settlement Reserve Fund. The portion
       of each Master Settlement Agreement payment identified in Section 6(2) of S.L.
       1999-2 shall be credited to the Tobacco Trust Account. The State Controller shall transfer
       all funds in the Tobacco Trust Account to the Tobacco Trust Fund created in Article 75 of
       Chapter 143 of the General Statutes.

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(b) Unless prohibited by federal law, federal funds provided to the State by block grant or otherwise as part of federal legislation implementing a settlement between United States tobacco companies and the states shall be credited to the Settlement Reserve Fund. Unless otherwise encumbered or distributed under a settlement agreement or final order or judgment of the court, funds paid to the State or a State agency pursuant to a tobacco litigation settlement agreement, or a final order or judgment of a court in litigation between tobacco companies and the states, shall be credited to the Settlement Reserve Fund."

PART II. HEALTH AND WELLNESS TRUST FUND AND HEALTH AND WELLNESS COMMISSION

Section 2. Chapter 147 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 6C.
"Health and Wellness Trust Fund.

§ 147-86.30. Health and Wellness Trust Fund established.

(a) Fund Established. -- There is established the Health and Wellness Trust Fund in the Office of the State Treasurer that shall be used to develop a comprehensive plan to finance programs and initiatives to improve the health and wellness of the people of North Carolina. As used in this Article, the term 'Fund' means the Health and Wellness Trust Fund. It is the intent of the General Assembly that the funds provided pursuant to this Article to address the health needs of North Carolinians be used to supplement, not supplant, existing funding of health and wellness programs.

(b) Fund Earnings, Assets, and Balances. -- The State Treasurer shall hold the Fund separate and apart from all other moneys, funds, and accounts. The State Treasurer shall be the custodian of the Fund and shall invest its assets in accordance with G.S. 147-69.2 and G.S. 147-69.3. Investment earnings credited to the assets of the Fund shall become part of the Fund. Any balance remaining in the Fund at the end of any fiscal year shall be carried forward in the Fund for the next succeeding fiscal year. Payments from the Fund shall be made on the warrant of the chair of the Commission, pursuant to directives of the Commission. The Commission may expend moneys in the Fund only as provided in subsections (c) and (d) of this section.

(c) Creation of Fund Reserve. -- The Commission shall reserve, and shall not expend, fifty percent (50%) of each annual payment allocated to the Health and Wellness Trust Fund pursuant to G.S. 143-16.4 during years 2001 through 2025 to create and build the Fund Reserve. During years 2001 through 2025, the Commission may expend any investment earnings on the reserved funds. Beginning in year 2026, and thereafter, the Commission shall not expend the reserved funds but may continue to expend any investment earnings on the reserved funds.

(d) Use of Nonreserved Funds. -- The Commission may expend all of the annual payments for years 1998, 1999, and 2000 and may expend the remaining fifty percent (50%) portion of each annual payment thereafter through the year 2025 that is not reserved pursuant to subsection (c) of this section. Any unexpended or unencumbered portion of the nonreserved portion of each annual payment for years 2001 through 2025 that has not been expended or encumbered by the third June 30th following the date of the receipt of the payment shall be reserved pursuant to subsection (c) of this section. The Commission may expend any investment earnings on the nonreserved funds in the year in which the investment earnings are received by the Fund.

(e) Fund Purposes. -- Moneys from the Fund may be used for any of the following purposes:

(1) To address the health needs of vulnerable and underserved populations in North Carolina.

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(2) To fund programs and initiatives that include research, education, prevention, and treatment of health problems in North Carolina and to increase the capacity of communities to respond to the public's health needs.

(3) To develop a comprehensive, community-based plan with goals and objectives to improve the health and wellness of the people of North Carolina with a priority on preventing, reducing, andremedying the health effects of tobacco use and with an emphasis on reducing youth tobacco use. The plan shall include measurable health and wellness objectives and a proposed timetable for achieving these objectives. In developing the plan, the Commission shall consider all facets of health, including prevention, education, treatment, research, and related areas.

(f) Limit on Operating and Administrative Expenses. -- No more than two and one-half percent (2 1/2%) of the annual receipts of the Fund for the fiscal year beginning July 1 or a total sum of one million dollars ($1,000,000), whichever is less, may be used each fiscal year for administrative and operating expenses of the Commission and its staff. All administrative expenses of the Commission shall be paid from the Fund.

§ 147-86.31. Health and Wellness Trust Fund; eligibility for grants; annual reports from non-State agencies.

(a) Eligible Grant Applicants. -- Any of the following are eligible to apply for a grant from the Fund:

1. A State agency.
2. A local government or other political subdivision of the State or a combination of such entities.
3. A nonprofit corporation which has as a significant purpose promoting the public's health, limiting youth access to tobacco products, or reducing the health consequences of tobacco use.

(b) Annual Report From Non-State Agencies. -- Grant or financial assistance recipients that are non-State agencies shall submit an annual report to the Commission. The report shall include information concerning how the funds are used, the intended goals and objectives of the recipient's grant proposal or program initiative, and the results of an evaluation of the extent to which the outcomes of the initiatives or proposal achieved those goals and objectives.

§ 147-86.32. Health and Wellness Trust Fund; Commission established; membership qualifications; vacancies.

(a) Commission Established. -- There is established the Health and Wellness Trust Fund Commission. As used in this Article, the term 'Commission' means the Health and Wellness Trust Fund Commission. The Commission shall exercise its powers independently, but for administrative purposes, the Commission shall be located within the Office of the State Treasurer.

(b) Membership. -- The Commission shall consist of 18 members. The members shall not be employed by or be agents of tobacco product manufacturing companies. The Commission shall be appointed as follows: six members by the Governor, six members by the President Pro Tempore of the Senate, and six members by the Speaker of the House of Representatives. These members shall be appointed as follows:

1. The Governor shall make the following appointments:
   a. A person involved in public health.
   b. A person involved in the operation of health care delivery systems.
   c. A health care practitioner.
   d. An at-large appointee.
   e. An at-large appointee.
f. An at-large appointee.

(2) The President Pro Tempore of the Senate shall make the following appointments:
   a. A person involved in health research.
   b. A person involved in tobacco-related health care issues.
   c. A person involved in health promotion and disease prevention.
   d. An at-large appointee.
   e. An at-large appointee.
   f. An at-large appointee.

(3) The Speaker of the House of Representatives shall make the following appointments:
   a. A person involved in health policy trends.
   b. A person involved with health care for underserved populations.
   c. A person involved with child health care.
   d. An at-large appointee.
   e. An at-large appointee.
   f. An at-large appointee.

It is the intent of the General Assembly that the appointing authorities, in appointing members, shall appoint members who represent the geographic, political, gender, and racial diversity of the State.

(c) Initial Appointments; Term Limits; Officers. -- To provide for a staggered membership, the members initially appointed pursuant to sub-divisions (b)(1)a., (1)b., (2)d., and (3)d. of this section shall serve one-year terms ending on June 30, 2001. The members initially appointed pursuant to sub-divisions (b)(2)c., (2)e., (3)a., and (3)e. shall serve two-year terms ending on June 30, 2002. The members initially appointed pursuant to sub-divisions (b)(1)c., (1)d., (1)e., (2)b., and (3)c. shall serve three-year terms ending June 30, 2003. The remaining members initially appointed pursuant to subsection (b) of this section shall serve four-year terms ending June 30, 2004.

Except as provided for the initial members under this subsection, members shall serve four-year terms beginning July 1. No member may serve more than two full consecutive terms. Members may continue to serve beyond their terms until their successors are duly appointed, but any holdover shall not affect the expiration date of the succeeding term. A member may be removed from the Commission for cause by the authority that appointed the member.

The Commission shall elect from its membership a chair, vice-chair, and other officers as necessary for two-year terms beginning July 1 at the first meeting of the Commission held on or after July 1 of every even-numbered year. The vice-chair may act for the chair in the absence of the chair as authorized by the Commission.

(d) Vacancies. -- Vacancies shall be filled by the designated appointing authority for the remainder of the unexpired term.

(e) Frequency of Meetings. -- The Commission shall meet at least twice each year and may hold special meetings at the call of the chair or a majority of the voting members. The Governor shall call the initial meeting of the Commission.

(f) Quorum; Majority. -- Ten members shall constitute a quorum of the Commission. The Commission may act upon a majority vote of all the members of the Commission on matters involving the disbursement of funds and personnel matters properly before the Commission. On all other matters, the Commission may act by majority vote of the members of the Commission at a meeting at which a quorum is present.

(g) Meeting Facilities. -- The Office of the State Treasurer shall provide meeting facilities for the Commission and its staff as requested by the chair of the Commission.

(h) Per Diem and Expenses. -- The members of the Commission shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of

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G.S. 138-5. Per diem, subsistence, and travel expenses of the members shall be paid from
the Fund.

(i) Conflict of Interest. -- The members of the Commission shall comply with the
provisions of G.S. 14-234 prohibiting conflicts of interest. In addition to the restrictions
imposed under G.S. 14-234, a member shall not vote on, participate in the deliberations of,
or otherwise attempt through his or her official capacity to influence the vote on a grant or
other financial assistance award by the Commission to a nonprofit entity of which the
member is an officer, director, or employee or to a governmental entity of which the
member is an employee or a member of the governing board. A violation of this
subsection is a Class 1 misdemeanor.

§ 147-86.33. Health and Wellness Trust Fund; powers and duties.

(a) The Commission shall do the following:

(1) Allocate moneys from the Fund as grants. A grant may be awarded
only for a program or initiative that satisfies the criteria and furthers the
purposes of this Article, but the provisions of this Article shall be
liberally construed. The Commission shall strive to avoid imposing any
unnecessary barriers in the grant application process.

(2) Develop criteria for awarding grants under this Article. The criteria
shall include types of programs and initiatives to be funded, including
programs which address the short- and long-term health and wellness of
the citizens of North Carolina.

(3) Develop criteria by which to measure the outcomes of funded programs
to evaluate the extent to which those programs achieved the goals for
which funds were awarded.

(4) Develop a mechanism with which to evaluate individual applications.

(5) Ensure that good faith efforts are made to achieve federal mandates
targeting the reduction of youth access to tobacco products.

(6) Administer the provisions of this Article.

(7) Adopt rules to implement this Article.

(b) The Commission is authorized to hire staff or contract for other expertise for the
administration of the Fund.

(c) Gifts and Grants. -- The Commission is authorized to accept gifts or grants from
other sources.

§ 147-86.34. Advisory Council.

The Commission shall create an Advisory Council to advise it with regard to issues as
requested by the Commission. The Advisory Council shall include the Secretary of the
Department of Health and Human Services, the State Health Director, the Dean of the
School of Public Health of the University of North Carolina, and others the Commission
considers necessary.

§ 147-86.35. Health and Wellness Trust Fund; reporting requirements.

(a) The chair of the Commission shall report each year by November 1 to the Joint
Legislative Commission on Governmental Operations and to the chairs of the Joint
Legislative Health Care Oversight Committee regarding implementation of this Article,
including a report on funds disbursed during the fiscal year by amount, purpose, and
category of recipient, and other information as requested by the Joint Legislative
Commission on Governmental Operations. The annual report shall also include a
summary of each recipient's annual report submitted to the Health and Wellness Trust
Fund Commission pursuant to G.S. 147-86.31(b) and an analysis of progress toward the
goals and objectives of any comprehensive, community-based plan established pursuant to
G.S. 147-86.30(e)(3). A written copy of the annual report shall also be sent to the
Legislative Library by November 1 each year. Written reports shall also be sent on a
quarterly basis to the Joint Legislative Commission on Governmental Operations.

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(b) Any non-State corporation, organization, or institution that receives, uses, or expends any funds from the Commission is subject to the applicable reporting requirements of G.S. 143-6.1.

"§ 147-86.36. Health and Wellness Trust Fund; open meeting and public records requirements."

The Open Meetings Law (Article 33 of Chapter 143 of the General Statutes) and the Public Records Act (Chapter 132 of the General Statutes) shall apply to the Fund and the Commission, and the Fund and the Commission shall be subject to audit by the State Auditor as provided by law. The Commission shall reimburse the State Auditor for the actual cost of the audit."

PART III. TOBACCO TRUST FUND AND TOBACCO COMMISSION

Section 3. Chapter 143 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 75.
"Tobacco Trust Fund.

"§ 143-715. Policy; purpose."

The General Assembly finds:

(1) For many years, the State and its prosperity have been supported by its agricultural economy and particularly by the tobacco-related segment of the agricultural economy. The Master Settlement Agreement is expected to cause significant economic hardship upon the tobacco-related segment of the agricultural economy in that it is expected to result in reduced demand, sales, and prices for tobacco as an agricultural product.

(2) Tobacco producers, tobacco allotment holders, and persons engaged in tobacco-related businesses are entitled to indemnification for the adverse economic effects in the State resulting from the Master Settlement Agreement, tobacco producers, allotment holders, and persons engaged in tobacco-related businesses are entitled to compensation for the economic losses resulting from lost quota in this State, and tobacco producers are entitled to compensation for the decline in value of tobacco-related personal property assets and declining market conditions in this State resulting from the Master Settlement Agreement, to the extent that funds are available in the Tobacco Trust Fund to address those purposes.

(3) Even in the absence of the Master Settlement Agreement, the tobacco-related segment of the State's economy is experiencing severe economic hardship as it confronts a national decline in the use of, and demand for, tobacco products, which decline is expected to continue. At present, the tobacco producers, tobacco allotment holders, and persons engaged in tobacco-related businesses are facing an economic crisis that threatens their health and survival. Therefore, in addition to indemnification and compensation for losses in this State resulting from the Master Settlement Agreement, the public interest will be served by the funding of qualified agricultural programs that support, foster, encourage, and facilitate a strong agricultural economy in North Carolina. To the extent that funds are available in the Tobacco Trust Fund, expenditure of those funds to finance qualified agricultural programs is in the public interest.

(4) It is a public purpose for these funds to be expended in this manner, and it is public service for these persons to accept these funds to the end that
conditions of unemployment and fiscal distress may be alleviated or avoided, more stable local economies may be created, local tax bases may be stabilized and maintained, natural resources may be optimally used, and the general public may be benefited.

"§ 143-716. Definitions.
The following definitions apply in this Article:

(1) Commission. -- The Tobacco Trust Fund Commission.
(2) Compensatory programs. -- Programs developed by the Commission to identify, locate, compensate, and indemnify tobacco producers, allotment holders, and persons engaged in tobacco-related businesses who have suffered actual economic losses in this State due to lost quota, the decline in value of tobacco-related personal property assets, and declining market conditions resulting from the Master Settlement Agreement or declines in the tobacco-related segment of the State's economy.
(3) Fund. -- The Tobacco Trust Fund.
(4) Master Settlement Agreement. -- The settlement agreement between certain tobacco manufacturers and the states, as incorporated in the consent decree entered in the action of State of North Carolina v. Philip Morris, Incorporated, et al., 98 CVS 14377, in the General Court of Justice, Superior Court Division, Wake County, North Carolina.
(5) National Tobacco Grower Settlement Trust. -- The trust established by tobacco companies to provide payments to tobacco growers and allotment holders in 14 states for the purposes of ameliorating potential adverse economic consequences of likely reduction in demand, sales, and prices for tobacco as an agricultural product as a result of the Master Settlement Agreement.
(6) Qualified agricultural programs. -- Programs developed by the Commission to support and foster the vitality and solvency of the tobacco-related segment of the State's agricultural economy, particularly the segment adversely affected by the Master Settlement Agreement, with the objective of alleviating and avoiding unemployment, preserving, and increasing local tax bases, and encouraging the economic stability of participants in the State's agricultural economy. Examples of qualified agricultural programs include programs to finance the modernization of farming equipment, programs to finance the conversion of existing equipment to conform to environmental and other regulatory requirements, and programs to finance the conversion or replacement of equipment in order to cultivate crops that are more profitable than are currently being cultivated.
(7) Tobacco product component business. -- An individual, partnership, limited liability company, corporation, or other commercial entity that engages in the manufacture of component products for use in the manufacture of tobacco products.
(8) Tobacco-related business. -- An individual, partnership, limited liability company, corporation, or other commercial entity that provides products or services used directly in (i) the production of tobacco, or (ii) support of the business of the production or sale of tobacco. The term does not include the manufacturing of tobacco products or the sale of tobacco products at wholesale or retail.
(9) Tobacco-related employment. -- Employment in a tobacco-related business, or in the manufacturing of tobacco products or the component products used in the manufacture of tobacco products. The term does not include persons employed in the sale of tobacco products at wholesale or retail.

"§ 143-717. Commission.
(a) Creation. -- The Tobacco Trust Fund Commission is created. The Commission shall be administratively located within the Department of Agriculture and Consumer Services but shall exercise its powers independently of the Commissioner of Agriculture and the Department. All administrative expenses of the Commission shall be paid from the Fund.

(b) Membership. -- The Commission shall consist of 18 members. The Commission shall be appointed as follows: six members by the Governor, six members by the President Pro Tempore of the Senate, and six members by the Speaker of the House of Representatives. The members shall be appointed as follows:

(1) The Governor shall make the following appointments:
   a. A flue-cured tobacco farmer.
   b. A flue-cured tobacco farmer.
   c. A person in or displaced from tobacco-related employment.
   d. An at-large appointee.
   e. An at-large appointee.
   f. An at-large appointee.

(2) The President Pro Tempore of the Senate shall make the following appointments:
   a. A flue-cured tobacco farmer.
   b. A flue-cured tobacco farmer.
   c. A burley allotment holder who is also a burley tobacco farmer.
   d. An at-large appointee.
   e. An at-large appointee.
   f. An at-large appointee.

(3) The Speaker of the House of Representatives shall make the following appointments:
   a. A flue-cured tobacco farmer.
   b. A flue-cured allotment holder who is not also a flue-cured tobacco farmer.
   c. A burley tobacco farmer.
   d. An at-large appointee.
   e. An at-large appointee.
   f. An at-large appointee.

It is the intent of the General Assembly that the appointing authorities, in appointing members, shall appoint members who represent the geographic, political, gender, and racial diversity of the State. It is the intent of the General Assembly that at least one-half of the members of the Commission be tobacco farmers.

Except as provided for the initial members under subsection (c) of this section, members shall serve four-year terms beginning July 1. No member may serve more than two full consecutive terms. Members may continue to serve beyond their terms until their successors are duly appointed, but any holdover shall not affect the expiration date of the succeeding term. Vacancies shall be filled by the designated appointing authority for the remainder of the unexpired term. A member may be removed from office for cause by the authority that appointed that member.

(c) Initial Membership; Staggering. -- To provide for a staggered membership, the members initially appointed to the Commission shall be appointed to staggered terms. Of

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the initial appointments to the Commission, the members initially appointed pursuant to sub-divisions (b)(1)a., (1)b., (2)d., and (3)d. of this section shall serve one-year terms ending on June 30, 2001. The members initially appointed pursuant to sub-divisions (b)(2)c., (2)e., (3)a., and (3)e. shall serve two-year terms ending on June 30, 2002. The members initially appointed pursuant to sub-divisions (b)(1)c., (1)d., (1)e., (2)b., and (3)c. of this section shall serve three-year terms ending June 30, 2003. The remaining members initially appointed pursuant to subsection (b) of this section shall serve four-year terms ending June 30, 2004.

(d) Officers. -- The Commission shall elect from its membership a chair, vice-chair, and other officers as necessary for two-year terms beginning July 1 at the first meeting of the Commission held on or after July 1 of every even-numbered year. The vice-chair may act for the chair in the absence of the chair as authorized by the Commission.

(e) Frequency of Meetings. -- The Commission shall meet at least quarterly each year and may hold special meetings at the call of the chair or a majority of members. The Governor shall call the initial meeting of the Commission.

(f) Quorum; Majority. -- Ten members shall constitute a quorum of the Commission. The Commission may act upon a majority vote of the members of the Commission on matters involving the disbursement of funds and personnel matters properly before the Commission. On all other matters, the Commission may act by majority vote of the members of the Commission at any meeting at which a quorum is present.

(g) Per Diem and Expenses. -- The members of the Commission shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5. Per diem, subsistence, and travel expenses of the members shall be paid from the Fund.

(h) Conflict of Interest. -- Members of the Commission shall comply with the provisions of G.S. 14-234 prohibiting conflicts of interest, except that G.S. 14-234(a) shall not apply to an application for or the receipt of a grant or other financial assistance award by a member of the Commission from the Fund created under this Article, or an entity in which a member of the Commission has an interest, if both of the following conditions are met:

(1) A member does not vote on, participate in the deliberation of, or otherwise attempt through his or her official capacity to influence the vote on, a grant or other financial assistance award by the Commission to the member.

(2) The Commissioner of Agriculture determines that any award to a member is in accordance with general criteria adopted by the Commission for the distribution of funds from the Fund.

(h) Limit on Operating and Administrative Expenses. -- No more than two and one-half percent (2 1/2%) of the annual receipts of the Fund for the fiscal year beginning July 1 or a total sum of one million dollars ($1,000,000), whichever is less, may be used each fiscal year for administrative and operating expenses of the Commission and its staff. All administrative expenses of the Commission shall be paid from the Fund.

§ 143-718. Powers and duties.
The Commission shall have the following powers and duties:

(1) To administer the provisions of this Article.

(2) To develop compensatory programs and qualified agriculture programs, including guidelines and criteria for eligibility for and disbursement of funds, the forms of direct and indirect economic assistance to be awarded, and procedures for applying for and reviewing applications for assistance from the Fund. In developing guidelines and criteria for eligibility and disbursement of funds, the Commission may consult with and otherwise obtain assistance from the State and local offices of the

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Farm Service Agency and other agencies of the United States Department of Agriculture.

(3) To provide financial assistance to eligible recipients, in carrying out compensatory programs and qualified agricultural programs.

(4) To hire staff for the administration of the Fund.

(5) To contract with other persons to assist in the administration of the Commission's programs.

(6) To accept gifts or grants from other sources.

(7) To adopt rules to implement this Article.

"§ 143-719. Tobacco Trust Fund; creation; investment.

(a) Fund Established. -- The Tobacco Trust Fund is established in the Office of the State Treasurer. The Fund shall be used to provide financial assistance in accordance with this Article.

(b) Fund Earnings, Assets, and Balances. -- The State Treasurer shall hold the Fund separate and apart from all other moneys, funds, and accounts. The State Treasurer shall be the custodian of the Fund and shall invest the assets in accordance with G.S. 147-69.2 and G.S. 147-69.3. Investment earnings credited to the Fund shall become part of the Fund. Any balance remaining in the Fund at the end of any fiscal year shall be carried forward in the Fund for the next succeeding fiscal year. Payments from the Fund shall be made on the warrant of the chair of the Commission, pursuant to the directives of the Commission.

"§ 143-720. Benefits and administration of Fund for compensatory programs.

(a) Funds held in the Fund may be expended on compensatory programs as provided in this section.

(b) The Fund may provide direct and indirect financial assistance, in accordance with criteria established by the Commission and to the extent allowed by law, to accomplish the following:

(1) Indemnify tobacco producers, allotment holders, and persons engaged in tobacco-related businesses from the adverse economic effects in this State of the Master Settlement Agreement.

(2) Compensate tobacco producers, allotment holders, and persons engaged in tobacco-related businesses for economic loss resulting from lost quota and compensate tobacco producers for the decline in value of tobacco-related personal property assets and declining market conditions resulting from the Master Settlement Agreement in this State.

(3) Compensate individuals displaced from tobacco-related employment in this State as a result of the adverse economic effects of the Master Settlement Agreement.

(4) Compensate tobacco product component businesses that are (i) adversely impacted by the Master Settlement Agreement and that (ii) need financial assistance to retool machinery or equipment or to retrain workers, in order to convert to the production of new products or nontobacco use of existing products, or to effect other similar changes.

(c) Only tobacco producers, persons engaged in tobacco-related businesses, individuals displaced from tobacco-related employment, and tobacco product component businesses in this State, and holders of North Carolina tobacco allotments are eligible to apply for and receive assistance pursuant to subsection (b) of this section. Direct payments made to tobacco producers, tobacco allotment holders, and persons engaged in tobacco-related businesses shall be based on losses resulting in 1998 and thereafter. Lost quota shall be a primary determinative factor in calculating the amount of compensable
economic loss for tobacco producers, allotment holders, and persons engaged in tobacco-related businesses.

(d) The Commission shall determine the priority of awards among the categories in subsection (b) of this section and within each of those categories.

e) Financial assistance awards shall be for no more than one year at a time. An award may be renewed annually, without limitation.

(f) The Commission may require applicants to provide copies of documents necessary to determine compensable economic loss.

(g) In no event shall the amount paid to a tobacco producer or allotment holder pursuant to this Article, when combined with the amount received through the National Tobacco Grower Settlement Trust, exceed the compensable economic loss of the producer or allotment holder.

(h) The Commission may consider the criteria used for National Tobacco Grower Settlement Trust payments and may correspond with the National Tobacco Grower Settlement Trust certification entity to ensure that tobacco farmers and allotment holders are treated fairly.

"§ 143-721. Benefits and administration of Fund for qualified agricultural programs.

(a) Funds held in the Fund may be expended on qualified agricultural programs as provided in this section.

(b) In implementing qualified agricultural programs, the Commission shall endeavor to identify those areas of the tobacco-related segment of the State's economy in need of assistance to be provided by the Fund in order to assure the continued vitality and solvency of those areas. The Commission shall endeavor to select for funding qualified agricultural programs that will have the greatest favorable impact on the long-term health of the tobacco-related economy of the State.

c) The benefits of qualified agricultural programs are not limited to persons suffering economic loss resulting from the Master Settlement Agreement, but these programs shall be designed to foster, support, and assist the tobacco-related segment of the agricultural economy.

(d) The Commission may solicit and accept proposals from agencies and departments of the State, including institutions of The University of North Carolina, local units of government, the federal government, and members of the private sector for qualified agricultural programs to be funded with money held in the Fund.

"§ 143-722. Reporting.

(a) The chair of the Commission shall report each year by November 1 to the Joint Legislative Commission on Governmental Operations and the chairs of the House and Senate Appropriations Committees regarding the implementation of this Article, including a report on funds disbursed during the fiscal year by amount, purpose, and category of recipient, and other information as requested by the Joint Legislative Commission on Governmental Operations. A written copy of the report shall also be sent to the Legislative Library by November 1 each year.

(b) Any non-State corporation, organization, or institution that receives, uses, or expends any funds from the Commission is subject to the applicable reporting requirements of G.S 143-6.1.

"§ 143-723. Open meetings; public records; audit.

The Open Meetings Law (Article 33 of Chapter 143 of the General Statutes) and the Public Records Act (Chapter 132 of the General Statutes) shall apply to the Fund and the Commission, and the Fund and the Commission shall be subject to audit by the State Auditor as provided by law. The Commission shall reimburse the State Auditor for the actual cost of the audit."

PART IV. STATE PERSONNEL ACT EXEMPTION
Section 4. 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.
(18) Employees of the Tobacco Trust Fund Commission established in Article 75 of Chapter 143 of the General Statutes.
(19) Employees of the Health and Wellness Trust Fund Commission established in Article 21 of Chapter 130A of the General Statutes."

PART V. NO LEGISLATORS ON COMMISSIONS

Section 5. G.S. 120-123 is amended by adding two new subdivisions to read:

July 12, 2000
"§ 120-123. Service by members of the General Assembly on certain boards and commissions.

No member of the General Assembly may serve on any of the following boards or commissions:

(70) The Tobacco Trust Fund Commission established in Article 75 of Chapter 143 of the General Statutes.
(71) The Health and Wellness Trust Fund Commission established in Article 21 of Chapter 130A of the General Statutes."

PART VI. CONFLICT OF INTEREST (TOBACCO)

Section 6. G.S. 14-234 is amended by adding a new subsection to read:

"(d4) Subsection (a) of this section does not apply to an application for, or the receipt of a grant or other financial assistance from, the Tobacco Trust Fund created under Article 75 of Chapter 143 of the General Statutes by a member of the Tobacco Trust Fund Commission or an entity in which a member of the Commission has an interest provided that the requirements of G.S. 143-717(g) are met."

PART VII. NATIONAL TOBACCO GROWER SETTLEMENT DISCRETIONARY TRUST CLARIFICATION

Section 7. G.S. 36A-115(b) reads as rewritten:

"(b) Subsection (a) hereof shall not apply to a beneficiary's estate or interest in any one or any combination of one or more of the trusts described below, in which the beneficiary's estate or interest shall not be alienable either voluntarily or involuntarily.

(1) Discretionary Trust. -- A trust wherein the amount to be received by the beneficiary, including whether or not the beneficiary is to receive anything at all, is within the discretion of the trustee. A discretionary trust within the meaning of this subsection shall also include a trust for the benefit of one or more classes of beneficiaries as defined in the trust, wherein the amount to be received by any beneficiary or class of beneficiaries, including whether or not that beneficiary or class of beneficiaries is to receive anything at all, is determined by the board of directors of a certification entity. A certification entity is one that delivers on a yearly basis to the trustee a plan describing the categories of persons or entities to whom trust distributions will be made and explaining how each category falls within the definition of class or classes of beneficiaries defined in the trust.

(2) Support Trust. -- A trust wherein the trustee has no duty to pay or distribute any particular amount to the beneficiary, but has only a duty to pay or distribute to the beneficiary, or to apply on behalf of the beneficiary such sums as the trustee shall, in his discretion, determine are appropriate for the support, education or maintenance of the beneficiary.

(3) Protective Trust. -- A trust wherein the creating instrument provides that the interest of the beneficiary shall cease if

a. The beneficiary alienates or attempts to alienate that interest; or
b. Any creditor attempts to reach the beneficiary's interest by attachment, levy, or otherwise; or

c. The beneficiary becomes insolvent or bankrupt."

PART VIII. APPLICABILITY AND EFFECTIVE DATE

July 12, 2000
Section 8.(a) Interpretation of Act. -- The foregoing sections of this act provide an additional and alternative method for the doing of the things authorized by the act, are supplemental and additional to powers conferred by other laws, and do not derogate any powers now existing.

Section 8.(b) References in this act to specific sections or Chapters of the General Statutes are intended to be references to those sections or Chapters as amended and as they may be amended from time to time by the General Assembly.

Section 8.(c) This act, being necessary for the health and welfare of the people of the State, shall be liberally construed to effect its purposes.

Section 8.(d) If any provision of this act or its application is held invalid, the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provisions or application, and to this end the provisions of this act are severable.

Section 9. Effective Date. -- This act is effective when it becomes law.

Upon motion of Senator Rand, the rules are suspended, without objection, and the Conference Report is placed on today's Calendar.

**CALENDAR (Continued)**

**S.B. 1323** (Conference Report), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE INDIGENT DEFENSE STUDY COMMISSION TO ESTABLISH AN OFFICE OF INDIGENT DEFENSE SERVICES, placed earlier on today's Calendar, for adoption.

Upon motion of Senator Ballance, the Senate adopts the Conference Report (41-4). A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

**S.B. 787** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS STUDY COMMITTEES AND COMMISSIONS, AND TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, 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).

Senator Rand offers a motion that the Senate appoint conferees, which motion prevails.

Senator Rand announces the appointment of Senator Rand, Chairman, and Senators Ballance, Hartsell, Horton, Hoyle, Kerr, and Weinstein 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.

**S.B. 1385** (House 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 THE LAW RELATING TO APPOINTMENTS TO PUBLIC OFFICE, for concurrence in the House Committee Substitute bill, placed earlier on today's Calendar.

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.

July 12, 2000
S.B. 1381 (Conference Report), A BILL TO BE ENTITLED AN ACT TO REALLOCATE THE PROCEEDS OF THE CLEAN WATER BONDS, placed earlier on today’s Calendar, for adoption.

Upon motion of Senator Kerr, the Senate adopts the Conference Report (45-0). A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

H.B. 1431 (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF THE HEALTH AND WELLNESS TRUST FUND AND ITS COMMISSION, THE CREATION OF THE TOBACCO TRUST FUND AND ITS COMMISSION, AND TO MAKE CONFORMING CHANGES, placed earlier on today’s Calendar, for adoption.

Upon motion of Senator Rand, the Senate adopts the Conference Report (45-0). A message is ordered 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:

S.B. 1082

House of Representatives
July 12, 2000

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the Speaker has ruled the Conference Report for SB 1082, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TERMS OF MEMBERS OF THE STRUCTURAL PEST CONTROL COMMITTEE THAT ARE APPOINTED BY THE GENERAL ASSEMBLY FROM TWO YEARS TO FOUR YEARS AND TO REQUIRE THAT THE MEMBER RECOMMENDED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES BE ACTIVELY ENGAGED IN THE PEST CONTROL INDUSTRY, out of order pursuant to House Rule 44 (b). The Speaker has appointed as new conferees on the part of the House:

Representative Hill,
Representative Owens,
Representative Mitchell,
Representative Smith, and
Representative Wainwright

to confer with a like committee appointed by your Honorable Body to the end that the differences might be resolved.

Respectfully,
S/Denise Weeks
Principal Clerk

Senator Basnight, President Pro Tempore, orders that the Senate conferees previously appointed for S. B. 1082 remain as appointed.

July 12, 2000
The Senate recesses at 6:44 P.M. to reconvene at 7:30 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

S.B. 1323

House of Representatives
July 12, 2000

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 for SB 1323, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE INDIGENT DEFENSE STUDY COMMISSION TO ESTABLISH AN OFFICE OF INDIGENT DEFENSE SERVICES, 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 for S.B. 1323, the President Pro Tempore orders the bill enrolled and sent to the Governor, by special message.

The Chair grants leaves of absence for the remainder of today’s Session to Senator Martin of Pitt and Senator Shaw of Cumberland.

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

S.B. 1381

House of Representatives
July 12, 2000

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 for SB 1381, A BILL TO BE ENTITLED AN ACT TO REALLOCATE THE PROCEEDS OF THE CLEAN WATER 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
Principal Clerk

July 12, 2000
Pursuant to the Senate having adopted the Conference Report for S.B. 1381, the President Pro Tempore orders the bill enrolled and sent to the Governor, by special message.

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. 1608 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE SUPERVISION OF FIRST-YEAR BAIL BONDSMEN AND RUNNERS; TO MAKE IT A CLASS I FELONY FOR A PERSON TO ACT AS A RUNNER OR BAIL BONDSMAN WITHOUT OBTAINING AND MAINTAINING THE REQUIRED LICENSE OR FOR A BONDSMAN TO KNOWINGLY AND WILLFULLY FAIL TO RETURN ANY COLLATERAL SECURITY VALUED AT MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS; TO REQUIRE THAT COLLATERAL SECURITY IN THE FORM OF CASH OR NEGOTIABLE INSTRUMENTS BE HELD IN TRUST ACCOUNTS; TO PROVIDE FOR THE DISPOSITION OF OUTSTANDING BAIL BOND OBLIGATIONS UPON THE DEATH OR TERMINAL ILLNESS OF A BAIL BONDSMAN; AND TO INCREASE THE MINIMUM SECURITIES DEPOSIT REQUIRED OF PROFESSIONAL BONDSMEN, 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 6319, which changes the title upon concurrence to read H.B. 1608 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE SUPERVISION OF FIRST-YEAR BAIL BONDSMEN AND RUNNERS; TO MAKE IT A CLASS I FELONY FOR A BONDSMAN TO KNOWINGLY AND WILLFULLY FAIL TO RETURN ANY COLLATERAL SECURITY VALUED AT MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS; TO REQUIRE THAT COLLATERAL SECURITY IN THE FORM OF CASH OR NEGOTIABLE INSTRUMENTS BE HELD IN TRUST ACCOUNTS; TO PROVIDE FOR THE DISPOSITION OF OUTSTANDING BAIL BOND OBLIGATIONS UPON THE DEATH, INCAPACITATION, OR INCOMPETENCE OF A BAIL BONDSMAN; AND TO INCREASE THE MINIMUM SECURITIES DEPOSIT REQUIRED OF PROFESSIONAL BONDSMEN, is adopted and engrossed.

Upon motion of Senator Odom, the rules are suspended and the Senate Committee Substitute bill is placed before the Senate for immediate consideration.

The Senate Committee Substitute bill passes its second (42-0) and third readings and is ordered sent, by special message, to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

By Senator Hoyle for the Finance Committee:

H.B. 1630 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CONSTRUCTION OF A PILOT PRIVATELY FUNDED TOLL ROAD OR BRIDGE PROJECT AND TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF STATE-OWNED AND OPERATED TOLL ROADS OR BRIDGES, 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 A268, which changes the title upon concurrence to read H.B. 1630 (Senate Committee Substitute), a bill to be entitled an ACT TO AUTHORIZE CONSTRUCTION OF PILOT PRIVATELY FUNDED ROAD OR BRIDGE PROJECTS FUNDED BY TOLLS OR OTHER ALTERNATE FINANCING METHODS, AND TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF STATE-OWNED AND STATE-OPERATED TOLL ROADS OR BRIDGES, is adopted and engrossed.

Upon motion of Senator Hoyle, the rules are suspended and the Senate Committee Substitute bill is placed on the Calendar for immediate consideration.

The President Pro Tempore rules that the Senate Committee Substitute bill does not require a call of the roll.

The Senate Committee Substitute bill passes its second (33-10) and third readings and is ordered 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:

**S.B. 414**, 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 SEVENTY-ONE THOUSAND PEOPLE BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT.

**S.B. 1192**, AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FROM STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORY FOR CERTAIN APPLICANTS FOR EMPLOYMENT IN ADULT CARE HOMES, NURSING HOMES, HOME CARE AGENCIES, AND CERTAIN MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FACILITIES; TO IMPOSE A CRIMINAL PENALTY FOR FALSIFYING INFORMATION ON EMPLOYMENT APPLICATIONS; TO REQUIRE CERTAIN DISCLOSURES BY NURSING HOMES; AND PERTAINING TO RULES FOR THE OPERATION OF THE ADULT CARE PORTION OF NURSING HOMES.

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. 1463**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DAVID CLARK, A FORMER MEMBER OF THE NORTH CAROLINA GENERAL ASSEMBLY. (Res. 6)

July 12, 2000
Upon motion of Senator Ballance, seconded by Senator Purcell, the Senate adjourns at 8:16 P.M. subject to receipt of messages from the House of Representatives, to meet tomorrow, Thursday, July 13, at 9:00 A.M.

ONE HUNDRED FORTY-SECOND DAY

Senate Chamber
Thursday, July 13, 2000

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 rejoice to have received the gift of this day. This last day. When people of faith speak about 'last days' or 'last things', it is generally with considerable anxiety about the tribulation with its fearful images of judgement, death and destruction. But today we speak about 'the last day' with hope and joy. We long for its fulfillment, for we are satisfied that our labor of love here is nearing its completion.

"We look back on this legislative term and are able to count our effectiveness not merely on the basis of what we have accomplished, but on what we have overcome, and everywhere we see evidence of Your hand guiding us through. Thank you, oh God, for the assurance of Your presence with us.

"We acknowledge with some sadness that this is the last day that this assembly of men and women will be so gathered. Retirements, illness and re-elections will reconfigure the Senate so that the next time we meet there will be new faces to greet, and so we pause to give You thanks for the good friends who have been co-laborers with us this year-the one seated to our left, the one seated to our right, the one who spoke often and the one who was rarely heard. For the aides and staff members who worked frantically behind the scenes, far away from the lenses of the television cameras, and who rarely received the thanks we owed them. Oh Lord, we are grateful for all these.

"And now, dear God, bless our going out and our coming in until we gather together again. We pray in Your Holy Name, Amen."

With unanimous consent, the President Pro Tempore grants leaves of absence for today to Senator Carrington, Senator Dannelly, Senator East, Senator Garwood, Senator Reeves, and Senator Rucho.

Senator Rand announces the Journal of yesterday, Wednesday, 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 Pro Tempore of the Senate extends courtesies of the floor to Dr. Demming Ward from Salisbury, North Carolina, who is serving the Senate as Doctor of the Day.

CALENDAR

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

July 13, 2000
S.B. 1272 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF LEA ISLAND STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, for concurrence in the House Committee Substitute bill, which changes the title upon concurrence to read S.B. 1272 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE BY WHICH THE HOLDER OF A STANDARD COMMERCIAL FISHING LICENSE WILL BE ALLOWED TO TAKE CRABS; TO ALLOW THE HOLDER OF AN INTERIM CRAB LICENSE TO OBTAIN A STANDARD COMMERCIAL FISHING LICENSE; AND TO AUTHORIZE THE COASTAL RESOURCES COMMISSION TO ADOPT TEMPORARY RULES TO ESTABLISH CRITERIA FOR EXCEPTIONS TO THE REGULATORY REQUIREMENT, EFFECTIVE 1 AUGUST 2000, OF A THIRTY-FOOT DEVELOPMENT SETBACK ALONG PUBLIC TRUST AND ESTUARINE WATERS TO ALLOW CONSTRUCTION OF RESIDENCES ON PREVIOUSLY PLATTED UNDEVELOPED LOTS OF FIVE THOUSAND SQUARE FEET OR LESS THAT ARE LOCATED IN INTENSIVELY DEVELOPED AREAS AND THAT WOULD OTHERWISE BE PROHIBITED UNDER CURRENT RULES.

The Senate concurs in the House Committee Substitute bill (40-0) 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 Governor:

S.B. 1323, AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE INDIGENT DEFENSE STUDY COMMISSION TO ESTABLISH AN OFFICE OF INDIGENT DEFENSE SERVICES.

S.B. 1381, AN ACT TO REALLOCATE THE PROCEEDS OF THE CLEAN WATER BONDS.

S.B. 1385, 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 THE LAW RELATING TO APPOINTMENTS TO PUBLIC OFFICE.

H.B. 1499, AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S DWI TASK FORCE, TO PROVIDE FOR A CHALLENGE TO THE TRANSFER OF FEDERAL FUNDS, AND TO CLARIFY THE EFFECTIVE DATE FOR COMMERCIAL MOTOR VEHICLE INSURANCE PROVISIONS OF SESSION LAW 330 OF THE 1999 GENERAL ASSEMBLY.

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. 684, 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

July 13, 2000

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

S.B. 787
House of Representatives
July 13, 2000

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute for SB 787, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS STUDY COMMITTEES AND COMMISSIONS, AND TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, the Speaker has appointed as conferees on the part of the House:

Representative Culpepper,
Representative Baddour, and
Representative Hackney

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

CONFERENCE REPORT

H.B. 1562

Senator Albertson, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon H.B. 1562 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE BY WHICH THE HOLDER OF A STANDARD COMMERCIAL FISHING LICENSE WILL BE ALLOWED TO TAKE CRABS, TO ALLOW THE HOLDER OF AN INTERIM CRAB LICENSE TO OBTAIN A STANDARD COMMERCIAL FISHING LICENSE, TO PROHIBIT THE MARINE FISHERIES COMMISSION FROM ESTABLISHING FEES FOR CERTAIN PERMITS, TO ABOLISH CERTAIN EXISTING PERMIT FEES, AND TO INCREASE THE AMOUNT OF GILL NET AUTHORIZED FOR USE UNDER A RECREATIONAL COMMERCIAL GEAR LICENSE, submits for adoption the following report:

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

July 13, 2000
The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1562, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE BY WHICH THE HOLDER OF A STANDARD COMMERCIAL FISHING LICENSE WILL BE ALLOWED TO TAKE CRABS, TO ALLOW THE HOLDER OF AN INTERIM CRAB LICENSE TO OBTAIN A STANDARD COMMERCIAL FISHING LICENSE, TO PROHIBIT THE MARINE FISHERIES COMMISSION FROM ESTABLISHING FEES FOR CERTAIN PERMITS, TO ABOLISH CERTAIN EXISTING PERMIT FEES, AND TO INCREASE THE AMOUNT OF GILL NET AUTHORIZED FOR USE UNDER A RECREATIONAL COMMERCIAL GEAR LICENSE, Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 6/13/00, submit the following report:

The House and Senate agree to the following amendment to the Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 6/13/00, 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 H1562-PCCS5122-SB010.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 12, 2000.

S/Luther H. Jordan  S/William L. Wainwright
S/Robert G. Shaw  S/David Redwine

Conferees for the Senate  
Conferees for the  
House of Representatives

The text of the attached Proposed Conference Committee Substitute H1562-PCCS5122-SB010 is as follows:

A BILL TO BE ENTITLED
AN ACT TO INCREASE THE AMOUNT OF GILL NET AUTHORIZED FOR USE UNDER A RECREATIONAL COMMERCIAL GEAR LICENSE AND TO DIRECT THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE TO STUDY ISSUES RELATED TO THE APPROPRIATE AMOUNT OF GILL NET THAT SHOULD BE AUTHORIZED FOR USE UNDER A RECREATIONAL COMMERCIAL GEAR LICENSE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 113-173(c) reads as rewritten:

"(c) Authorized Commercial Gear. --

(1) The Commission shall adopt rules authorizing the use of a limited amount of commercial fishing equipment or gear for recreational fishing under a RCGL. The Commission may authorize the limited use of commercial gear on a uniform basis in all coastal fishing waters or may vary the limited use of commercial gear within specified areas of the coastal fishing waters. The Commission shall periodically evaluate and revise the authorized use of commercial gear for recreational fishing. Authorized commercial gear shall be identified by visible
colored tags or other means specified by the Commission in order to distinguish between commercial gear used in a commercial operation and commercial gear used for recreational purposes.

(2) A person who holds a RCGL may use up to 100 yards of gill net to take fish for recreational purposes. Two persons who each hold a RCGL and who are fishing from a single vessel may use up to a combined 200 yards of gill net to take fish for recreational purposes. No more than 200 yards of gill net may be used to take fish for recreational purposes from a single vessel regardless of the number of persons aboard the vessel who hold a RCGL."

Section 2. The Joint Legislative Commission on Seafood and Aquaculture shall study issues related to the appropriate amount of gill net that should be authorized for use under a Recreational Commercial Gear License. The Commission shall report its findings and recommendations, including any legislative proposals, to the 2001 General Assembly.

Section 3. This act is effective when it becomes law.

Upon motion of Senator Albertson, the rules are suspended, without objection, and the Conference Report is placed before the Senate for immediate consideration.

Upon motion of Senator Albertson, the Conference Report is adopted (36-5).

A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

The Senate recesses at 10:17 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.

The Chair grants a leave of absence for the remainder of today's Session to Senator Cochrane.

The Senate recesses at 11:38 A.M. to reconvene at 2:30 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

S.B. 767

House of Representatives

July 13, 2000

Mr. President:

Pursuant to your message that you have adopted the report of the Conferees on House Committee Substitute for SB 767, A BILL TO BE ENTITLED AN ACT TO REVISE THE LIMITATION ON LOBBYIST-RELATED FUNDRAISING TO STRENGTHEN
THE ACT AND TO COMPLY WITH A COURT DECISION; TO AUTHORIZE THE STATE BOARD OF ELECTIONS TO ADOPT A PLAN DESIGNATING ONE-STOP VOTING SITES IN A COUNTY WHERE THE COUNTY BOARD OF ELECTIONS WAS UNABLE TO REACH UNANIMITY ON A PLAN AND A MEMBER OR MEMBERS OF THAT COUNTY BOARD HAS PETITIONED THE STATE BOARD TO ADOPT A PLAN; AND TO PROVIDE FUNDING FOR COUNTIES TO OPERATE MULTIPLE ONE-STOP VOTING SITES, it is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees and you may order the bill enrolled.

Respectfully,
S/Denise G. Weeks
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 767, 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:

H.B. 1562
House of Representatives
July 13, 2000

Mr. President:

Pursuant to your information that you have adopted the report of the Conferees on HB 1562, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF GILL NET AUTHORIZED FOR USE UNDER A RECREATIONAL COMMERCIAL GEAR LICENSE AND TO DIRECT THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE TO STUDY ISSUES RELATED TO THE APPROPRIATE AMOUNT OF GILL NET THAT SHOULD BE AUTHORIZED FOR USE UNDER A RECREATIONAL COMMERCIAL GEAR LICENSE, it is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees and the Speaker has ordered the bill enrolled.

Respectfully,
S/Denise Weeks
Principal Clerk

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

H.B. 1431
House of Representatives
July 13, 2000

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 for Senate Committee Substitute to HB 1431, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF THE HEALTH AND WELLNESS TRUST FUND AND ITS COMMISSION, THE CREATION OF THE TOBACCO TRUST FUND AND ITS COMMISSION, TO AMEND THE AUTHORITY OF THE GENERAL ASSEMBLY RELATIVE TO THE

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NONPROFIT CORPORATION ESTABLISHED PURSUANT TO THE TOBACCO SETTLEMENT CONSENT DEGREE, AND TO MAKE CONFORMING CHANGES, and the Speaker has ordered the bill enrolled.

Respectfully,
S/Denise Weeks
Principal Clerk

The Chair grants leaves of absence for the remainder of today’s Session to Senator Dalton, Senator Forrester, and Senator Metcalf.

RECONSIDERATION

S.B. 1082 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE TERMS OF MEMBERS OF THE STRUCTURAL PEST CONTROL COMMITTEE THAT ARE APPOINTED BY THE GENERAL ASSEMBLY FROM TWO YEARS TO FOUR YEARS AND TO REQUIRE THAT THE MEMBER RECOMMENDED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES BE ACTIVELY ENGAGED IN THE PEST CONTROL INDUSTRY.

Senator Albertson offers a motion that the rules be suspended and that the House Committee Substitute bill be placed before the Senate for immediate consideration, which motion prevails.

Having voted with the majority on the motion to concur in the House Committee Substitute bill on July 11, Senator Albertson offers a motion that the vote by which the Senate failed to concur in the House Committee Substitute bill be reconsidered, and further moves that the Senate Conferees be dismissed, which motions prevail and the question before the Body becomes concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (36-1) and the measure is ordered enrolled and sent to the Governor, by special message.

COMMITTEE REFERRAL RECALL

S.B. 1341 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PREVENT INAPPROPRIATE DEVELOPMENT IN THE ONE HUNDRED-YEAR FLOODPLAIN AND TO REDUCE FLOOD HAZARDS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, referred to the Agriculture/Environment/Natural Resources Committee on July 6.

Pursuant to Rule 47(a), Senator Albertson offers a motion that the House Committee Substitute bill be withdrawn from the Agriculture/Environment/Natural Resources Committee 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 Agriculture/Environment/Natural Resources Committee and places it before the Senate for immediate consideration.

The Senate fails to concur in the House Committee Substitute bill (1-35).

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 Senators Carpenter, Carter, Kerr, 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.

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SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

H.B. 1630
House of Representatives
July 13, 2000

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 1630, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CONSTRUCTION OF PILOT PRIVATELY FUNDED ROAD OR BRIDGE PROJECTS FUNDED BY TOLLS OR OTHER ALTERNATE FINANCING METHODS, AND TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF STATE-OWNED AND STATE-OPERATED TOLL ROADS OR BRIDGES, and requests conferees. The Speaker has appointed:

Representative Crawford,
Representative Cole,
Representative Bridgeman,
Representative Rayfield,
Representative Bowie, 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. 1341
House of Representatives
July 13, 2000

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute for SB 1341, A BILL TO BE ENTITLED AN ACT TO PREVENT INAPPROPRIATE DEVELOPMENT IN THE ONE HUNDRED-YEAR FLOODPLAIN AND TO REDUCE FLOOD HAZARDS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, the Speaker has appointed as conferees on the part of the House:

Representative Gibson,
Representative Culp,
Representative McLawhorn,
Representative Tolson, and
Representative Warwick

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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

APPOINTMENT OF CONFERENCE COMMITTEE

H.B. 1630 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CONSTRUCTION OF PILOT PRIVATELY FUNDED ROAD OR BRIDGE PROJECTS FUNDED BY TOLLS OR OTHER ALTERNATE FINANCING METHODS, AND TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF STATE-OWNED AND STATE-OPERATED TOLL ROADS OR BRIDGES.

Pursuant to the message from the House of Representatives received today that the House fails to concur in the Senate Committee Substitute for H.B. 1630 and requests conferees, Senator Rand offers a motion that the Senate appoint conferees, which motion prevails.

Senator Rand announces the appointment of Senator Hoyle, Chairman, and Senators Foxx, Kerr, 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.

The Chair grants leaves of absence for the remainder of today’s Session to Senator Allran, Senator Carpenter, Senator Gulley, Senator Shaw of Guilford, and Senator Webster.

CONFERENCE REPORT

S.B. 1341

Senator Albertson, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon S.B. 1341 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PREVENT INAPPROPRIATE DEVELOPMENT IN THE ONE HUNDRED-YEAR FLOODPLAIN AND TO REDUCE FLOOD HAZARDS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW 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 Senate Bill 1341, A BILL TO BE ENTITLED AN ACT TO PREVENT INAPPROPRIATE DEVELOPMENT IN THE ONE HUNDRED-YEAR FLOODPLAIN AND TO REDUCE FLOOD HAZARDS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, House Committee Substitute Favorable 6/30/00, submit the following report:

The Senate and House agree to the following amendment to the House Committee Substitute Favorable 6/30/00, and the Senate concurs in the House Committee Substitute as amended:

July 13, 2000
Delete the entire House Committee Substitute and substitute the attached Proposed Conference Committee Substitute S1341-PCCS2870-RT/SB005.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 13, 2000.

S/Charles W. Albertson  S/Pryor A. Gibson
S/Robert C. Carpenter  S/Arlie F. Culp
S/Charles N. Carter, Jr.  S/Marian N. McLawhorn
S/John H. Kerr III  S/Joe P. Tolson
S/T. L. Odom, Sr.  S/Nurham O. Warwick

Conferees for the Senate  Conferees for the House of Representatives

The text of the attached Proposed Conference Committee Substitute S1341-PCCS2870-RT/SB005 is as follows:

A BILL TO BE ENTITLED
AN ACT TO PREVENT INAPPROPRIATE DEVELOPMENT IN THE ONE HUNDRED-YEAR FLOODPLAIN AND TO REDUCE FLOOD HAZARDS.
Whereas, the hurricanes and associated flooding experienced in Eastern North Carolina in 1999 caused billions of dollars in damage; and
Whereas, some of the structural damage resulting from the floods could have been prevented by requiring development in the floodplain to be elevated above the 100-year floodplain; and
Whereas, harm to the environment could have been minimized by prohibiting certain inappropriate uses in the floodplain; and
Whereas, loss of life and property could have been reduced by preventing certain types of development in the floodplain; and
Whereas, future loss of life and property can be reduced by more effective enforcement of floodplain management regulations; Now, therefore,
The General Assembly of North Carolina enacts:
Section 1. Part 6 of Article 21 of Chapter 143 of the General Statutes reads as rewritten:
The purposes of this Part is to specify means for regulation of artificial obstructions in floodways; to:
(1) Minimize the extent of floods by preventing obstructions that inhibit water flow and increase flood height and damage.
(2) Prevent and minimize loss of life, injuries, property damage, and other losses in flood hazard areas.
(3) Promote the public health, safety, and welfare of citizens of North Carolina in flood hazard areas.
It is hereby declared that the channel and a portion of the floodplain of all the State's streams will be designated as a floodway, in which artificial obstructions may not be placed except in accordance with the provisions of this Part. The purpose of designating these areas as a floodway is to help control and minimize the extent of floods by preventing obstructions which inhibit water flow and increase flood height and damage,
and thereby to prevent and minimize loss of life, injuries, property damage and other losses (both public and private) in flood hazard areas, and to promote the public health, safety and welfare of citizens of North Carolina in flood hazard areas.

§ 143-215.52. Definitions.

(a) As used in this Part, unless the context otherwise requires: Part:

1. 'Artificial obstruction' means any obstruction which, while not a significant obstruction in itself, is capable of accumulating debris and thereby reducing the flood-carrying capacity of the stream.

2. 'Base flood' or '100-year flood' means a flood that has a one percent (1%) chance of being equaled or exceeded in any given year. The term 'base flood' is used in the National Flood Insurance Program to indicate the minimum level of flooding to be addressed by a community in its floodplain management regulations.

3. 'Base floodplain' or '100-year floodplain' means that area subject to a one percent (1%) or greater chance of flooding in any given year, as shown on the current floodplain maps prepared pursuant to the National Flood Insurance Program or approved by the Department.

4. 'Department' means the Department of Crime Control and Public Safety.

5. 'Flood hazard area' means the area designated by a local government, pursuant to this Part, as an area where development must be regulated to prevent damage from flooding. The flood hazard area must include and may exceed the base floodplain.

6. 'Floodway' means that portion of the channel and floodplain of a stream designated to provide passage for the 100-year flood, without increasing the elevation of that flood at any point by more than one foot.

7. 'Local government' means any county or municipal corporation, city, as defined in G.S. 160A-1.

8. 'Lowest floor', when used in reference to a structure, means the lowest enclosed area, including a basement, of the structure. An unfinished or flood resistant enclosed area, other than a basement, that is usable solely for parking vehicles, building access, or storage is not a lowest floor.

9. 'Natural obstruction' includes any rock, tree, gravel, or analogous other natural matter that is an obstruction and has been located within the floodway 100-year floodplain by a nonhuman cause.

(b) As used in this Part, the terms 'artificial obstruction' and 'structure' do not include any of the following:

1. An electric generation, distribution, or transmission facility.

2. A gas pipeline or gas transmission or distribution facility, including a compressor station or related facility.

3. A water treatment or distribution facility, including a pump station.

4. A wastewater collection or treatment facility, including a lift station.

5. Processing equipment used in connection with a mining operation.
§ 143-215.53. Artificial obstruction prohibited.

The placement of any artificial obstruction in the floodway of any stream after the floodway has been delineated pursuant to G.S. 143-215.56 is hereby prohibited, except as set forth in G.S. 143-215.54, unless a permit has been obtained for such artificial obstruction from the responsible local government. No damaged portion of a structure located outside the floodway may be below the elevation that would be attained by the 100-year flood if the stream were contained within the floodway.

§ 143-215.54. Floodway uses. Regulation of flood hazard areas; prohibited uses.

(a) Local governments are empowered to A local government may adopt ordinances to regulate uses in flood hazard areas and grant permits for the use of the floodways flood hazard areas that are consistent with the purposes requirements of this Part and for purposes which the State does not regulate either by a permit or a formal approval system.

(b) The following uses may be made of floodways as a matter of right flood hazard areas without a permit issued under this Part, provided that these uses comply with local land-use ordinances and any other applicable laws or regulations:

1. General farming, pasture, outdoor plant nurseries, horticulture, forestry, mining, wildlife sanctuary, game farm, and other similar agricultural, wildlife and related uses;

2. Ground level loading areas, parking areas, rotary aircraft ports and other similar ground level area uses;

3. Lawns, gardens, play areas and other similar uses;

4. Golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, parks, hiking or horseback riding trails, open space and other similar private and public recreational uses.

5. Land application of waste at agronomic rates consistent with a permit issued under Part I or Part 1A of Article 21 of Chapter 143 of the General Statutes or an approved animal waste management plan.


(c) New solid waste disposal facilities, hazardous waste management facilities, salvage yards, and chemical storage facilities are prohibited in the 100-year floodplain except as authorized under G.S. 143-215.54A(b).

§ 143-215.54A. Minimum standards for ordinances; variances for prohibited uses.

(a) A flood hazard prevention ordinance adopted by a county or city pursuant to this Part shall, at a minimum:

1. Meet the requirements for participation in the National Flood Insurance Program and of this section.

2. Prohibit new solid waste disposal facilities, hazardous waste management facilities, salvage yards, and chemical storage facilities in the 100-year floodplain except as authorized under subsection (b) of this section.

3. Provide that a structure or tank for chemical or fuel storage incidental to a use that is allowed under this section or to the operation of a water treatment plant or wastewater treatment facility may be located in a 100-year floodplain only if the structure or tank is either elevated above base flood elevation or designed to be watertight with walls substantially impermeable to the passage of water and with structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.

(b) A flood hazard prevention ordinance may include a procedure for granting variances for uses prohibited under G.S. 143-215.54(c). A county or city shall notify the

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Secretary of its intention to grant a variance at least 30 days prior to granting the variance. A county or city may grant a variance upon finding that all of the following apply:

1. The use serves a critical need in the community.
2. No feasible location exists for the location of the use outside the 100-year floodplain.
3. The lowest floor of any structure is elevated above the base flood elevation or is designed to be watertight with walls substantially impermeable to the passage of water and with structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.
4. The use complies with all other applicable laws and regulations.

§ 143-215.55. Existing artificial obstructions. Acquisition of existing structures.

Artificial obstructions existing in a floodway on July 1, 1971, shall not be considered to be in violation of this Part. However, they may not be enlarged or replaced in part or in whole, without a permit, as provided by this Part in the case of a proposed artificial obstruction. Local governments are empowered to a local government may acquire, by purchase, exchange, or condemnation such existing artificial obstructions if deemed necessary by the responsible local government for the purpose of avoiding flood damages, an existing structure located in a flood hazard area in the area regulated by the local government if the local government determines that the acquisition is necessary to prevent damage from flooding. The procedure in all condemnation proceedings pursuant to this section shall conform as nearly as possible to the procedure provided in Article 3 of Chapter 40A of the General Statutes.

§ 143-215.56. Delineation of floodway flood hazard areas and 100-year floodplains; powers of Commission and Department; powers of local governments, governments and of the Department.

(a) For the purpose of delineating the floodway a flood hazard area and evaluating the possibility of flood damages, responsible local governments are empowered to a local government may:

1. Request technical assistance from the competent State and federal agencies, including the Army Corps of Engineers, the Soil Conservation Service, Natural Resource Conservation Service, the Tennessee Valley Authority, the Federal Emergency Management Agency, the North Carolina Department of Crime Control and Public Safety, the North Carolina Geodetic Survey, the North Carolina Geological Survey, and the U.S. Geological Survey, or successor agencies, and agencies.

2. Utilize the reports and data supplied by federal and State agencies as the basis for the exercise by local ordinance or resolution of the powers and responsibilities conferred on responsible local governments by this Part.

(b) The Department shall be empowered to render shall provide advice and assistance to any local government having responsibilities under this Part. In exercising this function it shall specifically be authorized to the Department may furnish manuals, suggested standards, plans, and other technical data; to conduct training programs; and to give advice and assistance with respect to handling of particular applications; delineation of flood hazard areas and the development of appropriate ordinances; but it shall not be limited to such activities, and provide any other advice and assistance that the Department deems appropriate. The Department shall send a copy of every rule adopted to implement this Part to the governing body of each local government in the State.

(c) A local government may delineate any floodway, flood hazard area subject to its regulation by showing it on a map or drawing, by a written description, or any

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combination thereof, to be designated appropriately and filed permanently with the clerk of superior court and with the register of deeds in the county where the land lies. A local government may also delineate a flood hazard area by reference to a map prepared pursuant to the National Flood Insurance Program. The Commission may delineate a floodway, in the same manner and subject to the same requirement, when the reach of a stream in which a floodway is determined by the Commission to be needed exceeds the jurisdiction of a single local government. Alterations in the lines delineated shall be indicated by appropriate entries upon or addition to such map the appropriate map, drawing, or description. Such entries Entries or additions shall be made by or under the direction of the clerk of superior court. Photographic, typed or other copies of such map the map, drawing, or description, certified by the clerk of superior court, shall be admitted in evidence in all courts and shall have the same force and effect as would the original map or description. A local government or the Commission may provide for the redrawing of any such map. A redrawn map shall supersede for all purposes the earlier map or maps which that it is designated to replace upon the filing and approval thereof as designated and provided above.

(d) If the Commission determines that the floodway of any stream or stream segment should be delineated and the use thereof controlled as provided in this Part, and the local governments within which the stream or segment lies have not delineated the floodway or controlled uses therein, the Commission shall advise the local governments of its intent to delineate the floodway, and it shall be the responsibility of the local governments to control uses therein. At least 30 days prior to the effective date of a rule of the Commission establishing any floodway, notice of the effective date and copies of the rule shall be delivered to every affected local government along with copies of all maps and plans delineating the floodway. Public notice of the rule shall be given at least 30 days prior to the effective date by publication of a notice once a week for two successive weeks in a newspaper or newspapers having general circulation in the county or counties in which each affected local government lies and by posting a copy of the notice at the courthouse of each such county, along with a sketch map showing the stream or stream segment affected. The notice shall be adequate to apprise all interested persons of the nature of the rules, the effective date thereof, the stream or stream segment affected, and the manner in which more detailed information may be secured. The Department may prepare a floodplain map that identifies the 100-year floodplain and base flood elevations for an area for the purposes of this Part if all of the following conditions apply:

(1) The 100-year floodplain and base flood elevations for the area are not identified on a floodplain map prepared pursuant to the National Flood Insurance Program within the previous five years.

(2) The Department determines that the 100-year floodplain and the base flood elevations for the area need to be identified and the use of the area regulated in accordance with the requirements of this Part in order to prevent damage from flooding.

(3) The Department prepares the floodplain map in accordance with the federal standards required for maps to be accepted for use in administering the National Flood Insurance Program.

(e) Prior to preparing a floodplain map pursuant to subsection (d) of this section, the Department shall advise each local government whose jurisdiction includes a portion of the area to be mapped.

(f) Upon completing a floodplain map pursuant to subsection (d) of this section, the Department shall both:

(1) Provide copies of the floodplain map to every local government whose jurisdiction includes a portion of the 100-year floodplain identified on the floodplain map.

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(2) Submit the floodplain map to the Federal Emergency Management Agency for approval for use in administering the National Flood Insurance Program.

g) Upon approval of a floodplain map prepared pursuant to subsection (d) of this section by the Federal Emergency Management Agency for use in administering the National Flood Insurance Program, it shall be the responsibility of each local government whose jurisdiction includes a portion of the 100-year floodplain identified in the floodplain map to incorporate the revised map into its floodplain ordinance.


(a) Responsible local governments are empowered to A local government may establish application forms and require such maps, plans, and other information as necessary for the issuance of permits in a manner consonant with the objectives of this Part. For this purpose a local government may take into account anticipated development in the foreseeable future that may be adversely affected by the obstruction, as well as existing development. They shall consider the effects of a proposed artificial obstruction in a floodway stream in creating danger to life and property by:

1. By water which [water] that may be backed up or diverted by such obstruction; the obstruction.

2. By the [The] danger that the obstruction will be swept downstream to the injury of others; and others.

3. By the [The] injury or damage at the site of the obstruction itself.

For this purpose they may take into account anticipated development in the foreseeable future which may be adversely affected by the obstruction, as well as existing development.

(b) In prescribing standards and requirements for the issuance of permits under this Part, Part and in issuing such permits, responsible local governments shall proceed as in the case of an ordinance for the better government of the county or municipality, city as the case may be. A municipality city may exercise the powers granted in this Part not only within its corporate boundaries but also within the area of its extraterritorial zoning jurisdiction. A county may exercise the powers granted in this Part at any place within the county that is outside the zoning jurisdiction of any municipalities a city in the county. If a city does not exercise the powers granted in this Part in the city's extraterritorial zoning jurisdiction, the county may exercise the powers granted in this Part in the city's extraterritorial zoning jurisdiction. The county may regulate territory within the zoning jurisdiction of any municipality city whose governing body, by resolution, agrees to such regulation, provided, however, that any such the regulation, municipal The governing body of a city may, upon one year's written notice, withdraw its approval of the county regulations, and those regulations shall have no further effect within the municipality's city's jurisdiction.

(c) The local governing body is hereby empowered to adopt such regulations as it may deem necessary concerning the form, time, and manner of submission of applications for permits under this Part. Such These regulations may provide for the issuance of permits under this Part by the local governing body or by such an agency as may be designated by said the local governing body, as prescribed by the governing body. Every final decision granting or denying a permit under this Part shall be subject to review by the superior court of the county, with the right of jury trial at the election of the party seeking review. The time and manner of election of a jury trial shall be governed by G.S. 1A-1, Rule 38(b) of the Rules of Civil Procedure. Pending the final disposition of any such an appeal, no action shall be taken which would be unlawful in the absence of a permit issued under this Part.

§ 143-215.58. Violations and penalties.

July 13, 2000
(a) Any willful violation of this Part or of any ordinance adopted (or of the provisions of any permit issued) under the authority of this Part shall constitute a Class I misdemeanor.

(a1) A local government may use all of the remedies available for the enforcement of ordinances under Chapters 153A and 160A of the General Statutes to enforce an ordinance adopted pursuant to this Part.

(b) Failure to remove any artificial obstruction or enlargement or replacement thereof, that violates this Part or any ordinance adopted (or the provision of any permit issued) under the authority of this Part, shall constitute a separate violation of this Part for each 40 days day that such failure continues after written notice from the county board of commissioners or municipal governing body, governing body of a city.

(c) In addition to or in lieu of other remedies, the county board of commissioners or municipal governing body of a city may institute any appropriate action or proceeding to restrain or prevent any violation of this Part or of any ordinance adopted (or of the provisions of any permit issued) under the authority of this Part, or to require any person, firm or corporation which has committed such a violation to remove a violating obstruction or restore the conditions existing before the placement of the obstruction.

§ 143-215.59. Other approvals required.

(a) The granting of a permit under the provisions of this Part shall in no way affect any other type of approval required by any other statute or ordinance of the State or any political subdivision of the State, or of the United States, but shall be construed as an added requirement.

(b) No permit for the construction of any structure to be located within a floodway or flood hazard area shall be granted by a political subdivision unless the applicant has first obtained the permit required by any local ordinance adopted pursuant to this Part.

§ 143-215.60. Liability for damages.

No action for damages sustained because of injury or property damage caused by an a structure or obstruction for which a permit has been granted under this Part shall be brought against the State or any political subdivision of the State, or their employees or agents.

§ 143-215.61. Floodplain management.

The provisions of this Part shall not preclude the imposition by responsible local governments of land use controls and other regulations in the interest of floodplain management for the floodplain or the floodway, 100-year floodplain.

Section 2. G.S.159G-10(b)(1) reads as rewritten:

"(b) Priority Factors. -- All applications for revolving loans or grants under this Chapter eligible for consideration during each priority period shall be assigned a priority for such funds by the receiving agency. The priority factors shall be similar to those developed under the North Carolina Clean Water Bond Act of 1977, as provided in and modified by this subsection.

(1) General Criteria. --

a. The general criteria provided in 1 NCAC 22.0401 through .0403 on January 1, 1987, shall apply, except that 1 NCAC 22.0401(c) shall apply only to State funds appropriated to match available federal funds.

b. The existence of a comprehensive land-use plan that meets the requirements of subsection (c) of this section is a general criterion for prioritizing which applicants will receive a loan or grant. An applicant that is not authorized to adopt a comprehensive land-use plan but that is located in whole or in part in a local government unit that has adopted a comprehensive land-use plan shall receive the same priority treatment as an applicant that has authority to
adopt a comprehensive land-use plan. A comprehensive land-use plan that meets the requirements of subsection (e) of this section and that exceeds the minimum State standards for protection of water resources shall receive more points than a plan that does not exceed those standards. Additional points may be awarded for actions taken toward implementation of a comprehensive land-use plan. These actions may include the adoption of a zoning ordinance or any other measure that significantly contributes to the implementation of the comprehensive land-use plan.

c. The existence of a flood hazard ordinance conforming to the requirements of Part 6 of Article 21 of Chapter 143 of the General Statutes is a general criterion for prioritizing which applicants will receive a loan or a grant. Demonstration, based on the most recent maps prepared pursuant to the National Flood Insurance Program or approved by the Department, that no portion of the applicant's jurisdiction is located within the 100-year floodplain is a general criterion equivalent to the existence of a flood hazard ordinance conforming to the requirements of Part 6 of Article 21 of Chapter 143 of the General Statutes for prioritizing which applicants will receive a loan or a grant."

Section 3. The Environmental Review Commission shall study the need to increase minimum elevation requirements for structures that are located in floodplains, to increase the authority of the Secretary of Crime Control and Public Safety to enforce Part 6 of Article 21 of Chapter 143 of the General Statutes, as amended by Section 1 of this act, to increase protection against the potential recurrence of damage to public and private property that resulted from the hurricanes of 1999, and other measures to reduce the likelihood that public assistance will be needed in response to future hurricanes and other storm events. The Environmental Review Commission shall report its findings and recommendations, including any proposed legislation, to the 2001 General Assembly.

Section 4. The Environmental Management Commission shall study the impacts of development in the river basins of the State on the volume and intensity of stormwater flow and on the resulting intensity, frequency, and duration of flood events. As a part of its study and recommendations, the Commission shall specifically consider means to reduce or eliminate present and future impacts of development. The Environmental Management Commission shall report its findings and recommendations, including any proposed legislation to the Environmental Review Commission no later than 15 February 2001.

Section 5. Sections 1, 3, 4, and 5 of this act are effective when this act becomes law. Section 2 of this act becomes effective 1 July 2001 and applies to loans and grants made on or after that date.

Upon motion of Senator Albertson, the rules are suspended, without objection, and the Conference Report is placed before the Senate for immediate consideration.

Upon motion of Senator Albertson, the Conference Report is adopted (33-0).

A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

Senator Basnight, President Pro Tempore relinquishes the gavel to Senator Phillips, who presides in the absence of the Lieutenant Governor.
CONFEREES REPORT

S.B. 1542

Senator Wellons, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon S.B. 1542 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PLACE A MORATORIUM ON THE INTRODUCTION OF NEW VIDEO GAMING MACHINES INTO THIS STATE, TO LIMIT THE NUMBER OF VIDEO GAMING MACHINES TO THREE PER LOCATION, TO DEFINE LOCATION, TO PROVIDE FOR REGISTRATION OF MACHINES, TO REQUIRE REPORTS TO THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY, EXEMPTING CERTAIN ACTIVITIES, INCREASING CRIMINAL PENALTIES FOR VIOLATION, PROVIDING FOR SUSPENSION OR REVOCAITION OF LICENSES FOR VIOLATION, REQUIRING LABELING OF MACHINES AS TO PENALTIES FOR CASH PAYOUTS, AND PROVIDING FOR SEIZURE OF UNLAWFUL VIDEO GAMING MACHINES, 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 1542, A BILL TO BE ENTITLED AN ACT TO PLACE A MORATORIUM ON THE INTRODUCTION OF NEW VIDEO GAMING MACHINES INTO THIS STATE, TO LIMIT THE NUMBER OF VIDEO GAMING MACHINES TO THREE PER LOCATION, TO DEFINE LOCATION, TO PROVIDE FOR REGISTRATION OF MACHINES, TO REQUIRE REPORTS TO THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY, EXEMPTING CERTAIN ACTIVITIES, INCREASING CRIMINAL PENALTIES FOR VIOLATION, PROVIDING FOR SUSPENSION OR REVOCAITION OF LICENSES FOR VIOLATION, REQUIRING LABELING OF MACHINES AS TO PENALTIES FOR CASH PAYOUTS, AND PROVIDING FOR SEIZURE OF UNLAWFUL VIDEO GAMING MACHINES, House Committee Substitute Favorable 7/7/2000, Sixth Edition Engrossed 7/10/2000, submit the following report:

The House of Representatives and the Senate agree to the following amendment to the House Committee Substitute Favorable 7/7/2000, Sixth Edition Engrossed 7/10/2000, and the Senate concurs in the House Committee Substitute Favorable 7/7/2000, Sixth Edition Engrossed 7/10/2000, with the following amendment:

Delete the entire House Committee Substitute Favorable 7/7/2000, Sixth Edition Engrossed 7/10/2000, and substitute the attached Proposed Conference Committee Substitute S1542-PCCS4799-LB8.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 13, 2000.

S/Allen H. Wellons
S/R.C. Soles, Jr.
S/Daniel G. Clodfelter
S/Charles W. Albertson

S/Wayne Goodwin
S/Thomas E. Wright
S/Billy J. Creech
S/Michael P. Decker, Sr.

July 13, 2000
A BILL TO BE ENTITLED
AN ACT TO BAN THE INTRODUCTION OF NEW VIDEO GAMING MACHINES INTO THIS STATE, TO LIMIT THE NUMBER OF VIDEO GAMING MACHINES PER LOCATION, TO PROVIDE FOR REGISTRATION OF MACHINES, INCREASING CRIMINAL PENALTIES FOR VIOLATION, PROVIDING FOR SUSPENSION OR REVOCATION OF LICENSES FOR VIOLATION, AND PROVIDING FOR SEIZURE OF UNLAWFUL VIDEO GAMING MACHINES.

The General Assembly of North Carolina enacts:

Section 1. Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-306.1. Types of machines and devices prohibited by law; penalties.

(a) Ban on New Machines. -- It shall be unlawful for any person to operate, allow to be operated, place into operation, or keep in that person's possession for the purpose of operation any video gaming machine as defined in subsection (c) of this section unless either:

(1) Such machine was:
   a. Lawfully in operation, and available for play, within this State on or before June 30, 2000; and
   b. Listed in this State by January 31, 2000 for ad valorem taxation for the 2000-2001 tax year; or

(2) Such machine is within the scope of the exclusion provided in G.S. 14-306(b)(1).

(b) Prohibition of More Than Three Existing Video Gaming Machines at One Location. -- It shall be unlawful for any person to operate, allow to be operated, place into operation, or keep in that person's possession for the purpose of operation at one location more than three video gaming machines as defined in subsection (c).

(c) Definitions. -- As used in this section, a video gaming machine means a slot machine as defined in G.S. 14-306(a) and other forms of electrical, mechanical, or computer games such as by way of illustration:

(1) A video poker game or any other kind of video playing card game.
(2) A video bingo game.
(3) A video craps game.
(4) A video keno game.
(5) A video lotto game.
(6) Eight liner.
(7) Pot-of-gold.
(8) A video game based on or involving the random or chance matching of different pictures, words, numbers, or symbols not dependent on the skill or dexterity of the player.

For the purpose of this section, a video gaming machine is a video machine which requires deposit of any coin, token, or use of any credit card, debit card, or any other..."
method that requires payment to activate play of any of the games listed in this subsection. The enumeration of games in the list in this subsection does not authorize the possession or operation of such game if it is otherwise prohibited by law.

For the purpose of this section, a video gaming machine includes those that are within the scope of the exclusion provided in G.S. 14-306(b)(2), but does not include those that are within the scope of the exclusion provided in G.S. 14-306(b)(1).

(c1) Age Requirement. -- It shall be an infraction for any person under the age of 18 years to play any video gaming machine defined in subsection (c) of this section. It shall be unlawful for the operator of the video gaming machine to knowingly allow a person under the age of 18 years to play any video gaming machine as proscribed by this subsection.

(c2) Hours of Operation. -- It shall be unlawful to operate or allow the operation of any video gaming machine during the hours of 2:00 A.M. Sunday through 7:00 A.M. Monday.

(c3) Plain View. -- Any video gaming machine available for operation shall be in plain view of persons visiting the premises.

(c4) Advertising Prohibited. -- It is unlawful to advertise the operation of video gaming machines by use of on-premise or off-premise signs.

(d) Proximity to Other Locations Regulated; Permanent Building Required. -- Each location where it is lawful to operate any video gaming machines as defined in G.S. 14-306.1(c) shall be at least 300 feet in any plane from any other location where such machines are operated. For the purpose of this section, a location is a permanent building having, or being within, a single exterior structure. Notwithstanding this subsection, two or more places where video gaming machines were lawfully operated under separate ownership on June 30, 2000, shall be considered to be separate locations more than 300 feet from each other, regardless of the distance from each other or whether they are located in the same building or edifice. Video gaming machines as defined in G.S. 14-306.1(c) may be operated only within permanent buildings.

(e) Registration With Sheriff. -- No later than October 1, 2000, the owner of any video game which is regulated by this section shall register the machine with the Sheriff of the county in which the machine is located using a standardized registration form supplied by the Sheriff. The registration form shall be signed under oath by the owner of the machine. A material false statement in the registration form shall subject the owner to seizure of the machine under G.S. 14-298 in addition to any other punishment imposed by law. At any time that the video gaming machine is moved to a different location, the owner shall reregister the machine with the Sheriff prior to its being placed in operation. At a minimum, the registration form shall require that the registrant provide evidence of the date on which the machine was placed in operation, the serial number of the machine, the location of the facility at which the machine is operated, and the name of the owner of the facility at which the machine is operated. Each Sheriff shall report to the Joint Legislative Commission on Governmental Operations no later than November 1, 2000, on the total number of machines registered in that county, itemizing how many locations have one, two, or three machines.

(e1) Report on Receipts and Prizes and Merchandise Awarded. -- The owner of each machine or the agent of that owner shall report each calendar quarter to the Department of Revenue, under oath on a form provided by that Department, the total amount of gross receipts itemized by each machine, the number of machines at that location, and the total value of prizes and merchandise awarded to players of each machine at that location. The report shall be filed by the fifteenth day of the month after the quarter ends. Failure of the owner or agent to timely file the required report, a filing a report containing a material false statement shall subject the owner of the machine to seizure of the machine under G.S. 14-298 in addition to any other punishment imposed by law. Upon request of the
Sheriff of the county, the Department of Revenue shall forward a copy of the report to the Sheriff of the county where the machines are located. The Department of Revenue shall compile the reports and make a summary report each quarter to the Joint Legislative Commission on Governmental Operations.

(f) Report to 2001 Session. -- The North Carolina Sheriffs' Association, Inc., after consultation with the Division of Alcohol Law Enforcement, and the Conference of District Attorneys of North Carolina, shall report to the Joint Legislative Commission on Governmental Operations no later than January 1, 2001, its estimates of the costs of the registration process and the cost of enforcement of this section, along with suggested fees to make the registration and enforcement self-supporting, and recommendations as to a system with registration at the State level and primary enforcement at the local level. Such fee schedule is not effective until approved by the General Assembly.

(g) Exemption for Certain Machines. -- This section shall not apply to assemblers, manufacturers, and transporters of video gaming machines who assemble, manufacture, and transport them for sale in another state as long as the machines, while located in this State, cannot be used to play the prohibited games, and does not apply to those who assemble, manufacture, and sell such machines for the use only by a federally recognized Indian Tribe if such machines may be lawfully used on Indian Land under the Indian Gaming Regulatory Act.

(h) Ban on Warehousing. -- It is unlawful to warehouse any video gaming machine except in conjunction with the permitted assembly, manufacture, and transportation of such machines under subsection (g) of this section.

(i) Exemption for Activities Under IGRA. -- This section does not make any activities of a federally recognized Indian Tribe unlawful or against public policy, which are lawful for any federally recognized Indian Tribe under the Indian Gaming Regulatory Act, Public Law 100-497.

(j) No Local Preemption. -- This section does not preempt any more restrictive ordinance lawfully adopted under Article 18 of Chapter 153A of the General Statutes or under Article 19 of Chapter 160A of the General Statutes.

(k) No person who has been convicted:

(1) Once under G.S. 14-309(a) may possess any video gaming machine as defined in G.S. 14-306.1 for a period of one year.

(2) Twice under G.S. 14-309(a) may possess any video gaming machine as defined in G.S. 14-306.1 for a period of two years.

(3) Three or more times under G.S. 14-309(a) may possess any video gaming machine.

(l) Not Legalizing Unlawful Activity. -- This section does not make lawful any activity which is currently unlawful."

Section 2. Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-306.2. Violation of G.S. 14-306.1 a violation of the ABC laws. A violation of G.S. 14-306.1 is a violation of the gambling statutes for the purposes of G.S. 18B-1005(a)(3)."

Section 3. G.S. 14-309 reads as rewritten:

"§ 14-309. Violation made misdemeanor criminal. A person who violates any provision of G.S. 14-304 through 14-309 is guilty of a Class 2 misdemeanor. Class 1 misdemeanor for the first offense, and is guilty of a Class 1 felony for a second offense and a Class H felony for a third or subsequent offense.

(b) Notwithstanding the provisions of subsection (a) of this section, any person violating the provisions of G.S. 14-306.1 involving the operation of five or more machines prohibited by that section is guilty of a Class G felony."

Section 4. G.S. 14-306 reads as rewritten:
§ 14-306. Slot machine or device defined.

(a) Any machine, apparatus or device is a slot machine or device within the provisions of G.S. 14-296 through 14-309, if it is one that is adapted, or may be readily converted into one that is adapted, for use in such a way that, as a result of the insertion of any piece of money or coin or other object, such machine or device is caused to operate or may be operated in such manner that the user may receive or become entitled to receive any piece of money, credit, allowance or thing of value, or any check, slug, token or memorandum, whether of value or otherwise, or which may be exchanged for any money, credit, allowance or any thing of value, or which may be given in trade, or the user may secure additional chances or rights to use such machine, apparatus or device; or any other machine or device designed and manufactured primarily for use in connection with gambling and which machine or device is classified by the United States as requiring a federal gaming device tax stamp under applicable provisions of the Internal Revenue Code. This definition is intended to embrace all slot machines and similar devices except slot machines in which is kept any article to be purchased by depositing any coin or thing of value, and for which may be had any article of merchandise which makes the same return or returns of equal value each and every time it is operated, or any machine wherein may be seen any pictures or heard any music by depositing therein any coin or thing of value, or any slot weighing machine or any machine for making stencils by the use of contrivances operated by depositing in the machine any coin or thing of value, or any lock operated by slot wherein money or thing of value is to be deposited, where such slot machines make the same return or returns of equal value each and every time the same is operated and does not at any time it is operated offer the user or operator any additional money, credit, allowance, or thing of value, or check, slug, token or memorandum, whether of value or otherwise, which may be exchanged for money, credit, allowance or thing of value or which may be given in trade or by which the user may secure additional chances or rights to use such machine, apparatus, or device, or in the playing of which the operator does not have a chance to make varying scores or tallies.

(b) The definition contained in the first paragraph subsection (a) of this section and G.S. 14-296, 14-301, 14-302, and 14-305 does not include coin-operated machines, video games, pinball machines, and other computer, electronic or mechanical devices that are operated and played for amusement, used for amusement. Included within this exception are pinball machines, video games, and other mechanical devices that involve the use of skill or dexterity to solve problems or tasks or to make varying scores or tallies and which, in that:

(1) Do not emit, issue, display, print out, or otherwise record any receipt, paper, coupon, token, or other form of record which is capable of being redeemed, exchanged, or repurchased for cash, cash equivalent, or prizes, or award free replays; or

(2) In actual operation, limit to eight the number of accumulated credits or replays that may be played at one time and which may be exchanged for prizes or merit money, may not be exchanged or converted to money.

(c) Any video machine, the operation of which is made lawful by subsection (b)(2) of this section, shall have affixed to it in view of the player a sticker informing that person that it is a criminal offense with the potential of imprisonment to pay more than that which is imposed by law. In addition, if the machine has an attract chip which allows programming, the static display shall contain the same message.

(d) The exception in subsection (b)(2) of this section does not apply to any machine that pays off in cash. The exemption in subsection (b)(2) of this section does not apply where the prizes, merchandise, credits, or replays are (i) repurchased for cash or rewarded
by cash, (ii) exchanged for merchandise of a value of more than ten dollars ($10.00), or (iii) where there is a cash payout of any kind, by the person operating or managing the machine or the premises, or any agent or employee of that person. It is also a criminal offense, punishable under G.S. 14-309, for the person making the unlawful payout to the player of the machine to violate this section, in addition to any other person whose conduct may be unlawful.”

Section 5. G.S. 14-298 reads as rewritten:

"§ 14-298. Gaming tables, illegal punchboards and slot machines to be destroyed by police officers.

All sheriffs and officers of police are hereby authorized and directed, on information made to them on oath that any gaming table prohibited to be used by G.S. 14-289 through G.S. 14-300, or any illegal punchboard or illegal slot machine, or any video game machine prohibited to be used by G.S. 14-306 or G.S. 14-306.1, is in the possession or use of any person within the limits of their jurisdiction, to destroy the same by every means in their power; and they shall call to their aid all the good citizens of the county, if necessary, to effect its destruction."

Section 6. The Legislative Research Commission shall study the implementation of this act and recommend any changes it deems necessary in order to strengthen this act. Notwithstanding G.S. 120-30.11, the Commission may make its report under this section to the 2001 General Assembly no later than April 1, 2001.

Section 6.1. The Department of Revenue may draw from collections under Article 4 of Chapter 105 of the General Statutes for the 2000-2001 fiscal year its actual costs of implementing G.S. 14-306.1(e1) as enacted by this act.

Section 7. The provisions of this act are severable. If any provision of this act is held invalid by a court of competent jurisdiction, the invalidity does not affect other provisions of this act that can be given effect without the invalid provision.

Section 8. This act becomes effective October 1, 2000, except that:

1. G.S. 14-306.1(a), (c), (e), (f), (j), and (l) are effective when this act becomes law. Section 4 of this act, other than subsections (c) and (d), are effective when this act becomes law. G.S. 14-306.1(h) becomes effective 30 days after this bill becomes law.

2. Section 3 of this act and G.S. 14-306(c) and (d) as added by Section 4 of this act become effective with respect to offenses committed on or after October 1, 2000, except as to a violation of G.S. 14-306.1(a), they are effective when they become law.

3. Sections 5 through 8 of this act are effective when they become law.

4. The first report under G.S. 14-306.1(e1) is for the first quarter of calendar year 2001, due April 15, 2001.

Upon motion of Senator Wellons, the rules are suspended, without objection, and the Conference Report is placed before the Senate for immediate consideration.

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

Senator Miller announces a pair vote. If Senator Gulley were present he would vote "no"; Senator Miller votes "aye".

Upon motion of Senator Wellons, the Conference Report is adopted (30-2).

A message is ordered 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:

July 13, 2000
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 S.B. 1341, A BILL TO BE ENTITLED AN ACT TO PREVENT INAPPROPRIATE DEVELOPMENT IN THE ONE HUNDRED-YEAR FLOODPLAIN AND TO REDUCE FLOOD HAZARDS, 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 for S.B. 1341 earlier today, the President Pro Tempore orders the bill enrolled and sent to the Governor, by special message.

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

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. 1335 (House 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, TO MAKE OTHER TECHNICAL AND CONFORMING CHANGES, AND TO AMEND LAWS RELATING TO URBAN WATERFRONT DEVELOPMENT AND THE CLASSIFICATION OF GAMMA HYDROXYBUTYRIC ACID (GHB) AS A CONTROLLED SUBSTANCE, for concurrence in the House Committee Substitute and Amendments No. 1, No. 2, No. 3, No. 4, and No. 5.

Upon motion of Senator Hartsell, the rules are suspended, without objection, and the House Committee Substitute bill and Amendments No. 1, No. 2, No. 3, No. 4, and No. 5 are placed on the Calendar for immediate consideration.

The Senate concurs in the House Committee Substitute bill and Amendments No. 1, No. 2, No. 3, No. 4 and No. 5, (32-0), and the measure is ordered enrolled and sent to the Governor, by special message.

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

The Senate recesses at 7:29 P.M. for the purpose of a Finance Committee meeting, to reconvene at 7:35 P.M.

July 13, 2000
RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President Pro Tempore.

Upon the appearance of Senator Gulley in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

REPORT OF COMMITTEE

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

By Senator Hoyle for the Finance 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, 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 A270, which title changes upon concurrence to read H.B. 1184 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "NEW INSTITUTIONAL HEALTH SERVICES" IN ARTICLE 9 OF CHAPTER 131E OF THE GENERAL STATUTES, is adopted and engrossed.

Upon motion of Senator Rand, the rules are suspended, without objection, and the Senate Committee Substitute bill is placed before the Senate for immediate consideration.

The Senate Committee Substitute bill passes its second reading (31-3) and third reading (31-3) and is ordered 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:

S.B. 1542 House of Representatives

July 13, 2000

Mr. President:

Pursuant to your message that you have adopted the report of the Conferees on SB 1542, A BILL TO BE ENTITLED AN ACT TO BAN THE INTRODUCTION OF NEW VIDEO GAMING MACHINES INTO THIS STATE, TO LIMIT THE NUMBER OF VIDEO GAMING MACHINES PER LOCATION, TO PROVIDE FOR REGISTRATION OF MACHINES, INCREASING CRIMINAL PENALTIES FOR VIOLATION, PROVIDING FOR SUSPENSION OR REVOCATION OF LICENSES FOR VIOLATION, AND PROVIDING FOR SEIZURE OF UNLAWFUL VIDEO GAMING MACHINES, it is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees and you may order

July 13, 2000
the bill enrolled.

Respectfully,
S/Denise Weeks
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 1542 earlier today, the President Pro Tempore orders the bill enrolled and sent to the Governor, by special message.

DISMISSAL OF CONFEREES

H.B. 1855 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO PRESCRIPTION DRUG, RETIREE PREMIUMS, AND CHRONIC CONDITION CLAIM COSTS UNDER THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN.

Senator Rand offers a motion that the Conferees appointed by the Senate on July 7 to resolve the differences between the Senate and the House of Representatives in the Senate Committee Substitute for H.B. 1855 be dismissed, and that new Conferees be appointed, which motions prevail.

Senator Rand announces the appointment of Senator Rand, Chairman, and Senators Lucas, Miller, and Purcell 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.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

H.B. 1855

House of Representatives
July 13, 2000

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the Speaker has dismissed Representatives Earle, Edwards and Barbee as conferees on Senate Committee Substitute to HB 1855, A BILL TO BE ENTITLED AN ACT PERTAINING TO PRESCRIPTION DRUG, RETIREE PREMIUMS, AND CHRONIC CONDITION CLAIM COSTS UNDER THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN. The Speaker has appointed:

Representative Wainwright,
Representative Baddour, and
Representative Redwine

to serve as conferees 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

July 13, 2000
H.B. 1855

Senator Rand, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon H.B. 1855 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO PRESCRIPTION DRUG, RETIREE PREMIUMS, AND CHRONIC CONDITION CLAIM COSTS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, 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 1855, A BILL TO BE ENTITLED AN ACT PERTAINING TO PRESCRIPTION DRUG, RETIREE PREMIUMS, AND CHRONIC CONDITION CLAIM COSTS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, Senate Rules and Operations of the Senate Committee Substitute Adopted 6/29/00, submit the following report:

The House and Senate agree to the following amendments to the Senate Committee Substitute, Senate Rules and Operations of the Senate Committee Substitute Adopted 6/29/00, and the House concurs in the Senate Committee substitute as amended:

on page 2, line 26, delete “contract.’ ” and substitute the words “contract awarded after receiving competitive quotes.’ ”;

and on page 3, line 4, by rewriting the line to read:

“Section 7. The Executive Administrator and Board of Trustees of the Teachers’ and State Employees’ Comprehensive Major Medical Plan shall, for fiscal year 2000-2001, set allowable charges for outpatient prescription drugs at ninety percent (90%) of average wholesale price for branded prescriptions, maximum allowable charge limits for generic prescriptions covered by rules and regulations of the Health Care Financing Administration, and eighty percent (80%) of average wholesale price for generic prescriptions not covered by rules and regulations of the Health Care Financing Administration, plus a dispensing fee of four dollars ($4.00) per prescription. The Executive Administrator and Board of Trustees shall insure that any formulary used by a pharmacy benefit manager is an open formulary.

Section 8. Section 7 of this act becomes effective August 1, 2000. The remainder of 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 13, 2000.

S/Anthony E. Rand
S/William R. Purcell
S/Brad Miller

S/Thomas Wright
S/Edd Nye
S/William L. Wainwright

July 13, 2000
The Chair grants a leave of absence for the remainder of today's Session to Senator Odom and Senator Soles.

Upon motion of Senator Rand, the rules are suspended, without objection, and the Conference Report is placed before the Senate for immediate consideration.

Upon motion of Senator Rand, the Conference Report is adopted (30-2).

A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

CONFERENCE REPORT

S.B. 787

Senator Rand, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon S.B. 787 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS STUDY COMMITTEES AND 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 Senate Bill 787, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS STUDY COMMITTEES AND COMMISSIONS, AND TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, House Committee Substitute Favorable 7/12/00, Corrected Copy 7/12/00, submit the following report:

The conferees recommend that the Senate and the House of Representatives adopt this report.

The Senate and the House agree to the following amendment to the House Committee Substitute, Committee Substitute Favorable 7/12/00, Corrected Copy 7/12/00, 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 (S787-PCCS6808-RW005).

Date conferees approved report: July 13, 2000.

S/Anthony E. Rand
S/Frank W. Ballance, Jr.

S/Philip A. Baddour, Jr.
S/William T. Culpepper III

July 13, 2000
The text of the attached Proposed Conference Committee S787-PCCS6808-RW005 is as follows:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO MAKE PERMANENT THE FUTURE OF THE NORTH CAROLINA RAILROAD STUDY COMMISSION, TO CREATE THE 1898 WILMINGTON RACE RIOT COMMISSION, AND TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES.

The General Assembly of North Carolina enacts:

PART I.—TITLE

Section 1. This act shall be known as "The Studies Act of 2000".

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. The following groupings are for reference only:

(1) Governmental and Personnel Issues:
   a. Salaries and benefits of Department of Correction employees (H.B. 1782 - Gibson).
   b. Receipt and use of federal funds under Title VI of the 1964 Civil Rights Act (S.J.R. 1274 - Jordan).

(2) Insurance, Managed Care, and other Health Care Issues:
   a. Insurance availability in beach and coastal areas (H.B. 1835 - Redwine).
   c. Parity in health insurance coverage for mental illness and chemical dependency benefits (H.B. 1567 - Alexander; S.B. 1254 - Martin of Guilford).

(3) Education Issues:
   Placement of and providing a special education to children in group homes (H.B. 1833 - Hurley, Morris; S.B. 1540 - Rand).

(4) Health and Public Safety Issues:

(5) Economic Development Issues:
   a. State's travel and tourism industry and the economic benefits of that industry (Warwick).

(6) Environmental/Agricultural Issues:

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b. Water Supply Issues Study. -- The Legislative Research Commission may study water supply issues, including the source and supply of groundwater and surface waters in North Carolina including interbasin transfer of water, pollution of groundwater and surface waters in North Carolina, progress toward controlling pollution of groundwater and surface waters, technology available for use in related areas, statewide public and private use of water, and water capacity use area issues. (Warwick, Rand, Odom, Albertson).

(7) Civil Law Issues:
   a. Seized property (H.B. 1750 - Buchanan).
   b. Termination of parental rights of rapists (H.B. 1678 - Ellis).

(8) Court System:
   Authority of Magistrates and Clerks of Court (H.B. 1224 - Baddour; S.B. 1023 - Clodfelter).

Section 2.2.

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 2001 General Assembly.

PART III. -------ELECTION LAWS STUDY COMMISSION

Section 3.1. The Election Laws Study Commission may study second primary elections, the cost to taxpayers to conduct second primaries, voter turnout, impact on elections, and other related matters and report its findings, together with any recommended legislation, to the 2001 General Assembly upon its convening.

PART IV. -------REVENUE LAWS STUDY COMMITTEE

Section 4.1. The Revenue Laws Study Committee may study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2001 General Assembly upon its convening. The Revenue Laws Study Committee may study:

(1) The simplification of all State revenue and tax forms.
(2) Tax credits, including adjustments to and credits for ad valorem taxes, to encourage production of affordable housing.
(3) The establishment of an investment advisory committee to serve as a liaison between the General Assembly and the Department of State Treasurer and to assist the Treasurer in setting investment policies for the State.
(5) Simplification of taxes on telecommunications (S.B. 1320 - Hoyle, Kerr).
(6) Interstate tax cooperation to eliminate multiple filings by individuals (S.J.R. 958 - Webster).

Section 4.2. Impacts of State Acquisition of Land for Conservation Purposes on Local Government Ad Valorem Tax Revenues. -- The Revenue Laws Study Committee may study the positive and negative impacts of the acquisition by the State of land for conservation purposes on local government ad valorem tax revenues. In conducting this study, the Committee may consider efforts by other states and the federal government to

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mitigate the negative impacts of acquisition by government of land for conservation purposes on local government ad valorem tax revenues.

Section 4.3. Interstate Tax Agreements. -- The Revenue Laws Study Committee may study interstate tax agreements regarding income taxes of individuals who work across North Carolina's borders from their states of residence. These agreements generally provide that an individual residing in one state (residence state) and employed in another state (work state) is taxed as if the earnings in the work state were sourced in the residence state; they also provide for the work state employer to withhold residence state income taxes. In conducting this study, the Committee should:

1. Examine agreements, including mutual compliance enforcement provisions, existing between other states adjoining one another.
2. Consult with appropriate officials of Virginia, South Carolina, Tennessee, and Georgia.
3. Determine whether the goals of reducing taxpayer burden, simplifying tax administration, and increasing taxpayer compliance could be achieved by the adoption of appropriate tax agreements.
4. Draft proposed agreements and any necessary enabling legislation to recommend to the General Assembly.

PART V. --- JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE

Section 5.1. The Joint Legislative Education Oversight Committee may study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2001 General Assembly upon its convening.

Section 5.2. Public School Bidding Laws. -- The Joint Legislative Education Oversight Committee may study exclusive contract practices among public schools.

Section 5.3. Textbook Distribution Methods. -- The Joint Legislative Education Oversight Committee may study methods of distribution of textbooks. In conducting this study, the Committee may survey the system of textbook distribution used in other states. The Committee may make recommendations on whether the State should continue to distribute textbooks using only those depository or warehouse facilities operated by the State Board of Education or make other modifications to the current textbook distribution system. The Committee may use the results of the survey and other relevant information when developing its recommendations.

Section 5.4. School Counselors and Social Workers. -- The Joint Legislative Education Oversight Committee may study the issues related to school counselors and social workers in the public schools. In the course of the study, the Committee may consider:

1. Whether the counselor-student ratio should be reduced from 1:450 to 1:250 and the cost of implementing this reduction;
2. Whether counselors should be paid on the school psychologist salary schedule and the cost of implementing this salary increase; and
3. Other issues related to counselors and social workers in the public schools (H.B. 1826 - Insko).

Section 5.5. Foreign Language Instruction. -- The Joint Legislative Education Oversight Committee may study the need for instruction in foreign languages at the elementary school level (H.B. 1799 - Insko).

Section 5.6. Instruction Days. -- The Joint Legislative Education Oversight Committee may study the feasibility of increasing the minimum number of instructional days to 200, increasing the minimum number of instructional hours to 1,120, and increasing the contractual period for teachers to 12 months. The study shall include an examination of the costs and benefits of the proposed increases as well as a recommended timetable for implementation (H.B. 1727 - Arnold).
PART VI.----JOINT LEGISLATIVE HEALTH CARE OVERSIGHT COMMITTEE

Section 6.1. The Joint Legislative Health Care Oversight Committee may study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2001 General Assembly upon its convening.

Section 6.2. Elder Care Protection. -- The Joint Legislative Health Care Oversight Committee may study mandatory disqualifiers for employment in rest homes, adult care homes, home health care, and other industries which provide care and services to the elderly.

Section 6.3. State Pain Policy Study and Medical Practice. -- The Joint Legislative Health Care Oversight Committee may study the issue of State Pain Policy and Medical Practice. The study may assess the need for improved patient access to pain treatment and the need to revise current laws, regulations, or guidelines to eliminate undue restrictions on pain management while continuing to protect public health. In conducting the study, the Committee may involve members of the medical, law enforcement, and legal communities.

Section 6.4. Criminal Background Checks in Adult Care Industry. -- The Joint Legislative Health Care Oversight Committee may study the issue of establishing a list of mandatory disqualifying convictions for employment with rest homes, adult care facilities, and home health care agencies in North Carolina.

PART VII.----JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE

Section 7.1. The Joint Legislative Transportation Oversight Committee may study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2001 General Assembly upon its convening:

(1) Abandoned vehicles on State roads (Mitchell).
(2) Policy associated with retirement benefits for part-time DOT employees (H.B. 1726 - Rogers).

PART VIII.----FUTURE OF THE NORTH CAROLINA RAILROAD STUDY COMMISSION (S.B. 1183 - Dalton)

Section 8.1. Section 27.25.(b) of S.L. 1999-237 reads as rewritten:

"Section 27.25.(b) Membership.-- The Commission shall be composed of 16 members as follows:

(1) Eight members of the House of Representatives appointed by the Speaker of the House.
(2) Eight Members of the Senate appointed by the President Pro Tempore of the Senate.

Terms on the Commission are for two years and begin on January 15 of each odd-numbered year, except for the terms of the initial members, which begin on appointment. Members may complete a term of service on the Commission even if they do not seek reelection or are not reelected to the General Assembly, but resignation or removal from service in the General Assembly constitutes resignation or removal from service on the Commission."

Section 8.2.(a) If Senate Bill 1183, 2000 General Assembly, becomes law, Section 12 of that bill is repealed.

Section 8.2.(b) Section 27.25.(c) of S.L. 1999-237 reads as rewritten:

"Section 27.25.(c) Duties of the Commission. -- The Commission shall study the following matters:

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(1) The appropriate purpose, powers, and governance of the North Carolina Railroad Company. The importance of railroads and railroad infrastructure improvements to economic development in North Carolina, including improvements to short line railroads.

(2) Issues important to the future of passenger and freight rail service in North Carolina.

(3) Methods to expedite property disputes between railroads and private landowners.

(4) All aspects of the operation, structure, management, and long-range plans of the North Carolina Railroad.

The Commission's study of these and any other matters is not intended and shall not delay the North Carolina Railroad Company's contract negotiations with freight and passenger rail service operators including Research Triangle Regional Public Transportation Authority and Norfolk Southern Railway Company."

Section 8.3.(a) If Senate Bill 1183, 2000 General Assembly, becomes law, Section 13 of that bill is repealed.

Section 8.3.(b) Section 27.25(k) of S.L. 1999-237 reads as rewritten:

"Section 27.25(k) Report. Reports. -- The commission Commission shall submit a final an annual report to the General Assembly on or before May 1, 2000, the convening of the regular session of the General Assembly each year. Upon filing of the report, the Commission shall terminate."

PART IX.——NER INTERIM STUDY OF DENR ORGANIZATION

Section 9.1. The Appropriations Subcommittees on Natural and Economic Resources in both the Senate and the House of Representatives may study the current organization of the Department of Environment and Natural Resources to determine its effectiveness and efficiency and shall report any recommendations, including any legislative proposals, to the 2001 General Assembly no later than May 1, 2001. The Appropriations Subcommittees on Natural and Economic Resources in both the House of Representatives and the Senate may obtain assistance from any resources outside the General Assembly that the Subcommittees determine are needed to adequately perform their study.

PART X.——STATE BOARD OF EDUCATION

Section 10.1. The State Board of Education may study the topics listed in this Part.

Section 10.2. School Calendar. -- The State Board of Education may study issues related to the public school calendar. The State Board shall report the results of this study to the Joint Legislative Education Oversight Committee prior to February 1, 2001. (H.B. 1847 - Warner; S.B. 1513 - Lucas).

Section 10.3. Integrated Curriculum. -- The State Board of Education may identify and evaluate strategies that can be developed and implemented to assist classroom teachers in providing students with interdisciplinary lessons that integrate science and social studies as well as reading, writing, and mathematics. These strategies shall include:

(1) Lessons and units based upon the Standard Course of Study;

(2) Staff development for teachers that addresses how to create lessons and units that integrate the curriculum across content areas;

(3) Staff development for principals to assist them in creating daily school schedules that provide planning time to enable teachers to work together to develop interdisciplinary lessons and units;

(4) A plan to communicate and distribute to teachers and principals interdisciplinary lessons and units and staff development opportunities;

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(5) The identification of funds, such as staff development funds, that local boards of education and school improvement teams may use to provide training to assist teachers in their development and use of interdisciplinary lessons and units; and

(6) Model daily school schedules that principals may use to provide planning time for teachers to develop and implement interdisciplinary lessons and units.

As part of its study, the State Board may collaborate with the constituent institutions of The University of North Carolina, the UNC Center for School Leadership Development, and the Association of Independent Colleges and Universities to identify and collect existing materials, to identify materials that can be developed and implemented, and to identify staff development opportunities that may be made available to teachers and principals.

The State Board of Education may report to the Joint Legislative Education Oversight Committee on the development of these strategies by December 1, 2000.

PART XI.—ENVIRONMENTAL REVIEW COMMISSION TO REVIEW THE REPORT AND RECOMMENDATIONS OF THE ESTUARINE SHORELINE PROTECTION STAKEHOLDERS TEAM

Section 11.1. The Environmental Review Commission may review the findings and recommendations of the August 1999 report of the Estuarine Shoreline Protection Stakeholders Team of the Coastal Resources Commission. The Environmental Review Commission may determine which of the recommendations of the Stakeholders Team can be implemented administratively, which recommendations would require rule making by the Coastal Resources Commission or other agency, and which recommendations would require legislation. The Environmental Review Commission may evaluate existing local government land-use planning in the coastal and inland counties that are included in the river basins that drain to coastal North Carolina. The Environmental Review Commission may specifically evaluate whether the local land-use planning process required for coastal counties under the Coastal Area Management Act of 1974 should be extended to include inland counties that are included in the river basins that drain to coastal North Carolina. Upon request of the Environmental Review Commission, the Department of Environment and Natural Resources, the Coastal Resources Commission, and the Stakeholders Team shall provide assistance to the Environmental Review Commission in its conduct of this study. The Environmental Review Commission may refer consideration of any issue raised by this study to the Commission to Address Smart Growth, Growth Management, and Development Issues. The Environmental Review Commission shall report its findings and recommendations, including legislative proposals, if any, to the 2001 General Assembly.

PART XII.—LEGISLATIVE ETHICS COMMITTEE (H.B. 1774 - Allen, Miller)

Section 12.1. The Legislative Ethics Committee may study the need for and advisability of establishing conflicts of interest guidelines for public members of advisory committees and commissions in the executive and legislative branches of State government. The Legislative Ethics Committee may consult with the North Carolina Board of Ethics in conducting this study. The Legislative Ethics Committee shall report its findings and recommendations, including proposed legislation, to the 2001 General Assembly upon its convening. Any recommended legislation should include recommended guidelines or a procedure for the establishment of conflicts of interest guidelines.

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Section 13.1. The Department of Health and Human Services and the Administrative Office of the Courts, in conjunction with local departments of social services, clerks of court, IV-D attorneys, district court judges, representatives of county government, representatives of business and industry, and representatives of child support clients, shall study ways to more effectively coordinate the efforts of the two agencies in regard to collection and enforcement of child support. This study shall include studying the feasibility of the two agencies granting each other access to one another's computer systems or the feasibility of making the computer systems compatible with one another. The study shall also include the development of protocols to facilitate directing individuals to the proper agency for assistance or information.

Section 13.2. The Department of Health and Human Services and the Administrative Office of the Courts, in conjunction with local departments of social services, clerks of court, IV-D attorneys, district court judges, representatives of county government, representatives of business and industry, and representatives of child support clients, shall study the problems with and barriers to the establishment of a unified system of child support collection and enforcement. This study shall also include estimates of the costs, including any savings, associated with the establishment of a unified system and any advantages or disadvantages associated with the establishment of a unified system over a five-year period. The two agencies shall make recommendations regarding solutions to any problems or barriers to the establishment of a unified system.

Section 13.3. The Department of Health and Human Services and the Administrative Office of the Courts shall make interim reports on their efforts under this Part, and any findings and recommendations resulting from the studies under this Part, to the Joint Legislative Public Assistance Commission by December 1, 2000, and shall make final reports to the Joint Legislative Public Assistance Commission by March 1, 2001.


Section 14.1. The Department of Health and Human Services and the Department of Public Instruction, in conjunction with the Department of Agriculture and Consumer Services, the statewide system of food banks, the North Carolina Hunger Network, the North Carolina Nutrition Network, and other State and local agencies, shall study the School Lunch Program, the School Breakfast Program, and the Summer Food Service Program. This study shall specifically include a study of the reasons for underutilization of the programs. The Department of Public Instruction and the Department of Health and Human Services shall take any actions authorized under current law to increase participation in these programs before the beginning of the 2000-2001 school year.

Section 14.2. The Department of Health and Human Services, in conjunction with the Department of Agriculture and Consumer Services, the statewide system of food banks, the North Carolina Hunger Network, the North Carolina Nutrition Network, and other State and local agencies, shall conduct a comprehensive study of the Food Stamp Program, specifically focusing on reasons for the underutilization of the program. This study shall include inquiry into the following areas:

(1) The feasibility of additional outreach efforts to inform the public of the requirements and availability of food stamps.

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(2) The feasibility of extended business hours for local departments of social services to facilitate the process of obtaining food stamps.

(3) The feasibility of ending automatic termination of food stamps when the individual or family no longer receives Work First cash assistance; thereby providing a transition period while the family moves toward economic independence.

The Department shall identify any actions which may be taken under current law to increase participation in the Food Stamp Program and implement those actions as soon as practicable.

Section 14.3. The Department of Health and Human Services shall make an interim report on its efforts under this part, and any findings and recommendations, to the Joint Legislative Public Assistance Commission by December 1, 2000, and shall make a final report to the Joint Legislative Public Assistance Commission by March 1, 2001.

PART XV.----DEPARTMENT OF HEALTH AND HUMAN SERVICES DEVELOPMENTAL DISABILITIES STUDY

Section 15.1. Section 11.23(b) of S.L. 2000-67 reads as rewritten:

"Section 11.23(b) The Department shall, in consultation with the Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services, shall study whether a new division of developmental disabilities should be established in the Department. Not later than January 1, 2001, the Department shall report its findings and recommendations to the Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services, the House of Representatives Appropriations Subcommittee on Health and Human Services, and the Senate Appropriations Committee on Human Resources."

PART XVI.----DEPARTMENT OF HEALTH AND HUMAN SERVICES ADOLESCENT PREGNANCY PREVENTION STUDY

Section 16.(a) Section 11.40 of S.L. 2000-67 is repealed.

Section 16.(b) The first paragraph of subsection (v) of Section 5 of S.L. 2000-67 reads as rewritten:

"Section 5.(v) The funds appropriated to the Department of Health and Human Services, Division of Public Health, in this section in the TANF Block Grant for the 2000-2001 fiscal year for teen pregnancy prevention shall be used in accordance with the provisions of this subsection."

Section 16.(c) The Department of Health and Human Services, in collaboration with the Adolescent Pregnancy Prevention Coalition of North Carolina, local pregnancy prevention program administrators, and other organizations, shall develop a comprehensive plan for consolidating adolescent pregnancy prevention programs and adolescent parenting programs in a manner that facilitates all of the following:

(1) Efficient operations and the elimination of duplication among programs. To the extent that duplication in administration and program operations is demonstrably necessary for effective program operations, the Department shall indicate:
   a. Why duplication is necessary;
   b. Negative consequences relative to program goals as a result of eliminating duplication; and
   c. Means by which program and fiscal integrity and accountability will be achieved and monitored.

(2) Consistent progress in reducing adolescent pregnancy in North Carolina among demographic subgroups.

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Valid and reliable processes for monitoring and evaluating State and local fiscal and program performance.

Program organization, administration, and governance that is clear and understandable.

Targeting counties and municipalities with the highest adolescent pregnancy rates, increasing rates of adolescent pregnancy, high rates of adolescent pregnancy within demographic subgroups, or with the greatest need of parenting programs.

An equitable and need-based process for funding individual projects and other program initiatives.

Best practice models, while recognizing the desirability and utility of innovative and promising projects that are not classified as best practice models.

Not later than March 1, 2001, the Department shall report its plan for consolidation, including its findings and recommendations, to the House of Representatives Appropriations Subcommittee on Health and Human Services, the Senate Appropriations Committee on Human Resources, and the Fiscal Research Division.

PART XVII.—1898 WILMINGTON RACE RIOT COMMISSION

Section 17.1.(a) There is hereby established the 1898 Wilmington Race Riot Commission. The Commission shall be located within the Department of Cultural Resources.

Section 17.1.(b) The purpose of the Commission shall be to develop a historical record of the 1898 Wilmington Race Riot. In developing such a record, the Commission shall gather information, including oral testimony from descendants of those affected by the riot or others, examine documents and writings, and otherwise take such actions as may be necessary or proper in accurately identifying information having historical significance to the 1898 Wilmington Race Riot, including the economic impact of the riot on African-Americans in this State.

Section 17.1.(c) The Commission shall consist of 13 members, each of whom shall serve a two-year term. Commission members shall be appointed on or before September 1, 2000, as follows:

1. The President Pro Tempore of the Senate shall appoint three members.
2. The Speaker of the House of Representatives shall appoint three members.
3. The Governor shall appoint three public members, one of whom shall be a historian.
4. The Mayor and City Council of the City of Wilmington shall appoint two members.
5. The New Hanover County Commissioners shall appoint two members.

The Commission shall terminate on December 31, 2002.

Section 17.1.(d) A vacancy shall be filled in the same manner as the original appointment, except that all unexpired terms in seats appointed by the General Assembly shall be filled in accordance with G.S. 120-122. Appointees to fill vacancies shall serve the remainder of the unexpired term and until their successors have been duly appointed and qualified.

Section 17.1.(e) The Commission may remove any of its members for neglect of duty, incompetence, or unprofessional conduct. A member subject to disciplinary proceedings shall be disqualified from participating in the official business of the Commission until the charges have been resolved.

Section 17.1.(f) Members of the Commission shall not receive per diem or reimbursement for travel or subsistence.

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Section 17.1.(g) The Commission's officers shall consist of two cochairs, a vice-chair, and other officers deemed necessary by the Commission to carry out the purposes of this Article. The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall appoint the cochairs of the Commission. All other officers shall be elected by the Commission. All officers shall serve for two-year terms and shall serve until their successors are elected and qualified.

Section 17.1.(h) The Commission shall meet at least quarterly to conduct business as authorized in subsection (b) of this section. A majority of Commission members shall constitute a quorum.

Section 17.1.(i) The Department of Cultural Resources shall provide necessary clerical and administrative support services to the Commission.

Section 17.1.(j) The Commission may submit to the General Assembly an interim report of its findings and recommendations. The Commission shall submit to the General Assembly a final report of its findings and recommendations no later than December 31, 2002. The final report may include suggestions for a permanent marker or memorial of the riot and whether to designate the event as a historic site.

Section 17.2. The Department of Cultural Resources shall support the activities of the 1898 Wilmington Race Riot Commission.

PART XVIII.----BILL AND RESOLUTION REFERENCES

Section 18. Unless otherwise specified, the listed bill or resolution refers to the measure introduced in the 1999 or 2000 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 listing of the original bill or resolution in this act is for reference purposes only and shall not be deemed to incorporate by reference any of the substantive provisions contained in the original bill or resolution.

PART XIX.----EFFECTIVE DATE AND APPLICABILITY

Section 19. Except as otherwise specifically provided, this act becomes effective July 1, 2000.

Upon motion of Senator Rand, the rules are suspended, without objection, and the Conference Report is placed before the Senate for immediate consideration.

Upon motion of Senator Rand, the Conference Report is adopted (32-0).

A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

ENROLLED BILLS

The Enrolling Clerk reports the following bills duly ratified for presentation to the Governor:

S.B. 767, AN ACT TO REVISE THE LIMITATION ON LOBBYIST-RELATED FUND-RAISING TO STRENGTHEN THE ACT AND TO COMPLY WITH A COURT DECISION; TO AUTHORIZE THE STATE BOARD OF ELECTIONS TO ADOPT A PLAN DESIGNATING ONE-STOP VOTING SITES IN A COUNTY WHERE THE COUNTY BOARD OF ELECTIONS WAS UNABLE TO REACH UNANIMITY ON A PLAN AND A MEMBER OR MEMBERS OF THAT COUNTY BOARD HAS PETITIONED THE STATE BOARD TO ADOPT A PLAN; AND TO PROVIDE FUNDING FOR COUNTIES TO OPERATE MULTIPLE ONE-STOP VOTING SITES.

July 13, 2000
S.B. 1272, AN ACT TO CHANGE THE DATE BY WHICH THE HOLDER OF A STANDARD COMMERCIAL FISHING LICENSE WILL BE ALLOWED TO TAKE CRABS; TO ALLOW THE HOLDER OF AN INTERIM CRAB LICENSE TO OBTAIN A STANDARD COMMERCIAL FISHING LICENSE; AND TO AUTHORIZE THE COASTAL RESOURCES COMMISSION TO ADOPT TEMPORARY RULES TO ESTABLISH CRITERIA FOR EXCEPTIONS TO THE REGULATORY REQUIREMENT, EFFECTIVE 1 AUGUST 2000, OF A THIRTY-FOOT DEVELOPMENT SETBACK ALONG PUBLIC TRUST AND ESTUARINE WATERS TO ALLOW CONSTRUCTION OF RESIDENCES ON PREVIOUSLY PLATTED UNDEVELOPED LOTS OF FIVE THOUSAND SQUARE FEET OR LESS THAT ARE LOCATED IN INTENSIVELY DEVELOPED AREAS AND THAT WOULD OTHERWISE BE PROHIBITED UNDER CURRENT RULES.

H.B. 1340, AN ACT TO ESTABLISH THE RESPIRATORY CARE PRACTICE ACT, TO PROVIDE FOR PROMPT PAYMENT OF CLAIMS UNDER HEALTH BENEFIT PLANS, AND TO MAKE CONFORMING AMENDMENTS TO RELATED CLAIM PAYMENT LAWS.


H.B. 1562, AN ACT TO INCREASE THE AMOUNT OF GILL NET AUTHORIZED FOR USE UNDER A RECREATIONAL COMMERCIAL GEAR LICENSE AND TO DIRECT THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE TO STUDY ISSUES RELATED TO THE APPROPRIATE AMOUNT OF GILL NET THAT SHOULD BE AUTHORIZED FOR USE UNDER A RECREATIONAL COMMERCIAL GEAR LICENSE.

H.B. 1608, AN ACT TO REQUIRE SUPERVISION OF FIRST-YEAR BAIL BONDSMEN AND RUNNERS; TO MAKE IT A CLASS I FELONY FOR A BONDSMAN TO KNOWINGLY AND WILLFULLY FAIL TO RETURN ANY COLLATERAL SECURITY VALUED AT MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS; TO REQUIRE THAT COLLATERAL SECURITY IN THE FORM OF CASH OR NEGOTIABLE INSTRUMENTS BE HELD IN TRUST ACCOUNTS; TO PROVIDE FOR THE DISPOSITION OF OUTSTANDING BAIL BOND OBLIGATIONS UPON THE DEATH, INCAPACITATION, OR INCOMPETENCE OF A BAIL BONDSMAN; AND TO INCREASE THE MINIMUM SECURITIES DEPOSIT REQUIRED OF PROFESSIONAL BONDSMEN.

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

CONFERENCE REPORT

H.B. 1630

Senator Hoyle, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon H.B. 1630 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CONSTRUCTION OF PILOT PRIVATELY FUNDED ROAD OR BRIDGE PROJECTS FUNDED BY
TOLLS OR OTHER ALTERNATE FINANCING METHODS, AND TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF STATE-OWNED AND STATE-OPERATED TOLL ROADS OR BRIDGES, 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 1630, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CONSTRUCTION OF PILOT PRIVATELY FUNDED ROAD OR BRIDGE PROJECTS FUNDED BY TOLLS OR OTHER ALTERNATE FINANCING METHODS, AND TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF STATE-OWNED AND STATE-OPERATED TOLL ROADS OR BRIDGES, Senate Finance Committee Substitute Adopted 7/12/00, submit the following report:

The House and Senate agree to the following amendments to the Senate Finance Committee Substitute Adopted 7/12/00, and the House concurs in the Senate Committee Substitute as amended:

on page 1, lines 3 and 4, by deleting the phrase “OR OTHER ALTERNATE FINANCING METHODS,”;

and on page 2, lines 6 and 7, by rewriting those line to read: “or operate solely from private resources one pilot toll transportation project”;

and on page 2, line 12, by deleting the phrase “necessary and”;

and on page 3, lines 4-6, by deleting those lines;

and on page 3, line 16, by deleting the word “negotiation.” and substituting the following: “negotiation, and only as required to control access to the project.”;

and on page 4, line 9, by deleting the word “facility” and substituting the word “facility.”;

and on page 4, line 10, by deleting that line.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 13, 2000.

S/David Hoyle
S/Virginia Foxx
S/John Kerr

July 13, 2000
Upon motion of Senator Hoyle, the rules are suspended, without objection, and the Conference Report is placed before the Senate for immediate consideration.

Upon motion of Senator Hoyle, the Conference Report is adopted (27-5).

A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

CONFERENCE REPORT

S.B. 432

Senator Purcell, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon S.B. 432 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO RULES ADOPTED BY THE MEDICAL CARE COMMISSION FOR THE OPERATION OF THE ADULT CARE PORTION OF A COMBINATION HOME, AND TO RETIREE PREMIUMS UNDER THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN, AND TO AMEND THE PHYSICIAN AND OPTOMETRIST LICENSURE LAWS, TO PROVIDE IMMUNITY AND EXPAND DISCIPLINE OPTIONS, AND TO PROVIDE THAT THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN SHALL COVER THE COST OF ONE ANNUAL PAP SMEAR FOR ANY COVERED FEMALE UNDER THE PLAN’S WELLNESS BENEFIT, AND TO ALLOW INDIVIDUALS EXCLUDED FROM MEMBERSHIP IN THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN FOR FILING FRAUDULENT CLAIMS TO BE CONSIDERED FOR REINSTATEMENT IN THE PLAN, 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 432, A BILL TO BE ENTITLED AN ACT PERTAINING TO RULES ADOPTED BY THE MEDICAL CARE COMMISSION FOR THE OPERATION OF THE ADULT CARE PORTION OF A COMBINATION HOME, AND TO RETIREE PREMIUMS UNDER THE TEACHERS’ AND STATE EMPLOYEE’ COMPREHENSIVE MAJOR MEDICAL PLAN, AND TO AMEND THE PHYSICIAN AND OPTOMETRIST LICENSURE LAWS, TO PROVIDE IMMUNITY AND EXPAND DISCIPLINE OPTIONS, AND TO PROVIDE THAT THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN SHALL COVER THE COST OF ONE ANNUAL PAP SMEAR FOR ANY COVERED FEMALE UNDER THE PLAN’S WELLNESS BENEFIT, AND TO ALLOW INDIVIDUALS EXCLUDED FROM MEMBERSHIP IN THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN FOR FILING FRAUDULENT CLAIMS TO BE CONSIDERED FOR REINSTATEMENT IN THE PLAN, House Health Committee Substitute, Fourth Edition Engrossed 7/11/2000, submit the following report:

July 13, 2000
The Senate and House agree to the following amendments to the House Committee Substitute, House Health Committee Substitute, Fourth Edition Engrossed 7/11/2000, and the Senate concurs in the House Committee Substitute, Fourth Edition Engrossed 7/11/2000, as amended:

on page 1, lines 2-4, by rewriting those lines to read:

“AN ACT TO PROVIDE FOR NON-CONTRIBUTORY HEALTH PLAN PREMIUMS FOR ALL RETIRED STATE EMPLOYEES UNDER THE”;

and on page 1, line 7 by deleting the comma after the word “LAWS”;

and on page 6, lines 20 through 36 by deleting those lines and renumbering the remaining section accordingly.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 12, 2000.

S/William R. Purcell        S/Thomas E. Wright
Robert C. Carpenter         S/Edd Nye
S/Jeannine H. Lucas         S/Larry Justice
S/Anthony E. Rand           S/George W. Miller, Jr.
S/Kay R. Hagan

Conferees for the Senate
Conferees for the
House of Representatives

Upon motion of Senator Purcell, the rules are suspended, without objection, and the Conference Report is placed before the Senate for immediate consideration.

Upon motion of Senator Purcell, the Conference Report is adopted (32-0).

A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

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

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

H.B. 1630

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 1630, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CONSTRUCTION OF PILOT PRIVATELY FUNDED ROAD OR BRIDGE PROJECTS FUNDED BY TOLLS AND TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO STUDY THE

July 13, 2000
FEASIBILITY OF STATE-OWNED AND STATE-OPERATED TOLL ROADS OR BRIDGES, 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 is received from the House of Representatives transmitting a joint resolution which is read the first time and disposed of, as follows:

S.J.R. 1558 (House Committee Substitute), A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Rand, the rules are suspended, without objection, and the joint resolution is placed before the Senate for immediate consideration.

The Senate concurs in the House Committee Substitute bill (30-1) and the measure is ordered enrolled.

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

S.B. 787
House of Representatives
July 13, 2000

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 for SB 787, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO MAKE PERMANENT THE FUTURE OF THE NORTH CAROLINA RAILROAD STUDY COMMISSION, TO CREATE THE 1898 WILMINGTON RACE RIOT COMMISSION, AND TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES.

Pursuant to your message that you have adopted the report of the Conferees, the President may order the bill enrolled.

Respectfully,
S/Denise Weeks
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 787 earlier today, 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. 432
House of Representatives
July 13, 2000
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 432, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR NON-CONTRIBUTORY HEALTH PLAN PREMIUMS FOR ALL RETIRED STATE EMPLOYEES UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, AND TO AMEND THE PHYSICIAN AND OPTOMETRIST LICENSURE LAWS TO PROVIDE IMMUNITY AND EXPAND DISCIPLINE OPTIONS, AND TO PROVIDE THAT THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN SHALL COVER THE COST OF ONE ANNUAL PAP SMEAR FOR ANY COVERED FEMALE UNDER THE PLAN'S WELLNESS BENEFIT, AND TO ALLOW INDIVIDUALS EXCLUDED FROM MEMBERSHIP IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN FOR FILING FRAUDULENT CLAIMS TO BE CONSIDERED FOR REINSTATEMENT IN THE PLAN.

Pursuant to your message that you have adopted the report of the Conferees, the President may order the bill enrolled.

Respectfully,
S/Denise Weeks
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 432 earlier today, 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:

H.B. 1855
House of Representatives
July 13, 2000

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 1855, A BILL TO BE ENTITLED AN ACT PERTAINING TO PRESCRIPTION DRUG, RETIREE PREMIUMS, AND CHRONIC CONDITION CLAIM COSTS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, 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

ENROLLED Bills

The Enrolling Clerk reports the following bills and a resolution duly ratified for presentation to the Governor:

July 13, 2000
S.B. 787, AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO MAKE PERMANENT THE FUTURE OF THE NORTH CAROLINA RAILROAD STUDY COMMISSION, TO CREATE THE 1898 WILMINGTON RACE RIOT COMMISSION, AND TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES.

S.B. 1341, AN ACT TO PREVENT INAPPROPRIATE DEVELOPMENT IN THE ONE HUNDRED-YEAR FLOODPLAIN AND TO REDUCE FLOOD HAZARDS.

S.B. 1542, AN ACT TO BAN THE INTRODUCTION OF NEW VIDEO GAMING MACHINES INTO THIS STATE, TO LIMIT THE NUMBER OF VIDEO GAMING MACHINES PER LOCATION, TO PROVIDE FOR REGISTRATION OF MACHINES, INCREASING CRIMINAL PENALTIES FOR VIOLATION, PROVIDING FOR SUSPENSION OR REVOCATION OF LICENSES FOR VIOLATION, AND PROVIDING FOR SEIZURE OF UNLAWFUL VIDEO GAMING MACHINES.

S.B. 1335, AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, TO MAKE OTHER TECHNICAL AND CONFORMING CHANGES, AND TO AMEND LAWS RELATING TO URBAN WATERFRONT DEVELOPMENT AND THE CLASSIFICATION OF GAMMA HYDROXYBUTYRIC ACID (GHB) AS A CONTROLLED SUBSTANCE.

H.B. 1184 AN ACT TO AMEND THE DEFINITION OF “NEW INSTITUTIONAL HEALTH SERVICES” IN ARTICLE 9 OF CHAPTER 131E OF THE GENERAL STATUTES.

H.B. 1630, AN ACT TO AUTHORIZE CONSTRUCTION OF PILOT PRIVATELY FUNDED ROAD OR BRIDGE PROJECTS FUNDED BY TOLLS AND TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF STATE-OWNED AND STATE-OPERATED TOLL ROADS OR BRIDGES.

S.B. 432, AN ACT TO PROVIDE FOR NON-CONTRIBUTORY HEALTH PLAN PREMIUMS FOR ALL RETIRED STATE EMPLOYEES UNDER THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN, AND TO AMEND THE PHYSICIAN AND OPTOMETRIST LICENSURE LAWS TO PROVIDE IMMUNITY AND EXPAND DISCIPLINE OPTIONS, AND TO PROVIDE THAT THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN SHALL COVER THE COST OF ONE ANNUAL PAP SMEAR FOR ANY COVERED FEMALE UNDER THE PLAN’S WELLNESS BENEFIT, AND TO ALLOW INDIVIDUALS EXCLUDED FROM MEMBERSHIP IN THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN FOR FILING FRAUDULENT CLAIMS TO BE CONSIDERED FOR REINSTatement IN THE PLAN.

H.B. 1855, AN ACT PERTAINING TO PRESCRIPTION DRUG, RETIREE PREMIUMS, AND CHRONIC CONDITION CLAIM COSTS UNDER THE TEACHERS’ AND STATE EMPLOYEES’ COMPREHENSIVE MAJOR MEDICAL PLAN.

July 13, 2000
S.B. 1082, An ACT TO EXTEND THE TERMS OF MEMBERS OF THE STRUCTURAL PEST CONTROL COMMITTEE THAT ARE APPOINTED BY THE GENERAL ASSEMBLY FROM TWO YEARS TO FOUR YEARS AND TO REQUIRE THAT THE MEMBER RECOMMENDED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES BE ACTIVELY ENGAGED IN THE PEST CONTROL INDUSTRY.

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

S.J.R. 1558, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY. (Res. 7)

CHAPTERED BILL

H.B. 1854, AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEES AND THE INSURANCE REGULATORY CHARGE, TO INCREASE COURT COSTS, TO INCREASE JAIL FEES FOR PERSONS PAYING JAIL FEES PURSUANT TO PROBATIONARY SENTENCES, TO INCREASE THE FEE IMPOSED FOR EMERGENCY PLANNING, TO AUTHORIZE CERTAIN CHANGES IN PERMITS FOR OVERSIZE LOADS AND ESTABLISH PENALTIES FOR PERMIT VIOLATIONS, TO AUTHORIZE AGENCIES TO PROVIDE ACCESS TO SERVICES THROUGH ELECTRONIC AND DIGITAL TRANSACTIONS AND TO IMPOSE A FEE FOR THOSE TRANSACTIONS, AND TO REPEAL THE SUNSET OF THE WHITE GOODS TAX AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY ISSUES RELATED TO THE SCRAP TIRE DISPOSAL TAX AND THE WHITE GOODS DISPOSAL TAX. (Became law upon approval of the Governor, July 13, 2000 – S.L. 2000-109.)

Senator Rand offers a motion pursuant to S.J.R. 1558 (Res.7) that the Senate adjourn sine die, seconded by all members present, which motion prevails, with unanimous consent.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

S.J.R. 1558 House of Representatives July 13, 2000

Mr. President:

It is ordered that a message be sent your Honorable Body respectfully advising that in accordance with House Committee Substitute for Senate Joint Resolution 1558, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY, the House of Representatives has concluded the public business before it and stands ready to adjourn.

July 13, 2000
Upon receipt of a message from your Honorable Body that the Senate is ready to open its doors, the doors of the House shall be open to the end that the gavels may fall simultaneously and adjournment may be declared *sine die*.

Respectfully,
S/Denise Weeks
Principal Clerk

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 completed the business before it, the President *Pro Tempore* declares that the Senate stands ready for adjournment *sine die*.

The President *Pro Tempore* orders the doors of the Senate opened and the Speaker of the House of Representatives is perceived ready to let the gavel fall.

The motion heretofore offered by Senator Rand, seconded by all members present having prevailed, the President *Pro Tempore* of the Senate, The Honorable Marc Basnight, declares the Senate of the 1999 General Assembly adjourned, *sine die*.

DENNIS A. WICKER
*President of the Senate*

JANET B. PRUITT
*Principal Clerk*

July 13, 2000
ADDENDUM

SENATE JOURNAL

1999 SESSION

SECOND SESSION

2000
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, approved by the Governor, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State after the 2000 Session adjourned on July 13:

S.B. 897, AN ACT TO PROVIDE TITLE PROTECTION FOR THE SAFETY PROFESSION. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-110.)

S.B. 1215, AN ACT TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES PERTAINING TO MEDICAL CARE COMMISSION AUTHORITY TO ADOPT RULES REGULATING ADULT CARE HOMES AND SOCIAL SERVICES COMMISSION AUTHORITY TO ADOPT RULES PERTAINING TO PUBLIC ASSISTANCE PROGRAMS. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-111.)

S.B. 1234, AN ACT TO REQUIRE THAT ADULT CARE HOMES AND NURSING HOMES ENSURE THAT RESIDENTS AND EMPLOYEES ARE IMMUNIZED AGAINST INFLUENZA VIRUS AND THAT RESIDENTS ARE ALSO IMMUNIZED AGAINST PNEUMOCOCCAL DISEASE. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-112.)

S.B. 1269, AN ACT TO LIMIT LIABILITY WHEN A PERSON USES AN AUTOMATED EXTERNAL DEFIBRILLATOR TO RENDER EMERGENCY HEALTH CARE TREATMENT TO ATTEMPT TO SAVE THE LIFE OF A PERSON WHO IS IN OR WHO APPEARS TO BE IN CARDIAC ARREST. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-113.)

S.B. 1290, AN ACT TO PROHIBIT CERTAIN POLITICAL ACTIVITIES BY BOARD OF ELECTIONS MEMBERS. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-114.)

S.B. 1316, AN ACT TO REQUIRE ADDITIONAL INFORMATION PRIOR TO THE REEXAMINATION OF CANDIDATES FOR ENGINEERING AND SURVEYING LICENSURE; TO CHANGE THE ANNUAL ENGINEERING AND SURVEYING LICENSE EXPIRATION DATE FOR BUSINESSES; TO AUTHORIZE THE BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS TO ADOPT RULES REGULATING THE OPERATION OF ENGINEERING AND LAND SURVEYING OFFICES; AND TO AUTHORIZE SOIL SCIENTISTS LICENSED UNDER CHAPTER 89F OF THE GENERAL STATUTES TO FORM PROFESSIONAL CORPORATIONS UNDER CHAPTER 55B OF THE GENERAL STATUTES AND LIMITED LIABILITY COMPANIES UNDER CHAPTER 57C OF THE GENERAL STATUES. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-115.)

S.B. 1329, AN ACT TO PROVIDE FOR ADDITIONAL NOTICE OF AN APPLICATION FOR A PERMIT UNDER THE MINING ACT OF 1971, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-116.)
S.B. 1347, AN ACT TO MANDATE THE ASSESSMENT OF DRIVERS LICENSE POINTS FOR FAILURE TO RESTRAIN A CHILD IN A MOTOR VEHICLE. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-117.)

H.B. 1021, AN ACT TO AMEND ARTICLE 3 OF THE UNIFORM COMMERCIAL CODE. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-118.)

H.B. 1551, AN ACT TO MODIFY THE AUTHORITY OF DEPARTMENT OF REVENUE LAW ENFORCEMENT AGENTS, TO ALLOW THE SECRETARY OF REVENUE TO ADMINISTER THE OATH OF OFFICE TO DEPARTMENT OF REVENUE LAW ENFORCEMENT AGENTS, TO PROVIDE A CIVIL PENALTY FOR FILING A FRIVOLOUS INCOME TAX RETURN, AND TO CHANGE THE PROCEDURES FOR LAW ENFORCEMENT REPORTING ON NON-TAX-PAID UNAUTHORIZED SUBSTANCES. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-119.)

H.B. 1624, AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE NATIONAL GOVERNORS’ ASSOCIATION FOR A STREAMLINED SALES TAX COLLECTION SYSTEM AND TO OTHERWISE IMPROVE COLLECTION. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-120.)

S.B. 927, AN ACT TO AMEND THE GENERAL STATUTES GOVERNING SERVICES FOR THE BLIND. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-121.)

H.B. 1699, AN ACT TO EQUALIZE RESIDENT AND NONRESIDENT INSURANCE BROKER LICENSE FEES; TO MAKE NORTH CAROLINA INSURANCE PRODUCER LICENSING LAWS COMPLY WITH THE RECIPROCITY REQUIREMENTS IN THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102; TO AMEND THE MINIMUM EDUCATION REQUIREMENTS FOR THE DEPARTMENT OF INSURANCE FINANCIAL EXAMINER AND ANALYST APPLICANTS; TO AMEND THE DEFINITION OF "PERSON" IN THE BEACH AND FAIR PLAN LAWS; TO AMEND THE DEFINITION OF "BRANCH OFFICE" IN THE MOTOR CLUB LAWS; TO INCREASE THE BOND AMOUNT FOR MANUFACTURED HOUSING LICENSEES; TO REQUIRE NOTIFICATION TO THE MANUFACTURED HOUSING BOARD FROM MANUFACTURED HOUSING LICENSEES OF CHANGES IN OWNERSHIP CONTROL AND BANKRUPTCIES; AND TO EXPEDITE BUILDING PLAN REVIEWS BY EXEMPTING REVIEWS OF COUNTY AND CITY BUILDINGS COMPRISING FEWER THAN TEN THOUSAND SQUARE FEET. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-122.)

S.B. 1195, AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION, IN COOPERATION WITH LOCAL ELECTED OFFICIALS, TO ESTABLISH RURAL TRANSPORTATION PLANNING ORGANIZATIONS TO PLAN RURAL TRANSPORTATION SYSTEMS AND TO ADVISE THE DEPARTMENT ON RURAL TRANSPORTATION POLICY. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-123.)
S.B. 1340, AN ACT TO CLARIFY THE STATUS OF A GUARDIAN OF THE PERSON OF A JUVENILE. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-124.)

H.B. 813, AN ACT TO MAKE CYBERSTALKING A CRIMINAL OFFENSE, CLARIFY THE CRIMINAL ACT OF INTRODUCING COMPUTER VIRUSES, AND TO PERMIT DOMESTIC VIOLENCE ABUSER TREATMENT AS A SPECIAL CONDITION OF PROBATION IN CERTAIN CRIMINAL CASES AND TO MAKE CONFORMING CHANGES. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-125.)

H.B. 1559, AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, TO CONFORM TO FEDERAL LAW REGARDING PENSION TAX WITHHOLDING AND DEADLINES FOR PAYMENTS OF CERTAIN ESTIMATED INCOME TAXES, TO CLARIFY THE SALES FACTOR FOR DETERMINATION OF STATE CORPORATE INCOME AND FRANCHISE TAX, AND TO ENABLE THE COLLECTION OF TAX DEBT OWED TO NORTH CAROLINA THROUGH THE FEDERAL TREASURY OFFSET PROGRAM. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-126.)

S.B. 393, AN ACT TO AMEND THE RULES OF CIVIL PROCEDURE TO REQUIRE BRIEFS AND MEMORANDA IN SUPPORT OR OPPOSITION OF DISPOSITIVE MOTIONS AND OPPOSING AFFIDAVITS TO BE SERVED UPON ALL PARTIES AND TO REQUIRE WRITTEN MOTIONS TO STATE THE GROUNDS FOR THE MOTION WITH PARTICULARITY. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-127.)

H.B. 1473, AN ACT TO MODIFY THE INCOME TAX CREDIT FOR MANUFACTURERS OF CERTAIN RENEWABLE ENERGY EQUIPMENT AND TO FURTHER ADJUST THE SHARE CERTAIN CITIES RECEIVE FROM THE STATE GROSS RECEIPTS TAX. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-128.)

H.B. 1520, AN ACT PERTAINING TO THE USE OF RESTRAINTS AND SECLUSION IN CERTAIN FACILITIES, REQUIRING THE REPORTING OF CERTAIN DEATHS AND CERTAIN FACILITIES, AND IMPOSING A PENALTY FOR FAILURE TO REPORT. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-129.)

H.B. 1564, AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LAWS REGARDING THE PROCUREMENT OF INFORMATION TECHNOLOGY BY STATE AGENCIES AND INSTITUTIONS. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-130.)

H.B. 1571, AN ACT PERTAINING TO TIME REQUIREMENTS FOR THE INVESTIGATION OF COMPLAINTS UNDER THE PROTECTION OF THE ABUSED, NEGLECTED, OR EXPLOITED DISABLED ADULT ACT. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-131.)

H.B. 1518, AN ACT TO CLARIFY THAT GROUP CREDIT ACCIDENT AND HEALTH INSURANCE MAY BE ISSUED TO A CREDITOR TO INSURE DEBTORS OF THE CREDITOR. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-132.)
H.B. 1607, AN ACT TO MODERNIZE BAIL BOND FORFEITURE PROCEEDINGS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S BAIL BOND LAWS COMMITTEE. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-133.)

H.B. 1638, AN ACT TO IMPROVE AMBIENT AIR QUALITY, TO PROVIDE FOR THE USE OF ON-BOARD DIAGNOSTIC EQUIPMENT IN THE MOTOR VEHICLE EMISSIONS INSPECTION AND MAINTENANCE PROGRAM, AND TO EXCLUDE FEDERAL CONGESTION MITIGATION AND AIR QUALITY FUNDS FROM THE DISTRIBUTION FORMULA FOR FUNDS EXPENDED ON TRANSPORTATION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-134.)

H.B. 1184, AN ACT TO AMEND THE DEFINITION OF "NEW INSTITUTIONAL HEALTH SERVICES" IN ARTICLE 9 OF CHAPTER 131E OF THE GENERAL STATUTES. (Became law upon approval of the Governor, July 14, 2000 – S.L. 2000-135.)

S.B. 767, AN ACT TO REVISE THE LIMITATION ON LOBBYIST-RELATED FUND RAISING TO STRENGTHEN THE ACT AND TO COMPLY WITH A COURT DECISION; TO AUTHORIZE THE STATE BOARD OF ELECTIONS TO ADOPT A PLAN DESIGNATING ONE-STOP VOTING SITES IN A COUNTY WHERE THE COUNTY BOARD OF ELECTIONS WAS UNABLE TO REACH UNANIMITY ON A PLAN AND A MEMBER OR MEMBERS OF THAT COUNTY BOARD HAS PETITIONED THE STATE BOARD TO ADOPT A PLAN; AND TO PROVIDE FUNDING FOR COUNTIES TO OPERATE MULTIPLE ONE-STOP VOTING SITES. (Became law upon approval of the Governor, July 17, 2000 – S.L. 2000-136.)

H.B. 1804, AN ACT TO ESTABLISH THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION AND TO MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES. (Became law upon approval of the Governor, July 20, 2000 – S.L. 2000-137.)

S.B. 787, AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO MAKE PERMANENT THE FUTURE OF THE NORTH CAROLINA RAILROAD STUDY COMMISSION, TO CREATE THE 1898 WILMINGTON RACE RIOT COMMISSION, AND TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES. (Became law upon approval of the Governor, July 21, 2000 – S.L. 2000-138.)

H.B. 1562, AN ACT TO INCREASE THE AMOUNT OF GILL NET AUTHORIZED FOR USE UNDER A RECREATIONAL COMMERCIAL GEAR LICENSE AND TO DIRECT THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE TO STUDY ISSUES RELATED TO THE APPROPRIATE AMOUNT OF GILL NET THAT SHOULD BE AUTHORIZED FOR USE UNDER A RECREATIONAL COMMERCIAL GEAR LICENSE. (Became law upon approval of the Governor, July 21, 2000 – S.L. 2000-139.)

S.B. 1335, AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED
BY THE GENERAL STATUTES COMMISSION, TO MAKE OTHER TECHNICAL AND CONFORMING CHANGES, AND TO AMEND LAWS RELATING TO URBAN WATERFRONT DEVELOPMENT AND THE CLASSIFICATION OF GAMMA HYDROXYBUTYRIC ACID (GHB) AS A CONTROLLED SUBSTANCE. (Became law upon approval of the Governor, July 21, 2000 –S.L. 2000-140.)

H.B. 1855, AN ACT PERTAINING TO PRESCRIPTION DRUG, RETIREE PREMIUMS, AND CHRONIC CONDITION CLAIM COSTS UNDER THE TEACHERS’ AND STATE EMPLOYEES COMPREHENSIVE MAJOR MEDICAL PLAN. (Became law upon approval of the Governor, August 2, 2000 –S.L. 2000-141.)

S.B. 1272, AN ACT TO CHANGE THE DATE BY WHICH THE HOLDER OF A STANDARD COMMERCIAL FISHING LICENSE WILL BE ALLOWED TO TAKE CRABS; TO ALLOW THE HOLDER OF AN INTERIM CRAB LICENSE TO OBTAIN A STANDARD COMMERCIAL FISHING LICENSE; AND TO AUTHORIZE THE COASTAL RESOURCES COMMISSION TO ADOPT TEMPORARY RULES TO ESTABLISH CRITERIA FOR EXCEPTIONS TO THE REGULATORY REQUIREMENT, EFFECTIVE 1 AUGUST 2000, OF A THIRTY-FOOT DEVELOPMENT SETBACK ALONG PUBLIC TRUST AND ESTUARINE WATERS TO ALLOW CONSTRUCTION OF RESIDENCES ON PREVIOUSLY PLATTED UNDEVELOPED LOTS OF FIVE THOUSAND SQUARE FEET OR LESS THAT ARE LOCATED IN INTENSIVELY DEVELOPED AREAS AND THAT WOULD OTHERWISE BE PROHIBITED UNDER CURRENT RULES. (Became law upon approval of the Governor, August 2, 2000 –S.L. 2000-142.)

S.B. 1477, AN ACT TO PROVIDE FOR A NEW, SUSTAINABLY DESIGNED, STATE OFFICE BUILDING AND WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE USED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED THIRTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS, AND TO PROVIDE FOR A NEW EASTERN WILDLIFE EDUCATION CENTER WITH RELATED PARKING FACILITIES, TO BE ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, PURSUANT TO AN INSTALLMENT FINANCING CONTRACT IN A PRINCIPAL AMOUNT NOT TO EXCEED FOUR MILLION DOLLARS. (Became law upon approval of the Governor, August 2, 2000 –S.L. 2000-143.)

S.B. 1323, AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE INDIGENT DEFENSE STUDY COMMISSION TO ESTABLISH AN OFFICE OF INDIGENT DEFENSE SERVICES. (Became law upon approval of the Governor, August 2, 2000 –S.L. 2000-144.)

H.B. 1630, AN ACT TO AUTHORIZE CONSTRUCTION OF PILOT PRIVATELY FUNDED ROAD OR BRIDGE PROJECTS FUNDED BY TOLLS AND TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF STATE-OWNED AND STATE-OPERATED TOLL ROADS OR BRIDGES. (Became law upon approval of the Governor, August 2, 2000 –S.L. 2000-145.)

S.B. 1183, AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE FUTURE OF THE NORTH CAROLINA RAILROAD STUDY COMMISSION. (Became law upon approval of the Governor, August 2, 2000 –S.L. 2000-146.)

H.B. 1819, AN ACT TO CREATE THE RURAL REDEVELOPMENT AUTHORITY TO FINANCE RURAL ECONOMIC DEVELOPMENT PROJECTS AND INVEST IN RURAL BUSINESS DEVELOPMENT. (Became law upon approval of the Governor, August 2, 2000 - S.L. 2000-148.)

S.B. 1343, AN ACT TO CREATE THE NORTH CAROLINA RURAL INTERNET ACCESS AUTHORITY AND TO DIRECT THE REGIONAL PARTNERSHIPS, WITH THE ASSISTANCE OF THE NORTH CAROLINA RURAL ECONOMIC DEVELOPMENT CENTER, TO STUDY AND REPORT ON THE INFORMATION TECHNOLOGY INFRASTRUCTURE AND INFORMATION TECHNOLOGY NEEDS OF THE STATE. (Became law upon approval of the Governor, August 2, 2000 - S.L. 2000-149.)

S.B. 1341, AN ACT TO PREVENT INAPPROPRIATE DEVELOPMENT IN THE ONE HUNDRED-YEAR FLOODPLAIN AND TO REDUCE FLOOD HAZARDS. (Became law upon approval of the Governor, August, 2000 - S.L. 2000-150.)

S.B. 1542, AN ACT TO BAN THE INTRODUCTION OF NEW VIDEO GAMING MACHINES INTO THIS STATE PER LOCATION, TO PROVIDE FOR REGISTRATION OF MACHINES, INCREASING CRIMINAL PENALTIES FOR VIOLATION, PROVIDING FOR SUSPENSION OR REVOCATION OF LICENSE FOR VIOLATION, AND PROVIDING FOR SEIZURE OF UNLAWFUL VIDEO GAMING MACHINES. (Became law upon approval of the Governor, August 2, 2000 - S.L. 2000-151.)

S.B. 1266, AN ACT TO ADOPT THE UNIFORM ELECTRONIC TRANSACTIONS ACT. (Became law upon approval of the Governor, August 2, 2000 - S.L. 2000-152.)

S.B. 1460, AN ACT TO PROVIDE INCENTIVES FOR DEVELOPMENT OF THE FILM INDUSTRY IN NORTH CAROLINA. (Became law upon approval of the Governor, August 2, 2000 - S.L. 2000-153.)

S.B. 1192, AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FROM STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORY FOR CERTAIN APPLICANTS FOR EMPLOYMENT IN ADULT CARE HOMES, NURSING HOMES, HOME CARE AGENCIES, AND CERTAIN MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FACILITIES; TO IMPOSE A CRIMINAL PENALTY FOR FALSIFYING INFORMATION ON EMPLOYMENT APPLICATIONS; TO REQUIRE CERTAIN DISCLOSURES BY NURSING HOMES; AND PERTAINING TO RULES FOR THE OPERATION OF THE ADULT CARE PORTION OF NURSING HOMES. (Became law upon approval of the Governor, August 2, 2000 - S.L. 2000-154.)

H.B. 1499, AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S DWI TASK FORCE, TO PROVIDE FOR A CHALLENGE TO THE
TRANSFER OF FEDERAL FUNDS, AND TO CLARIFY THE EFFECTIVE DATE FOR COMMERCIAL MOTOR VEHICLE INSURANCE PROVISIONS OF SESSION LAW 330 OF THE 1999 GENERAL ASSEMBLY. (Became law upon approval of the Governor, August 2, 2000 – S.L. 2000-155.)

S.B. 1381, AN ACT TO REALLOCATE THE PROCEEDS OF THE CLEAN WATER BONDS. (Became law upon approval of the Governor, August 2, 2000 – S.L. 2000-156.)

S.B. 1311, AN ACT TO AUTHORIZE THE ADDITION OF THE MOUNTAINS TO SEA STATE PARK TRAIL TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (Became law upon approval of the Governor, August 2, 2000 – S.L. 2000-157.)

S.B. 1252, AN ACT TO CREATE A TAX INCENTIVE FOR THE REDEVELOPMENT OF BROWNFIELDS PROPERTIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (Became law upon approval of the Governor, August 2, 2000 – S.L. 2000-158.)

S.B. 1210, AN ACT TO MODIFY THE BASIS FOR ISSUING PERMANENT PLATES TO CHURCH BUSES; TO CREATE THE FUND FOR THE REDUCTION OF CLASS SIZE IN PUBLIC SCHOOLS AND THE LITTER PREVENTION ACCOUNT; TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SEVEN NEW SPECIAL REGISTRATION PLATES; AND TO EXEMPT THE FOLLOWING SPECIAL PLATES FOR THE TEN DOLLAR ADDITIONAL FEE IMPOSED FOR A SPECIAL REGISTRATION PLATE: LEGION OF VALOR, SILVER STAR RECIPIENT, 100% DISABLED VETERAN, AND EX-PRISONER OF WAR; AND TO REQUIRE RED LENSES ON BRAKE LIGHTS. (Became law upon approval of the Governor, August 2, 2000 – S.L. 2000-159.)

H.B. 1583, AN ACT TO PROVIDE AN INCENTIVE FOR INVESTING IN DRY-CLEANING EQUIPMENT THAT DOES NOT USE HAZARDOUS SUBSTANCES AND TO MODIFY THE AUTHORIZATION FOR INVESTING STATE FUNDS IN RURAL NORTH CAROLINA. (Became law upon approval of the Governor, August 2, 2000 – S.L. 2000-160.)

H.B. 1493, AN ACT TO PROVIDE CONSUMERS WITH CONTROL OVER TELEPHONE SOLICITATION CALLS TO THEIR HOMES. (Became law upon approval of the Governor, August 2, 2000 – S.L. 2000-161.)

H.B. 1340, AN ACT TO ESTABLISH THE RESPIRATORY CARE PRACTICE ACT, TO PROVIDE FOR THE PROMPT PAYMENT OF CLAIMS UNDER HEALTH BENEFIT PLANS, AND TO MAKE CONFORMING AMENDMENTS TO RELATED CLAIM PAYMENT LAWS. (Became law upon approval of the Governor, August 2, 2000 – S.L. 2000-162.)

S.B. 1184, AN ACT TO ESTABLISH A VOLUNTARILY FUNDED STATEWIDE SPAY/NEUTER PROGRAM TO PROVIDE EDUCATION ON THE BENEFITS OF SPAYING AND NEUTERING PETS AND TO PROVIDE FINANCIAL ASSISTANCE TO COUNTIES AND CITIES OFFERING LOW-INCOME PERSONS REDUCED-
COST SPAY/NEUTER SERVICES FOR DOGS AND CATS.  (Became law upon approval of the Governor, August 2, 2000—S.L. 2000-163.)

S.B. 1152, AN ACT AUTHORIZING CITIES TO DEMOLISH AND REMOVE CERTAIN NONRESIDENTIAL BUILDINGS AND STRUCTURES TO ENHANCE ECONOMIC DEVELOPMENT EFFORTS.  (Became law upon approval of the Governor, August 2, 2000—S.L. 2000-164.)

H.B. 1498, AN ACT TO AUTHORIZE THE TOWN MANAGER OF BUTNER TO ADMINISTER ITS ANNUAL POWELL BILL STATE STREET AID ALLOCATION.  (Became law upon approval of the Governor, August 2, 2000—S.L. 2000-165.)

H.B. 1502, AN ACT TO AUTHORIZE LOCAL COURT OFFICIALS TO RESPOND TO ADVERSE WEATHER AND OTHER EMERGENCY SITUATIONS BY CANCELING COURT SESSIONS AND CLOSING COURT OFFICES AND TO AUTHORIZE THE CHIEF JUSTICE TO EXTEND STATUTES OF LIMITATIONS AND OTHER COMPARABLE DEADLINES IN RESPONSE TO CATASTROPHIC CONDITIONS, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION.  (Became law upon approval of the Governor, August 2, 2000—S.L. 2000-166.)

S.B. 1529, A BILL TO BE ENTITLED AN ACT TO ADJUST AND ADD FEES CHARGED BY THE REGISTER OF DEEDS.  (Became law upon approval of the Governor, August 2, 2000—S.L. 2000-167.)

H.B. 1853, 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 AND TO AMEND THE LAWS REGARDING CERTAIN REVENUE BONDS THAT MAY BE ISSUED BY THE BOARD OF GOVERNORS.  (Became law upon approval of the Governor, August 2, 2000—S.L. 2000-168.)

S.B. 1305, AN ACT TO ENACT REVISED ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE, CONFORMING AMENDMENTS TO OTHER ARTICLES OF THE UNIFORM COMMERCIAL CODE, AND CONFORMING AMENDMENTS TO OTHER SECTIONS OF THE GENERAL STATUTES AND TO INCREASE CERTAIN FEES UNDER CURRENT ARTICLE 9, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.  (Became law upon approval of the Governor, August 2, 2000 —S.L. 2000-169.)

H.B. 1544, AN ACT TO CLARIFY THAT A TAXPAYER IS ENTITLED TO A REFUND OF AN OVERPAYMENT OF THE STATE EXCISE TAX ON CONVEYANCES.  (Became law upon approval of the Governor, August 2, 2000—S.L. 2000-170.)

H.B. 1132, AN ACT TO PROMOTE THE PRESERVATION OF FARMLAND AND TO PROMOTE SMALL, FAMILY-OWNED FARMS.  (Became law upon approval of the Governor, August 2, 2000—S.L. 2000-171.)
H.B. 1218, AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS: (1) TO PROMOTE WATER CONSERVATION BY PROVIDING FOR THE USE OF SUBMETERS IN CONSECUTIVE WATER SYSTEMS; (2) RELATED TO URBAN WATERFRONT REDEVELOPMENT; (3) TO PROVIDE FOR VARIANCES UNDER THE DREDGE AND FILL PERMIT PROGRAM; (4) TO CLARIFY THE AUTHORITY OF THE GOVERNOR TO MAKE APPOINTMENTS TO THE ENVIRONMENTAL MANAGEMENT COMMISSION; (5) TO REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO CONSULT WITH STAKEHOLDERS PRIOR TO DEVELOPING RIPARIAN BUFFER RULES; (6) TO PROHIBIT THE MARINE FISHERIES COMMISSION FROM ESTABLISHING FEES FOR CERTAIN PERMITS AND TO ABOLISH CERTAIN EXISTING PERMIT FEES; AND (7) TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES. (Became law upon approval of the Governor, August 2, 2000–S.L. 2000-172.)

H.B. 1290, AN ACT TO IMPROVE THE ADMINISTRATION OF THE TAX LAWS BY MAKING CLARIFYING AND CONFORMING CHANGES TO THE REVENUE AND RELATED LAWS. (Became law upon approval of the Governor, August 2, 2000 –S.L. 2000-173.)


S.B. 1082, AN ACT TO EXTEND THE TERMS OF MEMBERS OF THE STRUCTURAL PEST CONTROL COMMITTEE THAT ARE APPOINTED BY THE GENERAL ASSEMBLY FROM TWO YEARS TO FOUR YEARS AND TO REQUIRE THAT THE MEMBER RECOMMENDED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES BE ACTIVELY ENGAGED IN THE PEST CONTROL INDUSTRY. (Became law upon approval of the Governor, August 2, 2000 –S.L. 2000-175.)

H.B. 1696, AN ACT TO CLARIFY THE AUTHORITY OF THE COMMISSIONER OF INSURANCE AND STATE FIRE MARSHAL TO ESTABLISH PUBLIC PROTECTION CLASSIFICATIONS FOR INSURANCE RATING PURPOSES. (Became law upon approval of the Governor, August 2, 2000 –S.L. 2000-176.)

S.B. 586, AN ACT TO AUTHORIZE THE CREATION OF MILLENNIAL CAMPUSES AT THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND TO PERMIT THE STATE EDUCATION ASSISTANCE AUTHORITY TO INVEST A PORTION OF THE PARENTAL SAVINGS TRUST FUND IN PREFERRED OR COMMON STOCKS ISSUED BY A COMPANY INCORPORATED OR OTHERWISE LOCATED WITHIN OR WITHOUT THE UNITED STATES. (Became law upon approval of the Governor, August 2, 2000 –S.L. 2000-177.)

H.B. 979, AN ACT TO MODIFY THE RIGHTS OF A DECEDEDENT’S SPOUSE. (Became law upon approval of the Governor, August 2, 2000–S.L. 2000-178.)
S.B. 1472, an act to provide revenue bond financing of certain private projects that perform a public purpose and to reorganize the industrial facilities and pollution control financing authority. (Became law upon approval of the Governor, August 2, 2000 – S.L. 2000-179)

H.B. 1608, an act to require supervision of first-year bail bondsmen and runners; to make it a class I felony for a bondsmen to knowingly and willfully fail to return any collateral security valued at more than one thousand five hundred dollars; to require that collateral security in the form of cash or negotiable instruments be held in trust accounts; to provide for the disposition of outstanding bail bond obligations upon the death, incapacitation, or incompetence of a bail bondsmen; and to increase the minimum securities deposit required of professional bondsmen. (Became law upon approval of the Governor, August 2, 2000 – S.L. 2000-180.)

S.B. 1385, 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 the law relating to appointments to public office. (Became law upon approval of the Governor, August 2, 2000 – S.L. 2000-181.)

H.B. 1566, an act to provide for a procedure for creation of a temporary lien on a motor vehicle when a manufacturer’s statement of origin or an existing certificate of title on a motor vehicle is unavailable and to make other conforming changes. (Became law upon approval of the Governor, August 2, 2000 – S.L. 2000-182.)

H.B. 1609, an act to authorize and clarify the procedures for filing a motion to terminate parental rights in a pending juvenile abuse, neglect, or dependency proceeding, and to authorize the legislative research commission to study whether information should be expunged from certain records when an abuse, neglect, or dependency report is not substantiated or proven. (Became law upon approval of the Governor, August 2, 2000 – S.L. 2000-183.)

S.B. 432, an act to provide for non-contributory health plan premiums for all retired state employees under the teachers’ and state employees’ comprehensive major medical plan, and to amend the physician and optometrist licensure laws to provide immunity and expand discipline options, and to provide that the teachers’ and state employees’ comprehensive major medical plan shall cover the cost of any annual Pap smear for any covered female under the plan’s wellness benefit, and to allow individuals excluded from membership in the teachers’ and state employees’ comprehensive major medical plan for filing fraudulent claims to be considered for reinstatement in the plan. (Became law upon approval of the Governor, August 2, 2000 – S.L. 2000-184.)
H.B. 1501, AN ACT TO ALLOW SERVICE OF PROCESS BY PUBLICATION IN MOTOR VEHICLE LIEN CASES IN SMALL CLAIMS COURT, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION, TO AUTHORIZE AN INCREASE OF THE TOTAL WIDTH OF VEHICLES OR COMBINATIONS OF VEHICLES OPERATED ON THE STATE HIGHWAYS, AND TO DIRECT THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF MOTOR VEHICLE LENGTH. (Became law upon approval of the Governor, August 2, 2000-S.L. 2000-185.)

S.B. 414, AN ACT TO CLOSE A LOOPSLOCK IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO MUNICIPALITIES LOCATED IN COUNTIES WITH POPULATIONS IN EXCESS OF SEVENTY-ONE THOUSAND PEOPLE BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT. (Became law upon approval of the Governor, August 2, 2000-S.L. 2000-186.)

S.B. 1046, AN ACT TO MAKE CERTAIN EMPLOYEES OF STATE LICENSING AND EXAMINING BOARDS MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM. (Became law upon approval of the Governor, August 2, 2000-S.L. 2000-187.)

S.B. 1200, AN ACT TO AUTHORIZE ADDITIONAL VOLUNTARY MUNICIPAL PARTICIPATION IN ROAD CONSTRUCTION. (Became law upon approval of the Governor, August 2, 2000-S.L. 2000-188).

S.B. 1284, AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO REVISE OBSOLETE STATUTORY REFERENCES TO VARIOUS ADMINISTRATIVE PROCEDURE ACT PROVISIONS. (Became law upon approval of the Governor, August 2, 2000-S.L. 2000-189.)

H.B. 968, AN ACT TO MODIFY THE PROCEDURES CONCERNING FINAL ADMINISTRATIVE DECISIONS IN CONTESTED CASES HEARD BY THE OFFICE OF ADMINISTRATIVE HEARINGS, TO AUTHORIZE ADMINISTRATIVE LAW JUDGES TO AWARD REASONABLE ATTORNEY'S FEES IN CERTAIN CASES, AND TO AUTHORIZE THE COURTS TO AWARD REASONABLE ATTORNEY'S FEES ADMINISTRATIVE HEARINGS. (Became law upon approval of the Governor, August 2, 2000-S.L. 2000-190.)

H.B. 1508, AN ACT TO ELIMINATE THE FINGERPRINTING REQUIREMENT FOR RENEWAL OF A CONCEALED HANDGUN PERMIT WHERE DOING SO WOULD NOT IMPEDE CRIMINAL RECORD UPDATES; TO DECREASE THE FEE FOR RENEWAL OF A CONCEALED HANDGUN PERMIT; TO EXTEND THE CONCEALED HANDGUN PERMIT PERIOD TO FIVE YEARS; AND TO CLARIFY THAT THE RELEASE FORM SUBMITTED FOR A CONCEALED HANDGUN APPLICANT'S MENTAL HEALTH RECORDS MAY BE AN ORIGINAL OR PHOTOCOPIED FORM. (Became law upon approval of the Governor, August 7, 2000-S.L. 2000-191.)
The following bills and resolutions remain in the Senate after adjournment *sine die* to be transferred to the Division of Archives and History of the Department of Cultural Resources upon adjournment *sine die* of the 2001 General Assembly. Some of these bills are included in other ratified bills or identical Senate or House bills are ratified.

### AGRICULTURE /ENVIRONMENT/NATURAL RESOURCES COMMITTEE

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H 803 Durham County Zoning Notices.
H 821 Relocate North Carolina Government Competition Commission.
H 842 Randolph Commissioner Districts.
H 868 Chapel Hill Omnibus Act.
H 1490 China Grove Charter.
H 1660 Ashe School Board.

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S 28 Wayne Local Act.
S 30 8th Senate District Act.
S 31 Greene Local Act.
S 39 LRC Study State Medicaid Recovery.
S 47 Maple Hill Incorporation.
S 54 LRC Study/Coastal Beach Storm Mitigation Issues.
S 70 6th Senate District Local Act-2.
S 71 6th Senate District Local Act-1.
S 72 General Law Change.
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S 77  Surface Transportation Act/1999.
S 80  24th Senate District Local Act-1.
S 81  24th Senate District Local Act-2.
S 82  24th Senate District Local Act-3.
S 83  24th Senate District Local Act-4.
S 85  7th Senate District Local Act-1.
S 86  7th Senate District Local Act-2.
S 87  7th Senate District Local Act-3.
S 88  7th Senate District Local Act-4.
S 89  7th Senate District Local Act-4.
S 97  17th Senate District Local Act-2.
S 98  17th Senate District Local Act-3.
S 99  17th Senate District Local Act-4.
S 100 17th Senate District Local Act-5.
S 101 17th Senate District Local Act-1.
S 102 17th Senate District Local Act-2.
S 103 17th Senate District Local Act-3.
S 104 17th Senate District Local Act-5.
S 105 17th Senate District Local Act-4.
S 122 16th Senate District Local Act-1.
S 123 16th Senate District Local Act-2.
S 124 16th Senate District Local Act-3.
S 125  Amend State Laws.
S 138  Alexander Local Act-1.
S 139  Alexander Local Act-2.
S 140  Avery Local Act-1.
S 141  Avery Local Act-2.
S 142  Burke Local Act-1.
S 143  Burke Local Act-2.
S 144  Caldwell Local Act-1.
S 145  Caldwell Local Act-2.
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S 147  Mitchell Local Act-2.
S 148  Wilkes Local Act-1.
S 151  Yadkin Local Act-2.
S 152  19th Senatorial District Local Act-1.
S 153  19th Senatorial District Local Act-2.
S 154  19th Senatorial District Local Act-3.
S 155  19th Senatorial District Local Act-4.
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S 187  Town of Wallace.
S 199  Blank Appropriations Bill-2.
S 201  Blank Appropriations Bill-4.
S 203  Third Senatorial District Local Act-2.
S 204  Third Senatorial District Local Act-1.
S 209  38th Senate District Local Act.
S 215  Cleveland County Local Act-1.
S 216  Rutherford County Local Act-1.
S 217  Cleveland County Local Act-2.
S 218  Rutherford County Local Act-2.
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S 262  Stokes County Local Act.
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S 264  Watauga County Local Act.
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S 306  Jones Local Act.
S 307  Onslow Local Act.
S 308  Pender Local Act.
S 309  Sampson Local Act.
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S 330  Spay/Neuter Program.
S 346  LRC Study Suicide Prevention.
S 351  Blank Appropriations Bill-1.
S 352  Mecklenburg Local Act.
S 373  Future of Electric Service/Members.
S 375  21st Senate District Local Act-1.
S 376  21st Senate District Local Act-2.
S 377  21st Senate District Local Act-3.
S 378  21st Senate District Local Act-4.
S 387  UNC Trustee Appointments.
S 396  Cabarrus County Local Act-2.
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S 404  14th Senate District Local Act-1.
S 405  14th Senate District Local Act-2.
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S 411  9th Senate District Local Act-2.
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S 413  9th Senate District Local Act-4.
S 429  Federal Patients' Rights/AB.
S 444  Honoring Life and Memory of Alexander "A.D." Duke Guy.
S 451  Authorizing/LRC to Study Abuse and Prevention.
S 463  Continuing Medical Education.
S 473  Forsyth Local Act-2.
S 485  Beulaville Local Act.
S 486  Kenansville Local Act.
S 487  Magnolia Local Act.
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S 493 15th Senate District Local Act-4.
S 495 Johnston County Local Act.
S 496 25th Senate District Local Act-1.
S 497 25th Senate District Local Act-2.
S 510 11th Senate District Local Act-2.
S 511 11th Senate District Local Act-3.
S 512 11th Senate District Local Act-4.
S 529 26th Senatorial District-2.
S 530 26th Senatorial District-3.
S 535 Duplin County Local Act.
S 537 23rd Senate District Local Act.
S 549 Set Deputy Industrial Commissioner Pay.
S 552 16th Senate District Local Act-1.
S 553 16th Senate District Local Act-2.
S 555 16th Senate District Local Act-4.
S 556 16th Senate District Local Act-5.
S 564 Cumberland County Local Act-1.
S 565 Cumberland County Local Act-2.
S 566 Chapel Hill Transit Financing.
S 574 Charlotte/Mecklenburg.
S 587 Incentive Bonuses for Teachers/Study.
S 609 13th Senatorial District-5.
S 610 13th Senatorial District-4.
S 611 13th Senatorial District-6.
S 612 13th Senatorial District-2.
S 613 13th Senatorial District-3.
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S 655 13th Senate District-1.
S 665 Dentists/Dental Hygienists.
S 668 Buncombe County Local Act.
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S 670 Madison County Local Act.
S 671 McDowell County Local Act.
S 672 Yancey County Local Act.
S 674 Pineville Local Act.
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S 699 Angier Local Act.
S 704 North Cleveland Incorporation.
S 706 Local Finance Changes.
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S 721 Sampson Local Act-2.
S 722 Chapel Hill Local Act.
S 727 Railroad Corridor Economic Development.
S 743 Special Assistance/Reduce County Share.
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S 781 Honoring/Life and Memory Dr. Edmund Strudwick.
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S 798 Amend Tax Laws.
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S 847 Miscellaneous UNC Matters.
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S 862 Student Board of Governors Member.
S 863 Amend NC Law-1.
S 873 Improved Registered Documents Study.
S 905 UNC Financing.
S 914 LRC Study of Juvenile Crime.
S 924 Amend Statutes.
S 940 Study Nondepository Trust Co.
S 943 Minority and At-Risk Student/Study.
S 944 LRC Study/Hunger and Nutrition in NC.
S 955 Proper Trial Division/Counsel Fees.
S 958 Revenue Laws/Interstate Tax Study.
S 965 Metropolitan Planning Organizations.
S 971 Judicial Public Financing.
S 985 Amend 1.
S 986 Amendments-5.
S 988 Amendments-2.
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S 1022 Study Sales Tax.
S 1031 State Employees Comprehensive Compensation/LRC Study.
S 1034 Honoring Life and Memory of Lisa Jan Parker.
S 1051 Amend Environmental and Natural Resources Laws-6.
S 1052 Amend Environmental and Natural Resources Laws-7.
S 1053 Amend Environmental and Natural Resources Laws-8.
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S 1079 Amend Environmental and Natural Resources Laws-5.
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S 1123 Blue Ribbon Growth Study Commission.
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S 1207 30th Senate District Local Act.
S 1208 City of Lumberton Local Act.
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S 1296 11th Senate District Local Act-3.
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S 1356 7th Senate District Local Act-1.
S 1357 7th Senate District Local Act-2.
S 1358 10th Senate District Local Act.
S 1360 Forsyth Act.
S 1366 Scotland Local Act.
S 1367 Appropriations Act.
S 1368 Fairview Local Act.
S 1369 27th Senate District Local Act-1.
S 1370 27th Senate District Local Act-2.
S 1375 2nd Senate District Local Act-1.
S 1376 2nd Senate District Local Act-2.
S 1380 8th Senate District Local Act.
S 1394 19th, 31st, 32nd Senate Districts Act.
S 1396 Hickory Local Act.
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S 1404 7th Senate District Local Act-1.
S 1405 7th Senate District Local Act-2.
S 1406 7th Senate District Local Act-3.
S 1408 Pitt Local Act.
S 1409 Lenoir Local Act.
S 1411 22nd Senate District Local Act-1.
S 1412 22nd Senate District Local Act-2.
S 1413 22nd Senate District Local Act-3.
S 1416 Forsyth Local Act.
S 1417 20th Senate District Local Act.
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S 1440  Durham Local Act-2.
S 1441  Durham Local Act-3.
S 1442  Durham Local Act-5.
S 1464  Treasurer Invest in Rural Small Business Investment Company.
S 1465  Venture Capital Investment.
S 1490  16th Senate District Local Act-1.
S 1491  16th Senate District Local Act-2.
S 1493  Study Teacher Liability/Frivolous Lawsuits.
S 1503  Funds/Prescription Drugs Plan.
S 1505  Funds/NC Health Choice.
S 1508  Community College System Changes.
S 1509  Blank Appropriations Bill-2.
S 1510  Simplify Tax Laws.
S 1517  Water Use Fees.
S 1522  Changes to Law and/or Budget/UNC-CH.
S 1523  Changes to Law and/or Budget/UNC-CH.
S 1524  Changes to Law and/or Budget UNC-CH.
S 1537  Blank Appropriations Bill-1.
S 1539  Blank Appropriations Bill-3.
S 1546  Blank Appropriations Bill-1.
S 1547  Blank Appropriations Bill-3.
S 1548  Blank Appropriations Bill-2.
S 1551  Vision 2030.
S 1553  Truck Manufacturers Amendment.
S 1555  Blank Appropriations Bill-2.
S 1556  Blank Appropriations Bill-1.
S 1557  Blank Appropriations Bill-3.
H 19   Gambling Boats Regulated.
H 848  No Charter School Deadline/Rockingham.
H 930  Qualifications/Consistency.
H 1032  Underground Utility Damage Amendment.
H 1588  Location of Spaceport Venturestar Project.
H 1807  Haywood/No Spotlighting Deer.

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S 239  Transportation Improvement Program Funding Allocations/Loans.
S 600  Stoplights on U.S. Highway 70.
S 954  Commercial Vehicle Safety/AB.
S 962  Realignment of Highway Divisions.
S 964  City Participation--Road Building.
S 1164  Establish Metropolitan Planning Boards.
S 1198  Butner/Powell Bill Change.
S 1365  Expand Interstate Highways.
S 1526  Good Roads for North Carolina.
H 815  Left Turn on Red.
H 1557  Department of Transportation Establish Rural Planning Organizations.
APPENDIX

SENATE JOURNAL

1999 SESSION

SECOND SESSION

2000
### NORTH CAROLINA GENERAL ASSEMBLY

#### SENATORIAL DISTRICTS

(G.S. 120-1)

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<th>DISTRICTS (Seats)</th>
<th>COUNTIES</th>
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<tbody>
<tr>
<td>1st (1)</td>
<td>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).</td>
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<tr>
<td>2nd (1)</td>
<td>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.</td>
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DISTRIBUTED COUNCILS
(Seats) Townships, Precincts, Census Tracts, Block Groups

5th (1) DUPLIN; JONES (Chinquapin, Cypress Creek, Tuckahoe); ONSLOW (Brynn Marr, Harris Creek, Haw Branch, Haws Run: Tract 4: Block Group 4 [408], Gum Branch, Half Moon: Tract 12: Block Group 1 [101B, 102B, 108B, 109B, 110-118, 128-132, 136, 137], Jacksonville, East Northwoods, West Northwoods, Richlands); PENDER (North Burgaw, Middle Holly: Tract 9802: Block Group 1 [112A, 113A, 124, 129A, 130A, 131A, 132-138, 163, 164, 191-195], Upper Holly: Tract 9803: Block Group 1 [101A], Long Creek, Penderlea, Rocky Point, Lower Union); SAMPSON (Autryville, Clement, Central Clinton, East Clinton, Northeast Clinton, Southwest Clinton, West Clinton, Garland, Harrells, Herring, Ingold, Keener, Mingo, Plainview, Rowan, Salemburg, Turkey).

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, Williamson 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, Woodlinton); WAYNE.
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<th>DISTRICTS (Seats)</th>
<th>COUNTIES</th>
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<tr>
<td><strong>9th (1)</strong></td>
<td><strong>BEAUFORT</strong> (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); <strong>LENOIR</strong> (Conteetna, Falling Creek, Institute, Kinston 3,4,5,9, Moseley Hall, Sandhill, Vance); <strong>MARTIN</strong> (Beargrass, Cross Roads, Griffins); <strong>PITT</strong> (Ayden 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).</td>
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<tr>
<td><strong>10th (1)</strong></td>
<td><strong>EDGECOMBE</strong> (Precincts: 9-1, 12-3, 13-1, 14-1); <strong>HALIFAX</strong> (Faucett, Ringwood, Roanoke Rapids 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11); <strong>NASH</strong>; <strong>WILSON</strong> (Black Creek, Saratoga, Stanboust, Toisnot, Wilson A, C, D, I, M).</td>
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<td><strong>11th (1)</strong></td>
<td><strong>FRANKLIN; JOHNSTON</strong> (North Beulah, East Clayton, West Clayton, Cleveland, North O'Neals, South O'Neals, East Selma, West Selma, East Smithfield, North Smithfield, West Smithfield, Wilders, Wilson’s Mills); <strong>VANCE</strong> (East Henderson, I, II, South Henderson I, II, South Henderson I, II, West Henderson I, IIA, IIB, Hilltop, Kittrell, Sandy Creek, Watkins); <strong>WILSON</strong> (Cross Roads, Old Fields, Spring Hill, Taylors, Wilson J,K,L,P).</td>
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<td><strong>12th (2)</strong></td>
<td><strong>ALLEGHANY; ASHE; GUILFORD</strong> (North Madison, South Madison, Stokesdale, North Washington, South Washington); <strong>ROCKINGHAM; STOKES; SURRY; WATAUGA</strong>.</td>
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<td><strong>13th (2)</strong></td>
<td><strong>DURHAM; GRANVILLE; PERSON</strong> (Allensville, Cunningham-Chub Lake, Holloway, Mt. Tirzah, Roxboro City #1, 1A, 2, 3, 4, Woodsdale); <strong>AKE</strong> (Buckhorn, Cedar Fork, House Creek #1, Leesville #1, 3, New Light #2, White Oak #2).</td>
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<td><strong>14th (2)</strong></td>
<td><strong>JOHNSTON</strong> (North Elevation, South Elevation, Pleasant Grove); <strong>AKE</strong> (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).</td>
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<td><strong>15th (1)</strong></td>
<td><strong>HARNETT; JOHNSTON</strong> (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); <strong>LEE</strong> (Cape Fear, Cumnock, Deep River, Jonesboro, East Sanford, West Sanford 1, 2, 3); <strong>SAMPSON</strong> (Kitty Fork, Newton Grove, Giddensville, Westbrook).</td>
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<tr>
<td><strong>16th (2)</strong></td>
<td><strong>CHATHAM; LEE</strong> (Greenwood, East Pocket, West Pocket); <strong>MOORE; ORANGE; RANDOLPH</strong> (Armory, North Asheboro, East Cedar Grove, West Cedar Grove, Coleridge, Deep River, Eastside, Falls, Franklinville, Grant, Liberty, Lindley Park, Lofflin, McCrary, New Hope, Providence, East Ramseur, West Ramseur, East Randleman, West Randleman, Richland, South Pointe, Staley, Union, Westside, Worthville).</td>
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<tr>
<td><strong>17th (2)</strong></td>
<td><strong>ANSON; HOKE</strong> (Buchan, Fort Bragg, Puppy Creek, McCain, Rockfish); <strong>MONTGOMERY; RICHMOND; SCOTLAND; STANLY</strong> (For Township: Almond—see District 22); <strong>UNION</strong>.</td>
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<td>DISTRICTS (Seats)</td>
<td>COUNTIES</td>
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<td>18th (1)</td>
<td>BLADEN (For Townships: Hollow, White Oak—see District 30); BRUNSWICK; COLUMBUS; NEW HANOVER (Wilmington 4, 5).</td>
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<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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<td>20th (2)</td>
<td>FORSYTH (For Clemmons 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>
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<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>
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<td>24th (1)</td>
<td>CUMBERLAND (Alderman, 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, Pears 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, Lithia, Love Memorial, Long Shoals, North Brook I/II).</td>
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<tr>
<td>26th (1)</td>
<td>CATAWBA; LINCOLN (Asbury, Boger City, Buffalo Shoals, Daniels/Vale, Hickory Grove, North Brook III, Pumpkin Center).</td>
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<tr>
<td>27th (2)</td>
<td>ALEXANDER; AVERY; BURKE (Drexel 1, 2, 3, Icard 1, 2, 3, 4, 5, Jonas Ridge, Linville 1, 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 (Seats)</td>
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<td>30th (1)</td>
<td>BLAEDEN (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>
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<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>MECKLEBURG (Long Creek 2, Charlotte Precincts: 11, 12, 13, 14, 16, 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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<td>34th (1)</td>
<td>IREDELL (Davidson 1) LINCOLN (Lowesville, Triangle); MECKLEBURG (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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<td>35th (1)</td>
<td>MECKLEBURG (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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<td>DISTRICTS</td>
<td>COUNTRIES</td>
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<td><strong>WAKE</strong> (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>
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<tr>
<td><strong>CLEVELAND</strong> (Bethware, Boiling Springs, Casar, Grover, Holly Springs, East Kings Mountain, West Kings Mountain, Lattimore, Mooresboro–Youngs, Mulls, Pearl, Shelby 1, 2, 3, 5, 6, 7, Waco); <strong>RUTHERFORD</strong>.</td>
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<td><strong>DAVIDSON</strong> (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); <strong>DAVIE</strong>; <strong>FORSYTH</strong> (Clemmonsville 2, 3); <strong>ROWAN</strong> (Barnhardt Mill, Bostian Crossroads, N. China Grove, Faith, Gold Knob, Granite Quarry, Morgan I, II, Rockwell, Sumner).</td>
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<tr>
<td><strong>GASTON</strong> (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); <strong>IREDELL</strong> (Bethany, Chambersburg, Coddle Creek 4, Concord, Davidson, Fallstown, Sharpesburg, Shiloh, Statesville 1, 2); <strong>LINCOLN</strong> (Denver, Iron Station, Salem, Westport).</td>
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<tr>
<td><strong>MECKLENBURG</strong> (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>
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<tr>
<td><strong>CUMBERLAND</strong> (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
SECOND SESSION 2000

Adopted May 18, 2000 (See page 88)

S.R. 1228, A SENATE RESOLUTION HONORING THE LIFE AND MEMORY OF LORD GEORGE ANSON FOR WHOM ANSON COUNTY IS NAMED UPON THE COUNTY'S 250TH ANNIVERSARY.

Whereas, Anson County was formed from Bladen County in 1750; and
Whereas, Anson County was named for Lord George Anson, first Lord of the British Admiralty, who for a number of years assisted in protecting North Carolina's coast from pirates; and
Whereas, Anson County has been home to many great citizens including former congressmen, Colonel Risden Tyler Bennett, James A. Lockhart, A. Paul Kitchin, and Reverend Charles H. Martin; former lieutenant governors, Hoyt P. Taylor, Sr. and Hoyt P. Taylor, Jr.; a drafter of the Bill of Rights, Samuel Spencer; and Revolutionary War hero, Thomas Wade; and
Whereas, other natives of Anson County include: Ada Ford Singleton, pioneer in civil rights; Marjorie Robinson, education leader; Jane Pratt, North Carolina’s first female Congress member; Fred M. Mills, Jr., North Carolina’s first Secretary of Transportation; Frank Dunlap, former chair of the State Highway Commission; Hugh Hammond Bennett, father of soil conservation and the first soil conservationist; Leonidas Polk, North Carolina’s first Commissioner of Agriculture and founder of Progressive Farmer magazine; and Arthur T. Dean, a Major General in the United States Army; and
Whereas, Anson County is known for its agricultural, timber, livestock, mineral, and textile products; and
Whereas, Anson County was home to the nation’s first soil conservation district; and
Whereas, the people of Anson County are hospitable and hardworking citizens who are proud of their past and look forward to their future; and
Whereas, the citizens of Anson County have been actively preparing for the County’s 250th Anniversary; and
Whereas, Anson County’s 250th Anniversary is worthy of celebration and should be enjoyed and supported by all of North Carolina’s citizens; Now, therefore,
Be it resolved by the Senate:
Section 1. The Senate honors the life and memory of Lord George Anson upon the 250th Anniversary of Anson County.
Section 2. The Senate proclaims May 20, 2000, as Anson County Day and urges the citizens of this State to participate in activities commemorating this historic event.
Section 3. The Principal Clerk shall transmit a certified copy of this resolution to the Chair of the Anson County Board of Commissioners.
Section 4. This resolution is effective upon adoption.

Adopted June 6, 2000 (See page 150-152)

S.R. 1504, A SENATE RESOLUTION HONORING SIR THOMAS HAY, LORD DUPPLIN OF SCOTLAND, ON THE 250TH ANNIVERSARY OF DUPLIN COUNTY.

Whereas, Duplin County was created on April 7, 1750, from New Hanover County, by the General Assembly; and
Whereas, the county was named in honor of Sir Thomas Hay, Lord Duplin of Scotland who served on Great Britain's Board of Trades and Plantations; and

Whereas, Duplin County, situated in the middle Cape Fear Region of the State, is an area rich in history with an agricultural heritage that has been enhanced by economic and cultural diversity through the years by the talents of citizens who are proud of their past and preparing for their future; and

Whereas, on April 7, 2000, Duplin County celebrated its 250th anniversary; and

Whereas, the Duplin County Commissioners appointed a 250th Anniversary Celebration Council charged with the duty of commemorating this monumental event; and

Whereas, this council has been diligently planning events recognizing and honoring the county's rich heritage; and

Whereas, activities and events commemorating the 250th anniversary are being held throughout the year 2000, spreading the news to the citizens of this State of this historic milestone; Now, therefore, Be it resolved by the Senate:

Section 1. The Senate honors the life and memory of Sir Thomas Hay, Lord Duplin of Scotland.

Section 2. The Senate congratulates Duplin County on its 250th anniversary.

Section 3. The Principal Clerk shall transmit a certified copy of this resolution to the chair of the Duplin County Commissioners.

Section 4. This resolution is effective upon adoption.

Adopted June 21, 2000 (See page 211)

S.R. 1107, A SENATE RESOLUTION HONORING THE VETERANS OF THE KOREAN WAR ON THE 50TH ANNIVERSARY OF THE WAR.

Whereas, on the morning of Sunday, June 25, 1950, North Korea attacked South Korea; and

Whereas, although only five years had passed since World War II, the United States determined that it was in our nation's interest and the interest of freedom to defend South Korea from communist aggression; and

Whereas, the United Nations, composed of the United States and 21 other countries, entered the conflict between North and South Korea, and over the next three years sent armed forces and medical supplies to South Korea; and

Whereas, over 36,000 Americans gave their lives during the Korean War, with over 33,000 killed in action; and

Whereas, of those killed, more than 780 were from North Carolina; and

Whereas, these courageous individuals protected the national security interest of the United States and upheld the principles upon which this Great Nation was founded; and

Whereas, in spite of the many sacrifices made by our nation and our men and women in uniform, the Korean War is commonly referred to as the "Forgotten War"; and

Whereas, June 25, 2000, marks the 50th anniversary of the Korean War; and

Whereas, it is important to educate the public about the valiant role the military played during the Korean War as well as the many contributions civilians made during this time; and

Whereas, on the 50th anniversary of the Korean War, the Senate pauses to recognize this time in our history and to acknowledge the service rendered by the veterans of this war and their families; Now, therefore, Be it resolved by the Senate:

Section 1. The Senate wishes to express its appreciation to the veterans of the Korean War and their families for their sacrifices and remarkable contributions to the people of the United States and the world, and in particular to the people of North Carolina.
Section 2. The Senate wishes to honor the life and memory of those who died while serving in the Korean War.

Section 3. The Senate urges all municipalities, counties, civic groups, schools, and other organizations to show their gratitude to our Korean War veterans by actively participating in community events commemorating the Korean War.

Section 4. This resolution is effective upon adoption.

Adopted June 21, 2000 (See page 211)

S.R. 1351, A SENATE RESOLUTION RECOGNIZING BENSON'S EIGHTIETH ANNIVERSARY ANNUAL SINGING CONVENTION.

Whereas, the State Annual Singing Convention is held the fourth weekend in June each year; and

Whereas, the founders of the "State Annual Singing Convention", Simon P. Honeycutt, J.B. Raynor, J.H. Rose, J.V. Barefoot, and T.C. Miller, along with other interested people, did inaugurate the first of these sessions to be held annually in the Town of Benson; and

Whereas, church choirs and other groups from that time have come to sing the songs of their faith in the "Singing Grove", for the most part, on East Main Street each year since its beginning in 1921; and

Whereas, memorial services held each year on Sunday bring these folks, and others who have continued their efforts, to mind; and

Whereas, the efforts to produce and promote this event by many interested people over the years have made and kept it an important part to the community's life; and

Whereas, the "Sing" has and continues to provide an atmosphere for Christian fellowship, inspiration, and good, clean, wholesome family fun, and entertainment; and

Whereas, the North Carolina Senate recognizes the importance of the event to the singers and groups who have come from across North Carolina and surrounding states to give the real life to the "Sing"; and

Whereas, thankfully, each generation has furnished folks who have taken the task in hand to continue this part of Benson's and North Carolina's heritage; and

Whereas, the echoes of the gospel songs and the applause of past audiences will forever ring among the tops of the trees of the Grove; and

Whereas, considerable investments have been made by the citizens and business community of the Town of Benson in the acquisition of the "Grove" property and the construction of the present and former facilities; and

Whereas, all who now are connected with the event recognize the generosity of and give thanks to the early A.M. and Katherine Denning families who for years donated the "Grove" for the use of the "Sing"; and

Whereas, the North Carolina Senate recognizes the wisdom of the founders in establishing the "Sing"; the efforts of the Town of Benson, its employees and its citizens, Mayor Don H. Johnson, the Town Council, and the directors and officers of the "Sing" and appreciate their support, dedication, and assistance; and

Whereas, the "Sing" is now recognized across the State and nation as a place where Southern Gospel Music prevails at its best; and

Whereas, the Public Broadcasting Service (PBS) has selected the State Annual Singing Convention for the production of a two-hour documentary; and

Whereas, the 80th anniversary of the State Annual Singing Convention is to be held June 23-25, 2000; Now, therefore, Be it resolved by the Senate:

Section 1. The Senate commends and applauds the Sing Directors and Committees and joins with them in inviting all to attend, as singers or audience, the 80th anniversary of
the State Annual Singing Convention in the Town of Benson to celebrate the rich heritage and tradition of this significant occasion and event.

Section 2. This resolution is to be made a part of the official records of the North Carolina Senate and a copy of it to be furnished to the Town of Benson, the 80th State Annual Singing Convention Committee, and its president, Bobby Johnson.

Section 3. This resolution is effective upon adoption.

Adopted June 26, 2000 (See page 241-242)

S.R. 1489, A SENATE RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES MCCLURE CLARKE, FORMER MEMBER OF THE GENERAL ASSEMBLY AND CONGRESS.

Whereas, James McClure "Jamie" Clarke was born on June 12, 1917, in Manchester, Vermont, to Dumont Clarke Sr. and Annie McClure Clarke; and

Whereas, Jamie Clarke graduated from The Asheville School for Boys in 1935 and from Princeton University in 1939; and

Whereas, Jamie Clarke served as an officer in the United States Naval Reserves from 1942 to 1945, seeing action in the Pacific Theater; and

Whereas, Jamie Clarke married Elspeth McClure in 1945; and

Whereas, Jamie Clarke was the owner of Hickory Nut Gap Farm, in Fairview, North Carolina, where he was a successful dairy farmer and orchard grower; and

Whereas, Jamie Clarke served as Chair of the Buncombe County Board of Education from 1969 to 1976; and

Whereas, Jamie Clarke served with honor and distinction as a member of the North Carolina House of Representatives from 1977 to 1980 and as a member of the North Carolina Senate from 1981 to 1982; and

Whereas, Jamie Clarke was elected to the United States House of Representatives in 1982 and reelected in 1986 and 1988; and

Whereas, as a member of Congress, Jamie Clarke successfully introduced legislation that set aside 68,000 acres of national forestland as part of the National Wilderness Preservation System and protected Transylvania County's Horsepasture River Gorge and Jackson County's Panthertown Valley; and

Whereas, Jamie Clarke served as Secretary and President of the Farmers Federation Cooperative from 1946 to 1959; as Associate Editor of the Asheville Citizens-Times from 1960 to 1968; as Assistant to the President of Warren Wilson College from 1969 to 1981; and as Secretary and Trustee of the James G.K. McClure Educational and Development Fund; and

Whereas, throughout his life, Jamie Clarke was active in many organizations, serving as a trustee or board member of Warren Wilson College, Coalition for the Blue Ridge Parkway, the North Carolina Environmental Defense Fund, Western North Carolina Community Foundation, Council on Aging, North Carolina Symphony, Thoms Rehabilitation Hospital, Southeastern Council of Foundations, and Eckerd Wilderness Educational System; and

Whereas, Jamie Clarke also served as a member and former President of the Asheville Civitan Club, former director of the Fairview Volunteer Fire Department, trustee and vice-chair of the North Carolina School of the Arts, trustee of Memorial Mission Hospital, trustee of the Semans Art Fund, and a former member and elder of the Warren Wilson College Presbyterian Church; and

Whereas, Jamie Clarke was a loyal member of the Fairview Christian Fellowship Presbyterian Church; and

Whereas, Jamie Clarke died on April 13, 1999; and
Whereas, Jamie Clarke is survived by his wife, Elspeth McClure Clarke; two daughters, Susie Clarke Hamilton and Annie Clarke Ager; four sons, James G.K. McClure Clarke, Dumont Clarke IV, William Clarke, and Douglas Dixon Clarke; a number of grandchildren; one great-grandchild; and several other close relatives; and

Whereas, it is the desire of the Senate to acknowledge Jamie Clarke's achievements and pay tribute to his life and service; Now, therefore, Be it resolved by the Senate:

Section 1. The Senate expresses its deep appreciation for the life and accomplishments of James McClure Clarke and for the great service he rendered to the nation and the State of North Carolina.

Section 2. The Senate extends its sincere sympathy to the family and friends of James McClure Clarke.

Section 3. The Principal Clerk shall transmit a certified copy of this resolution to the family of James McClure Clarke.

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 of the Extra Session of the 1999 General Assembly, on April 5, 2000.

The full text of Executive Orders 168 through 172 issued by Governor James B. Hunt, Jr., can be found in the Session Laws of the 1999 General Assembly, Second Session 2000.

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<td>Community Service Leave for State Employees</td>
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<td>Amending and Extending Executive Order No. 134</td>
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<td>171</td>
<td>The North Carolina Council for Entrepreneurship and Technology</td>
<td>May 22, 2000</td>
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<td>172</td>
<td>Extending Executive Order No. 136</td>
<td>May 31, 2000</td>
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Executive Order No. 136, Establishing the Governor’s Advisory Council on Hispanic/Latino Affairs.

May 8, 2000 (See page 5)

THE SEA NOTES
OUTER BANKS, DARE COUNTY, NC

Bill Brobst
Mike Buchko
Ron Snell
Bob Watson
RESOLUTIONS FROM OTHER STATES

COMMONWEALTH OF VIRGINIA

SENATE JOINT RESOLUTION NO. 98

Memorializing the Congress of the United States to amend that portion of the Trade Act of 1974 establishing the North American Free Trade Agreement Transitional Adjustment Assistance Program to extend the maximum time period for receipt of benefits from 52 weeks to 78 weeks.

Agreed to by the Senate, February 11, 2000
Agreed to by the House of Delegates, March 8, 2000

WHEREAS, the Trade Act of 1974 established a statutory framework for providing transitional adjustment assistance to employees displaced due to increased importation of competitive products; and

WHEREAS, the adoption by Congress of the North American Free Trade Agreement (NAFTA) included the establishment of a transitional adjustment assistance program in the event that imports of competitive goods from Canada or Mexico are an important contribution to workers' separation; and

WHEREAS, since the adoption of NAFTA, the number of imports from Canada and Mexico of products directly competitive with products manufactured in the United States has increased; and

WHEREAS, many manufacturing plants in the United States have displaced workers or closed entirely due to increased competition from imported products; and

WHEREAS, American workers have been struggling to find similar employment and need retraining services to be qualified for other types of employment; and

WHEREAS, the current length of time for retraining benefits under the Trade Act is inadequate for most Americans to complete retraining programs; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly of Virginia memorialize the Congress of the United States to amend that portion of the Trade Act of 1974 establishing the North American Free Trade Agreement Transitional Adjustment Assistance Program to extend the maximum time period for receipt of benefits from 52 weeks to 78 weeks; and, be it

RESOLVED FURTHER, That the General Assembly of Virginia most fervently urge and encourage each state legislative body of the United States of America to enact this resolution, or one similar in context and form, as a show of solidarity in petitioning the federal government for greater benefits to workers displaced due to the adoption of NAFTA; and, be it

RESOLVED FINALLY, That the Clerk of the Senate transmit copies of this resolution to the President of the United States, the Secretary of the United States Department of Labor, the Speaker of the United States House of Representatives, the President of the United States Senate, each member of the Congressional Delegation of Virginia, and to the presiding officer of each house of each state legislative body in the United States of America.
Relating to the free flow of people and the fair trade of goods and services across the border between the United States and Canada.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS, in 1997, the International Committee and Governing Board of the Council of State Governments adopted a resolution urging the United States Congress to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to exempt Canadians from coverage under sec. 110 of that Act; and

WHEREAS the United States and Canada have the largest bilateral trade relationship in the world, exceeding $1,000,000,000 every day and supporting more than 2,000,000 jobs; and

WHEREAS sec. 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 requires the United States Attorney General to develop an automated entry and exit control system to record the entry into and departure from the United States of all "aliens"; and

WHEREAS sec. 110 of the Act uses the word "alien" without any qualification and will apply to millions of Canadian citizens who enter the United States every year and have traditionally enjoyed the longstanding reciprocal privilege of summary inspection; and

WHEREAS implementation of this control system has been delayed, but will go into effect on March 31, 2001, imposing an unmanageable requirement on border crossing services and resulting in gridlock at crucial border crossings between the United States and Canada; and

WHEREAS the United States and Canada continue to pursue joint policies to facilitate the movement of people and the fair trade of goods and services across the border, including the 1995 Shared Border Accord and the Open Skies Agreement; and

WHEREAS, on October 8, 1999, the President of the United States and the Prime Minister of Canada agreed to create the Canada-U.S. Partnership Forum (CUSP) intended to help streamline border policies and management and increase efficiencies in customs, immigration, and law enforcement;

BE IT RESOLVED that the Alaska State Legislature calls on the United States Congress to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to exempt from the requirements of sec. 110 of that Act Canadian citizens who enter at land border crossing stations along the border between the United States and Canada; and be it

FURTHER RESOLVED that the Alaska State Legislature requests the United States Congress to provide additional resources to adequately facilitate the free flow of people and the fair trade of goods and services across the border between the United States and Canada; and be it
FURTHER RESOLVED that the Alaska State Legislature respectfully requests the President of the United States to make this issue an administrative priority and to urge the United States Congress to exempt from sec. 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 Canadian citizens who enter at land border crossing stations along the border between the United States and Canada; and be it

FURTHER RESOLVED that the Alaska State Legislature encourages all state legislatures to pass resolutions urging the President of the United States, the leadership of the United States Congress, and the state’s congressional members to exempt from sec. 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 Canadian citizens who enter at land border crossing stations along the border between the United States and Canada.

COPIES of this resolution shall be sent to the Honorable Bill Clinton, President of the United States; the Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Trent Lott, Majority Leader of the U.S. Senate; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress; and to the legislatures of each of the states.

State of West Virginia
LEGISLATIVE RESOLUTION
(SEAL)
HOUSE CONCURRENT RESOLUTION NO. 5
(By Delegates Ennis, Harrison, Givens and Kelley)

Applying to and petitioning the Congress of the United States to propose an amendment to the Constitution of the United States of America for submission to the states for ratification prohibiting federal courts from ordering a state or political subdivision thereof to levy or increase taxes.

WHEREAS, Separation of powers is fundamental to the United States' form of government; and

WHEREAS, Section eight, article one of the Constitution of the United States of America vests the Congress, the legislative branch of government, with the power to lay and collect taxes; and

WHEREAS, The duty and responsibility of the judiciary is to interpret law, not to create law; and

WHEREAS, Recent federal court decisions, including Missouri v. Jenkins of 1990, have resulted in the judicial branch levying taxes or increasing the amount of taxes imposed upon our citizenry to raise revenue sufficient to support various court orders or federal mandates; and

WHEREAS, These federal courts, through their mandates, have strayed from the provisions of the Constitution of the United States of American and the separation of powers doctrine and have intruded into the legitimate public policy making function of the states; and

WHEREAS, Taxation is and must remain the exclusive prerogative of elected representatives in the legislative branch of government, and not be subject to imposition by an appointed judiciary; and

WHEREAS, Numerous other states have petitioned the Congress of the United States to propose and amendment to the Constitution of the United States of America reiterating
that the federal courts are prohibited from levying or increasing taxes without the representation of the people; and

WHEREAS, The Legislature of the State of West Virginia reaffirms in no uncertain terms that the power and authority to levy or increase taxes is and should continue to be retained by the citizens, who do delegate that power and authority explicitly to their duly elected representatives in the legislative branch of government, with such representatives being responsible and accountable to those who have elected them; therefore, be it

Resolved by the Legislature of West Virginia:
That in accordance with the provisions of article five of the Constitution of the United States of America, the West Virginia Legislature hereby petitions the Congress of the United States to adopt an amendment to the Constitution of the United States of America, for submission to the states for ratification, a new article providing substantially as follows:

"Neither the Supreme Court nor any inferior court of the United States shall have the power to instruct or order a state or a political subdivision thereof, or an official of such a state or political subdivision, to levy or increase taxes"; and, be it

Further Resolved, That the West Virginia Legislature requests the Legislatures of the states who have not yet done so to make a similar petition to the Congress of the United States; and, be it

Further Resolved, That the Clerk of the House of Delegates is directed to send copies of this resolution to the presiding officers of both houses of the Legislature in each of the other states in the union, to the Clerk of the United States House of Representatives, to the Secretary of the United States Senate, to the President of the United States, to the Vice President of the United States and to members of West Virginia's congressional delegation.

************************************************************

I, GREGORY M. GRAY, Clerk of the house of Delegates, and as such Clerk, Keeper of the Rolls of the Legislature of West Virginia, hereby certify that the foregoing is a true and correct copy of House Concurrent Resolution 5, which was adopted by the Legislature on the 14th day of March, 2000.

s/ Gregory M. Gray
Clerk of the House of Delegates
May 25, 2000

State of West Virginia
LEGISLATIVE RESOLUTION
(SEAL)
HOUSE CONCURRENT RESOLUTION NO. 32
(By Delegates Boggs, McGraw, Thompson, Mahan, C. White, Prunty, Hutchins, Varner, Martin, Shelton, Tucker, Pino, Proudfoot, Johnson, Wright, Yeager, Fletcher, Wills, Pettit, Ennis, Givens, Hines, Davis, Spencer, Dalton, Louiso, Butcher, Manuel, Hubbard, Smirl, Caputo, Coleman, Paxton, Hatfield, Michael, Compton, Flanigan, Trump, Rowe, Capito, Laird, Fleischauer, Warner, Manchin, Douglas, Linch, Ross, Angotti, H. White, Amores, Harrison, Calvert, Susman, Kuhn, Evans, Pethel, Willis, Faircloth, L. White, Sparks, Romine, L. Smith and Doyle)
Urging the passage of national legislation to increase benefits to surviving spouses under the Railroad Retirement Act of 1974.
WHEREAS, For years many in the railroad industry have argued that annuities paid widows and widowers under the Railroad Retirement Act of 1974 are grossly inadequate; and

WHEREAS, Under current law, during the lifetime of a railroad employee and his or her spouse, the employee and the spouse receive a full annuity.

WHEREAS, After the employee’s death, only a widow’s or widower’s annuity is payable in an amount the widow or widower received as a spouse in the month before the employee’s death; and

WHEREAS, The widow’s or widower’s annuity is inadequate and often leaves the survivor with less than the amount of income needed to meet ordinary and necessary living expenses; and

WHEREAS, To remedy this inequity, no outside contributions from the American taxpayer are needed; and

WHEREAS, Any changes in law will be paid for from within the railroad industry itself; therefore, be it

Resolved by the Legislature of West Virginia:
That all parties of the railroad community, including labor, management and retirement organizations, actively support legislation to guarantee widow’s or widower’s annuities at amounts no less than that which the employee was receiving in the month before his or her death, irrespective of any other railroad retirement issue; and, be it

Further Resolved, That the Congress of the United States enact annuity legislation that recognizes the concern of many that the widow’s or widower’s annuity under current law is inadequate to meet ordinary and necessary living expenses; and, be it

Further Resolved, That all other States join in this effort of support for modification of the guaranteed minimum benefit for widows and widowers whose annuities are converted from spousal annuity to a widow’s or widower’s annuity; and, be it

Further Resolved, That the Clerk of the House of Delegates is directed to provide a copy of this resolution to the State’s Congressional Delegation, and the respective Legislatures of the remaining forty-nine states.

I, GREGORY M. GRAY, Clerk of the House of Delegates, and as such Clerk, Keeper of the Rolls of the Legislature of West Virginia, hereby certify that the foregoing is a true and correct copy of House Concurrent Resolution 32, which was adopted by the Legislature on the 8th day of March, 2000.

s/ Gregory M. Gray
Clerk of the House of Delegates
May 25, 2000
## SENATE COMMITTEE ASSIGNMENTS

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<td><strong>AGRICULTURE/ENVIRONMENT/NATURAL RESOURCES</strong></td>
<td></td>
</tr>
<tr>
<td>Chairman</td>
<td>Senator Albertson</td>
</tr>
<tr>
<td>Vice Chairman</td>
<td>Senator Gulley</td>
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<tr>
<td>Vice Chairman</td>
<td>Senator Horton</td>
</tr>
<tr>
<td>Vice Chairman</td>
<td>Senator Robinson</td>
</tr>
<tr>
<td>Vice Chairman</td>
<td>Senator Wellons</td>
</tr>
<tr>
<td>Ranking Minority</td>
<td>Senator Cochrane</td>
</tr>
<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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<td><strong>APPROPRIATIONS ON DEPARTMENT OF TRANSPORTATION</strong></td>
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<tr>
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<td>Senator Gulley</td>
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<tr>
<td>Vice Chairman</td>
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<tr>
<td>Ranking Minority</td>
<td>Senator Carpenter</td>
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<td>Members</td>
<td>Senators Clodfelter, Hoyle, Miller, Rucho</td>
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<td><strong>APPROPRIATIONS ON EDUCATION/HIGHER EDUCATION</strong></td>
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<tr>
<td>Co-Chairman</td>
<td>Senator Dalton</td>
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<td>Co-Chairman</td>
<td>Senator Lee</td>
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<tr>
<td>Vice Chairman</td>
<td>Senator Carter</td>
</tr>
<tr>
<td>Ranking Minority</td>
<td>Senator Hartsell</td>
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<tr>
<td>Members</td>
<td>Senators Garrou, Garwood, Hagan, Wellons</td>
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<tr>
<td><strong>APPROPRIATIONS ON GENERAL GOVERNMENT</strong></td>
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<tr>
<td>Chairman</td>
<td>Senator Warren</td>
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<td>Senator Lucas</td>
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<tr>
<td>Ranking Minority</td>
<td>Senator Foxx</td>
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<tr>
<td>Members</td>
<td>Senators Allran, Harris, Kinnaird</td>
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<tr>
<td><strong>APPROPRIATIONS ON HUMAN RESOURCES</strong></td>
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<tr>
<td>Chairman</td>
<td>Senator Martin of Guilford</td>
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<tr>
<td>Vice Chairman</td>
<td>Senator Dannelly</td>
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<tr>
<td>Ranking Minority</td>
<td>Senator Forrester</td>
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<tr>
<td>Members</td>
<td>Senators Kerr, Phillips, Purcell, Shaw of Cumberland</td>
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<td><strong>APPROPRIATIONS ON INFORMATION TECHNOLOGY</strong></td>
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<tr>
<td>Chairman</td>
<td>Senator Reeves</td>
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<td>Senator Garrou</td>
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<td>Senator Foxx</td>
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<tr>
<td>Members</td>
<td>Senators Clodfelter, Metcalf, Moore</td>
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</table>
APPROPRIATIONS ON JUSTICE AND PUBLIC SAFETY
Tues/Wed/Thurs—415 LOB—8:30 AM
Chairman Senator Jordan
Vice Chairman Senator Ballance
Ranking Minority Senator East
Members Senators Carrington, Rand

APPROPRIATIONS ON NATURAL AND ECONOMIC RESOURCES
Tues/Wed/Thurs—423 LOB—8:30 AM
Chairman Senator Martin of Pitt
Vice Chairman Senator Weinstein
Ranking Minority Senator Cochrane
Members Senators Horton, Metcalf, Reeves, Robinson

APPROPRIATIONS/BASE BUDGET
Tues/Wed/Thurs—643 LOB—8:30 AM
Co-Chairman Senator Odom
Co-Chairman Senator Perdue
Co-Chairman Senator Plyler
Vice Chairman Senator Allran
Vice Chairman Senator Cochrane
Vice Chairman Senator Forrester
Vice Chairman Senator Rand

CHILDREN AND HUMAN RESOURCES
Wed—544 LOB—11:00 AM
Chairman Senator Lucas
Vice Chairman Senator Dannelly
Vice Chairman Senator Martin of Guilford
Vice Chairman 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
Chairman Senator Soles
Vice Chairman Senator Cochrane
Vice Chairman Senator Hoyle
Vice Chairman Senator Lee
Vice Chairman Senator Martin of Pitt
Vice Chairman 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
Co-Chairman  Senator Dalton
Co-Chairman  Senator Lee
Vice Chairman  Senator Dannelly
Vice Chairman  Senator Hartsell
Vice Chairman  Senator Hoyle
Vice Chairman  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
Co-Chairman  Senator Hoyle
Co-Chairman  Senator Kerr
Vice Chairman  Senator Cooper
Vice Chairman  Senator Shaw of Guilford
Vice Chairman  Senator Soles
Vice Chairman  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, Rucho, Shaw of Cumberland, Webster, Wellons

HEALTH CARE
Chairman  Senator Purcell
Vice Chairman  Senator Lucas
Vice Chairman  Senator Martin of Guilford
Vice Chairman  Senator Metcalf
Vice Chairman  Senator Phillips
Members  Senators Cooper, Dannelly, Forrester, Garwood, Hagan, Hartsell, Miller, Moore, Perdue, Warren, Weinstein

INFORMATION TECHNOLOGY
Chairman  Senator Reeves
Vice Chairman  Senator Garrou
Vice Chairman  Senator Rand
Vice Chairman  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
INSURANCE
Chairman: Senator Wellons
Vice Chairman: Senator Harris
Vice Chairman: Senator Martin of Pitt
Vice Chairman: Senator Reeves
Vice Chairman: Senator Soles
Ranking Minority: Senator Carrington
Members: Senators Ballance, Ballantine, East, Metcalf, Miller, Rand, Webster

JUDICIARY I
Chairman: Senator Cooper
Vice Chairman: Senator Clodfelter
Vice Chairman: Senator Hartsell
Vice Chairman: Senator Soles
Ranking Minority: Senator Carpenter
Members: Senators Albertson, Allran, Ballantine, Carrington, Carter, Gulley, Hoyle, Lucas, Metcalf, Rand, Wellons

JUDICIARY II
Chairman: Senator Miller
Vice Chairman: Senator Ballance
Vice Chairman: Senator Dalton
Vice Chairman: Senator Hagan
Vice Chairman: Senator Odom
Ranking Minority: Senator Shaw of Guilford
Members: Senators Forrester, Horton, Kerr, Kinnaird, Lee, Martin of Guilford, Moore, Robinson

PENSIONS AND RETIREMENT AND AGING
Chairman: Senator Phillips
Vice Chairman: Senator Kinnaird
Vice Chairman: Senator Shaw of Cumberland
Ranking Minority: Senator Moore
Members: Senators Albertson, Carpenter, Clodfelter, Jordan, Odom, Plyler, Shaw of Guilford, Weinstein

RULES AND OPERATIONS OF THE SENATE
Chairman: Senator Rand
Vice Chairman: Senator Carrington
Vice Chairman: Senator Cooper
Vice Chairman: Senator Gulley
Ranking Minority: Senator Forrester
Members: Senators Albertson, Dalton, Horton, Hoyle, Jordan, Kinnaird, Martin of Pitt, Metcalf, Plyler, Rucho, Soles
STATE AND LOCAL GOVERNMENT  
Chairman  Senator Kinnaird  
Vice Chairman  Senator Dalton  
Vice Chairman  Senator Jordan  
Vice Chairman  Senator Miller  
Ranking Minority  Senator Webster  
Members  Senators Albertson, Ballance, Clodfelter, Garwood, Horton, Robinson, Soles

TRANSPORTATION  
Chairman  Senator Shaw of Cumberland  
Vice Chairman  Senator Carpenter  
Vice Chairman  Senator Gulley  
Vice Chairman  Senator Lee  
Ranking Minority  Senator Garwood  
Members  Senators Carrington, Carter, Harris, Hartsell, Hoyle, Martin of Pitt, Odom, Plyler, Rand, Rucho, Shaw of Guilford

WAYS AND MEANS  
Chairman  Senator Dannelly  
Vice Chairman  Senator Kerr  
Vice Chairman  Senator Lucas  
Vice Chairman  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  
Chairman  Senator Weinstein  
Vice Chairman  Senator Albertson  
Vice Chairman  Senator Perdue  
Vice Chairman  Senator Warren  
Vice Chairman  Senator Wellons  
Ranking Minority  Senator Hartsell  
Members  Senators Ballance, Carter, Cochrane, Dannelly, East, Forrester, Garrou, Gulley, Harris, Horton, Kerr, Martin of Guilford, Martin of Pitt, Metcalf, Purcell, Rand, Robinson, Soles

STATUTORY COMMITTEE

NEW LICENSING BOARDS, JOINT LEGISLATIVE  
Chairman  Senator Miller  
Members  Senators Hartsell, Martin of Pitt, Soles, Wellons  
Representatives Bridgeman, Dockham, Insko, Michaux
## SENATE STAFF

### OFFICE OF THE PRESIDENT
- **Lieutenant Governor**: Dennis A. Wicker
- **Chief of Staff**: Mack Paul
- **Deputy Chief of Staff**: Shirley S. Fowler
- **Directors**—
  - Communications: Bob Phillips
  - Constituent Affairs: Nicole Dusenberry
  - Research and Policy: Syscret Evans
  - Senior Policy Advisor: Kristen Guillory
  - Scheduling: Julie White
  - Executive Assistant: Greta Rogers
  - Special Assistant: Felecia Hicks
  - Security: Shirley Fowler
  - Trooper: Trooper Vann Burton
  - Trooper: Trooper Andrew Haswell

### OFFICE OF THE PRESIDENT PRO TEMPORE
- **President Pro Tempore**: Marc Basnight
- **General Counsel**: Norma Mills
- **Communications Director**: Rob Lammé
- **Director of Research and Special Projects**: Rolf Blizzard
- **Executive Assistant**: Angela Talton
- **Special Assistants**—
  - Legislative Affairs: Scarlettte Gardner
  - Citizen Affairs: Tom Sri
  - Communications and Research: Louise Stowe
  - Receptionist: Reyna Walters
  - Page Program—
    - Coordinator: Mary King
    - Supervisor: Amy Piniak
    - Receptionist: Lea Dunn
- **Page Program**—
  - Coordinator: Cindy Garrison
  - Supervisor: Tonita Stephenson

### OFFICE OF THE DEPUTY PRESIDENT PRO TEMPORE
- **Deputy President Pro Tempore**: Frank W. Ballance, Jr.
- **Administrative Assistant**: Irma Avent

### OFFICE OF THE SENATE MAJORITY LEADER
- **Majority Leader**: Roy Cooper III
- **Administrative Assistant**: Susan Moore
- **Legal Counsel**: Joseph Lee

### OFFICE OF THE SENATE MINORITY LEADER
- **Minority Leader**: Patrick Ballantine
- **Administrative Assistant**: Luci Johnson
- **Legislative Aide**: Joel Raupe
## OFFICE OF THE PRINCIPAL CLERK

<table>
<thead>
<tr>
<th>Position</th>
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<tbody>
<tr>
<td>Principal Clerk</td>
<td>Janet B. Pruitt</td>
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<td>Administrative Clerks</td>
<td>Tracie J. McLamb</td>
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<td>Calendar Clerk</td>
<td>Beverly H. Allen</td>
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<tr>
<td>Assistant Calendar Clerks</td>
<td>Michael Houser</td>
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<tr>
<td>Journal Clerk</td>
<td>Ayeshia Peppers</td>
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<tr>
<td>Assistant Journal Clerks</td>
<td>Sonia B. Wiggins</td>
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<td></td>
<td>Sharon Adcock</td>
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<td>Betty Morris Bridger</td>
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<td>Jonathan Kennedy</td>
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<td>Rennie Hobby</td>
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<td>Erin Knight</td>
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<td></td>
<td>Betty Naylor</td>
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<td>Wayne White</td>
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## READING CLERK

LeRoy Clark, Jr.

## OFFICE OF THE SERGEANT-AT-ARMS

<table>
<thead>
<tr>
<th>Position</th>
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<tbody>
<tr>
<td>Sergeant-at-Arms</td>
<td>Cecil Goins</td>
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<tr>
<td>Deputy/Secretary</td>
<td>Martha Dunn</td>
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<td>Assistants</td>
<td>Charles Marsalis</td>
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<td>Mary Perry</td>
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<td>Hubert A. Poole</td>
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<td>George Robinson</td>
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<td>Leslie Wright</td>
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## OFFICE OF SENATE LEGISLATIVE ASSISTANTS

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<tr>
<th>Position</th>
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<tbody>
<tr>
<td>Dot Waugaman</td>
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<tr>
<td>Avent, Irma</td>
<td>Deputy President Pro Tempore</td>
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<td>Bagley, Dee</td>
<td>Select Committee on Tobacco</td>
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<td>Settlement Issues</td>
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<td>Beason, Janet</td>
<td>Dalton</td>
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<td>Bishop, Gail</td>
<td>Garrou</td>
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<td>Blackwood, Gerry</td>
<td>Office of Director - Substitute</td>
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<td>Blake, Lorraine</td>
<td>Health Care</td>
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<td>Blalock, Janet</td>
<td>Commerce, Majority Caucus Chair</td>
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<td>Brothers, Nancy</td>
<td>Pensions &amp; Retirement and Aging</td>
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<td>Caldwell, Wilma</td>
<td>Appropriations on General Government</td>
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<td>Canady, Anne</td>
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<td>Carpenter, Helen</td>
<td>Rules &amp; Operations of the Senate</td>
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<td>Clark, Genie</td>
<td>Majority Caucus Secretary;</td>
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<td>Children &amp; Human Resources</td>
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<tr>
<td>Costello, Evelyn</td>
<td>David-Yerumo, Bernie Lucas</td>
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<tr>
<td>Crisp, Judy</td>
<td>Davis, Kathy</td>
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<td>Critcher, Blanche</td>
<td>Carrington</td>
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DeWitt, Sheila    Shaw of Guilford
Dissly, Erin       Lee
Drew, Frances      Cochrane, Garwood
Eldridge, Barbara  Cochrane
Fitzgerald, Mona   Foxx
Fulcher, Jay       Office of Director - Substitute
Funderburk, Elaine Office of Director - Substitute
Garrison, Cindy    Office of Director - Substitute
Gooden, Carolyn    Appropriations on Natural and Economic
                   Resources
Halifax, Peggy     Office of Director - Substitute
Hartsell, Evelyn   Finance
Haywood, Gloria    Appropriations on Justice & Public
                   Safety
Hedspeth, Becky    Information Technology
Hodge, Dee         Ways & Means
Hodge, Joyce       Appropriations on Human Resources
Hogan, Peggy Anne  Insurance
Holshouser, Vera   Office of Director - Substitute
Holt, Gerald       Minority Leader
Johnson, Gerry     Hartsell
Johnson, Luci      Ballantine
Joyner, Wanda      Clodfelter
Kendall, June      Carter
King, Margaret     Moore
King, Mary         Basnight
Leatherman, Joan   President Pro Tempore
Lee, Barbara       Majority Caucus Chair; Commerce
                   Transportation
Lee, Joseph        Office of Majority Leader
Massey, Susan      Plyler
                   Appropriations on Ed/Higher Ed;
                   Ed/Higher Ed
McBride, Sue       Miller
McMillan, Cornelia  Odom
Miller, Holly      Appropriations
Minard, Chris      Appropriations
                   Majority Leader; Judiciary I
Misner, Pat        Office of Director - Substitute
Moore, Susan       Office of Director - Substitute
Moulthrop, Barbara Hoyle
                   Office of Director, Assistant
Murphy, Sarah      Appropriations on Transportation
Nelson, Sharon     East
Nickerson, Janet   Pulley, Nancy
                   Gullet
Parrish, Claudette Robinson, Jean
                   Robison
Porter, Phyllis    Sears, Sylvia
                   Skidmore, Matt
                  Office of Director - Substitute
Pulley, Nancy      Soles, Anne
                   Appropriations
Resar, Carol       Webster
Robinson, Jean     Perdue
Sears, Sylvia      Appropriations on Transportation
Skidmore, Matt     Office of Director - Substitute
Soles, Anne        Office of Director, Assistant
Spears, Vickie     Appropriations on Transportation
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<tr>
<th>Name</th>
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<tr>
<td>Stephenson, Tonita</td>
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<td>Stoddard, Betty</td>
<td>Lee</td>
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<td>Swindell, Priscilla</td>
<td>Rand</td>
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<td>Talton, Angela</td>
<td>Basnight</td>
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<td>Hoyle</td>
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<td>Odom</td>
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<td>Woodlief, Meredith</td>
<td>Harris</td>
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<td>Young, Kathie</td>
<td>Kinnaird</td>
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<td>State and Local Government</td>
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PRESIDENT PRO TEMPORE APPOINTMENTS

The following appointments and recommendations to Boards and Commissions were made during 2000 by the Honorable Marc Basnight, President Pro Tempore of the Senate.

<table>
<thead>
<tr>
<th>Board/Committee</th>
<th>Appointed</th>
<th>Expires</th>
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<tbody>
<tr>
<td>ANDREW JACKSON HISTORIC MEMORIAL COMMITTEE</td>
<td>Dr. Zane Eargle (Co-Ch) 02/02/2000</td>
<td>12/31/2003</td>
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<td></td>
<td>Mrs. Sis Dillon 02/02/2000</td>
<td>12/31/2003</td>
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<td>Mrs. Mary Lou Gamble 02/02/2000</td>
<td>12/31/2003</td>
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<td>Mr. David Helms 02/02/2000</td>
<td>12/31/2003</td>
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<td>Mr. Charles McGee 02/02/2000</td>
<td>12/31/2003</td>
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<td></td>
<td>Mr. Gary Underwood 02/02/2000</td>
<td>12/31/2003</td>
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<tr>
<td>ARBORETUM BOARD OF DIRECTORS</td>
<td>Ms. Honor Moor 08/07/2000</td>
<td>06/30/2004</td>
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<tr>
<td>ATHLETIC TRAINER EXAMINERS BOARD</td>
<td>Ms. Florence C. Moses 08/01/2000</td>
<td>07/31/2003</td>
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<td>Mr. Rick Proctor 08/01/2000</td>
<td>07/31/2003</td>
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<tr>
<td>BOXING COMMISSION</td>
<td>Dr. Joseph J. Estwanik 07/21/2000</td>
<td>12/31/2002</td>
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<td>Mr. William D. McInnis 07/21/2000</td>
<td>12/31/2002</td>
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<tr>
<td>BRIDGE AUTHORITY</td>
<td>Ms. Frances P. Walker 07/24/2000</td>
<td>06/30/2003</td>
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<tr>
<td>CHILD CARE COMMISSION</td>
<td>Ms. Beth A. Rector 07/24/2000</td>
<td>06/30/2002</td>
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<td>Ms. Diana Jones Wilson 07/24/2000</td>
<td>06/30/2002</td>
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<tr>
<td>CIVIL LITIGATION STUDY COMMISSION</td>
<td>Mr. J. Nicholas Ellis (Co-Ch) 02/17/2000</td>
<td>03/01/2001</td>
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<td>Mr. Dickson McLean, Jr. 07/24/2000</td>
<td>12/31/2004</td>
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<tr>
<td>CODE OFFICIALS QUALIFICATION BOARD</td>
<td>Ms. Deborah Simpson 07/24/2000</td>
<td>06/30/2004</td>
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</table>
President Pro Tempore Appointments

| COMMISSION TO STUDY COMMISSION CONTRACTS FOR THE ISSUANCE OF MOTOR VEHICLE REGISTRATION PLATES AND CERTIFICATES |
| S.L. 2000-67-25.5(a) |
| Senator David W. Hoyle (Co-Ch) | 09/01/2000 | 01/24/2001 |
| Senator Wib Gulley | 09/01/2000 | 01/24/2001 |
| Senator Hamilton C. Horton, Jr. | 09/01/2000 | 01/24/2001 |
| Ms. JoAnne H. Huntley | 09/01/2000 | 01/24/2001 |
| Senator Larry Shaw | 09/01/2000 | 01/24/2001 |

| CORRECTIONS AND CRIME CONTROL JOINT LEGISLATIVE OVERSIGHT COMMITTEE |
| G.S.-120-70.93 |
| Senator Brad Miller | 02/15/2000 | 01/15/2001 |

| CRIME VICTIMS COMPENSATION COMMISSION |
| G.S.-15B-3 |
| Ms. Joyce M. Cutler | 09/29/2000 | 06/30/2003 |

| DIETETICS AND NUTRITION BOARD |
| G.S.-90-353; S.L. 91-668 |
| Ms. Ann Ake | 07/24/2000 | 06/30/2003 |

| DISPUTE RESOLUTION COMMISSION |
| G.S.-7A-38.3 |
| Mr. Joseph Lane “Joe” Ray | 07/24/2000 | 09/30/2002 |

| EASTERN BAND OF THE CHEROKEE ADVISORY COUNCIL |
| G.S.-143B-411.1; S.L. 89-727 |
| Senator Dan Robinson | 09/12/2000 | 06/30/2002 |

| EDUCATIONAL FACILITIES FINANCE AGENCY BOARD OF DIRECTORS |
| G.S.-115E-4(a) |
| Ms. Ashly Maag | 07/27/2000 | 03/01/2004 |

| FIRST FLIGHT CENTENNIAL COMMISSION |
| G.S.-143-640; S.L. 93-777 |
| Mrs. Lois Pearce Smith | 08/31/2000 | 06/30/2002 |
| Colonel James “Red” Smith | 08/31/2000 | 06/30/2002 |

| FUTURE OF THE NORTH CAROLINA RAILROAD STUDY COMMISSION |
| S.L. 1999-237-27.25 |
| Senator Walter H. Dalton (Co-Ch) | 10/09/2000 | 01/14/2003 |
| Senator Charles N. Carter, Jr. | 10/09/2000 | 01/14/2003 |
| Senator Linda Garrou | 10/09/2000 | 01/14/2003 |
| Senator Fletcher Hartsell, Jr. | 10/09/2000 | 01/14/2003 |
| Senator David W. Hoyle | 10/09/2000 | 01/14/2003 |
| Senator Howard N. Lee | 10/09/2000 | 01/14/2003 |
| Senator Robert L. Martin | 10/09/2000 | 01/14/2003 |
President Pro Tempore Appointments

GLOBAL TRANSPARK AUTHORITY
G.S.-63A-3
Mr. M. Durwood Stephenson 07/27/2000 06/30/2003

GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES
G.S.-143B-403.1; S.L. 89-121
Mr. Anthony Mulvihill 08/30/2000 06/30/2001

GOVERNOR'S CRIME COMMISSION
G.S.-143B-478; S.L. 91-739
Senator Luther Henry Jordan, Jr. 07/24/2000 02/28/2001

HEART DISEASE AND STROKE PREVENTION TASK FORCE
S.L. 95-507-26.9
Ms. Kathryn N. Ahlport 02/22/2000 06/30/2001
Dr. John W. Steele 01/31/2000 06/30/2001

HOLOCAUST COUNCIL
G.S.-143B-216.20
Mr. Raymond Lee Holder, Jr. 10/02/2000 06/30/2001

HOMESTEAD EXEMPTION
S.L. 1999-237-6.2(5)b
Senator Dan Clodfelter (Co-Ch) 03/22/2000 05/01/2000
Senator Robert Carpenter 03/22/2000 05/01/2000
Senator Kay R. Hagan 03/22/2000 05/01/2000
Senator Jeanne Hopkins Lucas 03/22/2000 05/01/2000
Senator Robert L. Martin 03/22/2000 05/01/2000
Senator T. L. “Fountain” Odom, Sr. 03/22/2000 05/01/2000
Senator Aaron W. Plyler 03/22/2000 05/01/2000

HOUSING PARTNERSHIP
G.S.-122E-4; S.L. 91-959
Mr. Joey Dean Carpenter 08/30/2000 08/31/2002
Mr. Ed Moran 07/27/2000 08/31/2002
Mr. Jeffrey D. Null 07/27/2000 08/31/2002

HURRICANE FLOYD DISASTER RESPONSE AND RECOVERY
S.L. 1999-463-5
Mr. John F. Minges III (Co-Ch) 03/22/2000 05/01/2002
Senator Charles W. Albertson 03/22/2000 05/01/2002
Senator Patrick Ballantine 03/22/2000 05/01/2002
Mr. Paul Davis Boney 03/22/2000 05/01/2002
Senator Luther Henry Jordan, Jr. 03/22/2000 05/01/2002
Senator T. L. “Fountain” Odom, Sr. 03/22/2000 05/01/2002
Ms. Audrey L. Shearin 03/22/2000 05/01/2002
President Pro Tempore Appointments

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**INAUGURAL CEREMONIES**
G.S.-143-533 (Term expires on the last day of the Inaugural period.)

| Senator Frank W. Ballance, Jr. | 08/31/2000 |
| Senator Kay R. Hagan          | 08/31/2000 |
| Senator Tony Rand             | 08/31/2000 |

**INDIAN AFFAIRS COMMISSION**
G.S.-143B-404

| Mr. Paul Brooks | 07/25/2000 | 06/30/2001 |

**INDIGENT DEFENSE SERVICES COMMISSION**
S.L. 2000-144-1

| Mr. Steve Allen | 09/01/2000 | 08/31/2004 |

**INFRASTRUCTURE COUNCIL**
G.S.-143B-344.30; S.L. 1998-132-14

| Ms. Linda Piron Foster | 08/16/2000 | 06/30/2002 |
| Mr. Dennie Martin      | 08/16/2000 | 06/30/2002 |

**INTERAGENCY COORDINATING COUNCIL FOR CHILDREN FROM BIRTH TO FIVE YEARS OF AGE WITH DISABILITIES AND THEIR FAMILIES**
G.S.-143B-179.5; PL102-119 Sec. 18

| Senator Linda Garrou | 09/12/2000 | 07/01/2002 |
| Senator Kenneth Moore| 08/30/2000 | 07/01/2002 |

**JUDICIAL COUNCIL**
G.S.-7A-409; S.L. 1999-390

| Mr. Randy Stephen Gregory | 07/27/2000 | 12/31/2004 |
| Ms. Jane Griffin           | 02/14/2000 | 12/31/2002 |

**MASSAGE AND BODYWORK THERAPY BOARD**
G.S.-90-625; S.L. 98-230-10

| Ms. Candace Frye           | 07/25/2000 | 06/30/2003 |
| Ms. Maria Spuller          | 07/25/2000 | 06/30/2003 |

**MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES COMMISSION**
G.S.-143B-147; S.L. 93-396

| Dr. Patricia Ann Chamings  | 06/29/2000 | 06/30/2004 |
### President Pro Tempore Appointments

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**MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES JOINT LEGISLATIVE OVERSIGHT COMMITTEE**

G.S.-120-240; S.L. 2000-83-2

| Senator Steve Metcalf (Co-Ch) | 08/31/2000 | 01/24/2001 |
| Senator Austin Allran          | 08/31/2000 | 01/24/2001 |
| Senator Charlie Smith Dannelly | 08/31/2000 | 01/24/2001 |
| Senator Virginia Foxx          | 08/31/2000 | 01/24/2001 |
| Senator Oscar N. Harris        | 08/31/2000 | 01/24/2001 |
| Senator Jeanne Hopkins Lucas   | 08/31/2000 | 01/24/2001 |
| Senator William N. Martin      | 08/31/2000 | 01/24/2001 |
| Senator William R. Purcell     | 08/31/2000 | 01/24/2001 |

**MINORITY HEALTH ADVISORY COUNCIL**

G.S.-130A-33.43; S.L. 91-900

| 08/14/2000 | 06/30/2002 |

**MOUNTAIN AIR QUALITY SENATE SELECT COMMITTEE**

G.S.-120-19.6; S.L.; Senate Rule-31

| 09/18/2000 | 01/15/2001 |

**MUSEUM OF ART BOARD OF TRUSTEES**

G.S.-140-5.13; S.L. 91-756

| 07/20/2000 | 06/30/2001 |

**NATURAL HERITAGE TRUST FUND BOARD OF TRUSTEES**

G.S.-113-77.8; S.L. 95-490

| 08/07/2000 | 12/31/2005 |

**NURSING BOARD**

G.S.-90-171.20; S.L. 81-360

| 07/25/2000 | 06/30/2003 |

**OSTEOPOROSIS PREVENTION TASK FORCE**

S.L. 97-443-15.32

<p>| Ms. Marti Koch              | 08/14/2000 | 10/01/2001 |
| Ms. Donna Whitley           | 08/14/2000 | 10/01/2001 |
| Ms. Nancy Mills             | 08/14/2000 | 10/01/2001 |
| Ms. Diane Padgett           | 08/14/2000 | 10/01/2001 |
| Senator William R. Purcell  | 08/14/2000 | 10/01/2001 |
| Ms. Elaine Russell          | 08/14/2000 | 10/01/2001 |
| Ms. Polly Williams          | 08/14/2000 | 10/01/2001 |</p>
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<td>Mr. Irving Joyner</td>
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<td>Mr. Toby Turner</td>
<td>08/07/2000</td>
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STUDY COMMITTEE APPOINTMENTS

The following appointments to Legislative Research Commission Study Committees were made during 2000 by the Honorable Marc Basnight, President Pro Tempore of the Senate and by the Honorable James Black, Speaker of the House of Representatives.

Senate President Pro Tempore Speaker of the House of Representatives

ANIMAL TREATMENT PROCEDURES
Mr. Millard R. Rich
(LRC Coordinator: Senator Ed Warren)

CAPITAL INCENTIVE PROGRAM FOR TOURISM
Senator Steve Metcalf (Co-Ch) Rep. Beverly M. Earle (Co-Ch)
Senator John Garwood Rep. Dan Barefoot
Mr. Joseph Randolph Fluharty Jr. Rep. Gene Rogers
Mrs. Elsie Griggs Pugh Mr. Mohammad Jenatian
Mr. Richard Y. Tharrington Ms. Carolyn Lohr
(LRC Coordinator: Senator Austin M. Allran)

CENTRAL REGISTRY FOR LIVING WILLS AND ORGAN DONATIONS
Dr. John W. Steele
(LRC Coordinator: Rep. Stephen Wood)

COASTAL BEACH MOVEMENT, BEACH RENOURISHMENT AND STORM MITIGATION
Rep. John Melvin Rayfield
(LRC Coordinator: Senator Austin M. Allran)

JUVENILE CRIME AND DELINQUENCY
Senator Charles N. Carter, Jr. (Co-Ch) Rep. Paul R. ‘Jaybird’ McCrary (Co-Ch)
(LRC Coordinator: Senator Robert L. Martin)

LITTER PREVENTION AND REMOVAL
Senator Charles W. Albertson (Co-Ch)
Mr. Clifton Copeland, Jr.
Mr. Ernest S. Knighton
Senator T. L. “Fountain” Odom
Ms. Teresa Quinn
(LRC Coordinator: Rep. William Wainwright)

MANAGED CARE ISSUES
Mr. Hank Estep Mr. Thomas L. West
(LRC Coordinator: Rep. Verla C. Insko)
MARRIAGE LICENSE LAWS

Rep. Ronnie N. Sutton (Co-Ch)
Rep. R. Phillip Haire
Rep. Dewey Lewis Hill
Rep. Jennifer Weiss
Ms. Catherine C. McLamb

(LRC Coordinator: Senator Ed Warren)

SMALL FAMILY FARM PRESERVATION

Senator Charles Albertson (Co-Ch)
Mr. Archilus Hart
Dr. James L. Oblinger
Mr. Clay Matthew Strickland
Senator Allen H. Wellons

(LRC Coordinator: Rep. William Wainwright)

STATE TORT LIABILITY AND IMMUNITY

Mr. R. Jerry Harris

(LRC Coordinator: Rep. James W. Crawford, Jr.)

TELEPHONE SOLICITATION

Rep. Jennifer Weiss

(LRC Coordinator: Rep. Stephen Wood)
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