

JOURNAL

OF THE

SENATE

OF THE

2015 GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA

THIRD EXTRA SESSION

2016

**OFFICERS AND MEMBERS
OF
THE SENATE OF THE NORTH CAROLINA
2015 GENERAL ASSEMBLY
THIRD EXTRA SESSION 2016**

SENATE LEADERSHIP

DANIEL J. FOREST, President Raleigh
 PHILIP E. BERGER, President *Pro Tempore* Eden
 LOUIS M. PATE, JR., Deputy President *Pro Tempore* Mount Olive

DISTRICT	NAME OF SENATOR	RESIDENCE
1	WILLIAM COOK (R).....	Chocowinity
2	NORMAN W. SANDERSON (R).....	Arapahoe
3	ERICA SMITH-INGRAM (D).....	Gaston
4	ANGELA R. BRYANT (D).....	Rocky Mount
5	DONALD G. DAVIS (D).....	Snow Hill
6	HARRY BROWN (R).....	Jacksonville
7	LOUIS M. PATE, JR. (R).....	Mount Olive
8	WILLIAM P. RABON (R).....	Southport
9	MICHAEL V. LEE (R).....	Wilmington
10	BRENT JACKSON (R).....	Autryville
11	E. S. "BUCK" NEWTON III (R).....	Wilson
12	RONALD J. RABIN (R).....	Spring Lake
13	JANE W. SMITH (D).....	Lumberton
14	DANIEL T. BLUE, JR. (D).....	Raleigh
15	JOHN M. ALEXANDER, JR. (R).....	Raleigh
16	JAY J. CHAUDHURI (D).....	Raleigh
17	TAMARA BARRINGER (R).....	Cary
18	J. CHADWICK BAREFOOT (R).....	Wake Forest
19	WESLEY A. MEREDITH (R).....	Fayetteville
20	FLOYD B. MCKISSICK, JR. (D).....	Durham
21	ROBERT B. CLARK III (D).....	Raeford
22	J. MICHAEL WOODARD (D).....	Durham
23	VALERIE P. FOUSHEE (D).....	Hillsborough
24	RICHARD W. GUNN (R).....	Burlington
25	TOM MCINNIS (R).....	Ellerbe

26	PHILIP E. BERGER (R).....	Eden
27	TRUDY WADE (R).....	Greensboro
28	GLADYS A. ROBINSON (D).....	Greensboro
29	JERRY W. TILLMAN (R).....	Archdale
30	SHIRLEY B. RANDLEMAN (R).....	Wilkesboro
31	JOYCE KRAWIEC (R).....	Kernersville
32	PAUL A. LOWE, JR. (D).....	Winston-Salem
33	STAN BINGHAM (R).....	Denton
34	ANDREW C. BROCK (R).....	Mocksville
35	W. THOMAS TUCKER (R).....	Waxhaw
36	FLETCHER L. HARTSELL, JR. (R).....	Concord
37	JEFF JACKSON (D).....	Charlotte
38	JOEL D. M. FORD (D).....	Charlotte
39	ROBERT A. RUCHO (R).....	Matthews
40	JOYCE WADDELL (D).....	Charlotte
41	JEFFERY P. TARTE (R).....	Cornelius
42	ANDREW WELLS (R).....	Hickory
43	KATHY HARRINGTON (R).....	Gastonia
44	DAVID L. CURTIS (R).....	Lincolnton
45	DEANNA BALLARD (R).....	Blowing Rock
46	WARREN T. DANIEL (R).....	Morganton
47	RALPH E. HISE, JR. (R).....	Spruce Pine
48	CHUCK EDWARDS (R).....	Hendersonville
49	TERRY VAN DUYN (D).....	Asheville
50	JAMES W. DAVIS (R).....	Franklin

SENATE OFFICERS

SARAH LANG, Principal Clerk	Raleigh
LEE SETTLE, Reading Clerk	Pinehurst
PHILIP KING, Sergeant-at-Arms	Southport

SENATE JOURNAL

THIRD EXTRA SESSION 2016

FIRST DAY

Senate Chamber
Tuesday, December 13, 2016

In accordance with law, as set forth in the Constitution of the State of North Carolina, and pursuant to the proclamation issued by Governor Pat McCrory on December 9, 2016, the Senate of the 2015 General Assembly convenes in Third Extra Session 2016 at the hour of 10:00 a.m. in the Senate Chamber of the Legislative Building in the City of Raleigh.

The Honorable Daniel J. Forest, Lieutenant Governor and President of the Senate, presides and calls the Senate to order.

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Heavenly Father, thank you for this glorious new day and for the freshness of your mercy that comes with the morning. It’s a mercy that helps us to cross the divide and that knows no limits. Father, would you pour your fresh mercy on us? Would you pour your mercy on the flood victims and the fire victims, Lord, from Lenoir county—everywhere in this state—those that are struggling even this very minute to find housing? Lord, may these leaders here be agents, commissioners, and repairers of breach by spreading your mercy across the state. Lord, we come to you because we know that your mercy triumphs over evil and that your goodness endures forever. Encourage us on this day; remind us that you are the same God today that you were yesterday. It’s in your name we pray, Jesus. 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.

PROCLAMATION OF AN EXTRA SESSION

The President instructs the clerk to read the proclamation issued by Governor Pat McCrory on December 9, 2016, as follows:

WHEREAS, extraordinary occasions have arisen such that it is necessary for the North Carolina General Assembly to convene in an extra session;

NOW, THEREFORE, I, Pat McCrory, Governor of the State of North Carolina, pursuant to the authority vested in me as Governor by Article III, Section 5(7) of the Constitution of North Carolina, do hereby proclaim that the General Assembly shall convene for an extra session on Tuesday, December 13, 2016 at 10:00 a.m. for the purpose of authorizing financial assistance necessary to aid the recovery from both Hurricane Matthew and the western North Carolina wildfires, for the purpose of making any changes in law to facilitate the recovery, and for the purpose of addressing any other matters the General Assembly elects to consider.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh this 9th day of December, 2016.

(SEAL)

S/ Pat McCrory
Governor

CALL OF THE ROLL

The President directs the clerk to call the roll of the members of the Senate heretofore elected to the 2015 General Assembly, and the following answer the call:

Senator Alexander, Senator Ballard, Senator Barringer, Senator Berger, Senator Bingham, Senator Blue, Senator Brock, Senator Brown, Senator Bryant, Senator Chaudhuri, Senator Clark, Senator Cook, Senator Curtis, Senator Daniel, Senator D. Davis, Senator J. Davis, Senator Ford, Senator Foushee, Senator Gunn, Senator Harrington, Senator Hartsell, Senator Hise, Senator B. Jackson, Senator J. Jackson, Senator Krawiec, Senator Lee, Senator Lowe, Senator McInnis, Senator McKissick, Senator Meredith, Senator Newton, Senator Pate, Senator Rabin, Senator Rabon, Senator Randleman, Senator Robinson, Senator Rucho, Senator Sanderson, Senator Smith, Senator Tarte, Senator Tillman, Senator Tucker, Senator Van Duyn, Senator Waddell, Senator Wade, and Senator Wells---46.

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

OFFICERS

Without objection, the President announces that the Officers of the Senate of the 2015 Regular Session shall serve as the officers of this 2016 Third Extra Session.¹

¹ See Editor's Note in Addendum

APPOINTMENT OF AN ESCORT COMMITTEE

The President recognizes Senator Brown, who announces Senator Bingham, Senator Harrington, Senator Hartsell, Senator McInnis, Senator Rucho, and Senator Van Duyn as an escort committee for the seating of a new member.

The President orders the Sergeant-at-Arms to open the chamber doors, and he directs the escort committee to lead The Honorable Chuck Edwards to the well of the Senate.

PROCLAMATION FROM THE GOVERNOR

The President directs the clerk to read the proclamation from the Governor appointing Charles M. "Chuck" Edwards as follows:

THE APPOINTMENT OF CHARLES MARION EDWARDS

2015-2016

BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

A PROCLAMATION

WHEREAS, the Honorable Tom Apodaca, elected Senator from the Forty-eighth Senate District 2015-2016 General Assembly, has resigned; and

WHEREAS, the provisions of General Statute §163-11 require that the vacancy created by the resignation of the Honorable Tom Apodaca be filled by appointment of the person recommended by the Forty-eighth State Senate District Executive Committee of the Republican Party; and

WHEREAS, the Forty-eighth State Senate District Executive Committee of the Republican Party has notified me of its recommendation of Charles Marion Edwards of Henderson County, North Carolina, to fill the unexpired term;

I do, by these presents, appoint

CHARLES MARION EDWARDS

as a member of the

NORTH CAROLINA SENATE

2015-2016 General Assembly

December 13, 2016

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this nineteenth day of August in the year of our Lord two thousand and sixteen.

S/ Pat McCrory
Governor

(SEAL)

ATTEST:
S/ Elaine F. Marshall
Secretary of State

Senator Edwards was administered the Oath of Office on September 13, 2016. He is escorted to seat number five, and the House of Representatives is notified.

ADOPTION OF RULES

Senator Tucker submits Senate Resolution 1 for filing, introduction, and immediate consideration. The resolution is presented to the Senate, read the first time, and disposed of as follows:

By Senator Tucker:

S.R. 1, A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE 2016 THIRD EXTRA SESSION OF THE 2015 GENERAL ASSEMBLY.

The resolution is read a second time and placed before the Senate for adoption.

The text of Senate Resolution 1 is as follows:

S.R. 1, A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE 2016 THIRD EXTRA SESSION OF THE 2015 GENERAL ASSEMBLY.

Be it resolved by the Senate:

SECTION 1. The permanent rules of the 2015 Regular Session, with the following amendments, are the rules governing the 2016 Third Extra Session of the General Assembly:

RULE 31.1. Action by vice-chair. – The vice-chair of any committee may act as the chair of that committee in the event of a vacancy in the chairmanship until the vacancy is filled by appointment by the President Pro Tempore of the Senate.

RULE 32.1. Membership of standing committees. – All committees shall be comprised of the members who were appointed to those committees during the 2015 Regular Session.

December 13, 2016

RULE 40. Introduction of bills. – Every bill introduced shall contain on the Senate e-jacket the title of the document and the name of the Senator or Senators presenting it. The Principal Clerk of the Senate shall receive, number, and present each bill to the Senate for first reading on the day it is filed.

RULE 40.1. Deadlines for filing for introduction of bills. – All bills must be filed for introduction in the Senate before 12:00 P.M. on Wednesday, December 14, 2016.

RULE 41. (Reserved).

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 on the day on which they are received. The Chair of the Committee on Rules and Operations of the Senate or, in the Chair's absence, the Vice-Chair of the Committee, or the President Pro Tempore may refer to a Senate committee all bills introduced in the Senate or received from the House of Representatives. Upon the referral being made, the Chair of the Committee on Rules and Operations of the Senate shall notify the Principal Clerk of the Senate of the referral, and the Reading Clerk shall announce the referral of the bill. The Principal Clerk shall inform the Presiding Officer of the referral. The title and referral shall be entered upon the Journal. Bills may be referred to more than one committee serially.

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

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 Section 23 of Article II of the North Carolina Constitution.

RULE 56.1. Amendments and committee substitutes adopted by the House to bills originating in the Senate. – (a) Whenever the House has adopted an amendment or a committee substitute for a bill originating in the Senate and has returned the bill to the Senate for concurrence in that amendment or committee substitute, the Senate may concur in that amendment or committee substitute on the same legislative day.

RULE 59. Transmittal of bills to House and Governor. – All bills shall be sent by special message to the House, and all ratified bills subject to gubernatorial veto shall be sent by special message to the Governor.

SECTION 2. This resolution is effective upon adoption.

The Senate recesses at 10:34 a.m. to reconvene at 10:44 a.m.

RECESS

The Senate meets pursuant to recess and is called to order by Lieutenant Governor Dan Forest.

ADOPTION OF RULES (continued)

S.R. 1, A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE 2016 THIRD EXTRA SESSION OF THE 2015 GENERAL ASSEMBLY, for adoption.

The Senate Resolution is adopted, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Ballard, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Edwards, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade and Wells---45.

Voting in the negative: None.

MESSAGE TO THE HOUSE OF REPRESENTATIVES

The Chair directs the Principal Clerk to send a message to the House of Representatives, informing that honorable body that the Senate is now organized and ready to proceed with the business for which it has been reconvened.

The Chair grants leaves of absence for today to Senator Barefoot, Senator Smith-Ingram, and Senator Woodard.

The Senate recesses at 10:58 a.m., subject to the standard stipulations set forth in Senate Rule 24.1 and the receipt of messages from the House of Representatives, to reconvene at 2:00 p.m.

RECESS

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
December 13, 2016

Mr. President:

Pursuant to a Proclamation issued by Governor Pat McCrory on December 9, 2016, it is ordered that a message be sent to the Senate informing that Honorable

December 13, 2016

Body that the House of Representatives is organized and is now ready to proceed with the public business of the State for the Third Extra Session of the 2015 General Assembly.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
December 13, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that pursuant to a Proclamation issued by Governor Pat McCrory on August 29, 2016, Holly Grange has been administered the oath of office as a Member of the House of Representatives for the remainder of the 2015-2016 General Assembly. Representative Grange has been seated to fill the vacancy created by the resignation of Representative Rick Catlin from the 20th District.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
December 13, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that pursuant to a Proclamation issued by Governor Pat McCrory on November 10, 2016, Philip A. Lehman has been administered the oath of office as a Member of the House of Representatives for the remainder of the 2015-2016 General Assembly. Representative Lehman has been seated to fill the vacancy created by the death of Representative Paul Luebke from the 30th District.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

December 13, 2016

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
December 13, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that pursuant to a Proclamation issued by Governor Pat McCrory on August 19, 2016, David Rogers has been administered the oath of office as a Member of the House of Representatives for the remainder of the 2015-2016 General Assembly. Representative Rogers has been seated to fill the vacancy created by the resignation of Representative Mike Hager from the 112th District.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
December 13, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that pursuant to a Proclamation issued by Governor Pat McCrory on August 23, 2016, Justin Moore has been administered the oath of office as a Member of the House of Representatives for the remainder of the 2015-2016 General Assembly. Representative Moore has been seated to fill the vacancy created by the resignation of Representative Charles Jeter from the 92nd District.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

December 13, 2016

MESSAGE FROM THE GOVERNOR

The following message is received from the Governor:

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR**

PAT McCrORY
GOVERNOR

September 7, 2016

The Honorable Phil Berger
16 West Jones Street, Room 2007
Raleigh, North Carolina 27601-2808

Dear Senator Berger:

Pursuant to North Carolina General Statute §143B-350, I am pleased to recommend Mr. Robert G. Collins, Jr. of New Hanover County to serve as the At Large Ports and Aviation Representative to the North Carolina Board of Transportation for review by the North Carolina General Assembly's Joint Legislative Transportation Oversight Committee. He will be filling the unexpired term of Mr. John Lennon.

Included you will find biographical information for the appointee and the required disclosure forms. Please feel free to contact my staff for any additional information.

Sincerely,
S/ Pat McCrory

cc: The Honorable Tim Moore
The Honorable Phil Berger
Ms. Sarah Lang
Ms. Denise Weeks

MESSAGE FROM THE GOVERNOR

The following message is received from the Governor:

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR**

December 13, 2016

PAT McCrORY
GOVERNOR

September 26, 2016

Lieutenant Governor Dan Forest
President of the Senate
301 N. Blount Street
Raleigh, NC 27601

The Honorable Phil Berger
President Pro Tempore of the Senate
16 West Jones Street, Room 2008
Raleigh, North Carolina 27601

The Honorable Tim Moore
Speaker of the House
16 West Jones Street, Room 2304
Raleigh, North Carolina 27601

Dear Lieutenant Governor Forest, President Pro Tempore Berger and Speaker Moore:

Pursuant to N.C.G.S. § 7A-45.1(a10), I hereby nominate, and submit for confirmation as a Special Superior Court Judge, Robert F. Orr of Wake County. Mr. Orr is nominated to fill the vacancy created by Special Superior Court Judge Gregory McGuire's appointment to former Special Judge John Jolly's vacant seat. When Judge McGuire was sworn in to begin his new five-year term in Judge Jolly's seat, the seat Judge McGuire formerly occupied (which was Special Judge Lisa Bell's former seat) became vacant.

Pursuant to N.C.G.S. § 7A-45.1(a11), the General Assembly has requested the Chief Justice of the North Carolina Supreme Court to maintain at least five business court judgeships from the roster of Special Superior Court Judges. This nomination is intended to be for one of those five business court seats.

Please feel free to contact my staff for any additional information.

Sincerely,
S/ Pat McCrory
Governor

cc: Denise Weeks, House Principal Clerk
Sarah Lang, Senate Principal Clerk

December 13, 2016

MESSAGE FROM THE GOVERNOR

The following message is received from the Governor:

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR**

PAT McCrORY
GOVERNOR

November 22, 2016

Lieutenant Governor Dan Forest
President of the Senate
301 N. Blount Street
Raleigh, NC 27601

The Honorable Phil Berger
President Pro Tempore of the Senate
16 West Jones Street, Room 2008
Raleigh, North Carolina 27601

The Honorable Tim Moore
Speaker of the House
16 West Jones Street, Room 2304
Raleigh, North Carolina 27601

Dear Lieutenant Governor Forest, President Pro Tempore Berger and Speaker Moore:

Pursuant to N.C.G.S. § 7A-45.1(a10), I hereby withdraw the nomination of Robert F. Orr. Mr. Orr was previously nominated on September 26, 2016 to fill a Special Superior Court seat became vacant when the General Assembly confirmed Judge Gregory McGuire to a new Special Superior Court position on July 1, 2016.

Sincerely,
S/ Pat McCrory
Governor

cc: Denise Weeks, House Principal Clerk
Sarah Lang, Senate Principal Clerk

The Senate meets pursuant to recess and is called to order by Lieutenant Governor Dan Forest.

December 13, 2016

The Senate recesses at 2:02 p.m., subject to the standard stipulations set forth in Senate Rule 24.1 and the receipt of messages from the House of Representatives, to reconvene at 4:00 p.m.

RECESS

The Senate meets pursuant to recess and is called to order by Lieutenant Governor Dan Forest.

Upon motion of Senator Berger, seconded by Senator Tucker, the Senate adjourns at 4:08 p.m., subject to the standard stipulations set forth in Senate Rule 24.1 and the receipt of messages from the House of Representatives, to reconvene Wednesday, December 14, at 8:00 a.m.

SECOND DAY

Senate Chamber
Wednesday, December 14, 2016

The Senate meets pursuant to adjournment and is called to order by The Honorable Bill Rabon, Senator from Brunswick County.

The Senate recesses at 8:05 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, and the receipt of messages from the House of Representatives, to reconvene at 11:00 a.m.

RECESS

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

H.B. 2 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE DISASTER RECOVERY ACT OF 2016.

Referred to the **Appropriations/Base Budget Committee** and upon a favorable report will be referred to the **Finance Committee**.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

December 14, 2016

By Senator Brown for the **Appropriations/Base Budget Committee**:

H.B. 2 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE DISASTER RECOVERY ACT OF 2016, favorable, as amended, unengrossed.

Pursuant to Rule 45.1, Committee Amendment No. 1 is adopted.

Pursuant to Rule 43, the Committee Substitute bill, with unengrossed Committee Amendment No. 1, is re-referred to the **Finance Committee**.

The Senate meets pursuant to recess and is called to order by Lieutenant Governor Dan Forest.

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Heavenly Father, thank you so much for this day that you have made. Let us rejoice and be glad in it. We come to you asking—as a body—for wisdom. We plead with you, Lord, for that one thing, and that is wisdom. In Jesus’ name we pray. Amen.”

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Tuesday, December 13, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Rabon for the **Finance Committee**:

H.B. 2 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE DISASTER RECOVERY ACT OF 2016, with an unfavorable report as to the Committee Substitute bill, as amended, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30016, is adopted and engrossed.

Pursuant to Rule 43.1, the Senate Committee Substitute is placed on today’s calendar.

The Chair grants a leave of absence for today to Senator Alexander.

CALENDAR

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

December 14, 2016

H.B. 2 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE DISASTER RECOVERY ACT OF 2016, upon second reading.

The Senate Committee Substitute bill passes its second reading (49-0) and is read a third time and passes its third reading and is ordered sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill.

The Senate recesses at 11:59 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, the ratification of bills, and the receipt of messages from the House of Representatives, to reconvene at 1:30 p.m.

RECESS

The Senate meets pursuant to recess and is called to order by Lieutenant Governor Dan Forest.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

H.J.R. 3, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2016 THIRD EXTRA SESSION.

The Joint Resolution is placed on today's calendar for immediate consideration.

CALENDAR *(continued)*

H.J.R. 3, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2016 THIRD EXTRA SESSION, upon second reading.

The Joint Resolution passes its second reading (48-0) and is read a third time and passes its third reading and is ordered enrolled.

ENROLLED BILL AND A RESOLUTION

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

H.B. 2, AN ACT TO ENACT THE DISASTER RECOVERY ACT OF 2016.

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

H.J.R. 3, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2016 THIRD EXTRA SESSION. (Res. 2016-24)

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
December 14, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has concluded the business of the Third Extra Session of the 2015 General Assembly and pursuant to **H.J.R. 3 (1st Edition)**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2016 THIRD EXTRA SESSION, stands ready to adjourn sine die.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

Senator Berger offers a motion that, in accordance with H.J.R. 3, the Senate do adjourn *sine die*, seconded by Senator Brock, which motion prevails with unanimous consent.

The President declares the Senate of the 2015 General Assembly, sitting in Third Extra Session 2016, adjourned at 2:01 p.m., *sine die*.

DANIEL J. FOREST
President of the Senate

SARAH LANG
Principal Clerk

December 14, 2016

ADDENDUM
SENATE JOURNAL
2015 SESSION
THIRD EXTRA SESSION
2016



EDITOR'S NOTE

Lee Settle was officially recognized as Reading Clerk for Third Extra Session 2016, but he was unable to participate in the proceedings due to illness.

Sarah Lang
Principal Clerk

CHAPTERED BILL

The following bill was properly enrolled, reviewed, and approved by the Governor as indicated, assigned the following Chapter Number and presented to the Office of the Secretary of State after the 2015 General Assembly sitting in Third Extra Session 2016 adjourned *sine die* on December 14, 2016.

H.B. 2, AN ACT TO ENACT THE DISASTER RECOVERY ACT OF 2016. (Became law upon approval of the Governor, December 15, 2016 - S.L. 2016-124)

APPENDIX

SENATE JOURNAL

2015 SESSION

THIRD EXTRA SESSION

2016



SENATE DISTRICTS

A complete listing of the North Carolina Senatorial Districts can be found in the Appendix of the Senate Journal for the 2015 General Assembly, First Session 2015.

**SENATE COMMITTEE ASSIGNMENTS
THIRD EXTRA SESSION 2016**

A complete listing of the Senate Committees for Third Extra Session 2016 as outlined in the Senate Rules adopted for Third Extra Session 2016 can be found in the Appendix of the Senate Journal for the 2015 General Assembly, Second Session 2016.

EXECUTIVE ORDERS

In compliance with G.S. 147-16.1, 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 in 2016. A complete listing of the Executive Orders issued by Governor Pat McCrory in 2016 can be found in the Appendix of the Senate Journal for the 2015 General Assembly, Second Session 2016.

SENATE PRESIDENT PRO TEMPORE APPOINTMENTS

A complete listing of appointments and recommendations to Boards and Commissions made during 2016 by The Honorable Phil Berger, President *Pro Tempore*, can be found in the Appendix of the Senate Journal for the 2015 General Assembly, Second Session 2016.

SENATE STAFF**OFFICE OF THE PRESIDENT**

Daniel J. Forest	Lieutenant Governor
Danielle Albert	Manager of External Relations and Assistant to the Chief of Staff
Guy Davidson	Project Manager
Jamey Falkenbury	Press Secretary and Director of Operations
Steven Walker	General Counsel and Policy Director
Hal Weatherman	Chief of Staff

OFFICE OF THE PRESIDENT *PRO TEMPORE*

Philip E. Berger	President <i>Pro Tempore</i>
Amy Auth	Deputy Chief of Staff for Communications and Operations
Pat Berger	Research Assistant
Jim Blaine	Chief of Staff
Shelly Carver	Deputy Communications Director
Barbara Eldridge	Legislative Assistant
Peggy Halifax	Legislative Assistant
Darrell Malcolm	Director of Boards and Commissions Special Assistant
Stephen Ogden	Policy Advisor
Sara Riggins	Policy Advisor
Erica Shrader	Deputy Chief of Staff for Policy
Will Tomlinson	Director of Scheduling and Special Projects
Andrew Tripp	General Counsel
Kolt Ulm	Policy Advisor
Jeff Warren	Senior Policy Advisor
Dylan Watts	Policy Advisor
Graham Whitaker	Constituent Liaison

OFFICE OF THE DEPUTY PRESIDENT *PRO TEMPORE*

Louis Pate	Deputy President <i>Pro Tempore</i>
Edna Pearce	Legislative Assistant

OFFICE OF THE SENATE MAJORITY LEADER

Harry Brown	Majority Leader
Sally-Ann Gupta	Legislative Advisor
Kristi Huff	Appropriations Advisor
Elise McDowell	Legislative Assistant

OFFICE OF THE SENATE DEMOCRATIC LEADER

Daniel T. Blue, Jr.	Democratic Leader
Fred Aikens	Chief of Staff
Travis Huling	Research Assistant

OFFICE OF THE SENATE DEMOCRATIC LEADER (continued)

Bonnie McNeil	Legislative Assistant
Leslie Rudd	Information and Communications Specialist

OFFICE OF THE PRINCIPAL CLERK

Sarah Lang	Principal Clerk
Leigh Gipple	Administrative Clerk
Terry Rumley	Administrative Clerk
Alissa Whatley	Administrative Clerk
Sharon Evans	Assistant
Bing Ruitter	Assistant
Peggy Telfair	Assistant
Michael Perdue	Page Coordinator

SENATE CHAPLAIN

The Reverend Peter Milner

OFFICE OF THE SERGEANT-AT-ARMS

Philip King	Sergeant-at-Arms
Jim Blackburn	Lead Assistant

Assistants

Terry Barnhardt	Charles Marsalis
Donna Blake	Steve McKaig
John Enloe	Becky Myrick
James Hamilton	Robert B. Myrick
Lawrence E. Hancock	Sham Patel
Dale Huff	Frances Patterson
Giles Jeffreys	Hal Roach
Ed Kesler	

OFFICE OF LEGISLATIVE ASSISTANTS

Janet Black	Director
Sherry Pearson	Administrative Assistant

READING CLERK

Lee Settle

SENATE LEGISLATIVE STAFF

Dylan Arant	Senator J. Jackson
Ross Barnhardt	Senator B. Jackson
Julie Bradburn	Senator Berger
Phyllis Cameron	Senator Robinson
Suzanne Castleberry	Senator Tillman
Judy Chriscoe	Senator Bingham
Pat Christmas	Senator Lowe
Kaye Culberson	Senator J. Davis
Matt Curran	Senator Harrington

SENATE LEGISLATIVE STAFF (continued)

Cindy Davis	Senator Smith
Blinda Edwards	Senator D. Davis
Judy Edwards	Senator Brock
Barbara Eldridge	Senator Berger
Emily Emanuels	Senator Lee
Alexander Fagg	Senator B. Jackson
Susan Fanning	Senator Hise
Erhonda Farmer	Senator Clark
Paula Fields	Senator Rabon
Candy Finley	Senator Chaudhuri
William Fritscher	Senator Rucho
Sally-Ann Gupta	Senator Brown
Peggy Halifax	Senator Berger
Michael Hannah	Senator Rucho
Karon Hardy	Senator Bryant
Kathy Hartsell	Senator Wade
Jordan Hennessy	Senator Cook
Kristi Huff	Senator Brown
Travis Huling	Senator Blue
Gerry Johnson	Senator Hartsell
Jeb Kelly	Senator Randleman
Laura Kilian	Senator Edwards
Maria Kinnaird	Senator Bingham
Debbie Lown	Senator Meredith
DeAnne Mangum	Committee Assistant
Mary Marchman	Senator Harrington
Robert Mays	Senator Wade
Elise McDowell	Senator Brown
Bonnie McNeil	Senator Blue
Gislaine Melo	Senator McKissick
Brian Mooney	Senator Krawiec
Jyrita Moore	Senator Waddell
Eric Naisbitt	Senator Barefoot
Edna Pearce	Senator Pate
Andy Perrigo	Senator Daniel
Jackie Ray	Senator Ford
Chandra Reed	Senator Rabin
Carol Resar	Senator Woodard
Linda Sanderson	Senator Sanderson
Angelicia Simmons	Senator Smith-Ingram
Libby Spain	Senator McInnis
James Spivey	Senator Foushee
Joseph Stansbury	Senator Tucker
Robert Strickland	Senator Tarte
Lynn Tennant	Senator Curtis

SENATE LEGISLATIVE STAFF (continued)

William Verbiest	Senator Rucho
Kathy Voss	Senator Sanderson
Linda Wentz	Senator Wells
Perry Wester	Senator Alexander
Gloria Whitehead	Senator Barringer
Carol Wilson	Senator Newton
Brent Woodcox	Senator Rucho

SENATE INTERNS

Jenna Albert	Senator Tillman
Meridith Berson	Senator Barefoot
James Blohm	Senator McInnis
Andre Board	Senator Blue
Willis Bridges	Senator Harrington
Ravi Chittilla	Senator Chaudhuri
Atiya Clark	Senator Lowe
Collis Clark II	Senator Bryant
Francis Collins	Senator Rabin
Madeleine Fleming	Senator Gunn
Tyler Ford	Senator Lowe
Chase Freeman	Senator Brown
William Futrell	Senator Blue
Madeline Gale	Senator Brock
Ryan Gee	Senator Meredith
Jasmine Glaspie	Senator Bryant
Spencer Goodson	Senator Tillman
Kelby Hicks	Senator Smith-Ingram
Nathan Honaker	Senator Berger
Eryn Howington	Senator Waddell
Madeline Hurley	Senator J. Davis
Harrison Jenkins	Senator Sanderson
Carter Jones	Senator Sanderson
Aleisha Lee	Senator Lee
Michael Macdonald	Senator Krawiec
Sophia McMahan	Senator Harrington
Marques McPhail	Senator D. Davis
Sinclair Owen	Senator Pate
Matthew Parker	Senator McInnis
Michael Poehler	Senator Hise
Alexia Ray	Senator Ford
Seth Riggins	Senator Gunn
Logan Rigsbee	Senator Gunn
Isaiah Sconiers	Senator Blue
Amanda Spence	Senator Tucker
Kermit Stancil	Senator B. Jackson

SENATE INTERNS (continued)

William Stirling	Senator Curtis
Sara Terry	Senator Clark
Sidney Thomas	Senator D. Davis
Susan Tyler	Senator Barringer
Juan Venegas	Senator J. Jackson
Wesleigh Vick	Senator Rabon
Daniel Washburn	Senator Alexander
Adam Whitaker	Senator Ford
Greyson Whitaker	Senator Randleman
Patrick Whitney	Senator J. Jackson
Nique Williams	Senator Robinson
Elizabeth Yelverton	Senator McKissick

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ALEXANDER COUNTY—District 42—Senator Andy Wells

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ALLEGHANY COUNTY—District 45—Senator Deanna Ballard

ANSON COUNTY—District 25—Senator Tom McInnis

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(Resigned 07/15/2016)—see Editor’s Notes, Second Session 2016.

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BALLARD, SENATOR DEANNA.....45th District—Alleghany,
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BAREFOOT, SENATOR CHAD..... 18th District—Franklin, Wake (part).
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BARRINGER, SENATOR TAMARA..... 17th District—Wake (part).

BEAUFORT COUNTY—District 1—Senator Bill Cook

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Escort—The Hon. Chuck Edwards 7.

BLADEN COUNTY—District 8—Senator Bill Rabon

BLUE, SENATOR DANIEL T. **14th District—Wake (part).**

BROCK, SENATOR ANDREW C.**34th District—Davie,**
Iredell (part), Rowan (part).

BROWN, SENATOR HARRY**6th District—Jones, Onslow.**
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BRUNSWICK COUNTY—District 8—Senator Bill Rabon

BRYANT, SENATOR ANGELA R. **4th District—Halifax,**
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BUNCOMBE COUNTY— District 48—Senator Chuck Edwards
(Appointed 08/19/2016)
District 49—Senator Terry Van Duyn

BURKE COUNTY—District 46—Senator Warren Daniel

CABARRUS COUNTY—District 36—Senator Fletcher L. Hartsell, Jr.

CALDWELL COUNTY—District 45—Senator Deanna Ballard

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CARTERET COUNTY—District 2—Senator Norman W. Sanderson

CASWELL COUNTY—District 22—Senator Mike Woodard

CATAWBA COUNTY—District 42—Senator Andy Wells

CHATHAM COUNTY—District 23—Senator Valerie P. Foushee

CHAUDHURI, SENATOR JAY J. **16th District—Wake (part).**

CHEROKEE COUNTY—District 50—Senator Jim Davis

CHOWAN COUNTY—District 3—Senator Erica Smith-Ingram

CLARK, SENATOR BEN**21st District—Cumberland (part), Hoke.**

CLAY COUNTY—District 50—Senator Jim Davis

CLEVELAND COUNTY—District 46—Senator Warren Daniel

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COLUMBUS COUNTY—District 13—Senator Jane W. Smith

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COOK, SENATOR BILL **1st District**—**Beaufort**, Camden,
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CRAVEN COUNTY—District 2—Senator Norman W. Sanderson

CUMBERLAND COUNTY—District 19—Senator Wesley Meredith
District 21—Senator Ben Clark

CURRITUCK COUNTY—District 1—Senator Bill Cook

CURTIS, SENATOR DAVID L. **44th District**—Gaston (part),
Iredell (part), **Lincoln**.

DANIEL, SENATOR WARREN T. **46th District**—**Burke**, Cleveland.

DARE COUNTY—District 1—Senator Bill Cook

DAVIDSON COUNTY—District 33—Senator Stan Bingham

DAVIE COUNTY—District 34—Senator Andrew C. Brock

DAVIS, SENATOR DON **5th District**—**Greene**,
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DAVIS, SENATOR JIM **50th District**—Cherokee, Clay,
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DURHAM COUNTY—District 20—Senator Floyd B. McKissick, Jr.
District 22—Senator Mike Woodard

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- (Appointed 08/19/2016 to replace Senator Apodaca) **48th District**—
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FORSYTH COUNTY— District 31—Senator Joyce Krawiec
District 32—Senator Paul A. Lowe, Jr.**FOUSHEE, SENATOR VALERIE P.****23rd District**—Chatham, **Orange**.**FRANKLIN COUNTY**—District 18—Senator Chad Barefoot**GASTON COUNTY**—District 43—Senator Kathy Harrington
District 44—Senator David L. Curtis**GATES COUNTY**—District 1—Senator Bill Cook**GOLDEN L.E.A.F, INC.**

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GREENE COUNTY—District 5—Senator Don Davis

GUILFORD COUNTY— District 26—Senator Philip E. Berger
District 27—Senator Trudy Wade
District 28—Senator Gladys A. Robinson

GUNN, SENATOR RICK..... **24th District**—**Alamance**, Randolph (part).

HALIFAX COUNTY—District 4—Senator Angela R. Bryant

HARNETT COUNTY—District 12—Senator Ronald J. Rabin

HARRINGTON, SENATOR KATHY..... **43rd District**—**Gaston (part)**.
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HARTSELL, SENATOR FLETCHER L., JR. **36th District**—**Cabarrus**, Union (part).
Escort—The Hon. Chuck Edwards7.

HAYWOOD COUNTY—District 50—Senator Jim Davis

HENDERSON COUNTY—District 48—Senator Chuck Edwards
(Appointed 08/19/2016)

HERTFORD COUNTY—District 3—Senator Erica Smith-Ingram

HISE, SENATOR RALPH..... **47th District**—Madison,
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HOKE COUNTY—District 21—Senator Ben Clark

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District 44—Senator David L. Curtis

JACKSON COUNTY—District 50—Senator Jim Davis

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District 11—Senator E. S. (Buck) Newton
District 12—Senator Ronald J. Rabin

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KRAWIEC, SENATOR JOYCE..... 31st District—Forsyth (part), Yadkin.

LEE COUNTY—District 12—Senator Ronald J. Rabin

LEE, SENATOR MICHAEL V. 9th District—New Hanover (part).

LENOIR COUNTY— District 5—Senator Don Davis
District 7—Senator Louis Pate

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LOWE, SENATOR PAUL A., JR. 32nd District—Forsyth (part).

MACON COUNTY—District 50—Senator Jim Davis

MADISON COUNTY—District 47—Senator Ralph Hise

MARTIN COUNTY—District 3—Senator Erica Smith-Ingram

MCDOWELL COUNTY—District 47—Senator Ralph Hise

MCINNIS, SENATOR TOM..... 25th District—Anson,
Richmond, Rowan (part), Scotland, Stanly.
Escort—The Hon. Chuck Edwards 7.

MCKISSICK, SENATOR FLOYD B., JR. 20th District—
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MECKLENBURG COUNTY— District 37—Senator Jeff Jackson
District 38—Senator Joel D. M. Ford
District 39—Senator Bob Rucho
District 40—Senator Joyce Waddell
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MEREDITH, SENATOR WESLEY 19th District—Cumberland (part).

MITCHELL COUNTY—District 47—Senator Ralph Hise

MONTGOMERY COUNTY—District 33—Senator Stan Bingham

MOORE COUNTY—District 29—Senator Jerry W. Tillman

NASH COUNTY—District 4—Senator Angela R. Bryant
District 11—Senator E. S. (Buck) Newton

NEW HANOVER COUNTY—District 8—Senator Bill Rabon
District 9—Senator Michael V. Lee

NEWTON, SENATOR E. S. (BUCK)..... **11th District**—Johnston (part),
Nash (part), **Wilson (part)**.

NORTHAMPTON COUNTY—District 3—Senator Erica Smith-Ingram

ONslow COUNTY—District 6—Senator Harry Brown

ORANGE COUNTY—District 23—Senator Valerie P. Foushee

PAMLICO COUNTY—District 2—Senator Norman W. Sanderson

PASQUOTANK COUNTY—District 1—Senator Bill Cook

PATE, SENATOR LOUIS
(Deputy President *Pro Tempore*) **7th District**—Lenoir (part), Pitt (part),
Wayne (part).

PENDER COUNTY—District 8—Senator Bill Rabon

PERQUIMANS COUNTY—District 1—Senator Bill Cook

PERSON COUNTY—District 22—Senator Mike Woodard

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RABON, SENATOR BILL **8th District**—**Bladen**, **Brunswick**, New Hanover (part), Pender.

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RANDLEMAN, SENATOR SHIRLEY B. **30th District**—**Stokes**, Surry, **Wilkes**.

RANDOLPH COUNTY— District 24—Senator Rick Gunn
District 29—Senator Jerry W. Tillman

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RICHMOND COUNTY—District 25—Senator Tom McInnis

ROBESON COUNTY—District 13—Senator Jane W. Smith

ROBINSON, SENATOR GLADYS A. **28th District**—**Guilford (part)**.

ROCKINGHAM COUNTY—District 26—Senator Philip E. Berger

ROWAN COUNTY— District 25—Senator Tom McInnis
District 34—Senator Andrew C. Brock

RUCHO, SENATOR BOB..... **39th District**—**Mecklenburg (part)**.
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SAMPSON COUNTY—District 10—Senator Brent Jackson

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SCOTLAND COUNTY—District 25—Senator Tom McInnis

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SMITH, SENATOR JANE W. **13th District**—**Columbus**, **Robeson**.

SMITH-INGRAM, SENATOR ERICA..... **3rd District**—Bertie,
 Chowan, Edgecombe, Hertford,
 Martin, **Northampton**, Tyrrell, Washington.
 Absence, Excused 10.

STANLY COUNTY—District 25—Senator Tom McInnis

STOKES COUNTY—District 30—Senator Shirley B. Randleman

SURRY COUNTY—District 30—Senator Shirley B. Randleman

SWAIN COUNTY—District 50—Senator Jim Davis

TARTE, SENATOR JEFF **41st District**—**Mecklenburg (part)**.

TILLMAN, SENATOR JERRY W. **29th District**—Moore,
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TYRRELL COUNTY—District 3—Senator Erica Smith-Ingram

UNION COUNTY— District 35—Senator Tommy Tucker
 District 36—Senator Fletcher L. Hartsell, Jr.

VAN DUYN, SENATOR TERRY **49th District**—**Buncombe (part)**.
 Escort—The Hon. Chuck Edwards 7.

VANCE COUNTY—District 4—Senator Angela R. Bryant

WADDELL, SENATOR JOYCE **40th District**—**Mecklenburg (part)**.

WADE, SENATOR TRUDY **27th District**—**Guilford (part)**.

WAKE COUNTY— District 14—Senator Dan Blue
 District 15—Senator John M. Alexander, Jr.
 District 16—Senator Jay J. Chaudhuri
 District 17—Senator Tamara Barringer
 District 18—Senator Chad Barefoot

WARREN COUNTY—District 4—Senator Angela R. Bryant

WASHINGTON COUNTY—District 3—Senator Erica Smith-Ingram

WATAUGA COUNTY—District 45—Senator Deanna Ballard

WAYNE COUNTY—District 5—Senator Don Davis
District 7—Senator Louis Pate

WELLS, SENATOR ANDY**42nd District**—Alexander, **Catawba**.

WILKES COUNTY—District 30—Senator Shirley B. Randleman

WILSON COUNTY— District 4—Senator Angela R. Bryant
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