JOURNAL

OF THE

SENATE

OF THE

2013 GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA

SECOND SESSION

2014

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OFFICERS AND MEMBERS
OF
THE SENATE OF THE NORTH CAROLINA
2013 GENERAL ASSEMBLY
SECOND SESSION 2014

SENATE LEADERSHIP

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

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2	NORMAN W. SANDERSON (R)	Arapahoe
3	S. CLARK JENKINS (D)	Tarboro
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	THOMAS C. GOOLSBY* (R)	Wilmington
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	MICHAEL P. WALTERS (D)	Fairmont
14	DANIEL T. BLUE, JR. (D)	Raleigh
15	K. NEAL HUNT (R)	Raleigh
16	JOSHUA H. STEIN (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)	Chapel Hill
24	RICHARD W. GUNN (R)	Burlington

25	EUGENE B. MCLAURIN (D)	Rockingham
26	PHILIP E. BERGER (R)	Eden
27	TRUDY WADE (R)	Greensboro
28	GLADYS A. ROBINSON (D)	Pleasant Garden
29	JERRY W. TILLMAN (R)	Archdale
30	SHIRLEY B. RANDLEMAN (R)	Wilkesboro
31	JOYCE KRAWIEC** (R)	Kernersville
32	EARLINE W. PARMON (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	DANIEL G. CLODFELTER++ (D)	Charlotte
37	JEFF JACKSON*** (D)	Charlotte
38	JOEL D. M. FORD (D)	Charlotte
39	ROBERT A. RUCHO (R)	Matthews
40	MALCOLM GRAHAM (D)	Charlotte
41	JEFFERY P. TARTE (R)	Cornelius
42	AUSTIN M. ALLRAN (R)	Hickory
43	KATHY HARRINGTON (R)	Gastonia
44	DAVID L. CURTIS (R)	Denver
45	DANIEL F. SOUCEK (R)	Boone
46	WARREN T. DANIEL (R)	Morganton
47	RALPH E. HISE, JR. (R)	Spruce Pine
48	THOMAS M. APODACA (R)	Hendersonville
49	MARTIN L. NESBITT, JR. +++ (D)	Asheville
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

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*Resigned August 4, 2014
+Appointed August 18, 2014
**Appointed January 10, 2014
++Resigned April 8, 2014
***Appointed May 6, 2014
+++Deceased March 6, 2014
****Appointed April 15, 2014

SENATE JOURNAL

SECOND SESSION

2014

ONE HUNDRED SEVENTH DAY

Senate Chamber
Wednesday, May 14, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

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

"Almighty Father of the entire universe, thank you for bringing us back together as a family. We come to you all too conscious of our shortcomings but with confidence knowing that, Lord, you are a God of forgiveness. Thank you for gathering us under the shelter of your wing once again. We come before you today to open up the 2014 Session with prayer. Oh, Lord, you are so good to do that for us, but as we open up our hearts to you, Lord, we may feel the twinge of a loss of a friend, like congressional candidate Keith Crisco, a devoted leader to North Carolina and her people, and like Senator Nesbitt, whose voice careened over these chambers with such beauty. Help us to traverse the storms of life, Lord. We give you thanks, and we ask you to bless us here. We ask you to bless the many visitors that have come today, Lord, to this gathering, whether it's from NASCAR, whether it's from schools, whether it's from the sudden arrival of a baby like baby Clark, or from regions as far away as Moldova. Lord, help us to not grow weary as a human family. With thy blessing upon us, Jesus, we need not fear decisions nor hesitate to act. Use us, guide us, act through us we ask. In Jesus' name, Amen."

PRESENTATION OF THE COLORS

The Chair orders the Sergeant-at-Arms to open the doors of the chamber for the Presentation of the Colors by members of the Color Guard from Tarheel Challenge Academy. (See Appendix page 655)

PLEDGE OF ALLEGIANCE

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

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

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Wednesday, September 4, 2013, 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.

The Chair grants courtesies of the floor to families and friends of the new senators appointed by Governor Pat McCrory

The Chair grants courtesies of the floor to former Chief Justice I. Beverly Lake, Jr., of the North Carolina Supreme Court.

The Chair extends privileges of the floor to Megan Williams from Chapel Hill, North Carolina, who is serving the Senate as Nurse of the Day.

CHANGE OF PARTY OFFICERS

The President directs the Reading Clerk to read as follows:

Senator Floyd B. McKissick, Jr.
20th District
Deputy Democratic Leader

628 Legislative Office Building
300 N. Salisbury Street
Raleigh, NC 27603-5925

March 12, 2014

The Honorable Dan Forest
Legislative Building
Raleigh, NC 27601-1096

Dear Lt. Governor Forest,

In the absence of a Democratic Caucus Secretary, as Deputy Minority Leader, I am forwarding the following changes for the Democratic Caucus.

The Senate Democratic Caucus had a teleconference on March 3, 2014 and the following changes occurred:

Senator Daniel T. Blue Jr. (Wake) -- Minority Leader
Senator Josh Stein (Wake) -- Minority Whip
Senator Dan Clodfelter (Mecklenburg) -- Caucus Co-Chair
Senator Floyd B. McKissick Jr. -- Deputy Minority Leader
Senator Gladys Robinson (Guilford) -- Deputy Minority Leader
Senator Clark Jenkins (Edgecombe) -- Deputy Minority Leader
Caucus Secretary -- vacant

Sincerely,
S/Floyd B. McKissick, Jr.
Deputy Minority Leader

A message is ordered sent to the House of Representatives to notify them of the change in the leadership of the Democratic Caucus.

APPOINTMENT OF AN ESCORT COMMITTEE

The President recognizes Senator Brown, who announces Senator Blue, Senator Rucho, Senator Parmon, Senator Brock, Senator Stein, and Senator Harrington as an escort committee for the seating of new members.

The President orders the Sergeant-at-Arms to open the chamber doors and directs the escort committee to lead The Honorable Valerie P. Foushee, The Honorable Joyce R. Krawiec, The Honorable Terry Van Duyn, and The Honorable Jeffrey Neale Jackson to the well of the Senate.

PROCLAMATION FROM THE GOVERNOR

The President instructs the Reading Clerk to read the following proclamation from the Governor appointing Valerie P. Foushee as follows:

THE APPOINTMENT OF VALERIE P. FOUSHEE

2013-2014

BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

A PROCLAMATION

WHEREAS, the Honorable Eleanor G. Kinnaird, elected Senator from Senate District Twenty-Three 2013-2014 General Assembly, has resigned; and

WHEREAS, the provisions of General Statute § 163-11 require that the vacancy created by the resignation of the Honorable Eleanor G. Kinnaird be filled by appointment of the person recommended by the Twenty-Third State Senate District Executive Committee of the Democratic Party; and

WHEREAS, the Twenty-Third State Senate District Executive Committee of the Democratic Party has notified me of its recommendation of Valerie P. Foushee of Orange County, North Carolina, to fill the unexpired term;

I do, by these presents, appoint

VALERIE P. FOUSHEE

as a member of the

NORTH CAROLINA SENATE

2013-2014 General Assembly

May 14, 2014

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 thirteenth day of September in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

S/Pat McCrory
Governor

ATTEST:
S/Elaine F. Marshall
Secretary of State

PROCLAMATION FROM THE GOVERNOR

The President instructs the Reading Clerk to read the following proclamation from the Governor appointing Joyce R. Krawiec as follows:

THE APPOINTMENT OF JOYCE R. KRAWIEC

2013-2014

BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

A PROCLAMATION

WHEREAS, the Honorable Pete Brunstetter, elected Senator from Senate District Thirty-One 2013-2014 General Assembly, has resigned; and

WHEREAS, the provisions of General Statute § 163-11 require that the vacancy created by the resignation of the Honorable Pete Brunstetter be filled by appointment of the person recommended by the Thirty-First Senate District Executive Committee of the Republican Party; and

WHEREAS, the Thirty-First Senate District Executive Committee of the Republican Party has notified me of its recommendation of Joyce R. Krawiec of Forsyth County, North Carolina, to fill the unexpired term;

I do, by these presents, appoint

JOYCE R. KRAWIEC

as a member of the

NORTH CAROLINA SENATE

2013-2014 General Assembly

May 14, 2014

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 tenth day of January in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

S/Pat McCrory
Governor

ATTEST:
S/Elaine F. Marshall
Secretary of State

PROCLAMATION FROM THE GOVERNOR

The President instructs the Reading Clerk to read the following proclamation from the Governor appointing Terry Van Duyn as follows:

THE APPOINTMENT OF TERRY VAN DUYN

2013-2014

BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

A PROCLAMATION

WHEREAS, the Honorable Martin L. Nesbitt, Jr., elected Senator from Senate District Forty-Nine for the 2013-2014 General Assembly, died on March 6, 2014; and

WHEREAS, the provisions of General Statute § 163-11 require that the vacancy created by the death of the Honorable Martin L. Nesbitt, Jr. be filled by appointment of the person recommended by the Executive Committee of the Buncombe County Democratic Party; and

WHEREAS, the Executive Committee of the Buncombe County Democratic Party has notified me of its recommendation of Terry Van Duyn of Buncombe County, North Carolina, to fill the unexpired term;

I do, by these presents, appoint

TERRY VAN DUYN
as a member of the

NORTH CAROLINA SENATE

2013-2014 General Assembly

May 14, 2014

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 fifteenth day of April in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

S/Pat McCrory
Governor

ATTEST:
S/Elaine F. Marshall
Secretary of State

PROCLAMATION FROM THE GOVERNOR

The President instructs the Reading Clerk to read the following proclamation from the Governor appointing Jeffrey Neale Jackson as follows:

THE APPOINTMENT OF JEFFREY NEALE JACKSON

2013-2014

BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

A PROCLAMATION

WHEREAS, the Honorable Daniel G. Clodfelter, elected Senator from Senate District Thirty-Seven 2013-2014 General Assembly, has resigned; and

WHEREAS, the provisions of General Statute § 163-11 require that the vacancy created by the resignation of the Honorable Daniel G. Clodfelter be filled by appointment of the person recommended by the Thirty-Seventh Senate District Executive Committee of the Democratic Party; and

WHEREAS, the Thirty-Seventh Senate District Executive Committee of the Democratic Party has notified me of its recommendation of Jeffrey Neale Jackson of Mecklenburg County, North Carolina, to fill the unexpired term;

I do, by these presents, appoint

JEFFREY NEALE JACKSON

as a member of the

NORTH CAROLINA SENATE

2013-2014 General Assembly

May 14, 2014

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 sixth day of May in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

S/Pat McCrory
Governor

ATTEST:
S/Elaine F. Marshall
Secretary of State

Senator Foushee was administered the Oath of Office on September 25, 2013, Senator Krawiec was administered the Oath of Office on January 17, 2014, Senator Van Duyn was administered the Oath of Office on May 8, 2014, and Senator J. Jackson was administered the Oath of Office on May 12, 2014.

Senator Foushee is escorted to seat number 35, Senator Krawiec is escorted to seat number 22, Senator Van Duyn is escorted to seat number 34, and Senator J. Jackson is escorted to seat number 49.

SENATE PAGES

The Chair recognizes the following pages serving in the Senate this week. All pages serving this week are from the Tarheel Challenge Academy in Salemburg, North Carolina:

Oshya Ali-Miller, Lavarus Aycock, Percy Clark, Asante Davis, Bryan Hicks, Morgan Madarasz, Shakeem Pritchard, Aaron Scotland, and Caleb Sterling.

The Senate recesses at 12:41 p.m. to reconvene at 1:15 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. 1030, A JOINT RESOLUTION HONORING NASCAR AND THE INDUCTEES OF THE NASCAR HALL OF FAME.

Upon motion of Senator Apodaca, the rules are suspended, and the Joint Resolution is placed on today's calendar for immediate consideration.

May 14, 2014

CALENDAR

A resolution on today's calendar is taken up and disposed of as follows:

H.J.R. 1030, A JOINT RESOLUTION HONORING NASCAR AND THE INDUCTEES OF THE NASCAR HALL OF FAME, upon second reading.

The Joint Resolution passes its second reading (49-0) and, without objection, is read a third time and passes its third reading, with all present members standing, and is ordered enrolled.

CHANGES TO 2013-2014 SENATE COMMITTEES

Senator Pate, Deputy President *Pro Tempore,* announces the following committee changes made by Senator Berger, President *Pro Tempore,* pursuant to Rule 31:

Senator Bingham is appointed as Co-Chair of the **Agriculture/Environment/Natural Resources Committee**.

Senator Brent Jackson is removed as Co-Chair and appointed as a member of the **Agriculture/Environment/Natural Resources Committee**.

Senator Harrington and Senator Brent Jackson are appointed as Co-Chairs of the **Appropriations/Base Budget Committee**.

Senator Meredith is appointed as Co-Chair of the **Appropriations on Department of Transportation Committee**.

Senator Harrington is removed as Co-Chair of the **Appropriations on Department of Transportation Committee**.

Senator Randleman is appointed as Co-Chair of the **Appropriations on Justice and Public Safety Committee**.

Senator Bingham is removed as Co-Chair of the **Appropriations on Justice and Public Safety Committee**.

Senator Brent Jackson is removed as Co-Chair of the **Appropriations on Natural and Economic Resources Committee**.

Senator Bingham is appointed as Co-Chair of the **Appropriations on Natural and Economic Resources Committee**.

Senator Harrington is removed as Co-Chair and appointed as a member of the **Transportation Committee**.

Senator Rabon is removed as Vice-Chair and appointed as Co-Chair of the **Transportation Committee**.

Senator Meredith is appointed as Vice-Chair of the **Transportation Committee**.

Senator Robinson is appointed to the **Program Evaluation Committee**.

Senator Hartsell is appointed to the **Judiciary I Committee** and removed from the **Judiciary II Committee.**

Senator Wade is appointed to the **Rules and Operations of the Senate Committee**.

Senator Tillman is appointed to the **Finance Committee**.

Senator Jeff Jackson is appointed to the **Agriculture/Environment/Natural Resources Committee**, the **Appropriations on Justice and Public Safety Committee**, the **Finance Committee**, the **Judiciary II Committee**, the **Rules and Operations of the Senate Committee**, and the **Program Evaluation Committee.**

Senator Van Duyn is appointed to the **Appropriations on Health and Human Services Committee**, the **Health Care Committee**, the **Commerce Committee**, the **Finance Committee**, the **Judiciary I Committee**, the **State and Local Government Committee**, and the **Ways & Means Committee.**

Senator Foushee is appointed to the **Education/Higher Education Committee**, the **State and Local Government Committee**, the **Appropriations on Justice and Public Safety Committee**, the **Appropriations/Base Budget Committee**, the **Judiciary I Committee**, and the **Agriculture/Environment/Natural Resources Committee.**

Senator Krawiec is appointed to the **Commerce Committee**, the **Education/Higher Education Committee**, the **Finance Committee**, the **Appropriations on Department of Transportation Committee**, the **Judiciary II Committee**, and the **Program Evaluation Committee.**

Senator Walters is appointed to the **Legislative Services Commission** to replace Senator Nesbitt.

Upon motion of Senator Berger, seconded by Senator Hunt, the Senate adjourns at 1:58 p.m., in memory of the late Senator Martin Luther Nesbitt, Jr. of Buncombe County, subject to the receipt of messages from the House of Representatives, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Thursday, May 15, at 10:30 a.m.

May 14, 2014

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

S.B. 483 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO STREAMLINE THE PROCESS OF LEASING SPACE FOR STATE AGENCIES UNDER VERY LIMITED CIRCUMSTANCES AND TO AMEND THE SETOFF DEBT COLLECTION ACT, for concurrence in the House Committee Substitute bill No. 2.

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

EXECUTIVE ORDERS

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

Executive Order No. 24, Governor's Advisory Council on Small and Historically Underutilized Businesses.

Executive Order No. 25, Governor's Task Force on Safer Schools.

Executive Order No. 26, Governor's Teacher Advisory Committee.

Executive Order No. 27, Declaration of a State of Emergency by the Governor of the State of North Carolina.

Executive Order No. 28, Disaster Declaration for the City of Albemarle.

Executive Order No. 29, Designation of Certain Gubernatorial Appointees As Covered Public Servants Under the State Government Ethics Act.

Executive Order No. 30, Fix and Modernize Information Technology Governance In Cabinet Agencies by Collaborating As One IT.

Executive Order No. 31, Extending the Food Safety and Defense Task Force.

Executive Order No. 32, Reestablishing the North Carolina Commission on Volunteerism and Community Service.

Executive Order No. 33, North Carolina Emergency Response Commission.

Executive Order No. 34, Commitment to Protecting North Carolina Military Installations.

Executive Order No. 35, North Carolina Governor's Council on Homelessness.

May 14, 2014

Executive Order No. 36, Declaration of a State of Emergency by the Governor of the State of North Carolina.

Executive Order No. 37, Reestablishing the North Carolina Early Childhood Advisory Council.

Executive Order No. 38, Temporary Suspension of Motor Vehicle Regulations to Provide Humanitarian Relief to West Virginia.

Executive Order No. 39, Temporary Suspension of Motor Vehicle Regulations To Ensure Adequate Fuel Supplies Throughout the State.

Executive Order No. 40, Declaration of a State of Emergency.

Executive Order No. 41, Temporary Suspension of Motor Vehicle Regulations to Ensure Restoration of Utility Services, Transporting Essentials and Removing Debris Throughout the State.

Executive Order No. 42, Notice of Termination of the State of Emergency Declared by Executive Order 40 and the Temporary Suspension of Transportation Regulations In Executive Order 41.

Executive Order No. 43, Declaration of a State of Emergency by the Governor of the State of North Carolina.

Executive Order No. 44, Temporary Suspension of Motor Vehicle Regulations to Ensure Restoration of Utility Services and Transporting Essentials.

Executive Order No. 45, Notice of Termination of Executive Orders 43 and 44.

Executive Order No. 46, Reauthorizing the State Health Coordinating Council.

Executive Order No. 47, Temporary Suspension of Motor Vehicle Regulations to Ensure Restoration of Utility Services.

Executive Order No. 48, Amending Executive Order No. 70: Rules Modification and Improvement Program.

Executive Order No. 49, Governor's Working Group on Veterans, Service Member and Their Families.

Executive Order No. 50, Declaration of a State of Emergency by the Governor of the State of North Carolina.

May 14, 2014

MESSAGE FROM THE GOVERNOR

The following message is received from the Governor:

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR

PAT MCCRORY
GOVERNOR

February 28, 2014
Ms. Sarah Lang
Senate Principal Clerk
Legislative Building, Room 2020
Raleigh, North Carolina 27601-2020

Dear Ms. Lang:

Pursuant to North Carolina General Statute §97-77, I am pleased to nominate, Mr. Charlton L. Allen to serve as a commissioner on the North Carolina Industrial Commission for confirmation by the North Carolina Senate.

Mr. Allen presently practices with the Law Offices of Charlton Allen, PLLC in Mooresville, North Carolina and has previously practiced law in the communities of Statesville, Concord and Wilmington. He has prior experience in the field of worker's compensation law, in addition to other areas of law. Mr. Allen is a graduate of the University of North Carolina at Chapel Hill and received his Juris Doctor degree from the University of North Carolina School of Law.

Included you will find biographical information. Please feel free to contact my staff for any additional information.

Sincerely,
S/Pat McCrory

Cc: The Honorable Thom Tillis
The Honorable Phil Berger
Ms. Denise Weeks

The message is referred to the **Commerce Committee**.

MESSAGE FROM THE GOVERNOR

The following message is received from the Governor:

May 14, 2014

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR

PAT MCCRORY
GOVERNOR

April 30, 2014

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

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

Dear Lieutenant Governor Forest and Speaker Tillis:

I am pleased to appoint Linda Combs as State Controller to serve for the remainder of the term ending June 30, 2015, and hereby submit her name for confirmation by the General Assembly pursuant to North Carolina General Statute § 143B-426.37(b). Ms. Combs is qualified by her education and experience and I am grateful for her willingness to serve the State of North Carolina in this important capacity.

Enclosed, you will find biographical information for the appointee. Please feel free to contact my staff for any additional information.

Sincerely
S/Pat McCrory
Governor

Cc: The Honorable Phil Berger
Denise Weeks, House Principal Clerk
Sarah Lang, Senate Principal Clerk

The message is referred to the **Commerce Committee**.

MESSAGE FROM THE GOVERNOR

The following message is received from the Governor:

May 14, 2014

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR

PAT MCCRORY
GOVERNOR

ROBERT C. STEPHENS
GENERAL COUNSEL

May 13, 2014

Denise Weeks
Principal Clerk of the House
North Carolina House of Representatives
Legislative Building, Room 2320 LB
Raleigh, NC 27603-5925

Sarah Lang
Principal Clerk of the Senate
North Carolina Senate
Legislative Building, Room 2020 LB
Raleigh, NC 27603-5925

Dear Ms. Weeks & Ms. Lang:

This is written to comply with section 1 and section 2 of Executive Order Number 107 signed by Governor Hunt on February 20, 1997.

This shall serve as my official designation of Room 1039 within the Department of Administration Building as the "Office of the Legislative Counsel" under provision of Section 1.

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

-Fred Steen
-Nicole Hines
-Leah Burns

Fred Steen and Nicole Hines shall serve as the designated liaisons to lobby on behalf of this office. Mr. Steen's office is located in room 1038 of the Administration Building and his phone number is (919) 814-2030. Ms. Hines' office is located in room 1030 of the Administration Building and her phone number is (919) 814-2029.

Sincerely,
S/Pat McCrory
Governor

Cc: The Honorable Phil Berger
The Honorable Thom Tillis

May 14, 2014

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
May 14, 2014

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 October 30, 2013, Graig R. Meyer has been administered the oath of office as a Member of the House of Representatives for the remainder of the 2013-2014 General Assembly. Representative Meyer has been seated to fill the vacancy created by the resignation of Representative Valerie P. Foushee from the 50th 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
May 14, 2014

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 January 29, 2014, Robert T. Reives, II has been administered the oath of office as a Member of the House of Representatives for the remainder of the 2013-2014 General Assembly. Representative Reives has been seated to fill the vacancy created by the resignation of Representative Deb McManus from the 54th District.

Respectfully,
S/Denise G. Weeks
Principal Clerk

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

May 14, 2014

ONE HUNDRED EIGHTH DAY

Senate Chamber
Thursday, May 15, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

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

"Lord, as we open up our lips, we ask you to bless them. As we act, we ask you to bless actions. We all come from diverse backgrounds: west, east, north, south, but we all need your discernment and direction for how to direct business of this great state of North Carolina. We don't want to just drop our traditions off at the door; we want our faith to inform everything. 'Unless the Lord watches over the city, the guards stand watch in vain. In vain you rise early and stay up late, toiling for food to eat. For He grants sleep to those who He loves. Children are a heritage from the Lord.'* So open our eyes up today, Lord, once again. Watch over us. Watch over the children of this state. Bless their teachers—teachers around the state like Mrs. Zuchino and Mrs. Smith, who bless my children every day, pastors, teachers, other moms and dads all over the state. May we rest in the work that you have started, Lord—that you will complete. It is in your name we pray. Amen."

*Psalm 127:2-3, NIV

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Wednesday, May 14, 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.

The Chair extends privileges of the floor to Dr. Annette Greer from Fountain, North Carolina, who is serving the Senate as Nurse of the Day.

The Senate recesses at 10:47 a.m., subject to the ratification of bills and resolutions, to reconvene at 11:00 a.m.

RECESS

ENROLLED RESOLUTION

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. 1030, A JOINT RESOLUTION HONORING NASCAR AND THE INDUCTEES OF THE NASCAR HALL OF FAME. (Res. 2014-1)

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

WITHDRAWALS FROM COMMITTEES

S.B. 648 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF EMPLOYMENT FRAUD, TO CLARIFY THE CALCULATION OF INTEREST FOR ACTIONS FOR PERSONAL INJURY OR WRONGFUL DEATH, TO PROHIBIT PREDATORY THIRD-PARTY FINANCING OF LITIGATION BY ASSIGNMENT OF PLAINTIFF'S RIGHT TO RECEIVE PROCEEDS, AND TO CREATE TRANSPARENCY IN CONTRACTS THE ATTORNEY GENERAL ENTERS INTO WITH PRIVATE ATTORNEYS TO REPRESENT THE STATE, referred to the **Rules and Operations of the Senate Committee** on May 13, 2013.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Judiciary I Committee**, which motion prevails with unanimous consent, and the Chair so orders.

S.B. 556 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO WIND UP THE NORTH CAROLINA HEALTH INSURANCE RISK POOL, referred to the **Appropriations/Base Budget Committee** on May 15, 2013.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill be withdrawn from the **Appropriations/Base Budget Committee** and placed on the calendar of Monday, May 19, which motion prevails with unanimous consent, and the Chair so orders.

S.B. 144 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE OVERSIGHT OF STATE GRANTS TO NON-STATE ENTITIES AND TO INCREASE THE ACCOUNTABILITY OF GRANTEES WHO RECEIVE STATE GRANTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, referred to the **Appropriations/Base Budget Committee** on April 29, 2013.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill be withdrawn from the **Appropriations/Base Budget Committee** and placed on the calendar of Monday, May 19, which motion prevails with unanimous consent, and the Chair so orders.

H.B. 150 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN A COUNTY OR MUNICIPALITY MAY ENACT ZONING ORDINANCES RELATED TO DESIGN AND AESTHETIC CONTROLS, referred to the **Rules and Operations of the Senate Committee** on April 24, 2013.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Senate Committee Substitute bill be withdrawn from the **Rules and Operations of the**

Senate Committee and placed on the calendar of Monday, May 19, which motion prevails with unanimous consent, and the Chair so orders.

H.B. 691 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT COMMUNITY COLLEGE TUITION FOR REENROLLING ACTIVE DUTY SERVICE MEMBERS SO THAT THE MAXIMUM RATE SHALL NOT EXCEED AVAILABLE FEDERAL TUITION ASSISTANCE, referred to the **Appropriations/Base Budget Committee** on June 5, 2013.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill be withdrawn from the **Appropriations/Base Budget Committee** and placed on the calendar of Monday, May 19, which motion prevails with unanimous consent, and the Chair so orders.

WITHDRAWAL FROM THE CLERK'S OFFICE

H.B. 569, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN RESTRICTION ON SATELLITE ANNEXATIONS FOR THE VILLAGE OF FOXFIRE, ordered held in the Office of the Senate Principal Clerk on Wednesday, July 16, 2013.

Senator Apodaca offers a motion that the bill be withdrawn from the Office of the Senate Principal Clerk and re-referred to the **State and Local Government Committee**, which motion prevails with unanimous consent, and the Chair so orders.

Upon motion of Senator Apodaca, Rules Chairman, without objection, the Senate adjourns at 11:13 a.m., subject to the introduction of bills and resolutions, to reconvene Monday, May 19, at 7:00 p.m.

INTRODUCTION OF BILLS AND A RESOLUTION

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

By Senators Apodaca, Berger (Primary Sponsors); Allran, Daniel, Pate, Tarte and Tucker:

S.B. 729, A BILL TO BE ENTITLED AN ACT TO (1) CHANGE NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER; (2) ESTABLISH COAL COMBUSTION PRODUCTS IMPOUNDMENT WATER MONITORING PROGRAM; (3) IDENTIFY AND ADDRESS UNPERMITTED WASTEWATER DISCHARGES AT COAL COMBUSTION PRODUCTS IMPOUNDMENT SITES; (4) AMEND S.L. 2009-390; (5) REQUIRE EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS; (6) CHANGE NOTIFICATION REQUIREMENTS APPLICABLE TO DAM REPAIRS; (7) INCREASE COAL COMBUSTION PRODUCTS IMPOUNDMENT INSPECTION REQUIREMENTS; (8) MODIFY THE DEFINITION OF SOLID WASTE TO INCLUDE REMOVED COMBUSTION PRODUCTS; (9) PLACE A

TEMPORARY MORATORIUM ON THE USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL; AND (10) ESTABLISH REQUIREMENTS FOR COAL COMBUSTION PRODUCTS IMPOUNDMENT CLOSURE.

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

By Senators Clark, Robinson (Primary Sponsors); Bryant, Foushee and J. Jackson:

S.B. 730, A BILL TO BE ENTITLED AN ACT TO EXPAND ELIGIBILITY FOR THE MEDICAID PROGRAM TO INCLUDE ALL PEOPLE UNDER AGE SIXTY-FIVE WHO HAVE INCOMES EQUAL TO OR BELOW ONE HUNDRED THIRTY-THREE PERCENT OF THE FEDERAL POVERTY LEVEL, TO APPROPRIATE FUNDS FOR THE ADMINISTRATIVE COSTS ASSOCIATED WITH THE EXPANSION, TO ACCOUNT FOR THE SAVINGS TO OTHER STATE PROGRAMS FROM THE EXPANSION, AND TO APPROPRIATE THE ADDITIONAL FUNDS GENERATED FROM EXPANSION TO THE MEDICAID REBASE.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Rabon:

S.B. 731, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE TOURISM DEVELOPMENT AUTHORITY REQUIREMENTS PERTAINING TO THE OCCUPANCY TAX AUTHORIZED FOR THE TOWN OF SOUTHPORT.

Referred to the **State and Local Government Committee**.

By Senator Rabon:

S.B. 732, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BLADEN COUNTY TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.

Referred to the **State and Local Government Committee**.

By Senator Rabon:

S.B. 733, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WATHA.

Referred to the **State and Local Government Committee**.

By Senators Wade, B. Jackson, Brock (Primary Sponsors):

S.B. 734, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT CERTAIN AGRICULTURAL AND ENVIRONMENTAL ORDINANCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Agriculture/Environment/Natural Resources Committee** and upon a favorable report, re-referred to the **State and Local Government Committee**.

May 15, 2014

By Senators Apodaca, B. Jackson (Primary Sponsors); Brock, Daniel, Pate, Rucho and Soucek:

S.J.R. 735, A JOINT RESOLUTION HONORING NASCAR AND THE INDUCTEES OF THE NASCAR HALL OF FAME.

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

By Senator J. Davis:

S.B. 736, A BILL TO BE ENTITLED AN ACT TO DEANNEX TWO DESCRIBED TRACTS FROM THE CORPORATE LIMITS OF THE TOWN OF MURPHY.

Referred to the **State and Local Government Committee**.

By Senator B. Jackson:

S.B. 737, A BILL TO BE ENTITLED AN ACT TO AMEND THE REGULATORY REQUIREMENTS FOR ISOLATED WETLANDS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senator B. Jackson:

S.B. 738, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REGULATION OF GRAVEL UNDER STATE STORMWATER LAWS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senators B. Jackson (Primary Sponsor); Soucek and Tarte:

S.B. 739, A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR CARBON MONOXIDE ALARMS IN HOTELS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Commerce Committee**.

By Senators B. Jackson, Bingham, Brock (Primary Sponsors):

S.B. 740, A BILL TO BE ENTITLED AN ACT TO STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM, AS RECOMMENDED BY THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION.

Referred to the **Transportation Committee**.

By Senator Barefoot:

S.B. 741, A BILL TO BE ENTITLED AN ACT TO ALLOW FRANKLIN COUNTY TO NOT ACCEPT THE REGISTRATION OF A DEED TRANSFERRING REAL PROPERTY WHEN TAXES ARE DELINQUENT.

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

May 15, 2014

By Senator Brown:

S.B. 742, A BILL TO BE ENTITLED AN ACT TO ADJUST THE UTILITY REGULATORY FEE TO REFLECT THE CHANGING REGULATORY CLIMATE FOR THE TELECOMMUNICATIONS INDUSTRY, AS RECOMMENDED BY THE LRC COMMITTEE ON THE ASSESSMENT OF REGULATED AND NON-REGULATED INDUSTRY UTILITY FEES.

Referred to the **Commerce Committee** and upon a favorable report, re-referred to the **Finance Committee**.

By Senator Brown:

S.B. 743, A BILL TO BE ENTITLED AN ACT TO FACILITATE ECONOMIC DEVELOPMENT WITHIN THE STATE.

Referred to the **Commerce Committee**.

By Senators Brown, Harrington, Hunt (Primary Sponsors); B. Jackson and Rucho:

S.B. 744, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Hartsell:

S.B. 745, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND THE SESSION LAWS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to the **Judiciary I Committee**.

By Senator Hartsell:

S.B. 746, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW GOVERNING THE PLEDGE OF JOINT ACCOUNTS IN CREDIT UNIONS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS TO THE LAW GOVERNING THE PLEDGE OF JOINT ACCOUNTS IN BANKS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to the **Judiciary I Committee**.

By Senators Hartsell, Bingham, Randleman (Primary Sponsors); Tarte and Tucker:

S.B. 747, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATED TO (1) LOCAL FIREFIGHTERS' RELIEF FUNDS, THE STATEWIDE FIREFIGHTERS' RELIEF FUND, AND THE RESCUE SQUAD WORKERS' RELIEF FUND, (2) WORKERS' COMPENSATION FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS, (3) SUPPLEMENTAL PENSIONS FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS, AND (4) THE VOLUNTEER FIRE DEPARTMENT FUND AND

VOLUNTEER RESCUE/EMS FUND, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

Referred to the **Finance Committee** and upon a favorable report, re-referred to the **Pensions & Retirement and Aging Committee**.

By Senators Hartsell and Clark (Primary Sponsors):

S.B. 748, A BILL TO BE ENTITLED AN ACT TO CODIFY THE NORTH CAROLINA VIRTUAL PUBLIC SCHOOL PROGRAM; TO PROVIDE A TUITION WAIVER FOR NONPUBLIC SCHOOL STUDENTS FOR A MAXIMUM OF TWO NORTH CAROLINA VIRTUAL PUBLIC SCHOOL COURSES PER SCHOOL YEAR; AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS ACT, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

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

By Senators Hartsell, Clark (Primary Sponsors) and Tarte:

S.B. 749, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE MONITORING OF CONTROLLED SUBSTANCES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

Referred to the **Health Care Committee**.

By Senators Hartsell and Randleman (Primary Sponsors):

S.B. 750, A BILL TO BE ENTITLED AN ACT TO MODIFY STATE BUDGET ACT PROVISIONS RELATING TO GRANTS AND APPROPRIATIONS TO NON-STATE ENTITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Hartsell:

S.B. 751, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO ESTABLISH AND UTILIZE PERFORMANCE INDICATORS TO MEASURE THE EFFICIENCY AND EFFECTIVENESS OF THE DRIVER EDUCATION PROGRAM; TO REQUIRE THE DEPARTMENT OF PUBLIC INSTRUCTION, IN COLLABORATION WITH THE DIVISION OF MOTOR VEHICLES, TO ESTABLISH A FOLLOW-UP INFORMATION MANAGEMENT SYSTEM TO MONITOR THE PERFORMANCE OF CURRENT AND CERTAIN PAST PARTICIPANTS IN THE DRIVER EDUCATION PROGRAM; TO REQUIRE THE DEPARTMENT OF TRANSPORTATION, IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC INSTRUCTION, TO STUDY THE FEASIBILITY OF DELIVERING DRIVER EDUCATION THROUGH ELECTRONIC MEANS; AND TO REQUIRE THE SCHOOL OF GOVERNMENT AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL TO ESTABLISH STANDARDS FOR USE BY ALL

DEPARTMENTS, AGENCIES, BUREAUS, DIVISIONS, AND INSTITUTIONS OF THE STATE WHEN CONDUCTING AND COMPLETING PILOT PROJECTS REQUESTED BY THE GENERAL ASSEMBLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

Referred to the **Education/Higher Education Committee**.

By Senator Hartsell:

S.B. 752, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCESS FOR REVIEW OF CHARTER APPLICATIONS BY THE NORTH CAROLINA CHARTER SCHOOLS ADVISORY BOARD, TO REQUIRE ADOPTION OF RULES FOR THE CHARTER APPLICATION PROCESS, AND TO CLARIFY THE APPEALS PROCESS FOR DENIALS OF CHARTER APPLICATIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

Referred to the **Education/Higher Education Committee**.

By Senators Hartsell (Primary Sponsor) and Tarte:

S.B. 753, A BILL TO BE ENTITLED AN ACT TO IMPROVE ADMINISTRATIVE PROGRAM MONITORING BY THE DEPARTMENT OF PUBLIC INSTRUCTION, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

Referred to the **Education/Higher Education Committee**.

By Senator Hartsell:

S.B. 754, A BILL TO BE ENTITLED AN ACT TO REESTABLISH A PROCESS FOR PRELIMINARY APPROVAL OF CHARTER SCHOOLS BY LOCAL BOARDS OF EDUCATION AND BOARDS OF TRUSTEES OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

Referred to the **Education/Higher Education Committee**.

By Senators Hartsell (Primary Sponsor) and Tarte:

S.B. 755, A BILL TO BE ENTITLED AN ACT TO REQUIRE A SIX-MONTH WAITING PERIOD FOR CERTAIN STATE EMPLOYEES AND OFFICERS PRIOR TO ACCEPTING EMPLOYMENT WITH, OR COMPENSATION FROM, CERTAIN STATE CONTRACTORS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

Referred to the **State and Local Government Committee**.

By Senator Hartsell:

S.B. 756, A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE BENEFITS THAT MAY RESULT FROM THE MERGER OF PUBLIC

WATER SYSTEMS AND WASTEWATER COLLECTION AND TREATMENT WORKS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senator Hartsell:

S.B. 757, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE STATUTES AND RULES GOVERNING INTERBASIN TRANSFERS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senators Daniel, Hise, Soucek (Primary Sponsors):

S.B. 758, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ADVANCE PLANNING FUNDS FOR AN ADDITIONAL CAMPUS OF THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS.

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

By Senators Rucho, Clark (Primary Sponsors) and Tucker:

S.B. 759, A BILL TO BE ENTITLED AN ACT TO AMEND THE UNEMPLOYMENT INSURANCE LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON UNEMPLOYMENT INSURANCE.

Referred to the **Finance Committee**.

By Senators Meredith and Rabin (Primary Sponsors):

S.B. 760, A BILL TO BE ENTITLED AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION COMMITTEE ON CIVILIAN CREDIT FOR MILITARY TRAINING AND STATE ADJUTANT GENERAL SELECTION CRITERIA.

Referred to the **Judiciary I Committee**.

By Senators Meredith, Rabin (Primary Sponsors); Daniel and Pate:

S.B. 761, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE EFFECTIVENESS OF THE OCCUPATIONAL LICENSING OF MILITARY SERVICE MEMBERS AND VETERANS, AND TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND THE STATE BOARD OF COMMUNITY COLLEGES TO SUBMIT A PLAN THAT WILL ENSURE THAT COLLEGE CREDITS ARE UNIFORMLY GRANTED TO STUDENTS WITH MILITARY TRAINING, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION COMMITTEE ON CIVILIAN CREDIT FOR MILITARY TRAINING AND STATE ADJUTANT GENERAL SELECTION CRITERIA.

Referred to the **Education/Higher Education Committee**.

May 15, 2014

By Senators Brock, Bingham, B. Jackson (Primary Sponsors) and Pate:

S.B. 762, A BILL TO BE ENTITLED AN ACT TO PROTECT NORTH CAROLINA FARMERS BY PROVIDING THAT THE GLOBAL POSITIONING SYSTEM COORDINATES OF THEIR AGRICULTURAL OPERATIONS ARE NOT PUBLIC RECORDS, AS RECOMMENDED BY THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION.

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

By Senators Rabon and Rucho (Primary Sponsors):

S.B. 763, A BILL TO BE ENTITLED AN ACT TO AMEND THE REVENUE LAWS, AS RECOMMENDED BY THE REVENUE LAWS STUDY COMMITTEE.

Referred to the **Finance Committee**.

By Senators Bingham, B. Jackson, Brock (Primary Sponsors):

S.B. 764, A BILL TO BE ENTITLED AN ACT TO ALLOW JUDICIAL REVIEW OF CIVIL PENALTIES ON MOTOR VEHICLES IMPOSED BY THE DEPARTMENT OF PUBLIC SAFETY IN THE DISTRICT COURT OF THE COUNTY IN WHICH THE PENALTY WAS ASSESSED, AS RECOMMENDED BY THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION.

Referred to the **Judiciary II Committee** and upon a favorable report, re-referred to the **Finance Committee**.

By Senator Bingham:

S.B. 765, A BILL TO BE ENTITLED AN ACT TO REFORM THE PROCESS BY WHICH REGULATORY AUTHORITIES REVIEW SUBMITTALS OF APPLICATIONS FOR PERMITS, LICENSES, AND APPROVALS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

Pursuant to Senator Apodaca's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED NINTH DAY

Senate Chamber
Monday, May 19, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

May 19, 2014

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

"Father in Heaven, hallowed be thy name. Thy kingdom come, thy will be done. We need your covering tonight, Lord, every one of us. We need our hearts covered, our minds covered, our families covered. All the education in the world doesn't really help us out sometimes; we need so much more than that. It often falls short of what you desire for our lives. Lord, spare us from our wills. Have mercy upon us, who do not know what to do sometimes. Lead us into the way of righteousness. Bless all those in authority here on this night. Bless their cities that they represent, their counties that they represent, every city throughout this wonderful place that we call North Carolina. Lord, there is only one strength, and that is the strength of love. Spread abroad your spirit of love that all peoples may be gathered under the banner of the Prince of Peace as children of one Father, to whom be dominion and glory, now and forever. In Christ's name, Amen."

The Chair grants leaves of absence for tonight to Senator Berger, Senator Jenkins, Senator Parmon, and Senator Sanderson.

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Thursday, May 15, 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.

The Chair extends privileges of the floor to Dr. Rich Adelman from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Julie Alexander from Apex, North Carolina, who is serving the Senate as Nurse of the Day.

MOTIONS RELATIVE TO THE CALENDAR

The following changes are made to tonight's calendar:

S.B. 556 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO WIND UP THE NORTH CAROLINA HEALTH INSURANCE RISK POOL, upon second reading.

Upon motion of Senator Apodaca, the Committee Substitute bill is withdrawn from tonight's calendar and re-referred to the **Appropriations/Base Budget Committee**.

S.B. 144 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE OVERSIGHT OF STATE GRANTS TO NON-STATE ENTITIES AND TO INCREASE THE ACCOUNTABILITY OF GRANTEES WHO RECEIVE STATE GRANTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, upon second reading.

Upon motion of Senator Apodaca, the Committee Substitute bill is withdrawn from tonight's calendar and re-referred to the **Appropriations/Base Budget Committee**.

H.B. 150 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN A COUNTY OR MUNICIPALITY MAY ENACT ZONING ORDINANCES RELATED TO DESIGN AND AESTHETIC CONTROLS, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from tonight's calendar and re-referred to the **Rules and Operations of the Senate Committee**.

H.B. 691 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT COMMUNITY COLLEGE TUITION FOR REENROLLING ACTIVE DUTY SERVICE MEMBERS SO THAT THE MAXIMUM RATE SHALL NOT EXCEED AVAILABLE FEDERAL TUITION ASSISTANCE, upon second reading.

Upon motion of Senator Apodaca, the Committee Substitute bill is withdrawn from tonight's calendar and re-referred to the **Appropriations/Base Budget Committee**.

RE-REFERRAL OF BILLS

S.B. 734, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT CERTAIN AGRICULTURAL AND ENVIRONMENTAL ORDINANCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, referred to the **Agriculture/Environment/Natural Resources Committee** on May 15, with a sequential referral to the **State and Local Government Committee**.

Upon motion of Senator Apodaca, the sequential referral to the **State and Local Government Committee** is stricken and a sequential referral to the **Finance Committee** is added.

S.B. 648 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF EMPLOYMENT FRAUD, TO CLARIFY THE CALCULATION OF INTEREST FOR ACTIONS FOR PERSONAL INJURY OR WRONGFUL DEATH, TO PROHIBIT PREDATORY THIRD-PARTY FINANCING OF LITIGATION BY ASSIGNMENT OF PLAINTIFF'S RIGHT TO RECEIVE PROCEEDS, AND TO CREATE TRANSPARENCY IN CONTRACTS THE ATTORNEY GENERAL ENTERS INTO WITH PRIVATE ATTORNEYS TO REPRESENT THE STATE, referred to the **Judiciary I Committee** on May 15.

Upon motion of Senator Apodaca, a sequential referral to the **Finance Committee** is added.

May 19, 2014

REFERRAL OF A RESOLUTION

Upon motion of Senator Apodaca, without objection, the rules are suspended to allow **S.J.R. 796**, filed for introduction today, to be introduced today and placed on the calendar of Tuesday, May 20.

SENATE PAGES

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

Nick Corn, Rocky Mount; Ashton Craft, Vanceboro; Camden Diggs, Norwood; Catie Dority, Washington; Madison Henderson, Dunn; Sally Hennessee, Harrisburg; DJ Jacobs, Durham; Zara Jillani, Mint Hill; Josh Johnson, Fuquay-Varina; Emma Lantz, Wilson; Jennifer Matthews, Winston-Salem; Daisy McAteer, Fayetteville; Carter Metcalf, Matthews; Rachel Paramore, Hampstead; Isaiah Roberts, Charlotte; Tyrell Robertson, Laurinburg; Corbin Robinson, Spring Lake; Jennifer Rogers, Fayetteville; Maggie Shafer, Clinton; Max Shafer, Clinton; Jordan St. John, Raleigh; Jane Sullivan, Raleigh; Rose Tucker, Greensboro; Jackson Ussery, Elizabethtown; and Tanner Velten, Newport.

CONFERENCE REPORT

Senator Wade, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **H.B. 688** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CONTINUING EDUCATION REQUIREMENTS FOR CERTIFIED WELL CONTRACTORS, 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 688, A BILL TO BE ENTITLED AN ACT AMENDING THE CONTINUING EDUCATION REQUIREMENTS FOR CERTIFIED WELL CONTRACTORS, Senate Commerce Committee Substitute Adopted 5/30/13, Fourth Edition Engrossed 6/6/13, submit the following report:

The House and Senate agree to the following amendment to the Senate Committee Substitute, Senate Commerce Committee Substitute Adopted 5/30/13 Fourth Edition Engrossed 6/6/13, 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 H688-PCCS80414-RI-5.

May 19, 2014

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

Date Conferees approved report: May 19, 2014.

Conferees for the Senate	*Conferees for the House of Representatives*
S/Trudy Wade, Chair	S/Jon Hardister, Chair
S/Jerry W. Tillman	S/Chris Millis
S/Tommy Tucker	S/Josh Dobson
S/Jim Davis	S/Paul Tine

The full text of the proposed Conference Committee Substitute can be found in Chapter 2 of the 2014 Session Laws.

The Conference Committee Substitute bill is placed on the calendar of Tuesday, May 20, for adoption.

ADDITIONAL SPONSOR

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

S.B. 761, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE EFFECTIVENESS OF THE OCCUPATIONAL LICENSING OF MILITARY SERVICE MEMBERS AND VETERANS, AND TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND THE STATE BOARD OF COMMUNITY COLLEGES TO SUBMIT A PLAN THAT WILL ENSURE THAT COLLEGE CREDITS ARE UNIFORMLY GRANTED TO STUDENTS WITH MILITARY TRAINING, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION COMMITTEE ON CIVILIAN CREDIT FOR MILITARY TRAINING AND STATE ADJUTANT GENERAL SELECTION CRITERIA.

Upon motion of Senator Pate, seconded by Senator Hise, the Senate adjourns at 7:13 p.m., subject to the receipt of messages from the House of Representatives, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Tuesday, May 20, at 1:00 p.m.

INTRODUCTION OF BILLS

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

By Senators McLaurin (Primary Sponsor) and Robinson:
S.B. 766, A BILL TO BE ENTITLED AN ACT TO ALLOW RICHMOND COUNTY TO IMPOSE A FEE FOR THE PURPOSE OF REPAIRING DAMS.

May 19, 2014

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

By Senator McLaurin:

S.B. 767, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ROCKINGHAM.

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

By Senators Harrington, Hunt, B. Jackson (Primary Sponsors); Brown and Sanderson:

S.B. 768, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Rabon and Brock (Primary Sponsors):

S.B. 769, A BILL TO BE ENTITLED AN ACT TO CREATE THE NATURE AND HERITAGE TOURISM ADVISORY BOARD; TO REQUIRE THE CREATION OF A STATE NATURE AND HERITAGE TOURISM GUIDE; AND TO REQUIRE CONTRACTING WITH A CONSULTANT TO MAKE RECOMMENDATIONS REGARDING THE OPERATION OF STATE HISTORIC AND CULTURAL SITES, AS RECOMMENDED BY THE LRC COMMITTEE ON CULTURAL AND NATURAL RESOURCES.

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

By Senators Tillman, Pate, Cook (Primary Sponsors); Krawiec, McLaurin and Sanderson:

S.B. 770, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO PROVIDE SCHEMATIC DIAGRAMS AND KEYS TO THE MAIN ENTRANCE OF ALL SCHOOL FACILITIES TO LOCAL LAW ENFORCEMENT AGENCIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

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

By Senators Tillman, Pate (Primary Sponsors); Krawiec and Sanderson:

S.B. 771, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO IDENTIFY MILITARY-CONNECTED STUDENTS USING THE UNIFORM EDUCATION REPORTING SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

Referred to the **Education/Higher Education Committee**.

May 19, 2014

By Senators Brock and B. Jackson (Primary Sponsors):

S.B. 772, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senator Hartsell:

S.B. 773, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GENERAL STATUTES COMMISSION TO MODIFY THE SLAYER STATUTE DUE TO THE NEED TO ACCOUNT FOR PROPERTY HELD IN A JOINT TENANCY IN UNEQUAL SHARES, TO CLARIFY THE PROVISIONS FOR FILING CERTIFIED COPIES OF PROBATED WILLS IN OTHER COUNTIES WHERE A DECEDENT HAS REAL PROPERTY, TO DELETE THE STATUTORY FORMS FOR JUDGMENT DEBTORS CLAIMING EXEMPTIONS UNDER G.S. 1C-1601 BECAUSE THE ADMINISTRATIVE OFFICE OF THE COURTS ALREADY HAS WIDELY USED FORMS FOR THAT PURPOSE, AND TO RESOLVE AN APPARENT CONFLICT BETWEEN RULE 8 OF THE NORTH CAROLINA RULES OF CIVIL PROCEDURE, DEALING WITH THE CONTENT OF PLEADINGS, AND G.S. 7A-243, DEALING WITH THE PROPER TRIAL COURT DIVISION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to the **Judiciary I Committee**.

By Senator Hartsell:

S.B. 774, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THAT THE STATE AGENCY HAS THE BURDEN OF PROOF IN CERTAIN CONTESTED CASES, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

Referred to the **Judiciary I Committee**.

By Senator Hartsell:

S.B. 775, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE OFFICE OF ADMINISTRATIVE HEARINGS TO ALLOW DOCUMENTS IN A CONTESTED CASE TO BE FILED ELECTRONICALLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

Referred to the **Judiciary I Committee**.

By Senator Hartsell:

S.B. 776, A BILL TO BE ENTITLED AN ACT TO STREAMLINE THE RULE-MAKING PROCESS BY ELIMINATING THE REQUIREMENT THAT AN AGENCY OBTAIN A CERTIFICATION OF ADHERENCE TO RULE-MAKING PRINCIPLES PRIOR TO SUBMITTING THE PROPOSED TEXT OF A RULE FOR PUBLICATION, AS RECOMMENDED BY THE

JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

Referred to the **Judiciary I Committee**.

By Senator Hartsell:

S.B. 777, A BILL TO BE ENTITLED AN ACT TO ELIMINATE OBSOLETE BOARDS AND COMMISSIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

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

By Senator Hartsell:

S.B. 778, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LICENSING BOARDS SUBJECT TO CHAPTER 55B OF THE GENERAL STATUTES TO ADOPT RULES TO IMPLEMENT THE PROVISIONS OF THE CHAPTER, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

Referred to the **Judiciary I Committee**.

By Senator Hartsell:

S.B. 779, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCESS FOR READOPTION OF EXISTING RULES IN ACCORDANCE WITH THE PERIODIC REVIEW AND EXPIRATION OF EXISTING RULES PROVISION OF THE ADMINISTRATIVE PROCEDURE ACT, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

Referred to the **Judiciary I Committee**.

By Senator Hartsell:

S.B. 780, A BILL TO BE ENTITLED AN ACT TO AMEND THE REPORTING REQUIREMENTS FOR OCCUPATIONAL LICENSING BOARDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

Referred to the **Judiciary I Committee**.

By Senator Hartsell:

S.B. 781, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE STATE BOARD OF EDUCATION IS SUBJECT TO RULE MAKING UNDER THE ADMINISTRATIVE PROCEDURE ACT AND TO PROVIDE A REMEDY WHEN AN AGENCY FAILS TO ACT AS DIRECTED BY STATUTE, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

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

By Senator Hise:

S.B. 782, A BILL TO BE ENTITLED AN ACT TO REQUIRE ADDITIONAL PUBLIC POSTING AND NOTICE OF STATE PLAN AMENDMENTS AND TO REQUIRE SUBMISSION OF A STATE PLAN AMENDMENT TO THE FEDERAL GOVERNMENT PRIOR TO THE EFFECTIVE DATE OF THE STATE PLAN AMENDMENT, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

Referred to the **Health Care Committee**.

By Senator Hise:

S.B. 783, A BILL TO BE ENTITLED AN ACT TO REENACT A LAW CONCERNING HEALTH BENEFIT PLAN CO-PAYMENTS FOR SERVICES PERFORMED BY CHIROPRACTORS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION STUDY COMMITTEE ON HEALTH CARE PROVIDER PRACTICE SUSTAINABILITY AND TRAINING/ADDITIONAL TRANSPARENCY IN HEALTH CARE.

Referred to the **Insurance Committee** and upon a favorable report, re-referred to the **Health Care Committee**.

By Senator Hise:

S.B. 784, A BILL TO BE ENTITLED AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY AND REPORT TO THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES ITS RECOMMENDATIONS FOR EXTENDING HEALTH CARE TRANSPARENCY REQUIREMENTS TO ADDITIONAL HEALTH CARE PROVIDERS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION STUDY COMMITTEE ON HEALTH CARE PROVIDER PRACTICE SUSTAINABILITY AND TRAINING/ADDITIONAL TRANSPARENCY IN HEALTH CARE.

Referred to the **Health Care Committee**.

By Senators Foushee, Woodard (Primary Sponsors) and Robinson:

S.B. 785, A BILL TO BE ENTITLED AN ACT AUTHORIZING TWO COUNTY COMMISSIONERS TO SERVE ON THE BOARD OF DURHAM TECHNICAL COMMUNITY COLLEGE.

Referred to the **Education/Higher Education Committee**.

By Senators Rucho, Newton, Brock (Primary Sponsors); Curtis, J. Davis, Gunn, B. Jackson, Krawiec and Wade:

S.B. 786, A BILL TO BE ENTITLED AN ACT TO (1) EXTEND THE DEADLINE FOR DEVELOPMENT OF A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (2) ENACT OR MODIFY CERTAIN EXEMPTIONS FROM REQUIREMENTS OF THE

ADMINISTRATIVE PROCEDURE ACT APPLICABLE TO RULES FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (3) CREATE THE NORTH CAROLINA OIL AND GAS COMMISSION AND RECONSTITUTE THE NORTH CAROLINA MINING COMMISSION; (4) AMEND MISCELLANEOUS STATUTES GOVERNING OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (5) ESTABLISH A SEVERANCE TAX APPLICABLE TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (6) AMEND MISCELLANEOUS STATUTES UNRELATED TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; AND (7) DIRECT STUDIES ON VARIOUS ISSUES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY.

Referred to the **Commerce Committee** and upon a favorable report, re-referred to the **Finance Committee**.

By Senators Apodaca, Curtis, Rabon (Primary Sponsors); Allran, Brock and B. Jackson:

S.B. 787, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT AT LEAST FIFTY-ONE PERCENT OF GENERAL FUND APPROPRIATIONS FOR PUBLIC SCHOOLS FOR EACH FISCAL YEAR ARE ALLOCATED TO THE CLASSROOM TEACHER ALLOTMENT.

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

By Senator Cook:

S.B. 788, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF DUCK TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS.

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

By Senator Cook:

S.B. 789, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ADDITIONAL FUNDS FOR CERTAIN SMALL COUNTY SCHOOL ADMINISTRATIVE UNITS.

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

By Senator Cook:

S.B. 790, A BILL TO BE ENTITLED AN ACT TO MAINTAIN THE EXEMPTION ON SALES OF ELECTRICITY BY CAPE HATTERAS ELECTRICAL MEMBERSHIP CORPORATION FROM SALES TAX RECOGNIZED IN 1965.

May 19, 2014

Referred to the **Commerce Committee** and upon a favorable report, re-referred to the **Finance Committee**.

By Senator Cook:

S.B. 791, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PURCHASE OF CERTAIN FEDERALLY OWNED REAL PROPERTY FOR THE PURPOSE OF ACQUIRING SUITABLE PROPERTY TO COMPLETE OREGON INLET STATE PARK; TO AUTHORIZE THE CONDEMNATION OF FEDERALLY OWNED REAL PROPERTY NECESSARY TO MANAGE EXISTING AND FUTURE TRANSPORTATION CORRIDORS ON THE OUTER BANKS; AND TO AUTHORIZE THE GOVERNOR TO WAIVE CERTAIN PERMITTING REQUIREMENTS DURING A GUBERNATORIALLY OR LEGISLATIVELY DECLARED STATE OF EMERGENCY.

Referred to the **Agriculture/Environment/Natural Resources Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

EXECUTIVE ORDERS

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

Executive Order No. 52, Establishment of North Carolina Governor's Substance Abuse and Underage Drinking Prevention and Treatment Task Force.

Executive Order No. 53, Disaster Declaration for April 25, 2014 Tornadoes.

INTRODUCTION OF A RESOLUTION

Pursuant to Senator Apodaca's earlier motion having prevailed, a Joint Resolution filed for introduction today is presented to the Senate, read the first time, and disposed of as follows:

By Senator Brown:

S.J.R. 796, A JOINT RESOLUTION EXPRESSING GRATITUDE AND APPRECIATION TO THE MEN AND WOMEN OF THE UNITED STATES ARMED FORCES.

The Joint Resolution is placed on the calendar of Tuesday, May 20.

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

May 19, 2014

ONE HUNDRED TENTH DAY

Senate Chamber
Tuesday, May 20, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

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

"Dear God of grace and God of wonder, what a joy, what a privilege it is to serve. Sustain us today by your presence. Sustain us today by your grace. When we grow weary, help us to draw upon your strength. When we grow faint, help us to draw upon your goodness, and when we grow concerned, help us to know that you know our thoughts. Lord, as we work today, and as we conduct our business, help us draw together as a family as we help represent the people scattered throughout the state. Help us to see that without you nothing would be possible. 'Come to me all who are weary and heavy laden and I will give you rest.'* From widows to orphans to board chairs to CTOs to schoolchildren from Wilson to homeless men and women, we all need your sustaining grace. We call upon that today, Lord, in the strong name of Christ. Amen."

*Matthew 11:28, NASB

The Chair grants leaves of absence for today to Senator Blue, Senator Parmon, Senator Stein, and Senator Woodard.

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Monday, May 19, 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.

The Chair extends privileges of the floor to Dr. John Burkard from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Ernie Glover from Tarboro, North Carolina, who is serving the Senate as Nurse of the Day.

CALENDAR

A bill and a resolution on today's calendar are taken up and disposed of as follows:

S.J.R. 796, A JOINT RESOLUTION EXPRESSING GRATITUDE AND APPRECIATION TO THE MEN AND WOMEN OF THE UNITED STATES ARMED FORCES, upon second reading.

Upon motion of Senator Apodaca, without objection, the rules are suspended, and the Joint Resolution is read in its entirety.

May 20, 2014

The Joint Resolution passes its second reading (46-0) and, without objection, is read a third time and passes its third reading, with all present members standing, and is ordered sent to the House of Representatives by special message.

H.B. 688 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CONTINUING EDUCATION REQUIREMENTS FOR CERTIFIED WELL CONTRACTORS, for adoption.

Upon motion of Senator Wade, the Senate adopts the Conference Committee Substitute bill (44-2).

The Chair orders a message sent to the House of Representatives informing that honorable body of such action.

Without objection, Senator Tillman submits a Senatorial Statement out of order:

A SENATORIAL STATEMENT
Submitted by Senator Jerry W. Tillman

Honoring the Life and Memory of Lynda Petty

WHEREAS, Lynda Gayle Owens Petty was born March 6, 1942, in High Point, North Carolina, and graduated from Randleman High School in 1960; and

WHEREAS, Lynda Petty set the benchmark for being a leader in her local community while raising a family in the fast-growing sport of stock car racing; and

WHEREAS, Lynda Petty was married to NASCAR champion, Richard Petty, for over 50 years and was known throughout the racing world as the "First Lady of NASCAR;" and

WHEREAS, Lynda Petty served as a member of the Randolph County Board of Education for 16 years from 1984 to 2000, including seven years as chair, and as a member of the Board of Directors of Hospice of Randolph County; and

WHEREAS, Lynda Petty played a role in establishing both the Racing Wives Auxiliary (Women's Auxiliary of Motorsports, Inc.), a benevolent fund for injured members of the NASCAR community, and Victory Junction, a camp founded in honor of her late grandson, Adam, to enrich the lives of children with chronic medical conditions or serious illnesses at no cost to the children or their families; and

WHEREAS, Lynda Petty also volunteered for the Red Cross, the Randolph County schools, the Girl and Boy Scouts, and the Randleman High School athletic boosters club, of which she served as president; and

WHEREAS, Lynda Petty died on March 25, 2014, leaving to mourn her loss her husband, Richard Petty; son, Kyle Petty; daughters, Sharon Farlow, Lisa Luck, and Rebecca Moffitt; 11 grandchildren; and two great-grandchildren;

NOW, THEREFORE, Lynda Petty deserves recognition for all of her good deeds and contributions to her community.

May 20, 2014

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the twentieth day of May, 2014.

S/Senator Jerry W. Tillman S/Sarah Lang
Senate Principal Clerk

REFERRAL OF A RESOLUTION

Upon motion of Senator Apodaca, without objection, the rules are suspended to allow **S.R. 809**, filed for introduction today, to be introduced today and placed on the calendar of Wednesday, May 21.

ADDITIONAL SPONSOR

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

S.B. 730, A BILL TO BE ENTITLED AN ACT TO EXPAND ELIGIBILITY FOR THE MEDICAID PROGRAM TO INCLUDE ALL PEOPLE UNDER AGE SIXTY-FIVE WHO HAVE INCOMES EQUAL TO OR BELOW ONE HUNDRED THIRTY-THREE PERCENT OF THE FEDERAL POVERTY LEVEL, TO APPROPRIATE FUNDS FOR THE ADMINISTRATIVE COSTS ASSOCIATED WITH THE EXPANSION, TO ACCOUNT FOR THE SAVINGS TO OTHER STATE PROGRAMS FROM THE EXPANSION, AND TO APPROPRIATE THE ADDITIONAL FUNDS GENERATED FROM EXPANSION TO THE MEDICAID REBASE.

Upon motion of Senator Berger, seconded by Senator Apodaca, the Senate adjourns at 1:42 p.m., subject to the receipt of committee reports, the receipt of messages from the House of Representatives, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Wednesday, May 21, at 2:00 p.m.

INTRODUCTION OF BILLS

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

By Senators Cook (Primary Sponsor) and Sanderson:

S.B. 792, A BILL TO BE ENTITLED AN ACT TO PROTECT THE CITIZENS OF NORTH CAROLINA FROM THE FERRY TAX AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF TRANSPORTATION FOR FERRY VESSEL REPLACEMENT.

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

May 20, 2014

By Senators Tillman, Cook (Primary Sponsors) and Newton:

S.B. 793, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCESS FOR REVIEW OF CHARTER APPLICATIONS BY THE NORTH CAROLINA CHARTER SCHOOLS ADVISORY BOARD, TO RAISE THE APPLICATION FEE FOR CHARTER APPLICATIONS, TO REQUIRE ADOPTION OF RULES FOR THE CHARTER APPLICATION PROCESS, TO CLARIFY THE APPEALS PROCESS FOR DENIALS OF CHARTER APPLICATIONS, AND TO MAKE CHARTER SCHOOLS SUBJECT TO REQUIREMENTS OF THE OPEN MEETINGS AND PUBLIC RECORDS LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

Referred to the **Education/Higher Education Committee**.

By Senator Brown:

S.B. 794, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE CERTAIN RULES ADOPTED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION.

Referred to the **Commerce Committee**.

By Senator Brown:

S.B. 795, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO LEVY AN ADDITIONAL ONE-QUARTER CENT SALES AND USE TAX FOR SCHOOL CONSTRUCTION.

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

By Senator Brock:

S.B. 797, A BILL TO BE ENTITLED AN ACT AMENDING THE DUTIES OF THE 911 BOARD RELATING TO PUBLIC SAFETY ANSWERING POINTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY.

Referred to the **Finance Committee**.

By Senators Brock, Hise (Primary Sponsors) and Newton:

S.B. 798, A BILL TO BE ENTITLED AN ACT RELATING TO THE AUTHORITY OF THE STATE CHIEF INFORMATION OFFICER TO MONITOR STATE AGENCY USE OF MOBILE ELECTRONIC COMMUNICATIONS DEVICES AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY.

Referred to the **Commerce Committee**.

By Senator Foushee:

S.B. 799, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CARRBORO TO ADOPT AND ENFORCE WITHIN ITS CORPORATE

LIMITS AND EXTRATERRITORIAL PLANNING JURISDICTION THE 2012 ENERGY CONSERVATION CODE AND 2012 RESIDENTIAL CODE.

Referred to the **State and Local Government Committee**.

By Senators Hunt, B. Jackson, Brown (Primary Sponsors) and Harrington:

S.B. 800, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Daniel:

S.B. 801, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF MORGANTON CONCERNING THE PROCEDURE FOR REMOVING THE MAYOR AND MEMBERS OF THE CITY COUNCIL FROM OFFICE AND MAKING CHANGES RELATED TO THE METHOD AND TIME OF MUNICIPAL ELECTIONS.

Referred to the **State and Local Government Committee**.

By Senators B. Jackson, Brown, Harrington (Primary Sponsors) and Hunt:

S.B. 802, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Hise, Barringer, Randleman (Primary Sponsors):

S.B. 803, A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIRED CONTENTS OF A STATUS REPORT FILED BY A PUBLIC GUARDIAN, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

Referred to the **Health Care Committee**.

By Senators Hise and Hartsell (Primary Sponsors):

S.B. 804, A BILL TO BE ENTITLED AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP AND REPORT ON STRATEGIES AND RECOMMENDATIONS FOR IMPROVING THE DELIVERY OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

Referred to the **Health Care Committee**.

By Senators Hise, Curtis (Primary Sponsors); Daniel and McLaurin:

S.B. 805, A BILL TO BE ENTITLED AN ACT REQUIRING THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, AND ENCOURAGING THE NORTH CAROLINA INDEPENDENT COLLEGES

AND UNIVERSITIES, INC., TO STUDY AND REPORT TO THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES ON THE FEASIBILITY OF ESTABLISHING AN AFFILIATED SCHOOL OF OPTOMETRY, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION STUDY COMMITTEE ON HEALTH CARE PROVIDER PRACTICE SUSTAINABILITY AND TRAINING/ADDITIONAL TRANSPARENCY IN HEALTH CARE.

Referred to the **Education/Higher Education Committee**.

By Senators Brock, Hise, Clark (Primary Sponsors):

S.B. 806, A BILL TO BE ENTITLED AN ACT AMENDING THE LAW PERTAINING TO THE EDUCATION LONGITUDINAL DATA SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY.

Referred to the **Education/Higher Education Committee**.

INTRODUCTION OF A RESOLUTION

Pursuant to Senator Apodaca's earlier motion having prevailed, a resolution filed for introduction today is presented to the Senate, read the first time, and disposed of as follows:

By Senators Pate, Meredith, Tucker (Primary Sponsors); Brock and J. Davis:

S.R. 809, A SENATE RESOLUTION EXPRESSING GRATITUDE AND APPRECIATION TO OUR VETERANS.

The resolution is placed on the calendar of Wednesday, May 21.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Brock for the **Agriculture/Environment/Natural Resources Committee**:

S.B. 734, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT CERTAIN AGRICULTURAL AND ENVIRONMENTAL ORDINANCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 35532, which changes the title to read **S.B. 734** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED

REGULATIONS, BY MAKING VARIOUS OTHER STATUTORY CHANGES, AND BY UPDATING AND AMENDING CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Finance Committee**.

By Senator Gunn for the **Commerce Committee**:

S.B. 786, A BILL TO BE ENTITLED AN ACT TO (1) EXTEND THE DEADLINE FOR DEVELOPMENT OF A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (2) ENACT OR MODIFY CERTAIN EXEMPTIONS FROM REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT APPLICABLE TO RULES FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (3) CREATE THE NORTH CAROLINA OIL AND GAS COMMISSION AND RECONSTITUTE THE NORTH CAROLINA MINING COMMISSION; (4) AMEND MISCELLANEOUS STATUTES GOVERNING OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (5) ESTABLISH A SEVERANCE TAX APPLICABLE TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (6) AMEND MISCELLANEOUS STATUTES UNRELATED TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; AND (7) DIRECT STUDIES ON VARIOUS ISSUES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 35529, which changes the title to read **S.B. 786** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) EXTEND THE DEADLINE FOR DEVELOPMENT OF A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (2) ENACT OR MODIFY CERTAIN EXEMPTIONS FROM REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT APPLICABLE TO RULES FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (3) ESTABLISH A DATE CERTAIN OF JULY 1, 2015, FOR ISSUANCE FOR PERMITS FOR

OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (4) CREATE THE NORTH CAROLINA OIL AND GAS COMMISSION AND RECONSTITUTE THE NORTH CAROLINA MINING COMMISSION; (5) AMEND MISCELLANEOUS STATUTES GOVERNING OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (6) ESTABLISH A SEVERANCE TAX APPLICABLE TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (7) AMEND MISCELLANEOUS STATUTES UNRELATED TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; AND (8) DIRECT STUDIES ON VARIOUS ISSUES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Finance Committee**.

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

S.B. 786 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) EXTEND THE DEADLINE FOR DEVELOPMENT OF A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (2) ENACT OR MODIFY CERTAIN EXEMPTIONS FROM REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT APPLICABLE TO RULES FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (3) ESTABLISH A DATE CERTAIN OF JULY 1, 2015, FOR ISSUANCE FOR PERMITS FOR OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (4) CREATE THE NORTH CAROLINA OIL AND GAS COMMISSION AND RECONSTITUTE THE NORTH CAROLINA MINING COMMISSION; (5) AMEND MISCELLANEOUS STATUTES GOVERNING OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (6) ESTABLISH A SEVERANCE TAX APPLICABLE TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (7) AMEND MISCELLANEOUS STATUTES UNRELATED TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; AND (8) DIRECT STUDIES ON VARIOUS ISSUES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY, with a favorable report.

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

May 20, 2014

ONE HUNDRED ELEVENTH DAY

Senate Chamber
Wednesday, May 21, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

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

"Father, thank you sending your Holy Spirit here right now that carries us along as a body. You have brought us this far, and you are going to bring us to the destination that you would choose fit. Lord, none of us are appointed by chance, nor have any of us gotten to this place on our own steam. We are keenly aware of that. This is a secret sovereign appointment. May we be humbled today by that knowledge and thankful for the gift of this place, this assembly, those that have come before, those that will come after us. Lord, we can feel the largeness of this place; we are only gnats sometimes, Lord. What would it be like if we were to worry less about people's opinions and the approval of others? So, Lord, may our confidence to legislate come from your favor, from your assurance rather than from our own ambivalence or our own attempts to make up what we want to make up. Give us freedom, and give us faith. Thank you, Lord, for that. We pray in Christ's name. Amen."

The Chair grants leaves of absence for today to Senator Berger, Senator Parmon, and Senator Soucek.

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Tuesday, May 20, 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.

The Chair extends privileges of the floor to Dr. Ward Adcock from Gastonia, North Carolina, who is serving the Senate as Doctor of the Day, and to Ann Marie Patterson-Powell from Cary, North Carolina, and Jennifer Lamm from Rocky Mount, North Carolina, who are serving the Senate as Nurses of the Day.

MOTION RELATIVE TO THE CALENDAR

S.R. 809, A SENATE RESOLUTION EXPRESSING GRATITUDE AND APPRECIATION TO OUR VETERANS, for adoption.

Upon motion of Senator Apodaca, the resolution is withdrawn from the regular order of business and placed at the beginning of today's calendar.

ENROLLED RESOLUTION

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

S.J.R. 796, A JOINT RESOLUTION EXPRESSING GRATITUDE AND APPRECIATION TO THE MEN AND WOMEN OF THE UNITED STATES ARMED FORCES. (Res. 2014-2)

ADDITIONAL SPONSOR

Senator J. Davis requests to be added as a sponsor of previously introduced legislation:

S.R. 809, A SENATE RESOLUTION EXPRESSING GRATITUDE AND APPRECIATION TO OUR VETERANS.

CALENDAR

A bill and a resolution on today's calendar are taken up and disposed of as follows:

S.R. 809, A SENATE RESOLUTION EXPRESSING GRATITUDE AND APPRECIATION TO OUR VETERANS, for adoption.

Upon motion of Senator Apodaca, without objection, the rules are suspended, and the resolution is read in its entirety.

Upon motion of Senator Pate, the Senate Resolution is adopted (47-0).

FLOOR PRIVILEGES

Upon motion of Senator Apodaca, without objection, the rules are suspended to allow Research Division staff to join Senator Rucho on the Senate chamber floor while **S.B. 786** is being discussed.

The Chair grants a leave of absence for the remainder of today's session to Senator Hartsell.

CALENDAR *(continued)*

S.B. 786 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) EXTEND THE DEADLINE FOR DEVELOPMENT OF A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (2) ENACT OR MODIFY CERTAIN EXEMPTIONS FROM REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT APPLICABLE TO RULES FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION,

DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (3) ESTABLISH A DATE CERTAIN OF JULY 1, 2015, FOR ISSUANCE FOR PERMITS FOR OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (4) CREATE THE NORTH CAROLINA OIL AND GAS COMMISSION AND RECONSTITUTE THE NORTH CAROLINA MINING COMMISSION; (5) AMEND MISCELLANEOUS STATUTES GOVERNING OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (6) ESTABLISH A SEVERANCE TAX APPLICABLE TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (7) AMEND MISCELLANEOUS STATUTES UNRELATED TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; AND (8) DIRECT STUDIES ON VARIOUS ISSUES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY, upon second reading.

Senator Stein offers Amendment No. 1, which fails (17-29).

Senator McKissick offers Amendment No. 2, which fails (16-30).

Senator McLaurin offers Amendment No. 3, which fails (16-30).

Senator Woodard offers Amendment No. 4, which fails (16-30).

Senator Clark offers Amendment No. 5, which is adopted (26-20).

The Committee Substitute bill, as amended, passes its second reading, by roll-call vote, ayes 33, noes 13, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Bingham, Brock, Brown, Clark, Cook, Curtis, Daniel, J. Davis, Ford, Goolsby, Gunn, Harrington, Hise, Hunt, B. Jackson, Krawiec, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Tarte, Tillman, Tucker, Wade and Walters---33.

Voting in the negative: Senators Blue, Bryant, D. Davis, Foushee, Graham, J. Jackson, Jenkins, McKissick, McLaurin, Robinson, Stein, Van Duyn and Woodard---13.

The Committee Substitute bill, as amended, remains on the calendar for Thursday, May 22, upon third reading.

Upon motion of Senator Pate, seconded by Senator Harrington, the Senate adjourns at 3:56 p.m., in honor of the late former Representative Jim Gulley, subject to the receipt of committee reports, the receipt of messages from the House of Representatives, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Thursday, May 22, at 11:00 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 Walters (Primary Sponsor); Daniel and Sanderson:

S.J.R. 807, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LEO MERCER, FORMER MEMBER OF THE GENERAL ASSEMBLY.

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

By Senators Cook, Sanderson, Brown (Primary Sponsors) and Newton:

S.B. 808, A BILL TO BE ENTITLED AN ACT TO SUPPORT THE MARICULTURE INDUSTRY IN NORTH CAROLINA.

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

By Senators Meredith and Clark (Primary Sponsors):

S.B. 810, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW GOVERNING RED LIGHT CAMERAS IN FAYETTEVILLE.

Referred to the **State and Local Government Committee**.

By Senators Soucek, Tillman (Primary Sponsors); Brock, Cook, Daniel, Hunt, Krawiec, Randleman and Sanderson:

S.B. 812, A BILL TO BE ENTITLED AN ACT TO REPLACE THE COMMON CORE BY EXERCISING NORTH CAROLINA'S PROPER CONSTITUTIONAL AUTHORITY OVER ALL ACADEMIC STANDARDS AND TO ENSURE THAT STANDARDS ARE ROBUST AND APPROPRIATE AND THAT THEY ENABLE STUDENTS TO SUCCEED ACADEMICALLY AND PROFESSIONALLY, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION STUDY COMMITTEE ON THE COMMON CORE STATE STANDARDS.

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

By Senators Hise, Barringer, Randleman (Primary Sponsors) and Sanderson:

S.B. 813, A BILL TO BE ENTITLED AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXAMINE WAYS TO IMPROVE THE INTEGRITY, EFFICIENCY, AND OVERSIGHT OF THE PUBLIC GUARDIANSHIP SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

Referred to the **Health Care Committee** and upon a favorable report, re-referred to the **Judiciary II Committee**.

By Senator Hunt:

S.B. 814, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUTES RELATED TO THE USE OF PREQUALIFICATION IN PUBLIC CONSTRUCTION CONTRACTING, AS RECOMMENDED BY THE JOINT PURCHASE AND CONTRACT STUDY COMMITTEE.

Referred to the **Judiciary I Committee**.

May 21, 2014

By Senators Barefoot, Brock, Soucek (Primary Sponsors); Cook, Daniel, Krawiec, Randleman, Sanderson and Tillman:

S.B. 815, A BILL TO BE ENTITLED AN ACT TO ENSURE THE PRIVACY AND SECURITY OF STUDENT EDUCATIONAL RECORDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY.

Referred to the **Judiciary I Committee**.

By Senators Clark, Ford (Primary Sponsors); Bryant, Robinson and Van Duyn:

S.J.R. 816, A JOINT RESOLUTION AUTHORIZING THE 2013 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO EXTEND THE CREDIT FOR LOW-INCOME HOUSING AWARDED A FEDERAL CREDIT ALLOCATION.

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

By Senators Daniel, Tarte, Rabin (Primary Sponsors); Hunt and Sanderson:

S.B. 817, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOUR-YEAR TERMS FOR MEMBERS OF THE GENERAL ASSEMBLY AND TO LIMIT MEMBERS OF THE GENERAL ASSEMBLY TO FOUR CONSECUTIVE TERMS IN A HOUSE.

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

By Senators Tillman (Primary Sponsor); Brock, Daniel, Ford, Hunt, Robinson and Sanderson:

S.B. 818, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AND DEDICATE FUNDS FOR THE NORTH CAROLINA EDUCATION ENDOWMENT FUND TO PROVIDE ADDITIONAL SUPPORT AND FUNDING FOR K-12 PUBLIC SCHOOLS.

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

RESOLUTION HELD AS FILED

S.R. 811, introduced by Senators Bingham, Brock, and B. Jackson (Primary Sponsors), is held as filed in the Office of the Senate Principal Clerk.

A SENATORIAL STATEMENT

Submitted by Senator Louis Pate

Supporting Hypertension/High Blood Pressure Awareness Day

WHEREAS, the health of our citizens is the foundation for a caring and productive society, and our future rests with our ability to adequately treat, and ultimately to prevent, a variety of illnesses including high blood pressure; and

WHEREAS, heart disease and stroke are the second and fourth leading causes of death in North Carolina, and high blood pressure, also known as

hypertension, is a major and modifiable risk factor for heart disease and stroke and is a major contributor to adult disability; and

WHEREAS, in 2011, 32.4% of North Carolina adults reported a health professional telling them that they had high blood pressure; and

WHEREAS, about seven out of every 10 people having their first heart attack have high blood pressure and about eight out of every 10 people having their first stroke have high blood pressure; and

WHEREAS, adequate medical treatments and proven preventive health strategies, such as healthy lifestyles that include a low-salt diet with more fruits and vegetables, are beneficial; and

WHEREAS, high blood pressure patients who are treated earlier have a longer life expectancy; and

WHEREAS, education can help with early diagnosis, prevention, and better treatment;

NOW, THEREFORE, the third Wednesday of each May should be recognized as Hypertension/High Blood Pressure Awareness Day in North Carolina.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the twenty-first day of May, 2014.

S/Senator Louis Pate

S/Sarah Lang
Senate Principal Clerk

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

S.B. 734 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, BY MAKING VARIOUS OTHER STATUTORY CHANGES, AND BY UPDATING AND AMENDING CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 35535, is adopted and engrossed.

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

May 21, 2014

ONE HUNDRED TWELFTH DAY

Senate Chamber
Thursday, May 22, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

Prayer is offered by The Honorable Don Davis, Senator from Greene County, as follows:

"Oh, Lord, as we gather today—servants of a great state—make your wisdom known to us. Direct our hearts, our minds, and our souls, realizing that a house divided against itself cannot stand. Now, bless the members of this Senate family and every citizen of our state. As we've expressed our deep appreciation for our military throughout this week, we ask a special prayer: bless those who have served and their families, from sea to shining sea. God bless America. Amen."

The Chair grants leaves of absence for today to Senator Hartsell, Senator Parmon, and Senator Soucek.

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Wednesday, May 21, 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.

The Chair extends privileges of the floor to Dr. John Ebert from Charlotte, North Carolina, who is serving the Senate as Doctor of the Day, and to Michelle Voitik from Raleigh, North Carolina, who is serving the Senate as Nurse of the Day.

FLOOR PRIVILEGES

Upon motion of Senator Apodaca, without objection, the rules are suspended to allow Research Division staff to join Senator Rucho on the Senate chamber floor while **S.B. 786** is being discussed.

CALENDAR

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

S.B. 786 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) EXTEND THE DEADLINE FOR DEVELOPMENT OF A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE

AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (2) ENACT OR MODIFY CERTAIN EXEMPTIONS FROM REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT APPLICABLE TO RULES FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (3) ESTABLISH A DATE CERTAIN OF JULY 1, 2015, FOR ISSUANCE FOR PERMITS FOR OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (4) CREATE THE NORTH CAROLINA OIL AND GAS COMMISSION AND RECONSTITUTE THE NORTH CAROLINA MINING COMMISSION; (5) AMEND MISCELLANEOUS STATUTES GOVERNING OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (6) ESTABLISH A SEVERANCE TAX APPLICABLE TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (7) AMEND MISCELLANEOUS STATUTES UNRELATED TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; AND (8) DIRECT STUDIES ON VARIOUS ISSUES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY, upon third reading, as amended.

Senator Jenkins offers Amendment No. 6, which is adopted (47-0).

Senator Hunt offers Amendment No. 7, which is adopted (47-0).

Senator Barefoot offers Amendment No. 8, which is adopted (47-0).

The Committee Substitute bill, as amended, passes its third reading, by roll-call vote, ayes 35, noes 12, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Clark, Cook, Curtis, Daniel, J. Davis, Ford, Goolsby, Gunn, Harrington, Hise, Hunt, B. Jackson, Jenkins, Krawiec, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Tarte, Tillman, Tucker, Wade and Walters---35.

Voting in the negative: Senators Blue, Bryant, D. Davis, Foushee, Graham, J. Jackson, McKissick, McLaurin, Robinson, Stein, Van Duyn and Woodard---12.

The Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives by special message.

S.B. 734 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, BY MAKING VARIOUS OTHER STATUTORY CHANGES, AND BY UPDATING AND AMENDING CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS, upon second reading.

May 22, 2014

Senator Brock offers Amendment No. 1, which is adopted (47-0).

Senator Stein offers Amendment No. 2.

Senator Apodaca offers Amendment No. 3 as a Substitute Amendment for Amendment No. 2.

Amendment No. 3 is adopted (31-16).

Amendment No. 2 subsequently fails.

Senator Woodard offers Amendment No. 4, which fails (16-31).

Senator McKissick offers Amendment No. 5, which fails (16-31).

Senator McKissick offers Amendment No. 6.

Senator Apodaca offers Amendment No. 7 as a Substitute Amendment for Amendment No. 6.

Amendment No. 7 is adopted (31-16).

Amendment No. 6 subsequently fails.

Senator McKissick offers Amendment No. 8.

Senator Apodaca offers Amendment No. 9 as a Substitute Amendment for Amendment No. 8.

Amendment No. 9 is adopted (31-16).

Amendment No. 8 subsequently fails.

The Committee Substitute bill No. 2, as amended, passes its second reading, by roll-call vote, ayes 37, noes 10, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, J. Davis, Ford, Goolsby, Gunn, Harrington, Hise, Hunt, B. Jackson, Jenkins, Krawiec, McLaurin, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Tarte, Tillman, Tucker, Wade and Walters---37.

Voting in the negative: Senators Blue, D. Davis, Foushee, Graham, J. Jackson, McKissick, Robinson, Stein, Van Duyn and Woodard---10.

The Committee Substitute bill No. 2, as amended, remains on the calendar for Friday, May 23, upon third reading.

RE-REFERRAL OF BILLS

Upon motion of Senator Apodaca, without objection, all bills on the calendar of Friday, May 23, and Tuesday, May 27, are placed on the calendar of Wednesday, May 28.

Upon motion of Senator Pate, seconded by Senator Hise, the Senate adjourns at 12:35 p.m., subject to the receipt of committee reports, the receipt of messages from the House of Representatives, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Friday, May 23, at 9:30 a.m.

INTRODUCTION OF BILLS

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

By Senators Pate, Tarte, Woodard (Primary Sponsors); D. Davis, Foushee and Sanderson:

S.B. 819, A BILL TO BE ENTITLED AN ACT TO UPDATE AND MODERNIZE THE MIDWIFERY PRACTICE ACT, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

Referred to the **Health Care Committee**.

By Senators Randleman, Barringer (Primary Sponsors); Foushee, Robinson and Sanderson:

S.B. 820, A BILL TO BE ENTITLED AN ACT REQUIRING THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES TO STUDY OVERSIGHT OF THE STATE'S SOCIAL SERVICES SYSTEM, ANY POTENTIAL CONFLICTS OF INTEREST WITHIN THE SYSTEM, AND HOW THOSE MATTERS MAY BE ADDRESSED, AS RECOMMENDED BY THE LRC COMMITTEE ON OMNIBUS FOSTER CARE AND DEPENDENCY.

Referred to the **Health Care Committee**.

By Senators Randleman, Barringer (Primary Sponsors); Foushee, Robinson and Sanderson:

S.B. 821, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COURT TO CONSIDER WHETHER A JUVENILE PETITION HAS BEEN PROPERLY VERIFIED AND JURISDICTION HAS BEEN INVOKED AT THE PRE-ADJUDICATION HEARING, AS RECOMMENDED BY THE LRC COMMITTEE ON OMNIBUS FOSTER CARE AND DEPENDENCY.

Referred to the **Judiciary II Committee**.

By Senators Rabon, Meredith, and Harrington (Primary Sponsors):

S.B. 822, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CONTINUANCES OF DIVISION OF MOTOR VEHICLES INSPECTION STATION VIOLATION CASES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee**.

By Senators Rabon, Harrington, and Meredith (Primary Sponsors):

S.B. 823, A BILL TO BE ENTITLED AN ACT TO APPLY ALTERNATE PRIORITIZATION CRITERIA UNDER THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA TO FEDERAL AND STATE FUNDS USED FOR EMERGENCY REPAIR WORK, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

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

May 22, 2014

By Senators Meredith, Walters, Ford (Primary Sponsors) and Sanderson:

S.B. 824, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AGRICULTURAL TOURISM SIGNS ON STATE HIGHWAYS ARE SUBJECT TO DEPARTMENT OF TRANSPORTATION LOCATION AND PLACEMENT RULES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee**.

By Senators Meredith, Rabon, and Daniel (Primary Sponsors):

S.B. 825, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE DIVISION OF MOTOR VEHICLES DRIVERS LICENSE MEDICAL REVIEW PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee**.

By Senators Meredith, Gunn, Ford (Primary Sponsors) and Harrington:

S.B. 826, A BILL TO BE ENTITLED AN ACT TO UPDATE A FEDERAL STATUTORY REFERENCE IN STATE LAW CONCERNING STATE OVERSIGHT OF FIXED GUIDEWAY TRANSIT SYSTEM SAFETY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee**.

By Senators Meredith, Ford, and Daniel (Primary Sponsors):

S.B. 827, A BILL TO BE ENTITLED AN ACT TO REENACT THE AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION TO PARTICIPATE IN PRIVATE DEVELOPER CONTRACTS FOR IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM, SUBJECT TO A LIMIT OF THE LESSER OF TEN PERCENT OR TWO HUNDRED FIFTY THOUSAND DOLLARS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee**.

By Senators Meredith, Rabon, and Harrington (Primary Sponsors):

S.B. 828, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO ISSUE A SINGLE ANNUAL REGISTRATION RENEWAL STICKER FOR EACH VEHICLE REGISTRATION PLATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee**.

By Senator Harrington:

S.B. 829, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DUE DATE FOR THE NORTH CAROLINA TURNPIKE AUTHORITY ANNUAL AUDIT REPORT TO OCTOBER, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee**.

May 22, 2014

By Senators Harrington and Daniel (Primary Sponsors):

S.B. 830, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES HEARING ON A LICENSE REVOCATION AS A RESULT OF A DRIVING WHILE IMPAIRED IGNITION INTERLOCK VIOLATION BE HELD IN THE LICENSEE'S COUNTY OF RESIDENCE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee** and upon a favorable report, re-referred to the **Judiciary II Committee**.

By Senators Harrington, Meredith, and Rabon (Primary Sponsors):

S.B. 831, A BILL TO BE ENTITLED AN ACT TO EXCLUDE FEDERAL LANDS ACCESS PROGRAM FUNDS FROM THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee**.

By Senators Harrington, Rabon, and Meredith (Primary Sponsors):

S.B. 832, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE DRIVERS LICENSE MATERIAL TECHNICAL STANDARDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee**.

By Senators Tillman (Primary Sponsor); Foushee and Robinson:

S.B. 833, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO STUDY A STATEWIDE PERFORMANCE COMPENSATION PLAN FOR EDUCATORS, AS RECOMMENDED BY THE NORTH CAROLINA EDUCATOR EFFECTIVENESS AND COMPENSATION TASK FORCE.

Referred to the **Education/Higher Education Committee**.

By Senators Ford and Daniel (Primary Sponsors):

S.B. 834, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO CONVERT PAPER TITLES TO ELECTRONIC LIENS AND TO CHARGE A FEE FOR EACH CONVERSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee** and upon a favorable report, re-referred to the **Judiciary II Committee**.

By Senators Ford and Daniel (Primary Sponsors):

S.B. 835, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NOTICE OF A SUSPENSION, REVOCATION, OR NONRENEWAL OF A LICENSE UNDER THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW SHALL BE GIVEN IN

ACCORDANCE WITH RULE 4 OF THE RULES OF CIVIL PROCEDURE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee** and upon a favorable report, re-referred to the **Judiciary II Committee**.

By Senators Ford, Daniel (Primary Sponsors) and Robinson:

S.B. 836, A BILL TO BE ENTITLED AN ACT TO EXTEND BY ONE YEAR THE DEPARTMENT OF TRANSPORTATION DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESS PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee**.

By Senator Bingham:

S.B. 837, A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR COMMISSIONING OF NOTARIES PUBLIC.

Referred to the **Judiciary II Committee**.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

H.B. 1050 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE REVENUE LAWS, AS RECOMMENDED BY THE REVENUE LAWS STUDY COMMITTEE.

Referred to the **Finance Committee**.

A SENATORIAL STATEMENT

Submitted by Senator Phil Berger

Congratulating Duane Best on His Induction into the High School Choral Hall of Fame

WHEREAS, Duane Best taught music for 38 years, serving as choral director at J.E. Holmes Middle School and John Motley Morehead High School in Eden, North Carolina; and

WHEREAS, Duane Best profoundly influenced his profession through mentorship of educators in North Carolina and throughout the country and touched the lives of thousands of individuals through music education; and

WHEREAS, Duane Best served as chair of the North Carolina All-State Chorus; chair of the choral section of the North Carolina Music Educators Conference; chair of the North Carolina Honors Chorus, of which he helped organize to extend honors chorus in elementary and middle schools; and director and producer of 12 Broadway musicals at John Motley Morehead High School; and

WHEREAS, Duane Best earned the 1995 Richard Kelsey Teacher of the Year Award and the 2011 Eden Chamber of Commerce Distinguished Citizen of the Year Award and was nominated for the Order of the Long Leaf Pine; he received the distinction of having the auditorium at John Motley Morehead High School and a scholarship named in his honor and the 2013 Rockingham Habitat for Humanity Award dedicated in his honor; and

WHEREAS, in 2014, Duane Best was inducted into the North Carolina Music Educators Association's High School Choral Hall of Fame; and

WHEREAS, Duane Best has served as a church choir director for over 45 years and has been a devoted husband to his wife, Gloria Best;

NOW, THEREFORE, Duane Best deserves recognition for enriching the lives of countless others through music education and congratulations on being inducted into the North Carolina Music Educators Association's High School Choral Hall of Fame.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the twenty-second day of May, 2014.

S/Senator Phil Berger

S/Sarah Lang
Senate Principal Clerk

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED THIRTEENTH DAY

Senate Chamber
Friday, May 23, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Neal Hunt, Senator from Wake County.

Prayer is offered by The Honorable Chad Barefoot, Senator from Wake County, as follows:

"Heavenly Father, Lord, thank you for this day that you have given us. Lord, thank you for this long weekend that you have blessed us with to remember and think about the people that have sacrificed everything for this country. Lord, we praise you for the freedoms that you allow us, and we ask that you continue to give us wisdom as we complete this legislative session. It is in Jesus name we pray. Amen."

Senator Blue announces that the Senate Journal of Thursday, May 22, 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.

May 23, 2014

Upon motion of Senator Hise, seconded by Senator Barefoot, the Senate adjourns at 9:35 a.m., subject to the referral and re-referral of bills and resolutions, to reconvene Tuesday, May 27, at 5:00 p.m.

ONE HUNDRED FOURTEENTH DAY

Senate Chamber
Tuesday, May 27, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

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

"Lord, Lord, you are God. You are the Father, the Son, the Holy Spirit. You are faithful, and your love is awesome. Your deeds have brought us through the desert wastes and darkening valleys. We pray that the memory of your acts, your great acts, will alert our eyes and ears to signs of your presence in the thick of political life. Even though we are prone to be drowsy and wander in the heavy atmosphere of habits and noise, I pray that you, Lord, would refresh us right now, right now. Give us grace that we might waken to serve you with renewed attentiveness and energy to what you are doing. For Christ's sake, Amen."

The Chair grants leaves of absence for today to Senator Jenkins, Senator Parmon, and Senator Rabin.

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Friday, May 23, 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.

The Chair extends privileges of the floor to Dr. Joy Kieffer from Winterville, North Carolina, who is serving the Senate as Doctor of the Day.

WITHDRAWALS FROM COMMITTEES

S.B. 815, A BILL TO BE ENTITLED AN ACT TO ENSURE THE PRIVACY AND SECURITY OF STUDENT EDUCATIONAL RECORDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY, referred to the **Judiciary I Committee** on May 21.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the bill be withdrawn from the **Judiciary I Committee** and re-referred to the **Education/Higher Education Committee** with a sequential referral to the

Judiciary I Committee, which motion prevails with unanimous consent, and the Chair so orders.

H.B. 292 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE STUDY COMMITTEE ON MUSIC THERAPY LICENSURE, referred to the **Education/Higher Education Committee** on July 1, 2013.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill No. 2 be withdrawn from the **Education/Higher Education Committee** and re-referred to the **State and Local Government Committee**, which motion prevails with unanimous consent, and the Chair so orders.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

Upon motion of Senator Apodaca, the rules are suspended, and a special message from the House of Representatives is read as follows:

H.J.R. 1121, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LEO MERCER, FORMER MEMBER OF THE GENERAL ASSEMBLY.

Upon motion of Senator Apodaca, the rules are suspended, and the Joint Resolution is placed on today's calendar for immediate consideration.

CALENDAR

A Joint Resolution on today's calendar is taken up and disposed of as follows:

H.J.R. 1121, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LEO MERCER, FORMER MEMBER OF THE GENERAL ASSEMBLY, upon second reading.

Upon motion of Senator Apodaca, without objection, the rules are suspended and the Joint Resolution is read in its entirety.

The Joint Resolution passes its second reading (47-0) and, without objection, is read a third time and passes its third reading, with all present members standing, and is ordered enrolled.

SENATE PAGES

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

Jordan Boyd, Ellenboro; Connor Cochran, Bryson City; Brenna Daniel, Morganton; Darien Evans, Lenoir; Jewel Ham, Huntersville; Benjamin Hebda, Raleigh; Lane Hickman, Lumberton; Jack Himmel, Chapel Hill; Abigail Isenhour, Albemarle; Davis Jones, Greensboro; Aviana Lindsey, Reidsville; Trey Matthews II, Raleigh; Sarah Mock, Mebane; Delaney Nance, Kernersville; Taylor Niedzwiecki, Garner; Taylor Oakley, Jacksonville; Lucy Mae Rascoe, Edenton; Landon Raynor, Maple Hill; Scott Stump, Waynesville; Reyniah

Taylor, Kernersville; Charlotte Thomas, Morganton; Cameron Wade, Hickory; Emily Weatherspoon, Raleigh; and Brelynn Wray, Walkertown.

REMOVAL OF A BILL SPONSOR

Senator Sanderson requests to be removed as a sponsor of previously introduced legislation:

S.B. 819, A BILL TO BE ENTITLED AN ACT TO UPDATE AND MODERNIZE THE MIDWIFERY PRACTICE ACT, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

Upon motion of Senator Berger, seconded by Senator Daniel, the Senate adjourns at 5:35 p.m., subject to the receipt of committee reports, the receipt of messages from the House of Representatives, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Wednesday, May 28, at 11:00 a.m.

EXECUTIVE ORDER

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

Executive Order No. 54, Aviation Development Task Force.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
May 27, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **H.B. 688** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CONTINUING EDUCATION REQUIREMENTS FOR CERTIFIED WELL CONTRACTORS.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

May 27, 2014

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

H.B. 1050 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE REVENUE LAWS, AS RECOMMENDED BY THE REVENUE LAWS STUDY COMMITTEE, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40214, is adopted and engrossed.

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FIFTEENTH DAY

Senate Chamber
Wednesday, May 28, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

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

"Lord, we are thankful for this day. We are thankful that you have brought us here to listen. You have not left us empty handed. You have filled us up. You are with us in this beautiful and divine project of representative government. You have filled us with many good opportunities. You are qualifying these senators to serve. You have lavished us with your peace. You have set out a proper course for us. We ask you, Lord, today, to speak to each of us, especially those here that represent the people of North Carolina. Focus their minds; give wisdom to their hearts and enjoyment to their work. May they represent us all to the best of their ability. As you remind us in the Hebrew Scriptures, you said that He who has fed you today will take care of you tomorrow. It is in Christ's name we pray. Amen."

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Tuesday, May 27, 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.

May 28, 2014

The Chair extends privileges of the floor to Dr. Wesley Early from Greenville, North Carolina, who is serving the Senate as Doctor of the Day, and to Denise Brigham from Greenville, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILLS AND A RESOLUTION

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

S.B. 294, AN ACT TO ALLOW ENTITIES REGULATED UNDER PHASE II OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM TO UTILIZE THE DEPARTMENT OF TRANSPORTATION'S BEST MANAGEMENT PRACTICES TOOLBOX FOR LINEAR TRANSPORTATION PROJECTS.

H.B. 688, AN ACT AMENDING THE CONTINUING EDUCATION REQUIREMENTS FOR CERTIFIED WELL CONTRACTORS.

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. 1121, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LEO MERCER, FORMER MEMBER OF THE GENERAL ASSEMBLY. (Res. 2014-3)

The Senate recesses at 11:11 a.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 11:30 a.m.

RECESS

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 Parmon, D. Davis, and Bryant (Primary Sponsors):

S.J.R. 838, A JOINT RESOLUTION AUTHORIZING THE 2013 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT AMENDING THE WAGE AND HOUR ACT TO RAISE THE STATE MINIMUM WAGE AND PROVIDE FOR AUTOMATIC ADJUSTMENT TO REFLECT INCREASES IN THE COST OF LIVING.

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

May 28, 2014

By Senators Parmon and Krawiec (Primary Sponsors):

S.B. 839, A BILL TO BE ENTITLED AN ACT PROVIDING THAT PARKING METERS IN THE CITY OF WINSTON-SALEM MAY BE ACTIVATED BY COINS, TOKENS, CASH, OR ANY OTHER COMMERCIALLY AVAILABLE MEANS OF PREPAYMENT CREDIT OR DEBIT.

Referred to the **State and Local Government Committee**.

By Senators Parmon and Krawiec (Primary Sponsors):

S.B. 840, A BILL TO BE ENTITLED AN ACT TO CLARIFY HOW PUBLIC BODIES IN WINSTON-SALEM MAY CONDUCT BUSINESS DURING MEETINGS INVOLVING SIMULTANEOUS COMMUNICATION.

Referred to the **State and Local Government Committee**.

By Senators D. Davis and Pate (Primary Sponsors):

S.B. 841, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GREENVILLE TO CONVEY BY PRIVATE NEGOTIATION AND SALE CERTAIN REAL PROPERTY OWNED BY THE CITY THAT DOES NOT MEET THE MINIMUM LOT SIZE REQUIREMENTS PRESCRIBED BY THE CITY'S ZONING ORDINANCE.

Referred to the **State and Local Government Committee**.

By Senators Brown, Harrington, Hunt (Primary Sponsors) and B. Jackson:

S.B. 842, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Bingham (Primary Sponsor); Brock and Cook:

S.B. 843, A BILL TO BE ENTITLED AN ACT TO REAUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE "NORTH CAROLINA MASTER GARDENER" SPECIAL REGISTRATION PLATES.

Referred to the **Finance Committee**.

By Senator Tucker:

S.B. 844, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF MONROE TO REMOVE THE PROVISION AUTHORIZING THE CITY MANAGER TO HAVE DIRECT SUPERVISORY AUTHORITY OVER THE CITY ATTORNEY.

Referred to the **State and Local Government Committee**.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

H.B. 725 (Committee Substitute No. 2) is received from the House of Representatives and ordered held in the Office of the Senate Principal Clerk.

May 28, 2014

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

The Senate recesses at 11:30 a.m. to reconvene at 12:00 p.m.

RECESS

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

The Senate recesses at 12:10 p.m. to reconvene at 12:30 p.m.

RECESS

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

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

S.B. 734 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, BY MAKING VARIOUS OTHER STATUTORY CHANGES, AND BY UPDATING AND AMENDING CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS, upon third reading, as amended.

Upon motion of Senator Apodaca, the Committee Substitute bill No. 2, as amended, is withdrawn from today's calendar and placed on the calendar of Thursday, May 29.

FLOOR PRIVILEGES

Upon motion of Senator Apodaca, without objection, the rules are suspended to allow Research Division staff to join Senator Rabon on the Senate chamber floor while **H.B. 1050** is being discussed.

CALENDAR

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

H.B. 1050 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE REVENUE LAWS, AS RECOMMENDED BY THE REVENUE LAWS STUDY COMMITTEE, upon second reading.

May 28, 2014

The Chair grants a leave of absence for the remainder of today's session to Senator Harrington.

Senator Ford offers Amendment No. 1, which fails (16-32).

Senator Rucho offers Amendment No. 2, which is adopted (49-0).

Senator Clark offers Amendment No. 3, which fails (12-37).

Senator Robinson offers Amendment No. 4, which fails (17-32).

The Chair grants leaves of absence for the remainder of today's session to Senator Bryant, Senator Curtis, Senator Meredith, and Senator Newton.

Upon the appearance of Senator Meredith in the chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

Senator McKissick offers Amendment No. 5, which fails (15-31).

The Senate Committee Substitute bill, as amended, passes its second reading, by roll-call vote, ayes 37, noes 9, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Clark, Cook, Daniel, J. Davis, Ford, Goolsby, Gunn, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Soucek, Stein, Tillman, Tucker, Wade and Walters---37.

Voting in the negative: Senators Blue, D. Davis, Foushee, Graham, Parmon, Robinson, Tarte, Van Duyn and Woodard---9.

The Senate Committee Substitute bill, as amended, remains on the calendar for Thursday, May 29, upon third reading.

RE-REFERRAL OF A BILL

S.B. 744, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, referred to the **Appropriations/Base Budget Committee** on May 15.

Upon motion of Senator Apodaca, a sequential referral to the **Finance Committee** and a sequential referral to the **Pensions & Retirement and Aging Committee** are added.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Tillman for the **Education/Higher Education Committee**:

H.B. 230, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW DEFINING HOME SCHOOLS, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40220, which changes the title to read **H.B. 230** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY PROVISIONS OF THE READ

TO ACHIEVE ACT AND SCHOOL PERFORMANCE GRADES AND TO EXPAND THE TESTING WINDOW FOR ONE YEAR, is adopted and engrossed.

REMOVAL OF A BILL SPONSOR

Senator Robinson requests to be removed as a sponsor of previously introduced legislation:

S.B. 818, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AND DEDICATE FUNDS FOR THE NORTH CAROLINA EDUCATION ENDOWMENT FUND TO PROVIDE ADDITIONAL SUPPORT AND FUNDING FOR K-12 PUBLIC SCHOOLS.

ADDITIONAL SPONSOR

Senator Meredith requests to be added as a sponsor of legislation to be introduced today:

S.B. 852, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE NBPTS BONUSES TO TEACHERS WITH NBPTS CERTIFICATION WHO ARE EMPLOYED FOR AT LEAST SEVENTY PERCENT (70%) OF THEIR WORK TIME AS INSTRUCTIONAL COACHES IN TITLE I SCHOOLS.

Upon motion of Senator Berger, seconded by Senator Krawiec, the Senate adjourns at 1:31 p.m., subject to the receipt of committee reports, the receipt of messages from the House of Representatives, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Thursday, May 29, at 8:00 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 Rabon:
S.B. 845, A BILL TO BE ENTITLED AN ACT TO ALLOW THE VILLAGE OF BALD HEAD ISLAND TO OPERATE A CONTRACT POST OFFICE WITH A GOVERNMENTAL OR COMMERCIAL ENTITY.
Referred to the **State and Local Government Committee**.

By Senator Rabon:
S.B. 846, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SHALLOTTE.

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

By Senator Daniel:

S.B. 847, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF BROUGHTON HOSPITAL FACILITIES UNTIL AUTHORIZED BY THE GENERAL ASSEMBLY AND TO APPROPRIATE FUNDS FOR A STUDY OF POTENTIAL FUTURE USES FOR THE FACILITIES TO ENHANCE ECONOMIC BENEFITS TO THE STATE AND LOCAL GOVERNMENTS.

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

By Senators Hartsell and Tarte (Primary Sponsors):

S.B. 848, A BILL TO BE ENTITLED AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR INFRASTRUCTURE DEVELOPMENT BY THE TOWN OF MINT HILL, BY THE CITY OF CONCORD, AND BY THE CITY OF KANNAPOLIS.

Referred to the **State and Local Government Committee**.

By Senator Brown:

S.B. 849, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE COOPERATIVE INNOVATIVE HIGH SCHOOL PROGRAMS APPLICATION PROCESS FOR REGIONAL SCHOOLS, TO GRANT ONE-YEAR STATUS AS A COOPERATIVE INNOVATIVE HIGH SCHOOL TO THE NORTHEAST REGIONAL SCHOOL OF BIOTECHNOLOGY AND AGRISCIENCE, AND TO PROVIDE FUNDING FOR HIGHER EDUCATION TUITION COSTS FOR STUDENTS ENROLLED AT THE NORTHEAST REGIONAL SCHOOL OF BIOTECHNOLOGY AND AGRISCIENCE.

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

By Senators Sanderson (Primary Sponsor) and Cook:

S.B. 850, A BILL TO BE ENTITLED AN ACT TO MAKE CHARTER SCHOOLS ELIGIBLE TO RECEIVE PERMANENT REGISTRATION PLATES.

Referred to the **Transportation Committee**.

By Senator Sanderson:

S.B. 851, A BILL TO BE ENTITLED AN ACT TO ALLOW FIRST CRAVEN SANITARY DISTRICT TO PROVIDE FOR ABSENTEE VOTING IN THE SAME MANNER AS A MUNICIPALITY.

Referred to the **State and Local Government Committee**.

May 28, 2014

By Senators Barringer (Primary Sponsor); Allran, Barefoot, Bingham, Brock, Bryant, Clark, Cook, Curtis, Daniel, Foushee, Hise, Meredith, Robinson, Tarte, Tillman and Van Duyn:

S.B. 852, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE NBPTS BONUSES TO TEACHERS WITH NBPTS CERTIFICATION WHO ARE EMPLOYED FOR AT LEAST SEVENTY PERCENT (70%) OF THEIR WORK TIME AS INSTRUCTIONAL COACHES IN TITLE I SCHOOLS.

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

By Senators Rucho and Barringer (Primary Sponsors):

S.B. 853, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES.

Referred to the **Judiciary I Committee** and upon a favorable report, re-referred to the **Finance Committee**.

By Senators Meredith (Primary Sponsor); Bingham, Brock, D. Davis, Hise and Van Duyn:

S.B. 854, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE URBAN SEARCH AND RESCUE PROGRAM AND TO ESTABLISH THE URBAN SEARCH AND RESCUE TEAM ADVISORY COMMITTEE.

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

By Senators McKissick (Primary Sponsor); Bryant and Van Duyn:

S.B. 855, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION BY AN EMPLOYER BASED ON AN EMPLOYEE'S DECISIONS REGARDING HIS OR HER REPRODUCTIVE HEALTH.

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

By Senators Woodard (Primary Sponsor); Bryant, Foushee, Robinson and Van Duyn:

S.B. 856, A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO THE MANAGEMENT OF COAL COMBUSTION RESIDUALS AND UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE JULY 1, 2014; (3) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS GENERATED AFTER AUGUST 1, 2014, INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AND REQUIRE THAT COAL COMBUSTION RESIDUALS GENERATED AFTER THAT DATE BE DISPOSED OF IN SANITARY LANDFILLS OR PUT TO BENEFICIAL USE AS ALLOWED BY LAW; (4) REQUIRE A

SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (5) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE BUT NO LATER THAN DECEMBER 1, 2014, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, AND WELFARE; THE ENVIRONMENT; AND NATURAL RESOURCES; (6) ESTABLISH A SCHEDULE FOR CLOSURE AND REMEDIATION OF ALL IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES AND ESTABLISH BASELINE CLOSURE REQUIREMENTS; (7) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE BUT NO LATER THAN JANUARY 1, 2017; (8) PROVIDE FOR THE POSSIBILITY OF FEDERAL PREEMPTION; (9) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REPORT QUARTERLY ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (10) PLACE A TEMPORARY MORATORIUM ON THE USE OF COAL COMBUSTION RESIDUALS AS STRUCTURAL FILL AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE COMMISSION FOR PUBIC HEALTH TO STUDY THE ADEQUACY OF CURRENT LAWS GOVERNING USE OF COAL COMBUSTION RESIDUALS FOR STRUCTURAL FILL AND OTHER BENEFICIAL USES; (11) PLACE A TEMPORARY MORATORIUM ON THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COMBUSTION PRODUCTS LANDFILLS AND THE CONSTRUCTION OF SUCH LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, AND WELFARE; THE ENVIRONMENT; AND NATURAL RESOURCES, OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (12) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (13) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (14) REPEAL COMPLIANCE BOUNDARY AMENDMENTS; AND (15) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT.

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

May 28, 2014

By Senators Robinson, Goolsby (Primary Sponsors) and Cook:

S.B. 857, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGISLATIVE TASK FORCE ON THE PREVENTION OF SEXUAL ABUSE OF CHILDREN.

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

By Senators Robinson (Primary Sponsor); Bryant, Foushee and Van Duyn:

S.B. 858, A BILL TO BE ENTITLED AN ACT TO AMEND THE EXPUNCTION LAWS TO SHORTEN THE WAITING PERIOD REQUIRED TO OBTAIN SOME EXPUNCTIONS, TO MAKE SOME EXPUNCTIONS MORE AVAILABLE FOR CERTAIN PERSONS DEDICATED TO MOVING BEYOND THEIR CRIMINAL RECORDS, AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE TO ASSIST WITH THE ADDITIONAL COSTS OF CRIMINAL RECORD CHECKS.

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

By Senator Tarte:

S.B. 859, A BILL TO BE ENTITLED AN ACT RELATING TO MUNICIPAL REGULATION OF VACATION RENTALS AND OTHER TRANSIENT OCCUPANCIES.

Referred to the **State and Local Government Committee**.

By Senator Tarte:

S.B. 860, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TESTING WINDOW FOR PUBLIC SCHOOL SEMESTER COURSES; TO INCREASE THE WEIGHT OF SCHOOL GROWTH IN SCHOOL PERFORMANCE GRADES; TO DELAY IMPLEMENTATION OF CONTRACTS FOR CERTAIN TEACHERS; AND TO PROVIDE FLEXIBILITY FOR THE TERMS OF PRINCIPAL CONTRACTS.

Referred to the **Education/Higher Education Committee**.

By Senator Gunn:

S.B. 861, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF BURLINGTON.

Referred to the **State and Local Government Committee**.

By Senators D. Davis and Pate (Primary Sponsors):

S.B. 862, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO DESIGN AND TO CONSTRUCT A NEW REGIONAL RESEARCH AND EDUCATION AGRICULTURAL CENTER FACILITY TO BE LOCATED IN WAYNE COUNTY.

Referred to the **Agriculture/Environment/Natural Resources Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

May 28, 2014

By Senator Sanderson:

S.B. 863, A BILL TO BE ENTITLED AN ACT TO EXEMPT REGIONAL SOLID WASTE MANAGEMENT AUTHORITIES FROM THE MOTOR FUELS EXCISE TAX.

Referred to the **Finance Committee**.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.J.R. 1074, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF LINDA COMBS AS STATE CONTROLLER.

Referred to the **Commerce Committee**.

H.B. 1131 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CLAY COUNTY FROM STATE WILDLIFE LAWS WITH RESPECT TO OPOSSUMS BETWEEN THE DATES OF DECEMBER 26 AND JANUARY 2.

Referred to the **State and Local Government Committee**.

S.B. 261 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTORE THE DEPARTMENT OF REVENUE'S INTERPRETATION OF THE APPLICATION OF SALES TAX ON PRIVATE RESIDENCES RENTED FOR FEWER THAN FIFTEEN DAYS WHEN RENTED THROUGH A REAL ESTATE AGENT OR BROKER, for concurrence in the House Committee Substitute bill, which changes the title upon concurrence.

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

RE-REFERRAL OF A BILL

H.B. 230 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY PROVISIONS OF THE READ TO ACHIEVE ACT AND SCHOOL PERFORMANCE GRADES AND TO EXPAND THE TESTING WINDOW FOR ONE YEAR, placed on the calendar of Thursday, May 29.

Senator Apodaca offers a motion that the bill be withdrawn from the calendar of Thursday, May 29, and re-referred to the **Finance Committee.**

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

May 28, 2014

ONE HUNDRED SIXTEENTH DAY

Senate Chamber
Thursday, May 29, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

Without objection, the prayer is postponed until after recess.

Senator Apodaca, Rules Chairman, announces that the Senate Journal of Wednesday, May 28, 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.

The Senate recesses at 8:05 a.m., subject to the receipt of committee reports, the receipt of messages from the House of Representatives, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 12:00 p.m.

RECESS

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

Prayer is offered by The Honorable Joyce Krawiec, Senator from Forsyth County, as follows:

"Dear Lord, we come to you today with thankful hearts for the many blessings that you have given. We know, Lord, that we are truly blessed to live in a country where we can freely and openly worship you. We pray for those around the world who do not have that privilege, and we ask your blessings for those around the world who are oppressed. We pray, Lord, for the members of this body. We especially ask your blessings be showered upon Senator Parmon and her husband Albert as they deal with his illness. We just lift them up, and we ask for your special healing and for your peace and comfort. As we gather here in the People's House to do the People's business, we ask that you lead, guide, and direct our every decision. Open our eyes, Lord, that we might see your vision and your plan for the path that you would have us take. Open our ears that we might hear your voice as you speak to each one of us. Open our hearts that we might love our fellow man as you have loved us. We thank you, Lord, again, for the many blessings and for your grace. We pray that our actions will please you in all that we do. We pray in thy precious name. Amen."

The Chair grants leaves of absence for the remainder of today's session to Senator Bingham, Senator Parmon, and Senator Wade.

The Chair extends privileges of the floor to Dr. John Williford from Charlotte, North Carolina, who is serving the Senate as Doctor of the Day, and to Amanda Cannon from Wilson, North Carolina, who is serving the Senate as Nurse of the Day.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

H.B. 1050 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE REVENUE LAWS, AS RECOMMENDED BY THE REVENUE LAWS STUDY COMMITTEE, upon third reading, as amended.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill, as amended, is withdrawn from the regular order of business and placed before the Senate for immediate consideration.

CALENDAR

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

H.B. 1050 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE REVENUE LAWS, AS RECOMMENDED BY THE REVENUE LAWS STUDY COMMITTEE, upon third reading, as amended.

Senator Rucho offers Amendment No. 6, which is adopted (44-0).

The Senate Committee Substitute bill, as amended, passes its third reading, by roll-call vote, ayes 38, noes 7, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Brock, Brown, Clark, Cook, Curtis, Daniel, J. Davis, Ford, Goolsby, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Soucek, Stein, Tillman, Tucker and Walters---38.

Voting in the negative: Senators Bryant, D. Davis, Foushee, Graham, Robinson, Tarte and Woodard---7.

The Senate Committee Substitute bill, as amended, is ordered sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill and unengrossed Senate Amendments No. 2 and No. 6.

The Senate recesses at 12:26 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 4:30 p.m.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

May 29, 2014

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

S.B. 744, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill, as amended.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 35555, with unengrossed Committee Amendments No. 1, No. 2, No. 3, No. 4, No. 5, No. 6, No. 7, and No. 8, which change the title to read, **S.B. 744** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2013 AND FOR OTHER PURPOSES, is adopted and the amendments remain unengrossed.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

INTRODUCTION OF BILLS AND A RESOLUTION

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

By Senator Woodard:

S.B. 864, A BILL TO BE ENTITLED AN ACT TO PERMIT EMPLOYEES OF THE TOWN OF YANCEYVILLE TO OPERATE MOTORIZED ALL-TERRAIN VEHICLES ON CERTAIN HIGHWAYS PURSUANT TO G.S. 20-171.24.

Referred to the **State and Local Government Committee**.

By Senator Soucek:

S.B. 865, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE TOWN OF BOONE SHALL NOT EXERCISE THE POWERS OF EXTRATERRITORIAL JURISDICTION.

Referred to the **State and Local Government Committee**.

By Senator B. Jackson:

S.B. 866, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SAMPSON COUNTY TO LEVY AN ADDITIONAL ONE-QUARTER CENT SALES AND USE TAX.

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

By Senator Walters:

S.B. 867, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TERMS OF OFFICE FROM TWO TO FOUR YEARS FOR THE MAYOR AND THE MEMBERS OF THE BOARD OF ALDERMEN OF THE TOWN OF MCDONALD AND TO ESTABLISH STAGGERED TERMS FOR THE BOARD OF ALDERMEN.

Referred to the **State and Local Government Committee**.

May 29, 2014

By Senator Walters:

S.B. 868, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TERMS OF OFFICE FROM TWO TO FOUR YEARS FOR THE MAYOR AND THE MEMBERS OF THE BOARD OF ALDERMEN OF THE TOWN OF PROCTORVILLE AND TO ESTABLISH STAGGERED TERMS FOR THE BOARD OF ALDERMEN.

Referred to the **State and Local Government Committee**.

By Senator Bryant:

S.B. 869, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE INCREASING THE WILSON COUNTY OCCUPANCY TAX.

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

By Senators Woodard and McKissick (Primary Sponsors):

S.B. 870, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF DURHAM TO ALLOW PAYMENT FOR ON-STREET PARKING BY VARIOUS MEANS AND TO USE PROCEEDS FROM ON-STREET PARKING FOR PARKING PROGRAMS AND PROVIDING PARKING FACILITIES.

Referred to the **State and Local Government Committee**.

By Senators McKissick and Woodard (Primary Sponsors):

S.B. 871, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY LOCATED IN DURHAM COUNTY FROM THE CORPORATE LIMITS OF THE CITY OF RALEIGH AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF DURHAM.

Referred to the **Finance Committee**.

By Senator Tarte:

S.J.R. 872, A JOINT RESOLUTION AUTHORIZING THE 2013 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO CLARIFY THAT A DIRECT SELLER IS NOT AN EMPLOYEE.

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

By Senator Apodaca:

S.B. 873, A BILL TO BE ENTITLED AN ACT TO EXEMPT A CERTAIN INTERLOCAL AGREEMENT BETWEEN THE CITY OF ASHEVILLE AND HENDERSON COUNTY CONCERNING THE BENT CREEK PROPERTY FROM ARTICLE 16 OF CHAPTER 160A OF THE GENERAL STATUTES AND FROM THE SULLIVAN ACTS.

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

May 29, 2014

By Senator Hise:

S.B. 874, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE.

Referred to the **Finance Committee**.

By Senator Hise:

S.B. 875, A BILL TO BE ENTITLED AN ACT TO STAGGER THE TERMS OF THE MEMBERS OF THE TOWN COUNCIL OF THE TOWN OF BAKERSVILLE.

Referred to the **State and Local Government Committee**.

By Senator Apodaca:

S.B. 876, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BREVARD TO LEVY A PREPARED FOOD AND BEVERAGES TAX.

Referred to the **Finance Committee**.

By Senator Cook:

S.B. 877, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN REAL ESTATE TIME-SHARES FROM THE RULE AGAINST PERPETUITIES.

Referred to the **Judiciary I Committee**.

By Senator Hise:

S.B. 878, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ACCOUNTABILITY AND TRANSPARENCY OF THE STATE RETIREMENT SYSTEMS' INVESTMENT PROGRAMS BY PROVIDING FOR AUDITED FINANCIAL STATEMENTS, PERFORMANCE REVIEWS, EXPANDED AND MODERNIZED REPORTING, A SUNSET ON THE CONFIDENTIALITY OF PROPRIETARY INFORMATION, RESOURCE FLEXIBILITY FOR THE INVESTMENT MANAGEMENT DIVISION, AND OTHER MEASURES.

Referred to the **Pensions & Retirement and Aging Committee**.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.B. 1060, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO IDENTIFY MILITARY-CONNECTED STUDENTS USING THE UNIFORM EDUCATION REPORTING SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

Referred to the **Education/Higher Education Committee**.

May 29, 2014

H.J.R. 1112, A JOINT RESOLUTION TO CONFIRM THE APPOINTMENT OF CHARLTON L. ALLEN TO THE NORTH CAROLINA INDUSTRIAL COMMISSION.

Referred to the **Commerce Committee**.

ENROLLED BILL

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

H.B. 1050, AN ACT TO AMEND THE REVENUE LAWS, AS RECOMMENDED BY THE REVENUE LAWS STUDY COMMITTEE.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

H.B. 230 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY PROVISIONS OF THE READ TO ACHIEVE ACT AND SCHOOL PERFORMANCE GRADES AND TO EXPAND THE TESTING WINDOW FOR ONE YEAR, with a favorable report.

S.B. 744 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2013 AND FOR OTHER PURPOSES as amended by unengrossed Committee Amendments Nos. 1-8, with a favorable report, as amended.

Pursuant to Rule 45.1, unengrossed Committee Amendment No. 9 is adopted and remains unengrossed.

Pursuant to Rule 43, the Committee Substitute bill, with unengrossed Committee Amendments Nos. 1-9, is re-referred to the **Pensions & Retirement and Aging Committee**.

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

The Senate recesses at 4:34 p.m., subject to the receipt of committee reports, the receipt of messages from the House of Representatives, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 5:00 p.m.

RECESS

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

May 29, 2014

Upon the appearance of Senator Wade in the chamber, the Chair acknowledges her 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 Jenkins, Senator Meredith, and Senator Tillman.

FLOOR PRIVILEGES

Upon motion of Senator Apodaca, without objection, the rules are suspended to allow Research Division staff to join Senator Rucho on the Senate chamber floor while **S.B. 734** is being discussed.

CALENDAR (*continued)*

S.B. 734 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, BY MAKING VARIOUS OTHER STATUTORY CHANGES, AND BY UPDATING AND AMENDING CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS, upon third reading, as amended.

Senator Hartsell offers Amendment No. 10, which is adopted (45-0).

Senator Barringer offers Amendment No. 11, which is adopted (45-0).

Senator B. Jackson offers Amendment No. 12, which is adopted (32-13).

Senator Gunn offers Amendment No. 13, which is adopted (45-0).

Senator Wade offers Amendment No. 14, which is adopted (45-0).

Senator Brock offers Amendment No. 15, which is adopted (45-0).

Senator Apodaca offers Amendment No. 16, which is adopted (45-0).

The Committee Substitute bill No. 2, as amended, passes its third reading, by roll-call vote, ayes 35, noes 10, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, J. Davis, Ford, Goolsby, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, Krawiec, McLaurin, Newton, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Soucek, Tarte, Tucker, Wade and Walters---35.

Voting in the negative: Senators Blue, D. Davis, Foushee, Graham, J. Jackson, McKissick, Robinson, Stein, Van Duyn and Woodard---10.

The Committee Substitute bill No. 2, as amended, is ordered engrossed and sent to the House of Representatives.

WITHDRAWAL FROM A FUTURE CALENDAR

H.B. 230 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY PROVISIONS OF THE READ TO ACHIEVE ACT AND SCHOOL PERFORMANCE GRADES AND TO EXPAND THE TESTING WINDOW FOR ONE YEAR, placed on the calendar of Friday, May 30.

Senator Apodaca offers a motion that the Senate Committee Substitute bill be withdrawn from the calendar of Friday, May 30, and placed before the Senate for immediate consideration, which motion prevails with unanimous consent, and the Chair so orders.

CALENDAR *(continued)*

H.B. 230 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY PROVISIONS OF THE READ TO ACHIEVE ACT AND SCHOOL PERFORMANCE GRADES AND TO EXPAND THE TESTING WINDOW FOR ONE YEAR, upon second reading.

Senator Stein offers Amendment No. 1, which fails (14-31).

The Senate Committee Substitute bill passes its second reading (44-1) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

The Senate recesses at 5:45 p.m., subject to the receipt of committee reports, the introduction of bills and resolutions, the receipt of messages from the House of Representatives, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 6:00 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:

S.B. 786 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) EXTEND THE DEADLINE FOR DEVELOPMENT OF A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (2) ENACT OR MODIFY CERTAIN EXEMPTIONS FROM REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT APPLICABLE TO RULES FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF

HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (3) AUTHORIZE ISSUANCE OF PERMITS FOR OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES SIXTY DAYS AFTER APPLICABLE RULES BECOME EFFECTIVE; (4) CREATE THE NORTH CAROLINA OIL AND GAS COMMISSION AND RECONSTITUTE THE NORTH CAROLINA MINING COMMISSION; (5) AMEND MISCELLANEOUS STATUTES GOVERNING OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (6) ESTABLISH A SEVERANCE TAX APPLICABLE TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (7) AMEND MISCELLANEOUS STATUTES UNRELATED TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; AND (8) DIRECT STUDIES ON VARIOUS ISSUES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the rules are suspended and the House Committee Substitute bill is placed on today's calendar for immediate consideration.

CALENDAR *(continued)*

S.B. 786 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) EXTEND THE DEADLINE FOR DEVELOPMENT OF A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (2) ENACT OR MODIFY CERTAIN EXEMPTIONS FROM REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT APPLICABLE TO RULES FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (3) AUTHORIZE ISSUANCE OF PERMITS FOR OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES SIXTY DAYS AFTER APPLICABLE RULES BECOME EFFECTIVE; (4) CREATE THE NORTH CAROLINA OIL AND GAS COMMISSION AND RECONSTITUTE THE NORTH CAROLINA MINING COMMISSION; (5) AMEND MISCELLANEOUS STATUTES GOVERNING OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (6) ESTABLISH A SEVERANCE TAX APPLICABLE TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (7) AMEND MISCELLANEOUS STATUTES UNRELATED TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; AND (8) DIRECT STUDIES ON VARIOUS ISSUES, AS RECOMMENDED BY THE JOINT LEGISLATIVE

COMMISSION ON ENERGY POLICY, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Newton, the Senate concurs in the House Committee Substitute bill (33-12) and the bill is ordered enrolled and sent to the Governor.

ADDITIONAL SPONSOR

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

S.B. 854, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE URBAN SEARCH AND RESCUE PROGRAM AND TO ESTABLISH THE URBAN SEARCH AND RESCUE TEAM ADVISORY COMMITTEE.

Upon motion of Senator Berger, seconded by Senator Sanderson, the Senate adjourns at 6:26 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Friday, May 30, at 4:00 p.m.

ENROLLED BILL

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

S.B. 786, AN ACT TO (1) EXTEND THE DEADLINE FOR DEVELOPMENT OF A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (2) ENACT OR MODIFY CERTAIN EXEMPTIONS FROM REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT APPLICABLE TO RULES FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (3) AUTHORIZE ISSUANCE OF PERMITS FOR OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES SIXTY DAYS AFTER APPLICABLE RULES BECOME EFFECTIVE; (4) CREATE THE NORTH CAROLINA OIL AND GAS COMMISSION AND RECONSTITUTE THE NORTH CAROLINA MINING COMMISSION; (5) AMEND MISCELLANEOUS STATUTES GOVERNING OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (6) ESTABLISH A SEVERANCE TAX APPLICABLE TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (7) AMEND MISCELLANEOUS STATUTES UNRELATED TO OIL AND GAS

EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; AND (8) DIRECT STUDIES ON VARIOUS ISSUES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY.

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. 294, AN ACT TO ALLOW ENTITIES REGULATED UNDER PHASE II OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM TO UTILIZE THE DEPARTMENT OF TRANSPORTATION'S BEST MANAGEMENT PRACTICES TOOLBOX FOR LINEAR TRANSPORTATION PROJECTS. (Became law upon approval of the Governor, May 29, 2014 - S.L. 2014-1)

H.B. 688, AN ACT AMENDING THE CONTINUING EDUCATION REQUIREMENTS FOR CERTIFIED WELL CONTRACTORS. (Became law upon approval of the Governor, May 29, 2014 - S.L. 2014-2)

H.B. 1050, AN ACT TO AMEND THE REVENUE LAWS, AS RECOMMENDED BY THE REVENUE LAWS STUDY COMMITTEE. (Became law upon approval of the Governor, May 29, 2014 - S.L. 2014-3)

EXECUTIVE ORDER

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

Executive Order No. 51, Disaster Declaration for February 2014 Winter Storm for Ten Municipalities in Southeastern North Carolina.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Apodaca for the **Pensions & Retirement and Aging Committee**:

S.B. 744 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2013 AND FOR OTHER PURPOSES, with an unfavorable report as to the Committee Substitute bill as amended, unengrossed, but favorable as to the Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 35556, is adopted and engrossed.

May 29, 2014

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED SEVENTEENTH DAY

Senate Chamber
Friday, May 30, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

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

"Father in heaven, as we come before you for a time like this, we pray that you would come not just in word, but in power. Lord, come. 'How shall we sing the Lord's song in a strange land? If I forget you, O Jerusalem, let my right hand forget her... If I do not remember thee, let my tongue cleave to the roof of my mouth.'* So, Lord, today and tonight as senators struggle to weigh and to discern what we shall do as a state, help them to know that you are with them, that you are their strong hand, that they can't do anything without you at all. It is in your name we pray. Amen."

*Psalm 135:4-6, KJB

The Chair grants leaves of absence for today to Senator Bingham and Senator Parmon.

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Thursday, May 29, 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.

FLOOR PRIVILEGES

Upon motion of Senator Apodaca, without objection, the rules are suspended to allow Research Division staff on the Senate chamber floor while **S.B. 744** is being discussed.

CALENDAR

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

S.B. 744 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL

IMPROVEMENTS APPROPRIATIONS ACT OF 2013 AND FOR OTHER PURPOSES, upon second reading.

The Chair grants a leave of absence for the remainder of today's session to Senator Hartsell.

Senator Cook offers Amendment No. 1, which is adopted (47-0).

Senator Cook offers Amendment No. 2, which is adopted (47-0).

Senator Cook offers Amendment No. 3, which is adopted (47-0).

Senator Tillman offers Amendment No. 4, which is adopted (47-0).

Senator Hise offers Amendment No. 5, which is adopted (47-0).

Senator Curtis offers Amendment No. 6, which is adopted (47-0).

Senator Robinson offers Amendment No. 7, which is adopted (47-0).

Senator Bryant offers Amendment No. 8, which fails (16-31).

Senator Daniel offers Amendment No. 9, which is adopted (46-1).

Senator McKissick offers Amendment No. 10, which fails (16-31).

Senator J. Jackson offers Amendment No. 11.

Senator Apodaca offers Amendment No. 12 as a Substitute Amendment for Amendment No. 11.

Amendment No. 12 is adopted (31-16).

Amendment No. 11 subsequently fails.

Senator Apodaca offers Amendment No. 13, which is adopted (47-0).

Senator Brown offers Amendment No. 14, which he subsequently withdraws.

Lieutenant Governor Dan Forest relinquishes the gavel to The Honorable Phil Berger, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

Senator Brock offers Amendment No. 15, which is adopted (44-3).

Senator Brock offers Amendment No. 16, which is adopted (47-0).

Senator Brown offers Amendment No. 17, which is adopted (31-16).

Senator Brock offers Amendment No. 18, which is adopted (45-2).

Senator Meredith offers Amendment No. 19, which is adopted (47-0).

Senator Apodaca offers Amendment No. 20, which is adopted (46-1).

Senator Berger relinquishes the gavel to The Honorable Tom Apodaca, Chairman of the Rules and Operations of the Senate Committee, who presides.

The Committee Substitute bill, as amended, passes its second reading, by roll-call vote, ayes 32, noes 15, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Brock, Brown, Cook, Curtis, Daniel, J. Davis, Goolsby, Gunn, Harrington, Hise, Hunt, B. Jackson, Krawiec, McLaurin, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Soucek, Tarte, Tillman, Tucker and Wade---32.

Voting in the negative: Senators Blue, Bryant, Clark, D. Davis, Ford, Foushee, Graham, J. Jackson, Jenkins, McKissick, Robinson, Stein, Van Duyn, Walters and Woodard---15.

The Committee Substitute bill, as amended, remains on the calendar for Saturday, May 31, upon third reading.

May 30, 2014

Upon motion of Senator Berger, seconded by Senator Goolsby, the Senate adjourns at 7:31 p.m., in memory of Dr. Maya Angelou, subject to the receipt of messages from the House of Representatives, to reconvene Saturday, May 31, at 12:15 a.m.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.B. 1027, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES HEARING ON A LICENSE REVOCATION AS A RESULT OF A DRIVING WHILE IMPAIRED IGNITION INTERLOCK VIOLATION BE HELD IN THE LICENSEE'S COUNTY OF RESIDENCE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee** and upon a favorable report, re-referred to the **Judiciary II Committee**.

H.B. 1103, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COURT TO CONSIDER WHETHER A JUVENILE PETITION HAS BEEN PROPERLY VERIFIED AND JURISDICTION HAS BEEN INVOKED AT THE PRE-ADJUDICATION HEARING, AS RECOMMENDED BY THE LRC COMMITTEE ON OMNIBUS FOSTER CARE AND DEPENDENCY.

Referred to the **Judiciary II Committee**.

H.B. 1108 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE DUPLIN COUNTY BOARD OF EDUCATION AND THE BOARD OF COMMISSIONERS OF DUPLIN COUNTY, TO PROVIDE THAT VACANCIES ON THE HARNETT COUNTY BOARD OF COMMISSIONERS AND SCHOOL BOARD ARE FILLED IN ACCORDANCE WITH G.S. 153A-27.1 AND G.S. 115C-37.1, AND TO PROVIDE THAT ANY EMPLOYMENT CONTRACT FOR CERTAIN LOCAL OFFICIALS IN HARNETT COUNTY MUST BE DONE BY UNANIMOUS VOTE IN CERTAIN INSTANCES.

Referred to the **State and Local Government Committee**.

H.B. 1117, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW GOVERNING THE PLEDGE OF JOINT ACCOUNTS IN CREDIT UNIONS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS TO THE LAW GOVERNING THE PLEDGE OF JOINT ACCOUNTS IN BANKS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to the **Judiciary I Committee**.

H.B. 1153, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE OFFICE OF ADMINISTRATIVE HEARINGS TO ALLOW DOCUMENTS IN

A CONTESTED CASE TO BE FILED ELECTRONICALLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

Referred to the **Judiciary I Committee**.

H.B. 1158 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF MORGANTON CONCERNING THE PROCEDURE FOR REMOVING THE MAYOR AND MEMBERS OF THE CITY COUNCIL FROM OFFICE AND MAKING CHANGES RELATED TO THE METHOD AND TIME OF MUNICIPAL ELECTIONS.

Referred to the **State and Local Government Committee**.

H.B. 1170, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE A RULE ADOPTED BY THE NORTH CAROLINA BOARD OF FUNERAL SERVICES.

Referred to the **Commerce Committee**.

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED EIGHTEENTH DAY

Senate Chamber
Saturday, May 31, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

Prayer is offered by The Honorable Jerry W. Tillman, Senator from Randolph County, as follows:

"Those who build the house, they labor in vain unless they build it on the Lord's foundation. Lord, we're here to build a foundation for a better North Carolina. Guide us in our thinking and our thoughts, and help us to join together in this effort. Here at the midnight hour, we pray that you will be here with us as you are always, and we thank you for your presence. In Christ's name we pray. Amen."

The Chair grants leaves of absence for today to Senator Bingham, Senator Bryant, Senator D. Davis, Senator Graham, Senator Hartsell, Senator Jenkins, Senator Parmon, and Senator Walters.

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Friday, May 30, 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.

CALENDAR

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

S.B. 744 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2013 AND FOR OTHER PURPOSES, upon third reading, as amended.

Senator B. Jackson offers Amendment No. 21, which is adopted (42-0).

The Committee Substitute bill No. 2, as amended, passes its third reading, by roll-call vote, ayes 32, noes 10, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Brock, Brown, Cook, Curtis, Daniel, J. Davis, Goolsby, Gunn, Harrington, Hise, Hunt, B. Jackson, Krawiec, McLaurin, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Soucek, Tarte, Tillman, Tucker and Wade---32.

Voting in the negative: Senators Blue, Clark, Ford, Foushee, J. Jackson, McKissick, Robinson, Stein, Van Duyn and Woodard---10.

The Committee Substitute bill No. 2, as amended, is ordered engrossed and sent to the House of Representatives by special message.

Upon motion of Senator Berger, seconded by Senator Brown, the Senate adjourns at 12:24 a.m. to reconvene Wednesday, June 4, at 6:00 p.m.

ONE HUNDRED NINETEENTH DAY

Senate Chamber
Wednesday, June 4, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

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

"Lord, we come before you tonight, and we give you thanks for fresh mercy, for rain, for meetings that have gone well, for meetings that have gone poorly. As we look to this summer, as it begins, we thank you for the gentleness of rain because it is going to be our best ally. Thank you for carrying us through this day with that gentle reminder of rain. Thanks for moments like this, right now, where we can pray, where we can breathe, where we can relax and be. The

moment to have a conversation maybe about basketball, a moment to talk about graduation, to talk about school. It is good to know that you are moving even in these small conversations, Lord. I pray you would bless those conversations. I pray you would bless this evening. Bless these senators as they serve their constituents around this great state of North Carolina. It is in your name we pray. Amen."

The Chair grants leaves of absence for tonight to Senator Apodaca, Senator Jenkins, and Senator Meredith.

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Saturday, May 31, 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.

The Chair extends privileges of the floor to Elizabeth (Lisa) Elliott from Sanford, North Carolina, who is serving the Senate as Nurse of the Day.

ADDITIONAL SPONSOR

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

S.B. 812, A BILL TO BE ENTITLED AN ACT TO REPLACE THE COMMON CORE BY EXERCISING NORTH CAROLINA'S PROPER CONSTITUTIONAL AUTHORITY OVER ALL ACADEMIC STANDARDS AND TO ENSURE THAT STANDARDS ARE ROBUST AND APPROPRIATE AND THAT THEY ENABLE STUDENTS TO SUCCEED ACADEMICALLY AND PROFESSIONALLY, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION STUDY COMMITTEE ON THE COMMON CORE STATE STANDARDS.

S.B. 815, A BILL TO BE ENTITLED AN ACT TO ENSURE THE PRIVACY AND SECURITY OF STUDENT EDUCATIONAL RECORDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Gunn for the **Commerce Committee**:

S.B. 743, A BILL TO BE ENTITLED AN ACT TO FACILITATE ECONOMIC DEVELOPMENT WITHIN THE STATE, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 35557, is adopted and engrossed.

By Senator Soucek for the **Education/Higher Education Committee**:

S.B. 812, A BILL TO BE ENTITLED AN ACT TO REPLACE THE COMMON CORE BY EXERCISING NORTH CAROLINA'S PROPER CONSTITUTIONAL AUTHORITY OVER ALL ACADEMIC STANDARDS AND TO ENSURE THAT STANDARDS ARE ROBUST AND APPROPRIATE AND THAT THEY ENABLE STUDENTS TO SUCCEED ACADEMICALLY AND PROFESSIONALLY, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION STUDY COMMITTEE ON THE COMMON CORE STATE STANDARDS, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 45179, which changes the title to read **S.B. 812** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PRESERVE NORTH CAROLINA'S PROPER CONSTITUTIONAL AUTHORITY OVER ALL ACADEMIC STANDARDS AND TO ENSURE THAT STANDARDS ARE ROBUST AND APPROPRIATE, AND THAT THEY ENABLE STUDENTS TO SUCCEED ACADEMICALLY AND PROFESSIONALLY, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

S.B. 815, A BILL TO BE ENTITLED AN ACT TO ENSURE THE PRIVACY AND SECURITY OF STUDENT EDUCATIONAL RECORDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 45178, which changes the title to read **S.B. 815** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THE PRIVACY AND SECURITY OF STUDENT EDUCATIONAL RECORDS, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Judiciary I Committee**.

SENATE PAGES

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

Thomas Barr, Chocowinity; Charles Borden, Raleigh; Lance Coffey, Boone; Ada Evbuomwan, Raleigh; Caroline Haller, Clayton; Erial Harris, Weldon; Elizabeth Hutchens, Charlotte; Jefferson Keever, Conover; Victoria Kiger, State Road; Anjalique Knight, Fayetteville; Alex McCrea, Greensboro; Aaron McKinney, Marion; Jazsmin McNeil, Raleigh; Cameron McNeill, Greensboro; Connor Mendenhall, Franklinton; Gabrielle Nutter, Oxford; KeShaun Rhodie, Greensboro; Patrick Sugg, Wilmington; John Hayden Sylvester, Richlands; Raeven Waters, Moyock; Gerard Wilder, Raleigh; Nick Williams, Albertson; and Mary Scott Willson, Raleigh.

June 4, 2014

WITHDRAWAL FROM COMMITTEE

S.B. 204, A BILL TO BE ENTITLED AN ACT RELATING TO THE 21ST SENATORIAL DISTRICT, referred to the **Rules and Operations of the Senate Committee** on March 7, 2013.

Pursuant to Rule 47(a), Senator Berger offers a motion that the bill be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Finance Committee**, which motion prevails with unanimous consent, and the Chair so orders.

WITHDRAWAL FROM A FUTURE CALENDAR

S.B. 743 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE ECONOMIC DEVELOPMENT WITHIN THE STATE, placed on the calendar of Thursday, June 5.

Senator Berger offers a motion that the Committee Substitute bill be withdrawn from the calendar of Thursday, June 5, and re-referred to the **Appropriations/Base Budget Committee**, which motion prevails with unanimous consent, and the Chair so orders.

WITHDRAWAL FROM COMMITTEE

H.B. 618 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO RESTORE THE FIREARMS RIGHTS OF CERTAIN PERSONS WHO WERE CONVICTED OF NONVIOLENT FELONIES BEFORE DECEMBER 1, 1995, AND WHOSE FIREARMS RIGHTS HAD BEEN RESTORED BEFORE DECEMBER 1, 1995, AND TO INCREASE THE FEE TO PETITION FOR THE RESTORATION OF FIREARMS RIGHTS, referred to the **Rules and Operations of the Senate Committee** on July 25, 2013.

Pursuant to Rule 47(a), Senator Berger offers a motion that the Committee Substitute bill No. 2 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, and the Chair so orders.

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. 786, AN ACT TO (1) EXTEND THE DEADLINE FOR DEVELOPMENT OF A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (2) ENACT OR MODIFY CERTAIN EXEMPTIONS FROM

REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT APPLICABLE TO RULES FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (3) AUTHORIZE ISSUANCE OF PERMITS FOR OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES SIXTY DAYS AFTER APPLICABLE RULES BECOME EFFECTIVE; (4) CREATE THE NORTH CAROLINA OIL AND GAS COMMISSION AND RECONSTITUTE THE NORTH CAROLINA MINING COMMISSION; (5) AMEND MISCELLANEOUS STATUTES GOVERNING OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (6) ESTABLISH A SEVERANCE TAX APPLICABLE TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (7) AMEND MISCELLANEOUS STATUTES UNRELATED TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; AND (8) DIRECT STUDIES ON VARIOUS ISSUES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY. (Became law upon approval of the Governor, June 4, 2014 - S.L. 2014-4)

Upon motion of Senator Berger, seconded by Senator Daniel, the Senate adjourns at 6:24 p.m., subject to the receipt of committee reports, the receipt of messages from the House of Representatives, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Thursday, June 5, at 11:00 a.m.

A SENATORIAL STATEMENT

Submitted by Senator Shirley B. Randleman

Recognizing the Honor Guard Unit of the Blue Ridge Mountain Veterans of Foreign Wars Post #1142

WHEREAS, the Blue Ridge Mountain Veterans of Foreign Wars Post #1142 Honor Guard was organized in April 1997 to perform military funeral rites for deceased veterans in Wilkes County and surrounding areas; and

WHEREAS, all members of the Honor Guard provide their services on a volunteer basis and at times, perform funeral rites at multiple services on the same day, which include firing the traditional three-volley salute, playing "Taps," and presenting the American flag to the deceased veteran's surviving spouse or family member; and

WHEREAS, on July 8, 2013, the Honor Guard performed military funeral rites for World War II veteran, James Ralph Pendry, completing its 1000th funeral service; and

WHEREAS, members of the Honor Guard include active members: Jim Bare, Billy Brown, Chester Caudill, Donald Coleman, Rex Eldreth, David Elmore, Rex Eller, Ward Eller, Curtis Foster, Bill Joines, Greg Joines, Ryan

Kilby, Vilas Payne, Larry Reavis, Robert Rogers, Bill Thomas, Claude Strugill, and Joshua Welborn; and inactive members: Dean Absher, Gwyn Cardwell, Reece Church, George Couch, Alex Vanderheide, Shane Jarvis, Mace Johnson, Lawrence Kerly, Jerrry Watts, Ronnie White, Bob MacRae, Steven Neuens, Daniel Slutter, and David Sprinkle; and

WHEREAS, members of the Honor Guard who are now deceased include: Alfred Brooks, Tony Davis, Dean Dillard, Earl Faulkner, Bob Fennell, Max Hamby, J.C. Kiker, Henry Key, Tommy Lambert, Warner Miller, Foye Raymer, Hermin Smith, Howard Thompson, Avery Triplett, and Doc Wiles;

NOW, THEREFORE, the members of the Blue Ridge Mountain Veterans of Foreign Wars Post #1142 Honor Guard should be commended for the outstanding service they provide to deceased veterans and their families.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the fourth day of June, 2014.

S/Senator Shirley B. Randleman

S/Sarah Lang
Senate Principal Clerk

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

S.B. 477 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT INSURERS AND HEALTH BENEFIT PLANS FROM LIMITING OR FIXING THE FEE AN OPTOMETRIST MAY CHARGE PATIENTS FOR SERVICES OR MATERIALS UNLESS THE SERVICES OR MATERIALS ARE COVERED BY REIMBURSEMENT UNDER THE PLAN OR INSURER CONTRACT WITH THE OPTOMETRIST, for concurrence in the House Committee Substitute bill.

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

H.B. 1032 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PREVENT THE ABUSIVE USE OF PATENTS.

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

H.B. 1045, A BILL TO BE ENTITLED AN ACT PROVIDING THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWN OF ELKIN BE CONDUCTED IN EVEN-NUMBERED YEARS AND LENGTHENING THE TERMS OF CURRENT TOWN COMMISSIONERS TO THE NEW ELECTION SCHEDULE.

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

H.B. 1048 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD.

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

June 4, 2014

H.B. 1081 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM THE PROCESS BY WHICH REGULATORY AUTHORITIES REVIEW SUBMITTALS OF APPLICATIONS FOR PERMITS, LICENSES, AND APPROVALS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

H.B. 1096, A BILL TO BE ENTITLED AN ACT TO ALLOW UNION COUNTY TO USE ATTACHMENT AND GARNISHMENT AND LIEN FOR COUNTY-CONTRACTED AMBULANCE SERVICE SUPPLEMENTED BY COUNTY FUNDS.

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

H.B. 1101 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE PROTECTION PROVIDED TO PERSONS MAKING IMPROVEMENTS TO LEASED REAL PROPERTY UNDER ARTICLE 3 OF CHAPTER 44A OF THE GENERAL STATUTES, AS RECOMMENDED BY THE LRC COMMITTEE ON MECHANICS LIENS AND LEASEHOLD IMPROVEMENTS.

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

H.B. 1102, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE INFORMATION REQUIRED TO BE PROVIDED IN A NOTICE TO LIEN AGENT, AS RECOMMENDED BY THE LRC COMMITTEE ON MECHANICS LIENS AND LEASEHOLD IMPROVEMENTS.

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

H.B. 1104, A BILL TO BE ENTITLED AN ACT REQUIRING THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES TO STUDY OVERSIGHT OF THE STATE'S SOCIAL SERVICES SYSTEM, ANY POTENTIAL CONFLICTS OF INTEREST WITHIN THE SYSTEM, AND HOW THOSE MATTERS MAY BE ADDRESSED, AS RECOMMENDED BY THE LRC COMMITTEE ON OMNIBUS FOSTER CARE AND DEPENDENCY.

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

H.B. 1109 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCESS FOR READOPTION OF EXISTING RULES IN ACCORDANCE WITH THE PERIODIC REVIEW AND EXPIRATION OF EXISTING RULES PROVISION OF THE ADMINISTRATIVE PROCEDURE ACT, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

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

H.B. 1110, A BILL TO BE ENTITLED AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXAMINE WAYS TO IMPROVE THE INTEGRITY, EFFICIENCY, AND OVERSIGHT OF THE PUBLIC GUARDIANSHIP SYSTEM, AS RECOMMENDED BY

THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

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

H.B. 1113, A BILL TO BE ENTITLED AN ACT TO EXEMPT A CERTAIN INTERLOCAL AGREEMENT BETWEEN THE CITY OF ASHEVILLE AND HENDERSON COUNTY CONCERNING THE BENT CREEK PROPERTY FROM ARTICLE 16 OF CHAPTER 160A OF THE GENERAL STATUTES AND FROM THE SULLIVAN ACTS.

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

H.B. 1140 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR CARBON MONOXIDE ALARMS IN HOTELS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

H.B. 1152, A BILL TO BE ENTITLED AN ACT TO ELIMINATE OBSOLETE BOARDS AND COMMISSIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

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

H.B. 1165, A BILL TO BE ENTITLED AN ACT TO AMEND THE REPORTING REQUIREMENTS FOR OCCUPATIONAL LICENSING BOARDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

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

H.B. 1166, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REGULATION OF GRAVEL UNDER STATE STORMWATER LAWS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

H.B. 1173, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LICENSING BOARDS SUBJECT TO CHAPTER 55B OF THE GENERAL STATUTES TO ADOPT RULES TO IMPLEMENT THE PROVISIONS OF THE CHAPTER, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

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

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

June 4, 2014

ONE HUNDRED TWENTIETH DAY

Senate Chamber
Thursday, June 5, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

Prayer is offered by Chaplain Colonel Ron Benzing from Associated Gospel Churches in Greenville, South Carolina, as follows:

"Almighty God, creator and sustainer of all that is seen and unseen, we thank you for the abundance of blessings that you shower upon us. You formed us from the dust of the earth and breathed into us the breath of life and made us in your likeness, so that we can enjoy a personal relationship with you as well as with others. We are blessed with freedom as a nation, and our liberties came at a great price. We thank you for the many who laid down their lives for that purpose. Please protect our men and women in uniform, who are at this very hour in places of hardship and danger. Lord, encourage the leaders of this Senate to seek your wisdom as they conduct important business during this session. May their deliberation and decisions honor you, so that the citizens of this great state may lead a quiet and peaceable life in all godliness and honesty. Lord God, you are the judge of all the earth and before whom we will stand one day to give account for ourselves. May we stand in the grace and mercy of the Lord Jesus Christ, in whose name we pray. Amen."

The Chair grants leaves of absence for today to Senator Apodaca and Senator Meredith.

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Wednesday, June 4, 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.

The Chair extends privileges of the floor to Alice M. Hill from Goldsboro, North Carolina, who is serving the Senate as Nurse of the Day.

INTRODUCTION OF A RESOLUTION

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

By Senators J. Davis (Primary Sponsor); Brock and Pate:
S.J.R. 879, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ZEBULON DOYLE ALLEY, FORMER MEMBER OF THE GENERAL ASSEMBLY.

June 5, 2014

Upon motion of Senator Berger, the Joint Resolution is placed on the calendar of Tuesday, June 10.

WITHDRAWAL FROM COMMITTEE

S.B. 812 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PRESERVE NORTH CAROLINA'S PROPER CONSTITUTIONAL AUTHORITY OVER ALL ACADEMIC STANDARDS AND TO ENSURE THAT STANDARDS ARE ROBUST AND APPROPRIATE, AND THAT THEY ENABLE STUDENTS TO SUCCEED ACADEMICALLY AND PROFESSIONALLY, referred to the **Appropriations/Base Budget Committee** on June 4.

Pursuant to Rule 47(a), Senator Berger 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, and the Chair so orders.

CALENDAR

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

S.B. 812 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PRESERVE NORTH CAROLINA'S PROPER CONSTITUTIONAL AUTHORITY OVER ALL ACADEMIC STANDARDS AND TO ENSURE THAT STANDARDS ARE ROBUST AND APPROPRIATE, AND THAT THEY ENABLE STUDENTS TO SUCCEED ACADEMICALLY AND PROFESSIONALLY, upon second reading.

Upon motion of Senator Berger, the Committee Substitute bill is temporarily displaced for a recess.

The Senate recesses at 11:14 a.m. to reconvene at 11:30 a.m.

RECESS

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

The Senate recesses at 11:30 a.m., subject to the receipt of committee reports, to reconvene at 11:45 a.m.

RECESS

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

S.B. 3, A BILL TO BE ENTITLED AN ACT TO DIRECT, AND APPROPRIATE FUNDS FOR, THE CONSTRUCTION OF A WESTERN CRIME LABORATORY FACILITY AT THE WESTERN JUSTICE ACADEMY IN EDNEYVILLE, TO APPROPRIATE FUNDS TO PROVIDE STAFFING FOR THE LABORATORY, AND TO AMEND THE LAWS REGARDING THE ADMISSIBILITY OF LABORATORY REPORTS AFTER NOTICE AND DEMAND, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 45181, which changes the title to read **S.B. 3** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE JOB MAINTENANCE AND CAPITAL DEVELOPMENT FUND PROVISIONS, is adopted and engrossed.

S.B. 743 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE ECONOMIC DEVELOPMENT WITHIN THE STATE, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 45180, is adopted and engrossed.

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

WITHDRAWALS FROM A FUTURE CALENDAR

S.B. 743 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO FACILITATE ECONOMIC DEVELOPMENT WITHIN THE STATE, placed on the calendar of Monday, June 9.

Senator Berger offers a motion that the Committee Substitute bill No. 2 be withdrawn from the calendar of Monday, June 9, and placed on today's calendar, which motion prevails with unanimous consent, and the Chair so orders.

S.B. 3 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE JOB MAINTENANCE AND CAPITAL DEVELOPMENT FUND PROVISIONS, placed on the calendar of Monday, June 9.

Senator Berger offers a motion that the Committee Substitute bill be withdrawn from the calendar of Monday, June 9, and placed on today's calendar, which motion prevails with unanimous consent, and the Chair so orders.

CALENDAR *(continued)*

S.B. 812 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PRESERVE NORTH CAROLINA'S PROPER CONSTITUTIONAL

AUTHORITY OVER ALL ACADEMIC STANDARDS AND TO ENSURE THAT STANDARDS ARE ROBUST AND APPROPRIATE, AND THAT THEY ENABLE STUDENTS TO SUCCEED ACADEMICALLY AND PROFESSIONALLY, displaced earlier today upon second reading.

Upon motion of Senator Berger, the Committee Substitute bill is again temporarily displaced.

S.B. 743 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO FACILITATE ECONOMIC DEVELOPMENT WITHIN THE STATE, upon second reading.

Upon motion of Senator Berger, the Committee Substitute bill No. 2 is temporarily displaced.

S.B. 812 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PRESERVE NORTH CAROLINA'S PROPER CONSTITUTIONAL AUTHORITY OVER ALL ACADEMIC STANDARDS AND TO ENSURE THAT STANDARDS ARE ROBUST AND APPROPRIATE, AND THAT THEY ENABLE STUDENTS TO SUCCEED ACADEMICALLY AND PROFESSIONALLY, displaced earlier today upon second reading.

Senator Tillman offers Amendment No. 1, which is adopted (48-0).

Senator Tillman offers Amendment No. 2, which is adopted (48-0).

Senator Tillman offers Amendment No. 3, which is adopted (48-0).

The Chair grants a leave of absence for the remainder of today's session to Senator Rucho.

Upon the appearance of Senator Rucho in the chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

The Committee Substitute bill, as amended, passes its second reading (33-15) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives.

S.B. 3 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE JOB MAINTENANCE AND CAPITAL DEVELOPMENT FUND PROVISIONS, upon second reading.

The Committee Substitute bill passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

The Senate recesses at 12:34 p.m. to reconvene at 1:30 p.m.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Louis Pate, Deputy President *Pro Tempore*.

The Chair grants leaves of absence for the remainder of today's session to Senator Allran, Senator Barefoot, Senator Hunt, and Senator Jenkins.

June 5, 2014

S.B. 743 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO FACILITATE ECONOMIC DEVELOPMENT WITHIN THE STATE, displaced earlier today upon second reading.

Senator Brown offers Amendment No. 1, which is adopted (41-0).

Senator Rabon offers Amendment No. 2, which is adopted (40-2).

Senator McKissick offers Amendment No. 3, which is adopted (43-0).

Senator Brown offers Amendment No. 4, which is adopted (44-0).

The Committee Substitute bill No. 2, as amended, passes its second reading (38-6).

Senator Stein objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Committee Substitute bill No. 2, as amended, placed on the calendar of Monday, June 9, upon third reading.

Upon motion of Senator Berger, without objection, the amendments are ordered engrossed prior to third reading.

Upon motion of Senator Berger, seconded by Senator Rabin, the Senate adjourns at 1:56 p.m., in honor of all the remaining veterans of WWII, subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Monday, June 9, at 7:00 p.m.

ONE HUNDRED TWENTY-FIRST DAY

Senate Chamber
Monday, June 9, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

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

"Heavenly Father, as we come together tonight, we come to you for an evening blessing to encourage our hearts. We ask you, Jesus, for the blessing of quietness for every troubled heart and faith for all those who have faced exhausting tasks today. Lord, we thank you for the life of Senator Harris Blake. We thank you for his dedication and for his love. I think about the time where he loved on my family, and I give you thanks for his life and for his ministry around this state. I pray that we would rest in you now and find in this evening hour the stillness that only you possess. We give you thanks for the challenges from today and for the new visions you have placed in our hearts. Grant us, Father, the peace and your steadfast love that resides in yourself. Watch over us as we sleep. Help us to be a blessing to others as you have blessed us. I pray in Christ's name. Amen."

June 9, 2014

The Chair grants leaves of absence for tonight to Senator Barefoot, Senator Blue, Senator Jenkins, Senator Parmon, and Senator Stein.

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Thursday, June 5, 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.

The Chair extends privileges of the floor to B.J. Lee from Holly Springs, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILL

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

H.B. 230, AN ACT TO CLARIFY PROVISIONS OF THE READ TO ACHIEVE ACT AND SCHOOL PERFORMANCE GRADES AND TO EXPAND THE TESTING WINDOW FOR ONE YEAR.

CALENDAR

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

S.B. 743 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO FACILITATE ECONOMIC DEVELOPMENT WITHIN THE STATE, upon third reading.

The Committee Substitute bill No. 2 passes its third reading (38-7) and is ordered sent to the House of Representatives.

WITHDRAWALS FROM COMMITTEES

H.B. 712 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY EXPERT WITNESS COMPENSATION AND ALLOWANCES, referred to the **Rules and Operations of the Senate Committee** on May 6, 2013.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Education/Higher Education Committee**, which motion prevails with unanimous consent, and the Chair so orders.

S.B. 790, A BILL TO BE ENTITLED AN ACT TO MAINTAIN THE EXEMPTION ON SALES OF ELECTRICITY BY CAPE HATTERAS ELECTRICAL MEMBERSHIP CORPORATION FROM SALES TAX RECOGNIZED IN 1965, referred to the **Commerce Committee** on May 19.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the bill be withdrawn from the **Commerce Committee** and re-referred to the **Finance Committee**, which motion prevails with unanimous consent, and the Chair so orders.

RE-REFERRAL OF A BILL

H.B. 189 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, referred to the **Judiciary II Committee** on March 20, 2013.

Upon motion of Senator Apodaca, a sequential referral to the **Health Care Committee** is added.

WITHDRAWAL FROM COMMITTEE

S.B. 853, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, referred to the **Judiciary I Committee** on May 28.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the bill be withdrawn from the **Judiciary I Committee** and re-referred to the **Finance Committee** with a sequential referral to the **Judiciary I Committee**, which motion prevails with unanimous consent, and the Chair so orders.

SENATE PAGES

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

Natalie Aynes, Winterville; Mackin Boylan, Raleigh; Grant Buchanan, Wilson; Will Campbell, Mount Airy; Robert Edwards III, Charlotte; Amelia Fox, Greensboro; Andrew Gaddy, Chapel Hill; Alton Gayton, Raleigh; Will Hausen, Durham; Sean Kurz, Raleigh; Deirdre Logan, Durham; Hannah Lunsford, Leasburg; Coley Mizell, Wendell; Ari Nicholson, Durham; Laura Payne, Lexington; Marika Samuelsson, Selma; Maribelle Scoggin, Raleigh; Eliza Darden Smith, Wilson; Will Song, Raleigh; Amanda Spence, Raleigh; Matthew Stevens, Cornelius; Alex Stround, Aberdeen; Cadeala Troublefield, Troy; and Sarah Womack, Sanford.

WITHDRAWAL FROM COMMITTEE

S.B. 740, A BILL TO BE ENTITLED AN ACT TO STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM, AS RECOMMENDED BY THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION, referred to the **Transportation Committee** on May 15.

June 9, 2014

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the bill be withdrawn from the **Transportation Committee** and re-referred to the **Agriculture/Environment/Natural Resources Committee**, which motion prevails with unanimous consent, and the Chair so orders.

Upon motion of Senator Berger, seconded by Senator Brock, the Senate adjourns at 7:13 p.m., in memory of Senator Harris Blake, subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Tuesday, June 10, at 9:30 a.m.

ONE HUNDRED TWENTY-SECOND DAY

Senate Chamber
Tuesday, June 10, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Louis Pate, Deputy President *Pro Tempore*.

Without objection, the prayer is postponed until after recess.

Senator Rabin announces that the Senate Journal of Monday, June 9, 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.

WITHDRAWAL FROM COMMITTEE

H.B. 133 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CLINTON TO USE THE DESIGN-BUILD METHOD OF CONSTRUCTION, referred to the **State and Local Government Committee** on May 8, 2013.

Without objection, Senator Hise offers a motion that the Committee Substitute bill be withdrawn from the **State and Local Government Committee** and re-referred to the **Finance Committee**, which motion prevails with unanimous consent, and the Chair so orders.

The Senate recesses at 9:33 a.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 2:00 p.m.

June 10, 2014

RECESS

RE-REFERRAL OF A BILL

H.B. 618 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO RESTORE THE FIREARMS RIGHTS OF CERTAIN PERSONS WHO WERE CONVICTED OF NONVIOLENT FELONIES BEFORE DECEMBER 1, 1995, AND WHOSE FIREARMS RIGHTS HAD BEEN RESTORED BEFORE DECEMBER 1, 1995, AND TO INCREASE THE FEE TO PETITION FOR THE RESTORATION OF FIREARMS RIGHTS, referred to the **Judiciary II Committee** on June 6.

Pursuant to a motion by Senator Apodaca, a sequential referral to the **Finance Committee** is added.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

S.B. 370 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY STUDENT RIGHTS TO ENGAGE IN PRAYER AND RELIGIOUS ACTIVITY IN SCHOOL, TO CREATE AN ADMINISTRATIVE PROCESS FOR REMEDYING COMPLAINTS REGARDING EXERCISE OF THOSE STUDENT RIGHTS, AND TO CLARIFY RELIGIOUS ACTIVITY FOR SCHOOL PERSONNEL, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Monday, June 16.

H.B. 1025 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) AUTHORIZE CONTINUANCES OF DIVISION OF MOTOR VEHICLES INSPECTION STATION VIOLATION CASES; (2) PROVIDE THAT AGRICULTURAL TOURISM SIGNS ON STATE HIGHWAYS ARE SUBJECT TO DEPARTMENT OF TRANSPORTATION LOCATION AND PLACEMENT RULES; (3) CHANGE THE DUE DATE FOR THE NORTH CAROLINA TURNPIKE AUTHORITY ANNUAL AUDIT REPORT TO OCTOBER; (4) REPEAL A REQUIREMENT THAT THE DEPARTMENT OF TRANSPORTATION ANNUALLY REPORT RIGHT TURN ON RED PEDESTRIAN CRASHES; (5) AMEND THE STATE DRIVERS LICENSE MATERIAL TECHNICAL STANDARDS; (6) APPLY ALTERNATE PRIORITIZATION CRITERIA UNDER THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA TO FEDERAL AND STATE FUNDS USED FOR EMERGENCY REPAIR WORK; AND (7) REENACT THE AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION TO PARTICIPATE IN PRIVATE DEVELOPER CONTRACTS FOR IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM, SUBJECT TO A LIMIT OF THE LESSER OF TEN PERCENT OR TWO HUNDRED FIFTY THOUSAND DOLLARS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT

COMMITTEE; AND TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO INSTALL AND OPERATE RAMP METERS, AND TO PROVIDE THAT VIOLATION OF A RAMP METER SIGNAL IS AN INFRACTION.

Referred to the **Transportation Committee**.

H.B. 1026 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE STATE LAW GOVERNING DEPARTMENT OF TRANSPORTATION OVERSIGHT OF THE SAFETY OF RAIL FIXED GUIDEWAY PUBLIC TRANSPORTATION SYSTEMS.

Referred to the **Transportation Committee**.

H.B. 1028, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO ISSUE A SINGLE ANNUAL REGISTRATION RENEWAL STICKER FOR EACH VEHICLE REGISTRATION PLATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee**.

H.B. 1061 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXERCISE NORTH CAROLINA'S CONSTITUTIONAL AUTHORITY TO REPLACE COMMON CORE AND ESTABLISH, PROMOTE, AND ASSURE HIGH ACADEMIC STANDARDS THAT ARE ROBUST AND APPROPRIATE FOR NORTH CAROLINA PUBLIC EDUCATION.

Referred to the **Education/Higher Education Committee**.

H.B. 1062 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO PROVIDE SCHEMATIC DIAGRAMS AND EMERGENCY ACCESS TO SCHOOL BUILDINGS TO LOCAL LAW ENFORCEMENT AGENCIES AND SCHEMATIC DESIGNS AND EMERGENCY RESPONSE INFORMATION TO THE EMERGENCY MANAGEMENT DIVISION OF THE DEPARTMENT OF PUBLIC SAFETY.

Referred to the **Education/Higher Education Committee**.

H.B. 1076 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE NUMBER OF RECIPIENTS OF HARD COPIES OF THE APPELLATE DIVISION REPORTS DISTRIBUTED AT STATE EXPENSE, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON JUDICIAL EFFICIENCY AND EFFECTIVE ADMINISTRATION OF JUSTICE.

Referred to the **Judiciary II Committee**.

H.B. 1086, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION, IN CONJUNCTION WITH OTHER STATE AGENCIES, TO STUDY THE USE OF HIGHWAY SIGNAGE AS A MEANS OF IMPROVING NORTH CAROLINA

RESIDENTS' AND TOURISTS' AWARENESS OF STATE PARKS AND TRAILS IN THIS STATE, AS RECOMMENDED BY THE LRC COMMITTEE ON CULTURAL AND NATURAL RESOURCES.

Referred to the **Transportation Committee**.

H.B. 1087, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT SELECT STUDY COMMITTEE ON THE PRESERVATION OF BIOLOGICAL EVIDENCE, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON JUDICIAL EFFICIENCY AND EFFECTIVE ADMINISTRATION OF JUSTICE.

Referred to the **Judiciary II Committee**.

H.B. 1193 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE STATUTES AFFECTING THE STATE RETIREMENT SYSTEMS.

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

H.B. 1194, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO ADMINISTRATION OF THE STATE RETIREMENT SYSTEMS.

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

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Daniel for the **Judiciary II Committee**:

H.B. 1103, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COURT TO CONSIDER WHETHER A JUVENILE PETITION HAS BEEN PROPERLY VERIFIED AND JURISDICTION HAS BEEN INVOKED AT THE PRE-ADJUDICATION HEARING, AS RECOMMENDED BY THE LRC COMMITTEE ON OMNIBUS FOSTER CARE AND DEPENDENCY, with a favorable report.

H.B. 183 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW HOSPITALS TO CONDUCT CHEMICAL ANALYSES OF BLOOD TO DETERMINE A PERSON'S BLOOD ALCOHOL CONCENTRATION OR THE PRESENCE OF ANY OTHER IMPAIRING SUBSTANCE, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30775, which changes the title to read **H.B. 183** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DELAY THE TRANSFER DATE OF THE CLEVELAND COUNTY CORRECTIONAL FACILITY, is adopted and engrossed.

June 10, 2014

H.B. 618 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO RESTORE THE FIREARMS RIGHTS OF CERTAIN PERSONS WHO WERE CONVICTED OF NONVIOLENT FELONIES BEFORE DECEMBER 1, 1995, AND WHOSE FIREARMS RIGHTS HAD BEEN RESTORED BEFORE DECEMBER 1, 1995, AND TO INCREASE THE FEE TO PETITION FOR THE RESTORATION OF FIREARMS RIGHTS, with an unfavorable report as to the Committee Substitute bill No. 2, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 20186, which changes the title to read **H.B. 618** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTORE THE FIREARMS RIGHTS OF CERTAIN PERSONS WHO WERE CONVICTED OF NONVIOLENT FELONIES BEFORE DECEMBER 1, 1995, AND WHOSE FIREARMS RIGHTS HAD BEEN RESTORED BEFORE DECEMBER 1, 1995, TO INCREASE THE FEE TO PETITION FOR THE RESTORATION OF FIREARMS RIGHTS, AND TO ADD TO THE LIST OF OFFENSES INELIGIBLE FOR EXPUNCTION CERTAIN FELONY BREAKING AND ENTERING OFFENSES, AND ANY OFFENSE THAT IS AN ATTEMPT TO COMMIT AN OFFENSE THAT IS NOT ELIGIBLE FOR EXPUNCTION, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Finance Committee**.

The Senate meets pursuant to recess and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

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

"Heavenly Father, we deal with so much more than meets the eye here, and we thank you for creating all that is. We thank you for giving us structures and society to order our lives—all intended to be agents of your good grace and your good purpose. Lord, I pray that these structures that we are involved with right now will not be taken captive by the power of the prince of the air—the power of darkness. No, Lord, we pray against rebellion. We pray, Lord, that you would enter in and you would have your way with us. May your sovereign grace invisibly bring us back to our proper place of humility. Underneath your leadership, Lord, and those that need your corrective voice. Refine our sense of being called to something greater than ourselves, and, Lord, give us the courage to be agents of your redemptive work around this state. It's in Jesus' name that we pray. Amen."

CALENDAR

A resolution on today's calendar is taken up and disposed of as follows:

S.J.R. 879, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ZEBULON DOYLE ALLEY, FORMER MEMBER OF THE GENERAL ASSEMBLY, upon second reading.

Upon motion of Senator Apodaca, without objection, the rules are suspended, and the Joint Resolution is read in its entirety.

Upon motion of Senator Apodaca, without objection, the words spoken on the Joint Resolution are spread upon the journal as follows:

SENATOR J. DAVIS: "Ladies and gentlemen of the Senate, I am honored to serve in the same district in which Zeb served, and although I had heard of his service and of the legend of Zeb Alley before I arrived here, I never got to meet him or talk with him until I met him one day in Representative West's office. He treated me with extreme graciousness and friendliness, and I thought that because I was from the mountains and I was representing his district that he was really embracing me at that time. What I found out was that Zeb treated everybody that way. I'm sure that there are a lot of stories from those members who served here while he was an active lobbyist, and I'm sure we'll hear some of those stories. But as the senator from the 50th District, I commend this resolution to you to honor the icon, Zeb Alley. Thank you."

SENATOR APODACA: "I too, like Senator Davis, first met Zeb in Roger West's office. That was also Zeb's office, and he would hold court daily. But then I started going, and—you're going to find this hard to believe, Senator Rucho—to the cafeteria in the mornings for oatmeal, and no matter what time I arrived, Zeb was already there. I was trying to think of a story or joke I could tell everyone that Zeb told me, but with the kids in the room I really can't think of one I could share. But he always was a friend to everyone, and he was a historian that we can't replace in this building. He had been around so long and knew so many things and was always a good soul and was always a mountain man. He never forgot where he came from, and he would always say every now and then that he had a distant relative that was a Republican, but they wouldn't discuss it at family functions. But he said that more often as time went on, especially in 2010, but Zeb was a good man. He was a mountain man first, and he'll be dearly missed; he already is. Thank you."

SENATOR TILLMAN: "Let me take it a little further about those morning meetings down in the cafeteria. Zeb wanted his bacon, he wanted it cooked crispy, and he wanted to have bacon about every morning and later on towards his last days. He was there up until about two weeks probably before he couldn't get out, maybe three, and you'd have Don East here, you'd have Apodaca here, you'd have Harry Brown there, you'd have me over here—who did get there before Zeb, but not much before him—and, no, we can't tell the tales that were told there, but Roger West would join us now and then, and then the stories would really get way out there. But some of Zeb's favorite times were those times in the mornings where he could talk about especially when he and Roger West and Don East got together up in the mountains at one time. They had a tremendous amount of fun. Zeb spent a lot of his time supporting the military,

and he gave us all these flags and wanted to be sure we wore them and he was truly a patriot. And he was involved with former Governor Hunt's library project over at the Centennial Campus, and they had a lot of things going on. Zeb was very gung-ho about that and was actively involved in that right up until his last few days, so I certainly recommend the resolution, Senator Davis, and thank you for doing that."

SENATOR BROWN: "Senator Tillman, you're exactly right. Those mornings in the cafeteria were always entertaining, to say the least, to get your day going, and you're right, when you had Roger and Don and Zeb getting that little conversation going you never knew what might come out. One of the things I can remember most about Zeb is about the military piece. I can remember on several occasions I'd be in Jacksonville at a military ceremony of some type and I'd look up and there was Zeb. And he would always go to those events and they were always gratis, he never charged them. I know the Marine Corps Museum was something he had a passion for in Jacksonville, and he represented them for no charge. So, he really had a passion for that, and he gave every way he could give, I think, to the military to support them and all their endeavors. You know, I have a vision of Zeb right now, and I can promise you that he and Don East are having a conversation, and I would bet there'll be probably twenty people around that little circle laughing just as hard as they can, so I recommend this resolution."

SENATOR BLUE: "You know, back in '81 or '82 when Governor Hunt brought Zeb here to Raleigh to basically implement his legislative program, immediately Zeb sought out all of us young fellows who had just gotten here—and it was about 15 of us I reckon—and started laying out what the Governor wanted, and I commented to one of my colleagues, 'That's a strange fellow. He sort of comes at you and assumes you're going to do this and that,' but that was Zeb Alley. He ended up being what I call one of North Carolina's great treasures. He was very involved in the last serious effort that we had to increase the ability to build the infrastructure in this state, and I remember distinctly in '83 or '84 that Lauch Faircloth was the Secretary of Transportation, and they had this idea—Dan Moore had headed a committee to put an extra nickel on gas in order to build highways, this was before the Highway Trust Fund, and that thing was pretty much dead. We couldn't get the votes out of committee, it kept being one vote difference and stuff, and so the Governor dispatched Lauch to work on some folk—Lauch was a Democrat then—and Zeb to work on others, and finally he rung it out of the Finance Committee. I learned a lot about Zeb's style of operation and got to be good friends with him. He understood people, and he took the time to make sure you understood exactly what he was trying to achieve, that he wasn't trying to put anything over on you. He respected people, and he found value in everybody with whom he dealt. He was a great traveling companion. Over a twenty year period, probably two or three times a year, we'd travel together to different places, legislative events, and things of that nature, and whether you were in South Beach or New Orleans or San Diego or Mexico,

or many, many other places, Zeb was always looking out for all the North Carolinians that he could put his hands on and that he could gather together without expecting anything in return. I remember distinctly once we were in New Orleans. I was hanging around on Bourbon Street. I had my daughter so I was behaving, and Zeb had seen this mule a couple blocks up from where we were, and he sent somebody to come get me right quick, and after I wandered through the crowd I found Zeb, and he had followed this mule around, and the mule was named Aretha. Zeb said, 'Dan, you won't believe what this mule can do.' Now you and I are two of the few people in the state who really understand the virtue of mules, but you won't understand what this mule could do. He said, 'Get in this wagon and we're going to take a ride.' And so we got in the wagon and pulled up to the corner and the driver said, 'Aretha, speak to that guy standing on the corner there.' Aretha reached over, shook her head, and the guy said, 'Aretha, kiss that fellow standing on the corner.' Aretha reached over, kissed the fellow standing on the corner. I said, 'Zeb, some way or the other, you must have figured out that you could pay this guy to do all of this stuff. This can't be for real. This mule ain't doing all that.' But that was just Zeb. I mean, he'd find something that was very interesting, and he would seek you out to make sure that you could get the same experience. You know, Zeb was an interesting guy because he was very, very smart, but he came on as if he was just one of the old guys, sort of bumbling his way through, but a very, very great fellow and, again, he knew how to break things down so that everybody understood it. If you really wanted to know Zeb, and this applied to Democrats, Republicans, staff, or anybody who would come over, he used to routinely have hoards of legislators at his house in Hayes Barton. The older ones would leave early, early being 9 or 10 o'clock. The younger ones would stay till 1 or 2 o'clock in the morning, cooking the steaks and doing the various other things and listening to Zeb tell his stories, some of them funny, some of them very serious. Again, I think that we sometimes forget that people are multi-dimensional, and we tend to deal with them in the boxes in which we're comfortable in dealing with them. Zeb did more for the State Capitol, probably more than any other single individual—the WWII monument, WWI monument that you see there. Zeb had to fight like all get-out to get that statue placed on the Capitol grounds. Zeb helped lead the effort to restore the historical chambers by helping to sell chairs; many, many people bought chairs. Members bought chairs that were replicas of the original chairs in those two chambers. But he was constantly doing civic kinds of things in addition to the things that we saw him do here in the legislature, so he was a great North Carolinian. He contributed immensely, he was a friend to all and not just a war hero, but a hero in any dimension or in any respect that you want to think about it, and I'm proud to have called him a friend."

The Joint Resolution passes its second reading (50-0) and, without objection, is read a third time and passes its third reading, with all members standing, and is ordered sent to the House of Representatives by special message.

June 10, 2014

RE-REFERRAL OF A BILL

S.B. 810, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW GOVERNING RED LIGHT CAMERAS IN FAYETTEVILLE, referred to the **State and Local Government Committee** on May 21.

Upon motion of Senator Apodaca, a sequential referral to the **Finance Committee** is added.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

H.B. 573 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BROADEN THE PERMITTED USE OF STORMWATER FEES, with a favorable report.

S.B. 853, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Judiciary I Committee**.

H.B. 133 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CLINTON TO USE THE DESIGN-BUILD METHOD OF CONSTRUCTION, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40237, which changes the title to read **H.B. 133** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT COMMISSION IS AN AGENCY WITHIN THE CITY OF CHARLOTTE AND TO EXTEND THE CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT OVERSIGHT COMMITTEE BY ONE YEAR, is adopted and engrossed.

Upon motion of Senator Pate, seconded by Senator Blue, the Senate adjourns at 2:36 p.m., subject to the receipt of committee reports, the ratification of bills, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Wednesday, June 11, at 9:30 a.m.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Daniel for the **Judiciary II Committee**:

H.B. 698, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRIMINAL HISTORY CHECKS FOR CURRENT VOLUNTEERS OR PAID FIRE DEPARTMENT PERSONNEL AND EMERGENCY MEDICAL SERVICES PERSONNEL, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10577, which changes the title to read **H.B. 698** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRIMINAL HISTORY CHECKS FOR CURRENT VOLUNTEERS OR PAID FIRE DEPARTMENT PERSONNEL AND EMERGENCY MEDICAL SERVICES PERSONNEL AND TO ESTABLISH THE URBAN SEARCH AND RESCUE PROGRAM AND THE URBAN SEARCH AND RESCUE TEAM ADVISORY COMMITTEE, is adopted and engrossed.

H.B. 777 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW THAT IMPOSES RESIDENTIAL RESTRICTIONS ON SEX OFFENDERS TO PROVIDE THAT A SEX OFFENDER IS PROHIBITED FROM RESIDING WITHIN ONE THOUSAND FEET OF A SITE WHERE A BOYS AND GIRLS CLUB OF AMERICA IS LOCATED, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10578, is adopted and engrossed.

By Senator J. Davis for the **State and Local Government Committee**:

H.B. 1108 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE DUPLIN COUNTY BOARD OF EDUCATION AND THE BOARD OF COMMISSIONERS OF DUPLIN COUNTY, TO PROVIDE THAT VACANCIES ON THE HARNETT COUNTY BOARD OF COMMISSIONERS AND SCHOOL BOARD ARE FILLED IN ACCORDANCE WITH G.S. 153A-27.1 AND G.S. 115C-37.1, AND TO PROVIDE THAT ANY EMPLOYMENT CONTRACT FOR CERTAIN LOCAL OFFICIALS IN HARNETT COUNTY MUST BE DONE BY UNANIMOUS VOTE IN CERTAIN INSTANCES, with a favorable report.

S.B. 741, A BILL TO BE ENTITLED AN ACT TO ALLOW FRANKLIN COUNTY TO NOT ACCEPT THE REGISTRATION OF A DEED TRANSFERRING REAL PROPERTY WHEN TAXES ARE DELINQUENT, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

June 10, 2014

S.B. 767, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ROCKINGHAM, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

S.B. 810, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW GOVERNING RED LIGHT CAMERAS IN FAYETTEVILLE, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

S.B. 845, A BILL TO BE ENTITLED AN ACT TO ALLOW THE VILLAGE OF BALD HEAD ISLAND TO OPERATE A CONTRACT POST OFFICE WITH A GOVERNMENTAL OR COMMERCIAL ENTITY, with a favorable report.

S.B. 865, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE TOWN OF BOONE SHALL NOT EXERCISE THE POWERS OF EXTRATERRITORIAL JURISDICTION, with a favorable report.

By Senator Tucker for the **State and Local Government Committee**:

H.B. 1131 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CLAY COUNTY FROM STATE WILDLIFE LAWS WITH RESPECT TO OPOSSUMS BETWEEN THE DATES OF DECEMBER 26 AND JANUARY 2, with a favorable report.

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

S.B. 790, A BILL TO BE ENTITLED AN ACT TO MAINTAIN THE EXEMPTION ON SALES OF ELECTRICITY BY CAPE HATTERAS ELECTRICAL MEMBERSHIP CORPORATION FROM SALES TAX RECOGNIZED IN 1965, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15442, which changes the title to read **S.B. 790** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PHASE IN THE SALES TAX ON ELECTRICITY SOLD BY CAPE HATTERAS ELECTRICAL MEMBERSHIP CORPORATION, is adopted and engrossed.

H.B. 531 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE EXTRATERRITORIAL JURISDICTION AUTHORITY OF THE TOWN OF WEAVERVILLE, TO MAKE A SIMILAR TECHNICAL CORRECTION AS TO THE CITY OF ASHEVILLE, AND TO ALLOW THE COUNTY OF BUNCOMBE TO ZONE CERTAIN DONUT HOLES, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

June 10, 2014

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 20187, which changes the title to read **H.B. 531** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE EXTRATERRITORIAL JURISDICTION AUTHORITY OF THE TOWN OF WEAVERVILLE, TO MAKE A SIMILAR TECHNICAL CORRECTION AS TO THE CITY OF ASHEVILLE, TO ALLOW THE COUNTY OF BUNCOMBE TO ZONE CERTAIN DONUT HOLES, TO REPEAL THE BUNCOMBE COUNTY CULTURE AND RECREATION AUTHORITY, AND TO ALLOW THE BOARD OF COMMISSIONERS OF HENDERSON COUNTY TO STANDARDIZE THE CEILING ON FIRE DISTRICT TAXES IN HENDERSON COUNTY, is adopted and engrossed.

By Senator J. Davis for the **State and Local Government Committee**:

S.B. 848, A BILL TO BE ENTITLED AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR INFRASTRUCTURE DEVELOPMENT BY THE TOWN OF MINT HILL, BY THE CITY OF CONCORD, AND BY THE CITY OF KANNAPOLIS, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15438, is adopted and engrossed.

S.B. 867, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TERMS OF OFFICE FROM TWO TO FOUR YEARS FOR THE MAYOR AND THE MEMBERS OF THE BOARD OF ALDERMEN OF THE TOWN OF MCDONALD AND TO ESTABLISH STAGGERED TERMS FOR THE BOARD OF ALDERMEN, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15440, which changes the title to read **S.B. 867** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE TERMS OF OFFICE FROM TWO TO FOUR YEARS FOR THE MAYOR AND THE MEMBERS OF THE BOARD OF ALDERMEN OF THE TOWN OF MCDONALD, is adopted and engrossed.

S.B. 868, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TERMS OF OFFICE FROM TWO TO FOUR YEARS FOR THE MAYOR AND THE MEMBERS OF THE BOARD OF ALDERMEN OF THE TOWN OF PROCTORVILLE AND TO ESTABLISH STAGGERED TERMS FOR THE BOARD OF ALDERMEN, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15441, which changes the title to read **S.B. 868** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE TERMS OF OFFICE FROM TWO TO FOUR YEARS FOR THE MAYOR AND THE MEMBERS OF THE BOARD OF ALDERMEN OF THE TOWN OF PROCTORVILLE, is adopted and engrossed.

June 10, 2014

H.B. 292 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE STUDY COMMITTEE ON MUSIC THERAPY LICENSURE, with an unfavorable report as to the Committee Substitute bill No. 2, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40238, which changes the title to read **H.B. 292** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MORATORIUM ON FILING OF ACTIONS BY THE UNION COUNTY BOARD OF EDUCATION CHALLENGING THE SUFFICIENCY OF LOCAL FUNDS APPROPRIATED TO THE PUBLIC SCHOOLS BY THE UNION COUNTY BOARD OF COMMISSIONERS, is adopted and engrossed.

H.B. 346 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING COUNTIES AND CITIES TO ATTACH AND GARNISH A MEMBER OF THE GOVERNING BODY IF THE COUNTY OR CITY HAS BEEN GRANTED A MONEY JUDGMENT AGAINST THAT MEMBER AND THE MONEY JUDGMENT HAS NOT BEEN SATISFIED, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10580, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Finance Committee**.

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

S.B. 797, A BILL TO BE ENTITLED AN ACT AMENDING THE DUTIES OF THE 911 BOARD RELATING TO PUBLIC SAFETY ANSWERING POINTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 25161, which changes the title to read **S.B. 797** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DUTIES OF THE 911 BOARD RELATING TO PUBLIC SAFETY ANSWERING POINTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY, AND TO CLARIFY THE COLLECTION AUTHORITY OF THE DEPARTMENT OF REVENUE FOR THE 911 FEE ON PREPAID WIRELESS, is adopted and engrossed.

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

June 10, 2014

ONE HUNDRED TWENTY-THIRD DAY

Senate Chamber
Wednesday, June 11, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Louis Pate, Deputy President *Pro Tempore*.

Without objection, the prayer is postponed until after recess.

JOURNAL MOTION

Senator Apodaca moves that the words spoken on June 10, 2014, during the debate on **S.J.R. 879** be spread upon the journal of June 10, 2014, and he further moves that the approval of said journal be postponed until after recess, which motions prevail with unanimous consent, and the Chair so orders.

The Senate recesses at 9:33 a.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 2:00 p.m.

RECESS

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator J. Davis for the **State and Local Government Committee**:

H.B. 569, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN RESTRICTION ON SATELLITE ANNEXATIONS FOR THE VILLAGE OF FOXFIRE, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10579, which changes the title to read **H.B. 569** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE VILLAGE OF FOXFIRE AND TO REMOVE CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF HARRISBURG, is adopted and engrossed.

Upon recommendation of Senator J. Davis, the Senate Committee Substitute bill is re-referred to the **Finance Committee**.

By Senator Newton for the **Judiciary I Committee**:

S.B. 648 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF EMPLOYMENT FRAUD, TO

CLARIFY THE CALCULATION OF INTEREST FOR ACTIONS FOR PERSONAL INJURY OR WRONGFUL DEATH, TO PROHIBIT PREDATORY THIRD-PARTY FINANCING OF LITIGATION BY ASSIGNMENT OF PLAINTIFF'S RIGHT TO RECEIVE PROCEEDS, AND TO CREATE TRANSPARENCY IN CONTRACTS THE ATTORNEY GENERAL ENTERS INTO WITH PRIVATE ATTORNEYS TO REPRESENT THE STATE, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 15443, which changes the title to read **S.B. 648** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE TRANSPARENCY IN CONTRACTS BETWEEN THE ATTORNEY GENERAL AND PRIVATE ATTORNEYS, TO PREVENT THE ABUSE OF PATENTS, TO ALLOW FOR SHAREHOLDER ASSENT TO EXCLUSIVE FORUM, AND TO CREATE A THREE-JUDGE PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill No. 2 is re-referred to the **Finance Committee**.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.B. 1043 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUTES RELATED TO THE USE OF PREQUALIFICATION IN PUBLIC CONSTRUCTION CONTRACTING, AS STUDIED BY THE JOINT PURCHASE AND CONTRACT STUDY COMMITTEE.

Referred to the **Commerce Committee**.

H.B. 1069 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE UNEMPLOYMENT INSURANCE LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON UNEMPLOYMENT INSURANCE.

Referred to the **Finance Committee**.

H.B. 1080, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WATHA.

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

H.B. 1092 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A MECHANISM FOR ENFORCING PAYMENT OF THE CRIMINAL MEDIATION FEE, AS RECOMMENDED BY THE

LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON JUDICIAL EFFICIENCY AND EFFECTIVE ADMINISTRATION OF JUSTICE AND TO ALLOW THE CONFERENCE OF CHIEF DISTRICT JUDGES TO PRESCRIBE UNIFORM STATEWIDE PRESUMPTIVE GUIDELINES FOR THE COMPUTATION OF RETROACTIVE CHILD SUPPORT OBLIGATIONS.

Referred to the **Judiciary II Committee**.

H.B. 1134, A BILL TO BE ENTITLED AN ACT TO REVISE THE REQUIREMENTS FOR A PETITION SUBMITTED TO CLEVELAND COUNTY BY PROPERTY OWNERS SEEKING COUNTY FINANCING OF ROAD IMPROVEMENTS.

Referred to the **State and Local Government Committee**.

INTRODUCTION OF A BILL

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

By Senator Tillman:

S.B. 880, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO SIMPLIFY THE MANAGEMENT OF PUBLIC PRIMARY AND SECONDARY EDUCATION BY PROVIDING FOR A SECRETARY OF EDUCATION TO REPLACE THE CURRENT SYSTEM OF A SUPERINTENDENT OF PUBLIC INSTRUCTION AND, STATE BOARD OF EDUCATION.

Referred to the **Education/Higher Education Committee**.

The Senate meets pursuant to recess and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

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

"Lord, thank you for gathering us today, this great crowd, witnesses to opportunities to serve you, Lord. Grant us your presence in this place today. Make haste to help us, Lord Jesus. We certainly need your help more than anything. Lord, you have been our dwelling place for all generations. Before the General Assembly was created, before mountains were brought forth, from everlasting to everlasting you are God. Because by your presence and through your spirit, we can make actions today, but without you we can do nothing. It is in Jesus' name we pray. Amen."

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Tuesday, June 10, 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.

June 11, 2014

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

The Chair extends privileges of the floor to Kelly Cobb from Yanceyville, North Carolina, who is serving the Senate as Nurse of the Day.

WITHDRAWAL FROM COMMITTEE

H.B. 831 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE EDUCATION OF CHILDREN IN PRIVATE PSYCHIATRIC RESIDENTIAL TREATMENT FACILITIES, referred to the **Health Care Committee** on July 23, 2013.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill No. 2 be withdrawn from the **Health Care Committee** and re-referred to the **Appropriations/Base Budget Committee**, which motion prevails with unanimous consent, and the Chair so orders.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

S.B. 797 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DUTIES OF THE 911 BOARD RELATING TO PUBLIC SAFETY ANSWERING POINTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY, AND TO CLARIFY THE COLLECTION AUTHORITY OF THE DEPARTMENT OF REVENUE FOR THE 911 FEE ON PREPAID WIRELESS, upon second reading.

Upon motion of Senator Apodaca, the Committee Substitute bill is withdrawn from today's calendar and placed on the calendar of Tuesday, June 17.

ENROLLED RESOLUTION

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

S.J.R. 879, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ZEBULON DOYLE ALLEY, FORMER MEMBER OF THE GENERAL ASSEMBLY. (Res. 2014-4)

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. 230, AN ACT TO CLARIFY PROVISIONS OF THE READ TO ACHIEVE ACT AND SCHOOL PERFORMANCE GRADES AND TO EXPAND THE TESTING WINDOW FOR ONE YEAR. (Became law upon approval of the Governor, June 10, 2014 - S.L. 2014-5)

June 11, 2014

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

H.B. 569 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE VILLAGE OF FOXFIRE AND TO REMOVE CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF HARRISBURG, with a favorable report.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is placed on the calendar of Monday, June 16.

H.B. 618 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTORE THE FIREARMS RIGHTS OF CERTAIN PERSONS WHO WERE CONVICTED OF NONVIOLENT FELONIES BEFORE DECEMBER 1, 1995, AND WHOSE FIREARMS RIGHTS HAD BEEN RESTORED BEFORE DECEMBER 1, 1995, TO INCREASE THE FEE TO PETITION FOR THE RESTORATION OF FIREARMS RIGHTS, AND TO ADD TO THE LIST OF OFFENSES INELIGIBLE FOR EXPUNCTION CERTAIN FELONY BREAKING AND ENTERING OFFENSES, AND ANY OFFENSE THAT IS AN ATTEMPT TO COMMIT AN OFFENSE THAT IS NOT ELIGIBLE FOR EXPUNCTION, with a favorable report.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is placed on the calendar of Monday, June 16.

S.B. 648 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE TRANSPARENCY IN CONTRACTS BETWEEN THE ATTORNEY GENERAL AND PRIVATE ATTORNEYS, TO PREVENT THE ABUSE OF PATENTS, TO ALLOW FOR SHAREHOLDER ASSENT TO EXCLUSIVE FORUM, AND TO CREATE A THREE-JUDGE PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS, with a favorable report.

Upon motion of Senator Apodaca, without objection, the rules are suspended and the Committee Substitute bill No. 2 is placed at the end of today's calendar.

S.B. 767, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ROCKINGHAM, with a favorable report.

Upon motion of Senator Apodaca, the bill is placed on the calendar of Monday, June 16.

S.B. 874, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, with a favorable report.

June 11, 2014

Upon motion of Senator Apodaca, the bill is placed on the calendar of Monday, June 16.

S.B. 741, A BILL TO BE ENTITLED AN ACT TO ALLOW FRANKLIN COUNTY TO NOT ACCEPT THE REGISTRATION OF A DEED TRANSFERRING REAL PROPERTY WHEN TAXES ARE DELINQUENT, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 45187, which changes the title to read **S.B. 741** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW BLADEN COUNTY, COLUMBUS COUNTY, AND FRANKLIN COUNTY TO NOT ACCEPT THE REGISTRATION OF A DEED TRANSFERRING REAL PROPERTY WHEN TAXES ARE DELINQUENT, is adopted and engrossed.

Upon motion of Senator Apodaca, the Committee Substitute bill is placed on the calendar of Monday, June 16.

S.B. 871, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY LOCATED IN DURHAM COUNTY FROM THE CORPORATE LIMITS OF THE CITY OF RALEIGH AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF DURHAM, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 45186, which changes the title to read **S.B. 871** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF RALEIGH AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF DURHAM, is adopted and engrossed.

Upon motion of Senator Apodaca, the Committee Substitute bill is placed on the calendar of Monday, June 16.

H.B. 558, A BILL TO BE ENTITLED AN ACT TO ALLOW SALES TAX REFUNDS FOR SOIL AND WATER CONSERVATION DISTRICTS, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40239, which changes the title to read **H.B. 558** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW SALES TAX REFUNDS FOR SOIL AND WATER CONSERVATION DISTRICTS AND REGIONAL JAILS, is adopted and engrossed.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is placed on the calendar of Monday, June 16.

By Senator Soucek for the **Education/Higher Education Committee**:

H.B. 1060, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO IDENTIFY MILITARY-

CONNECTED STUDENTS USING THE UNIFORM EDUCATION REPORTING SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE, with a favorable report.

Upon motion of Senator Apodaca, the bill is placed on the calendar of Monday, June 16.

S.B. 793, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCESS FOR REVIEW OF CHARTER APPLICATIONS BY THE NORTH CAROLINA CHARTER SCHOOLS ADVISORY BOARD, TO RAISE THE APPLICATION FEE FOR CHARTER APPLICATIONS, TO REQUIRE ADOPTION OF RULES FOR THE CHARTER APPLICATION PROCESS, TO CLARIFY THE APPEALS PROCESS FOR DENIALS OF CHARTER APPLICATIONS, AND TO MAKE CHARTER SCHOOLS SUBJECT TO REQUIREMENTS OF THE OPEN MEETINGS AND PUBLIC RECORDS LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15447, which changes the title to read **S.B. 793** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A TEACHER EMPLOYED BY A CHARTER SCHOOL MAY SERVE AS A NONVOTING MEMBER OF THE BOARD OF DIRECTORS FOR THE CHARTER SCHOOL; TO REQUIRE CHARTER RENEWALS TO BE FOR TEN YEARS; TO CLARIFY THAT CHARTERS WITH THE MISSION OF SINGLE GENDER EDUCATION MAY LIMIT ADMISSION ON THE BASIS OF GENDER; TO MAKE CHARTER SCHOOLS SUBJECT TO REQUIREMENTS OF THE OPEN MEETINGS AND PUBLIC RECORDS LAWS; AND TO CLARIFY THE BIDDING PROCESS FOR THE ASSUMPTION OF CHARTER SCHOOLS, is adopted and engrossed.

Upon motion of Senator Apodaca, the Committee Substitute bill is placed on the calendar of Monday, June 16.

By Senator Daniel for the **Transportation Committee**:

H.B. 348 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AGREEMENTS WITH LOCAL GOVERNMENTS TO ALLOW PUBLIC SAFETY TECHNOLOGY IN THE RIGHTS-OF-WAY OF THE STATE HIGHWAY SYSTEM, with a favorable report.

Upon motion of Senator Apodaca, the Committee Substitute bill is placed on the calendar of Monday, June 16.

H.B. 1027, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES HEARING ON A LICENSE REVOCATION AS A RESULT OF A DRIVING WHILE IMPAIRED IGNITION INTERLOCK VIOLATION BE HELD IN THE LICENSEE'S COUNTY OF RESIDENCE, AS RECOMMENDED BY THE JOINT

LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Judiciary II Committee**.

S.B. 836, A BILL TO BE ENTITLED AN ACT TO EXTEND BY ONE YEAR THE DEPARTMENT OF TRANSPORTATION DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESS PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with a favorable report.

Upon motion of Senator Apodaca, the bill is placed on the calendar of Monday, June 16.

By Senator Newton for the **Judiciary I Committee**:

S.B. 815 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THE PRIVACY AND SECURITY OF STUDENT EDUCATIONAL RECORDS, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 15446, is adopted and engrossed.

Upon motion of Senator Apodaca, the Committee Substitute bill No. 2 is placed on the calendar of Monday, June 16.

CALENDAR

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

H.B. 531 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE EXTRATERRITORIAL JURISDICTION AUTHORITY OF THE TOWN OF WEAVERVILLE, TO MAKE A SIMILAR TECHNICAL CORRECTION AS TO THE CITY OF ASHEVILLE, TO ALLOW THE COUNTY OF BUNCOMBE TO ZONE CERTAIN DONUT HOLES, TO REPEAL THE BUNCOMBE COUNTY CULTURE AND RECREATION AUTHORITY, AND TO ALLOW THE BOARD OF COMMISSIONERS OF HENDERSON COUNTY TO STANDARDIZE THE CEILING ON FIRE DISTRICT TAXES IN HENDERSON COUNTY, upon second reading.

The Senate Committee Substitute bill No. 2 passes its second reading, by roll-call vote, ayes 45, noes 3, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Newton, Parmon, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Soucek, Tarte, Tucker, Van Duyn, Wade, Walters and Woodard---45.

Voting in the negative: Senators Blue, Robinson and Stein---3.

The Senate Committee Substitute bill No. 2 remains on the calendar for Thursday, June 12, upon third reading.

June 11, 2014

S.B. 845, A BILL TO BE ENTITLED AN ACT TO ALLOW THE VILLAGE OF BALD HEAD ISLAND TO OPERATE A CONTRACT POST OFFICE WITH A GOVERNMENTAL OR COMMERCIAL ENTITY, upon second reading.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

S.B. 848 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR INFRASTRUCTURE DEVELOPMENT BY THE TOWN OF MINT HILL, BY THE CITY OF CONCORD, AND BY THE CITY OF KANNAPOLIS, upon second reading.

The Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

S.B. 867 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE TERMS OF OFFICE FROM TWO TO FOUR YEARS FOR THE MAYOR AND THE MEMBERS OF THE BOARD OF ALDERMEN OF THE TOWN OF MCDONALD, upon second reading.

The Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

S.B. 868 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE TERMS OF OFFICE FROM TWO TO FOUR YEARS FOR THE MAYOR AND THE MEMBERS OF THE BOARD OF ALDERMEN OF THE TOWN OF PROCTORVILLE, upon second reading.

The Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

S.B. 865, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE TOWN OF BOONE SHALL NOT EXERCISE THE POWERS OF EXTRATERRITORIAL JURISDICTION, upon second reading.

The bill passes its second reading (34-15).

Senator Woodard objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the bill placed on the calendar of Thursday, June 12, upon third reading.

H.B. 133 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT COMMISSION IS AN AGENCY WITHIN THE CITY OF CHARLOTTE AND TO EXTEND THE CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT OVERSIGHT COMMITTEE BY ONE YEAR, upon second reading.

Senator Rucho offers Amendment No. 1, which is adopted (42-7).

June 11, 2014

The Senate Committee Substitute bill, as amended, passes its second reading (31-18) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill.

H.B. 1131 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CLAY COUNTY FROM STATE WILDLIFE LAWS WITH RESPECT TO OPOSSUMS BETWEEN THE DATES OF DECEMBER 26 AND JANUARY 2, upon second reading.

The Committee Substitute bill passes its second reading (45-4) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

H.B. 292 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MORATORIUM ON FILING OF ACTIONS BY THE UNION COUNTY BOARD OF EDUCATION CHALLENGING THE SUFFICIENCY OF LOCAL FUNDS APPROPRIATED TO THE PUBLIC SCHOOLS BY THE UNION COUNTY BOARD OF COMMISSIONERS, upon second reading.

Senator Newton offers Amendment No. 1, which is adopted (32-17) and changes the title to read **H.B. 292** (Senate Committee Substitute) A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MORATORIUM ON FILING OF ACTIONS BY CERTAIN LOCAL BOARDS OF EDUCATION CHALLENGING THE SUFFICIENCY OF LOCAL FUNDS APPROPRIATED TO THE PUBLIC SCHOOLS BY THE COUNTY BOARD OF COMMISSIONERS.

The Senate Committee Substitute bill, as amended, passes its second reading (32-17).

Senator Bryant objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Senate Committee Substitute bill, as amended, placed on the calendar of Thursday, June 12, upon third reading.

H.B. 1108 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE DUPLIN COUNTY BOARD OF EDUCATION AND THE BOARD OF COMMISSIONERS OF DUPLIN COUNTY, TO PROVIDE THAT VACANCIES ON THE HARNETT COUNTY BOARD OF COMMISSIONERS AND SCHOOL BOARD ARE FILLED IN ACCORDANCE WITH G.S. 153A-27.1 AND G.S. 115C-37.1, AND TO PROVIDE THAT ANY EMPLOYMENT CONTRACT FOR CERTAIN LOCAL OFFICIALS IN HARNETT COUNTY MUST BE DONE BY UNANIMOUS VOTE IN CERTAIN INSTANCES, upon second reading.

The Committee Substitute bill passes its second reading (32-17) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

S.B. 790 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PHASE IN THE SALES TAX ON ELECTRICITY SOLD BY CAPE

HATTERAS ELECTRICAL MEMBERSHIP CORPORATION, upon second reading.

The Committee Substitute bill passes its second reading (44-5) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

H.B. 1069 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE UNEMPLOYMENT INSURANCE LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON UNEMPLOYMENT INSURANCE, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10582, is adopted and engrossed.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is placed on the calendar of Monday, June 16.

S.B. 876, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BREVARD TO LEVY A PREPARED FOOD AND BEVERAGES TAX, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15448, is adopted and engrossed.

Upon motion of Senator Apodaca, the Committee Substitute bill is placed on the calendar of Monday, June 16.

CALENDAR *(continued)*

H.B. 183 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DELAY THE TRANSFER DATE OF THE CLEVELAND COUNTY CORRECTIONAL FACILITY, upon second reading.

The Senate Committee Substitute bill passes its second reading (47-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

H.B. 573 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BROADEN THE PERMITTED USE OF STORMWATER FEES, upon second reading.

The Committee Substitute bill passes its second reading (47-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

H.B. 698 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRIMINAL HISTORY CHECKS FOR CURRENT VOLUNTEERS OR PAID FIRE DEPARTMENT PERSONNEL AND EMERGENCY MEDICAL SERVICES PERSONNEL AND TO ESTABLISH THE URBAN SEARCH AND RESCUE PROGRAM AND THE URBAN SEARCH AND RESCUE TEAM ADVISORY COMMITTEE, upon second reading.

Senator McKissick offers Amendment No. 1, which is adopted (49-0).

The Senate Committee Substitute bill, as amended, passes its second reading (49-0).

Senator Bryant objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Senate Committee Substitute bill, as amended, placed on the calendar of Thursday, June 12, upon third reading.

H.B. 777 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW THAT IMPOSES RESIDENTIAL RESTRICTIONS ON SEX OFFENDERS TO PROVIDE THAT A SEX OFFENDER IS PROHIBITED FROM RESIDING WITHIN ONE THOUSAND FEET OF A SITE WHERE A BOYS AND GIRLS CLUB OF AMERICA IS LOCATED, upon second reading.

Senator Randleman offers Amendment No. 1, which is adopted (49-0).

The Senate Committee Substitute bill, as amended, passes its second reading (49-0).

Senator McKissick objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Senate Committee Substitute bill, as amended, placed on the calendar of Thursday, June 12, upon third reading.

H.B. 1103, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COURT TO CONSIDER WHETHER A JUVENILE PETITION HAS BEEN PROPERLY VERIFIED AND JURISDICTION HAS BEEN INVOKED AT THE PRE-ADJUDICATION HEARING, AS RECOMMENDED BY THE LRC COMMITTEE ON OMNIBUS FOSTER CARE AND DEPENDENCY, upon second reading.

The bill passes its second reading (49-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

The Senate recesses at 3:49 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 4:15 p.m.

June 11, 2014

RECESS

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Newton for the **Judiciary I Committee**:

S.B. 853, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 45188, which changes the title to read **S.B. 853** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES AND TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, AND TO CREATE A THREE-JUDGE PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS, is adopted and engrossed.

Pursuant to a motion by Senator Apodaca, the Committee Substitute bill is placed on the calendar of Monday, June 16.

The Senate meets pursuant to recess and is called to order by The Honorable Tom Apodaca, Chairman of the Rules and Operations of the Senate Committee.

The Senate recesses at 4:15 p.m. to reconvene at 4:45 p.m.

RECESS

The Senate meets pursuant to recess and is called to order by Senator Berger.

FLOOR PRIVILEGES

Upon motion of Senator Apodaca, without objection, the rules are suspended to allow staff to join Senator B. Jackson on the Senate chamber floor while **S.B. 648** is being discussed.

The Chair grants a leave of absence for the remainder of today's session to Senator Tillman.

June 11, 2014

CALENDAR *(continued)*

S.B. 648 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE TRANSPARENCY IN CONTRACTS BETWEEN THE ATTORNEY GENERAL AND PRIVATE ATTORNEYS, TO PREVENT THE ABUSE OF PATENTS, TO ALLOW FOR SHAREHOLDER ASSENT TO EXCLUSIVE FORUM, AND TO CREATE A THREE-JUDGE PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS, upon second reading.

Senator B. Jackson offers Amendment No. 1, which is adopted (46-2).

Senator Barringer offers Amendment No. 2, which is adopted (47-1) and changes the title to read **S.B. 648** (Committee Substitute No. 2) A BILL TO BE ENTITLED AN ACT TO CREATE TRANSPARENCY IN CONTRACTS BETWEEN THE ATTORNEY GENERAL AND PRIVATE ATTORNEYS, TO AMEND THE LAWS GOVERNING PRODUCTS LIABILITY ACTIONS, TO PREVENT THE ABUSE OF PATENTS, TO ALLOW FOR SHAREHOLDER ASSENT TO EXCLUSIVE FORUM, AND TO CREATE A THREE JUDGE PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS.

Senator Rucho offers Amendment No. 3, which is adopted (31-17) and changes the title to read **S.B. 648** (Committee Substitute No. 2) A BILL TO BE ENTITLED AN ACT TO CREATE TRANSPARENCY IN CONTRACTS BETWEEN THE ATTORNEY GENERAL AND PRIVATE ATTORNEYS, TO AMEND THE LAWS GOVERNING PRODUCTS LIABILITY ACTIONS, TO PREVENT THE ABUSE OF PATENTS, TO ALLOW FOR SHAREHOLDER ASSENT TO EXCLUSIVE FORUM, TO CREATE A THREE-JUDGE PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS, AND TO LIMIT ASBESTOS-RELATED LIABILITIES FOR CERTAIN SUCCESSOR CORPORATIONS.

The Committee Substitute bill No. 2, as amended, passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives.

WITHDRAWALS FROM A FUTURE CALENDAR

Upon motion of Senator Apodaca, without objection, the following bills having been placed on the calendar of Monday, June 16, are withdrawn from that calendar and placed on the calendar of Thursday, June 12:

S.B. 853 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES AND TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, AND TO CREATE A THREE-JUDGE

PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS.

S.B. 741 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW BLADEN COUNTY, COLUMBUS COUNTY, AND FRANKLIN COUNTY TO NOT ACCEPT THE REGISTRATION OF A DEED TRANSFERRING REAL PROPERTY WHEN TAXES ARE DELINQUENT.

S.B. 767, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ROCKINGHAM.

S.B. 871 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF RALEIGH AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF DURHAM.

S.B. 874, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE.

H.B. 558 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW SALES TAX REFUNDS FOR SOIL AND WATER CONSERVATION DISTRICTS AND REGIONAL JAILS.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Meredith for the **Commerce Committee**:

H.J.R. 1074, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF LINDA COMBS AS STATE CONTROLLER, with a favorable report.

Upon motion of Senator Apodaca, the Joint Resolution is placed on the calendar of Monday, June 16.

H.J.R. 1112, A JOINT RESOLUTION TO CONFIRM THE APPOINTMENT OF CHARLTON L. ALLEN TO THE NORTH CAROLINA INDUSTRIAL COMMISSION, with a favorable report.

Upon motion of Senator Apodaca, the Joint Resolution is placed on the calendar of Monday, June 16.

S.B. 742, A BILL TO BE ENTITLED AN ACT TO ADJUST THE UTILITY REGULATORY FEE TO REFLECT THE CHANGING REGULATORY CLIMATE FOR THE TELECOMMUNICATIONS

INDUSTRY, AS RECOMMENDED BY THE LRC COMMITTEE ON THE ASSESSMENT OF REGULATED AND NON-REGULATED INDUSTRY UTILITY FEES, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

By Senator Hise for the **Health Care Committee**:

S.B. 749, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE MONITORING OF CONTROLLED SUBSTANCES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15449, which changes the title to read **S.B. 749** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE MONITORING OF CONTROLLED SUBSTANCES, is adopted and engrossed.

Upon recommendation of Senator Hise, the Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

By Senator Daniel for the **Transportation Committee**:

H.B. 1025 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) AUTHORIZE CONTINUANCES OF DIVISION OF MOTOR VEHICLES INSPECTION STATION VIOLATION CASES; (2) PROVIDE THAT AGRICULTURAL TOURISM SIGNS ON STATE HIGHWAYS ARE SUBJECT TO DEPARTMENT OF TRANSPORTATION LOCATION AND PLACEMENT RULES; (3) CHANGE THE DUE DATE FOR THE NORTH CAROLINA TURNPIKE AUTHORITY ANNUAL AUDIT REPORT TO OCTOBER; (4) REPEAL A REQUIREMENT THAT THE DEPARTMENT OF TRANSPORTATION ANNUALLY REPORT RIGHT TURN ON RED PEDESTRIAN CRASHES; (5) AMEND THE STATE DRIVERS LICENSE MATERIAL TECHNICAL STANDARDS; (6) APPLY ALTERNATE PRIORITIZATION CRITERIA UNDER THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA TO FEDERAL AND STATE FUNDS USED FOR EMERGENCY REPAIR WORK; AND (7) REENACT THE AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION TO PARTICIPATE IN PRIVATE DEVELOPER CONTRACTS FOR IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM, SUBJECT TO A LIMIT OF THE LESSER OF TEN PERCENT OR TWO HUNDRED FIFTY THOUSAND DOLLARS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; AND TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO INSTALL AND OPERATE RAMP METERS, AND TO PROVIDE THAT VIOLATION OF A RAMP METER SIGNAL IS AN INFRACTION, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

June 11, 2014

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40240, which changes the title to read **H.B. 1025** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) AUTHORIZE CONTINUANCES OF DIVISION OF MOTOR VEHICLES INSPECTION STATION VIOLATION CASES; (2) PROVIDE THAT AGRICULTURAL TOURISM SIGNS ON STATE HIGHWAYS ARE SUBJECT TO DEPARTMENT OF TRANSPORTATION LOCATION AND PLACEMENT RULES; (3) CHANGE THE DUE DATE FOR THE NORTH CAROLINA TURNPIKE AUTHORITY ANNUAL AUDIT REPORT TO OCTOBER; (4) REPEAL A REQUIREMENT THAT THE DEPARTMENT OF TRANSPORTATION ANNUALLY REPORT RIGHT TURN ON RED PEDESTRIAN CRASHES; (5) AMEND THE STATE DRIVERS LICENSE MATERIAL TECHNICAL STANDARDS; (6) APPLY ALTERNATE PRIORITIZATION CRITERIA UNDER THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA TO FEDERAL AND STATE FUNDS USED FOR EMERGENCY REPAIR WORK; (7) REENACT THE AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION TO PARTICIPATE IN PRIVATE DEVELOPER CONTRACTS FOR IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM, SUBJECT TO A LIMIT OF THE LESSER OF TEN PERCENT OR TWO HUNDRED FIFTY THOUSAND DOLLARS; (8) TO EXCLUDE FEDERAL LANDS ACCESS PROGRAM FUNDS FROM THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; (9) UPDATE STATE LAW GOVERNING DEPARTMENT OF TRANSPORTATION OVERSIGHT OF THE SAFETY OF RAIL FIXED GUIDEWAY PUBLIC TRANSPORTATION SYSTEMS; (10) AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO INSTALL AND OPERATE RAMP METERS AND TO PROVIDE THAT VIOLATION OF A RAMP METER SIGNAL IS AN INFRACTION; (11) CLARIFY STATE LAW CONCERNING FERRY RECEIPT GENERATING ACTIVITIES; (12) SPECIFY PENALTIES FOR VIOLATION OF REQUIRED ETHICS REPORTING PROVISIONS APPLICABLE TO METROPOLITAN PLANNING ORGANIZATIONS AND RURAL TRANSPORTATION PLANNING ORGANIZATIONS; AND (13) AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO CONTRACT FOR SPONSORSHIP ARRANGEMENTS FOR DEPARTMENT OPERATIONS, is adopted and engrossed.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is placed on the calendar of Monday, June 16.

WITHDRAWAL FROM A FUTURE CALENDAR

H.B. 1069 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE UNEMPLOYMENT INSURANCE LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON UNEMPLOYMENT INSURANCE, placed on the calendar of Monday, June 16.

June 11, 2014

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from the calendar of Monday, June 16, and placed on the calendar of Thursday, June 12.

Upon motion of Senator Pate, seconded by Senator McKissick, the Senate adjourns at 5:46 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Thursday, June 12, at 8:00 a.m.

A SENATORIAL STATEMENT
Submitted by Senator E. S. (Buck) Newton

Honoring the Momeyer Ruritan Club On Its Fiftieth Anniversary

WHEREAS, the Momeyer Ruritan Club, chartered on June 15, 1964, was organized by 30 members and sponsored by the Oak Level Ruritan Club; and

WHEREAS, the Momeyer Ruritan Club has provided a number of beneficial services to the Momeyer community over the last 50 years, including organizing the Momeyer Rescue Squad; sponsoring local organizations with their fundraising projects; holding annual toy drives, blood drives, and Relay For Life Cancer Survivors' Dinners; honoring military veterans; providing and maintaining tennis courts and playground equipment; helping to get Internet service to the community; and awarding annual scholarships to area high school and college students for outstanding academic performance; and

WHEREAS, the Momeyer Ruritan Club has provided helpful assistance to individuals in the community such as building wheelchair ramps, donating food to families at funeral services, providing transportation when needed, and making contributions to assist with medical needs, home repairs after disasters, and utility bills; and

WHEREAS, the charter members of the Momeyer Ruritan Club built a facility, in which the Club continues to meet, that serves as an election polling place for the community; and

WHEREAS, members of the Momeyer Ruritan Club are members and volunteers of the Baptist Men Disaster Relief, Relay For Life, Faith Christian Ministries, Local Food Bank, Team Kids on Missions, and other civic organizations;

NOW, THEREFORE, the members of the Momeyer Ruritan Club should be commended for the outstanding contributions they have made to improve the lives of the citizens of the Momeyer community over the last 50 years.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the eleventh day of June, 2014.

S/Senator E. S. (Buck) Newton

S/Sarah Lang
Senate Principal Clerk

June 11, 2014

A SENATORIAL STATEMENT
Submitted by Senator Bill Cook

Supporting Recognition of World War II Coastwise Merchant Mariners as Veterans

WHEREAS, during World War II, United States merchant mariners who served along the coastline of the United States, and were known was Coastwise Merchant Mariners, helped to transport materials, including food, clothing, and weapons, to members of the United States Armed Forces serving on three continents; and

WHEREAS, the Coastwise Merchant Mariners bravely performed their duties even as they were in danger of attack from German U-boats operating along our nation's coastal waters; and

WHEREAS, many of the Coastwise Merchant Mariners were elderly, handicapped, women, and under-aged children who stepped forward in the time of a national crisis to ensure that the members of the United States Armed Forces were sufficiently supplied as they fought enemy forces; and

WHEREAS, in the years following World War II, as a result of some changes in federal law and federal rules and regulations, some of the Coastwise Merchant Mariners previously denied veterans benefits were finally recognized as veterans, and therefore entitled to the same benefits as other veterans of the United States Armed Forces; and

WHEREAS, despite the past recognition of some merchant mariners as veterans, as many as 30,000 Coastwise Merchant Mariners may not get recognized because they cannot produce the documentation required to prove their service during World War II; and

WHEREAS, through no fault of these courageous individuals, much of the documentation proving they served their country during World War II as Coastwise Merchant Mariners has been lost or destroyed, or was never recorded;

NOW, THEREFORE, Congress should enact legislation that will lead to the recognition of all World War II Coastwise Merchant Mariners as veterans.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the eleventh day of June, 2014.

S/Senator Bill Cook

S/Sarah Lang
Senate Principal Clerk

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

June 11, 2014

ONE HUNDRED TWENTY-FOURTH DAY

Senate Chamber
Thursday, June 12, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

Prayer is offered by The Honorable Joel D. M. Ford, Senator from Mecklenburg County, as follows:

"Father, we thank you that the state of North Carolina is blessed, because our God is the Lord, and we are the people you have chosen for your inheritance. I pray over every meeting, conversation, and activity that we engage in today. I pray that all our steps be ordered by you, that our hearts and our minds always respond in obedience to your directions. I pray that we choose the way of righteousness when faced with many paths of judgment and that we will always fulfill your priorities and never allow our flesh to dictate our actions or attitudes. I release the truth into every realm of life in this state that the people may say, 'surely this great state is governed by wise and understanding people.' This day, we do all things to the glory of God, and we are fruitful in every good work. In Jesus' name, Amen."

The Chair grants leaves of absence for today to Senator Daniel, Senator Goolsby, Senator Newton, Senator Parmon, and Senator Tillman.

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Wednesday, June 11, 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.

ENROLLED BILLS

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

H.B. 573, AN ACT TO BROADEN THE PERMITTED USE OF STORMWATER FEES.

H.B. 1103, AN ACT TO REQUIRE THE COURT TO CONSIDER WHETHER A JUVENILE PETITION HAS BEEN PROPERLY VERIFIED AND JURISDICTION HAS BEEN INVOKED AT THE PRE-ADJUDICATION HEARING, AS RECOMMENDED BY THE LRC COMMITTEE ON OMNIBUS FOSTER CARE AND DEPENDENCY.

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

June 12, 2014

H.B. 1108, AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE DUPLIN COUNTY BOARD OF EDUCATION AND THE BOARD OF COMMISSIONERS OF DUPLIN COUNTY, TO PROVIDE THAT VACANCIES ON THE HARNETT COUNTY BOARD OF COMMISSIONERS AND SCHOOL BOARD ARE FILLED IN ACCORDANCE WITH G.S. 153A-27.1 AND G.S. 115C-37.1, AND TO PROVIDE THAT ANY EMPLOYMENT CONTRACT FOR CERTAIN LOCAL OFFICIALS IN HARNETT COUNTY MUST BE DONE BY UNANIMOUS VOTE IN CERTAIN INSTANCES.

H.B. 1131, AN ACT TO EXEMPT CLAY COUNTY FROM STATE WILDLIFE LAWS WITH RESPECT TO OPOSSUMS BETWEEN THE DATES OF DECEMBER 26 AND JANUARY 2.

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. 1108, AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE DUPLIN COUNTY BOARD OF EDUCATION AND THE BOARD OF COMMISSIONERS OF DUPLIN COUNTY, TO PROVIDE THAT VACANCIES ON THE HARNETT COUNTY BOARD OF COMMISSIONERS AND SCHOOL BOARD ARE FILLED IN ACCORDANCE WITH G.S. 153A-27.1 AND G.S. 115C-37.1, AND TO PROVIDE THAT ANY EMPLOYMENT CONTRACT FOR CERTAIN LOCAL OFFICIALS IN HARNETT COUNTY MUST BE DONE BY UNANIMOUS VOTE IN CERTAIN INSTANCES. (Became law upon ratification, June 12, 2014 - S.L. 2014-6)

H.B. 1131, AN ACT TO EXEMPT CLAY COUNTY FROM STATE WILDLIFE LAWS WITH RESPECT TO OPOSSUMS BETWEEN THE DATES OF DECEMBER 26 AND JANUARY 2. (Became law upon ratification, June 12, 2014 - S.L. 2014-7)

INTRODUCTION OF A RESOLUTION

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

By Senators Apodaca (Primary Sponsor); Brock and Randleman:

S.J.R. 881, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY.

Upon the motion of Senator Apodaca, without objection, the rules are suspended, and the Joint Resolution is read in its entirety.

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

June 12, 2014

CALENDAR

Bills and a resolution on today's calendar are taken up and disposed of as follows:

H.B. 531 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE EXTRATERRITORIAL JURISDICTION AUTHORITY OF THE TOWN OF WEAVERVILLE, TO MAKE A SIMILAR TECHNICAL CORRECTION AS TO THE CITY OF ASHEVILLE, TO ALLOW THE COUNTY OF BUNCOMBE TO ZONE CERTAIN DONUT HOLES, TO REPEAL THE BUNCOMBE COUNTY CULTURE AND RECREATION AUTHORITY, AND TO ALLOW THE BOARD OF COMMISSIONERS OF HENDERSON COUNTY TO STANDARDIZE THE CEILING ON FIRE DISTRICT TAXES IN HENDERSON COUNTY, upon third reading.

The Senate Committee Substitute bill No. 2 passes its third reading, by roll-call vote, ayes 41, noes 3, as follows:

Voting in the affirmative: Senators Apodaca, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Bryant, Clark, Cook, Curtis, D. Davis, J. Davis, Ford, Foushee, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McLaurin, Meredith, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Tarte, Tucker, Van Duyn, Wade, Walters and Woodard---41.

Voting in the negative: Senators Blue, McKissick and Stein---3.

The Senate Committee Substitute bill No. 2 is ordered sent to the House of Representatives for concurrence in the Senate Committee Substitute bill No. 2.

S.B. 767, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ROCKINGHAM, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, D. Davis, J. Davis, Ford, Foushee, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tucker, Van Duyn, Wade, Walters and Woodard---44.

Voting in the negative: None.

The bill remains on the calendar for Monday, June 16, upon third reading.

S.B. 871 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF RALEIGH AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF DURHAM, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, D. Davis, J. Davis, Ford, Foushee, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tucker, Van Duyn, Wade, Walters and Woodard---44.

Voting in the negative: None.

The Committee Substitute bill remains on the calendar for Monday, June 16, upon third reading.

S.B. 874, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, D. Davis, J. Davis, Ford, Foushee, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tucker, Van Duyn, Wade, Walters and Woodard---44.

Voting in the negative: None.

The bill remains on the calendar for Monday, June 16, upon third reading.

S.B. 741 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW BLADEN COUNTY, COLUMBUS COUNTY, AND FRANKLIN COUNTY TO NOT ACCEPT THE REGISTRATION OF A DEED TRANSFERRING REAL PROPERTY WHEN TAXES ARE DELINQUENT, upon second reading.

The Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

S.B. 865, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE TOWN OF BOONE SHALL NOT EXERCISE THE POWERS OF EXTRATERRITORIAL JURISDICTION, upon third reading.

The bill passes its third reading and is ordered sent to the House of Representatives.

H.B. 292 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MORATORIUM ON FILING OF ACTIONS BY THE UNION COUNTY BOARD OF EDUCATION CHALLENGING THE SUFFICIENCY OF LOCAL FUNDS APPROPRIATED TO THE PUBLIC SCHOOLS BY THE UNION COUNTY BOARD OF COMMISSIONERS, upon third reading, as amended.

June 12, 2014

Upon motion of Senator Bryant, without objection, the Senate Committee Substitute bill, as amended, is temporarily displaced.

H.B. 1069 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE UNEMPLOYMENT INSURANCE LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON UNEMPLOYMENT INSURANCE, upon second reading.

The Senate Committee Substitute bill passes its second reading, by roll-call vote, ayes 39, noes 5, as follows:

Voting in the affirmative: Senators Apodaca, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Clark, Cook, Curtis, J. Davis, Ford, Foushee, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Soucek, Stein, Tarte, Tucker, Van Duyn, Wade, Walters and Woodard---39.

Voting in the negative: Senators Blue, Bryant, D. Davis, J. Jackson and Robinson---5.

The Senate Committee Substitute bill remains on the calendar for Monday, June 16, upon third reading.

S.B. 853 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES AND TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, AND TO CREATE A THREE-JUDGE PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS, upon second reading.

Upon motion of Senator Barringer, without objection, the Committee Substitute bill is temporarily displaced.

H.B. 558 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW SALES TAX REFUNDS FOR SOIL AND WATER CONSERVATION DISTRICTS AND REGIONAL JAILS, upon second reading.

Upon the appearance of Senator Newton in the chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

The Senate Committee Substitute bill passes its second reading (45-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

H.B. 698 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRIMINAL HISTORY CHECKS FOR CURRENT VOLUNTEERS OR PAID FIRE DEPARTMENT PERSONNEL AND

EMERGENCY MEDICAL SERVICES PERSONNEL AND TO ESTABLISH THE URBAN SEARCH AND RESCUE PROGRAM AND THE URBAN SEARCH AND RESCUE TEAM ADVISORY COMMITTEE, upon third reading, as amended.

Upon motion of Senator Bryant, without objection, the Senate Committee Substitute bill, as amended, is temporarily displaced.

H.B. 777 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW THAT IMPOSES RESIDENTIAL RESTRICTIONS ON SEX OFFENDERS TO PROVIDE THAT A SEX OFFENDER IS PROHIBITED FROM RESIDING WITHIN ONE THOUSAND FEET OF A SITE WHERE A BOYS AND GIRLS CLUB OF AMERICA IS LOCATED, upon third reading, as amended.

The Senate Committee Substitute bill, as amended, passes its third reading (45-0) and is ordered engrossed and sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

S.B. 853 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES AND TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, AND TO CREATE A THREE-JUDGE PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS, displaced earlier today upon second reading.

Senator Barringer offers Amendment No. 1, which is adopted (45-0).

The Committee Substitute bill, as amended, passes its second reading (45-0).

Senator Stein objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Committee Substitute bill, as amended, placed on the calendar of Monday, June 16, upon third reading.

Upon motion of Senator Apodaca, without objection, the amendment is ordered engrossed prior to third reading.

H.B. 292 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MORATORIUM ON FILING OF ACTIONS BY THE UNION COUNTY BOARD OF EDUCATION CHALLENGING THE SUFFICIENCY OF LOCAL FUNDS APPROPRIATED TO THE PUBLIC SCHOOLS BY THE UNION COUNTY BOARD OF COMMISSIONERS, displaced earlier today upon third reading, as amended.

Senator Tucker offers Amendment No. 2, which is adopted (42-3).

Senator Bryant offers Amendment No. 3, which fails (15-30).

The Senate Committee Substitute bill, as amended, passes its third reading (30-15) and is ordered engrossed and sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill.

June 12, 2014

H.B. 698 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRIMINAL HISTORY CHECKS FOR CURRENT VOLUNTEERS OR PAID FIRE DEPARTMENT PERSONNEL AND EMERGENCY MEDICAL SERVICES PERSONNEL AND TO ESTABLISH THE URBAN SEARCH AND RESCUE PROGRAM AND THE URBAN SEARCH AND RESCUE TEAM ADVISORY COMMITTEE, displaced earlier today upon third reading, as amended.

Senator Bryant offers Amendment No. 2, which is adopted (45-0).

The Senate Committee Substitute bill, as amended, passes its third reading (45-0) and is ordered engrossed and sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

Upon motion of Senator Pate, seconded by Senator Hartsell, the Senate adjourns at 8:52 a.m., in memory of Senator Harris Blake, subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Monday, June 16, at 7:00 p.m.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

H.B. 1031 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE ECONOMIC DEVELOPMENT WITHIN THE STATE.

Referred to the **Commerce Committee**.

ENROLLED BILL

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

H.B. 292, AN ACT TO ESTABLISH A MORATORIUM ON FILING OF ACTIONS BY CERTAIN LOCAL BOARDS OF EDUCATION CHALLENGING THE SUFFICIENCY OF LOCAL FUNDS APPROPRIATED TO THE PUBLIC SCHOOLS BY THE COUNTY BOARD OF COMMISSIONERS.

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. 292, AN ACT TO ESTABLISH A MORATORIUM ON FILING OF ACTIONS BY CERTAIN LOCAL BOARDS OF EDUCATION CHALLENGING THE SUFFICIENCY OF LOCAL FUNDS APPROPRIATED

TO THE PUBLIC SCHOOLS BY THE COUNTY BOARD OF COMMISSIONERS. (Became law upon ratification, June 12, 2014 - S.L. 2014-8)

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED TWENTY-FIFTH DAY

Senate Chamber
Monday, June 16, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

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

"Lord, we confess, Father, that we in our hearts know that we need you, and yet our swelled heads and our stubborn wills keep us trying to live without you. We want to be famous. We want applause. I know, for myself, that I want to be noticed. But, Lord, when is it enough for you, the creator of all things, to notice us, to die for us? Forgive us for making so many mountains out of molehills, for exaggerating both our importance and even the problems that confront us. Lord, you are God. You are with us; you are comforting us. You are our rock, our shield, and our rampart. Send us out into this night with the joyful knowledge of your protective love and presence with us right now. It's in Jesus' name we pray. Amen."

The Chair grants a leave of absence for tonight to Senator Rabon.

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Thursday, June 12, 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.

The Chair extends privileges of the floor to Elizabeth H. Carver from Graham, North Carolina, who is serving the Senate as Nurse of the Day.

MOTIONS RELATIVE TO THE CALENDAR

The following changes are made to tonight's calendar:

S.B. 876 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BREVARD TO LEVY A PREPARED FOOD AND BEVERAGES TAX, upon second reading.

June 16, 2014

Upon motion of Senator Apodaca, the Committee Substitute bill is withdrawn from tonight's calendar and placed on the calendar of Wednesday, June 18.

H.B. 1025 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) AUTHORIZE CONTINUANCES OF DIVISION OF MOTOR VEHICLES INSPECTION STATION VIOLATION CASES; (2) PROVIDE THAT AGRICULTURAL TOURISM SIGNS ON STATE HIGHWAYS ARE SUBJECT TO DEPARTMENT OF TRANSPORTATION LOCATION AND PLACEMENT RULES; (3) CHANGE THE DUE DATE FOR THE NORTH CAROLINA TURNPIKE AUTHORITY ANNUAL AUDIT REPORT TO OCTOBER; (4) REPEAL A REQUIREMENT THAT THE DEPARTMENT OF TRANSPORTATION ANNUALLY REPORT RIGHT TURN ON RED PEDESTRIAN CRASHES; (5) AMEND THE STATE DRIVERS LICENSE MATERIAL TECHNICAL STANDARDS; (6) APPLY ALTERNATE PRIORITIZATION CRITERIA UNDER THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA TO FEDERAL AND STATE FUNDS USED FOR EMERGENCY REPAIR WORK; (7) REENACT THE AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION TO PARTICIPATE IN PRIVATE DEVELOPER CONTRACTS FOR IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM, SUBJECT TO A LIMIT OF THE LESSER OF TEN PERCENT OR TWO HUNDRED FIFTY THOUSAND DOLLARS; (8) TO EXCLUDE FEDERAL LANDS ACCESS PROGRAM FUNDS FROM THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; (9) UPDATE STATE LAW GOVERNING DEPARTMENT OF TRANSPORTATION OVERSIGHT OF THE SAFETY OF RAIL FIXED GUIDEWAY PUBLIC TRANSPORTATION SYSTEMS; (10) AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO INSTALL AND OPERATE RAMP METERS AND TO PROVIDE THAT VIOLATION OF A RAMP METER SIGNAL IS AN INFRACTION; (11) CLARIFY STATE LAW CONCERNING FERRY RECEIPT GENERATING ACTIVITIES; (12) SPECIFY PENALTIES FOR VIOLATION OF REQUIRED ETHICS REPORTING PROVISIONS APPLICABLE TO METROPOLITAN PLANNING ORGANIZATIONS AND RURAL TRANSPORTATION PLANNING ORGANIZATIONS; AND (13) AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO CONTRACT FOR SPONSORSHIP ARRANGEMENTS FOR DEPARTMENT OPERATIONS, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from tonight's calendar and placed on the calendar of Tuesday, June 24.

H.B. 348 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AGREEMENTS WITH LOCAL GOVERNMENTS TO ALLOW PUBLIC

SAFETY TECHNOLOGY IN THE RIGHTS-OF-WAY OF THE STATE HIGHWAY SYSTEM, upon second reading.

Upon motion of Senator Apodaca, the Committee Substitute bill is withdrawn from tonight's calendar and placed on the calendar of Tuesday, June 24.

H.B. 618 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTORE THE FIREARMS RIGHTS OF CERTAIN PERSONS WHO WERE CONVICTED OF NONVIOLENT FELONIES BEFORE DECEMBER 1, 1995, AND WHOSE FIREARMS RIGHTS HAD BEEN RESTORED BEFORE DECEMBER 1, 1995, TO INCREASE THE FEE TO PETITION FOR THE RESTORATION OF FIREARMS RIGHTS, AND TO ADD TO THE LIST OF OFFENSES INELIGIBLE FOR EXPUNCTION CERTAIN FELONY BREAKING AND ENTERING OFFENSES, AND ANY OFFENSE THAT IS AN ATTEMPT TO COMMIT AN OFFENSE THAT IS NOT ELIGIBLE FOR EXPUNCTION, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from tonight's calendar and re-referred to the **Judiciary II Committee**.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

S.B. 355 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES AND CLARIFICATIONS IN AN ACT TO ESTABLISH A MORATORIUM ON FILING OF ACTIONS BY CERTAIN LOCAL BOARDS OF EDUCATION CHALLENGING THE SUFFICIENCY OF LOCAL FUNDS APPROPRIATED TO THE PUBLIC SCHOOLS BY THE BOARD OF COUNTY COMMISSIONERS, for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator Apodaca, the rules are suspended and the House Committee Substitute bill No. 2 is placed at the end of tonight's calendar.

S.B. 463 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROVIDING FOR MINIMUM STANDARDS FOR JAIL DORMITORIES TO ALLOW COUNTIES TO HOUSE SIXTY-FOUR INMATES PER DORMITORY SO LONG AS CERTAIN MINIMUM STANDARDS ARE MET, for concurrence in the House Committee Substitute bill No. 2.

The House Committee Substitute bill No. 2 is placed on the calendar of Tuesday, June 17.

S.B. 574 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING THAT CERTAIN CIVIL ACTIONS RELATING TO GROUNDWATER CONTAMINATION ARE NOT SUBJECT TO THE TEN-YEAR STATUTE OF REPOSE SET FORTH IN G.S. 1-52, for concurrence in the House Committee Substitute bill.

June 16, 2014

The House Committee Substitute bill is placed on the calendar of Tuesday, June 17.

S.B. 744 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator Apodaca, the rules are suspended and the House Committee Substitute bill No. 2 is placed at the end of tonight's calendar.

CALENDAR

Bills and resolutions on tonight's calendar are taken up and disposed of as follows:

S.B. 767, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ROCKINGHAM, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Newton, Parmon, Pate, Rabin, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters and Woodard---49.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

S.B. 871 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF RALEIGH AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF DURHAM, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Newton, Parmon, Pate, Rabin, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters and Woodard---49.

Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives.

S.B. 874, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Newton, Parmon, Pate, Rabin, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters and Woodard---49.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

H.B. 569 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE VILLAGE OF FOXFIRE AND TO REMOVE CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF HARRISBURG, upon second reading.

The Senate Committee Substitute bill passes its second reading, by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Newton, Parmon, Pate, Rabin, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters and Woodard---49.

Voting in the negative: None.

The Senate Committee Substitute bill remains on the calendar for Tuesday, June 17, upon third reading.

H.B. 1069 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE UNEMPLOYMENT INSURANCE LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON UNEMPLOYMENT INSURANCE, upon third reading.

The Senate Committee Substitute bill passes its third reading, by roll-call vote, ayes 43, noes 6, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Clark, Cook, Curtis, Daniel, J. Davis, Ford, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Newton, Pate, Rabin, Randleman, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters and Woodard---43.

Voting in the negative: Senators Bryant, D. Davis, Foushee, J. Jackson, Parmon and Robinson---6.

June 16, 2014

The Senate Committee Substitute bill is ordered sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill.

S.B. 793 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A TEACHER EMPLOYED BY A CHARTER SCHOOL MAY SERVE AS A NONVOTING MEMBER OF THE BOARD OF DIRECTORS FOR THE CHARTER SCHOOL; TO REQUIRE CHARTER RENEWALS TO BE FOR TEN YEARS; TO CLARIFY THAT CHARTERS WITH THE MISSION OF SINGLE GENDER EDUCATION MAY LIMIT ADMISSION ON THE BASIS OF GENDER; TO MAKE CHARTER SCHOOLS SUBJECT TO REQUIREMENTS OF THE OPEN MEETINGS AND PUBLIC RECORDS LAWS; AND TO CLARIFY THE BIDDING PROCESS FOR THE ASSUMPTION OF CHARTER SCHOOLS, upon second reading.

Senator Tillman offers Amendment No. 1, which is adopted (49-0) and changes the title to read **S.B. 793** (Committee Substitute) A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A TEACHER EMPLOYED BY A CHARTER SCHOOL MAY SERVE AS A NONVOTING MEMBER OF THE BOARD OF DIRECTORS FOR THE CHARTER SCHOOL; TO AMEND THE DATE BY WHICH THE STATE BOARD OF EDUCATION SHALL MAKE DECISIONS ON CHARTER SCHOOL APPLICATIONS; TO PROVIDE PRIORITY ENROLLMENT FOR THE CHILDREN OF MEMBERS OF THE BOARD OF DIRECTORS OF CHARTER SCHOOLS BEYOND THE INITIAL YEAR; TO MAKE CHARTER SCHOOLS SUBJECT TO REQUIREMENTS OF THE OPEN MEETINGS AND PUBLIC RECORDS LAWS; TO ALLOW CHARTER SCHOOLS TO ASK FOR ADDITIONAL INFORMATION REGARDING THE TRANSFER OF THE PER PUPIL SHARE OF THE LOCAL CURRENT EXPENSE FUND; TO SHORTEN THE TIME PERIOD FOR PAYMENT OF DELINQUENT FUNDS; TO CLARIFY THE BIDDING PROCESS FOR THE ASSUMPTION OF CHARTER SCHOOLS; AND TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A FAST TRACK APPROVAL PROCESS.

The Committee Substitute bill, as amended, passes its second reading (49-0).

Senator Blue objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Committee Substitute bill, as amended, placed on the calendar of Tuesday, June 17, upon third reading.

Upon motion of Senator Apodaca, without objection, the amendment is ordered engrossed prior to third reading.

S.B. 815 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENSURE THE PRIVACY AND SECURITY OF STUDENT EDUCATIONAL RECORDS, upon second reading.

The Committee Substitute bill No. 2 passes its second reading (49-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

June 16, 2014

MOTION RELATIVE TO THE CALENDAR

The following change is made to tonight's calendar:

S.B. 836, A BILL TO BE ENTITLED AN ACT TO EXTEND BY ONE YEAR THE DEPARTMENT OF TRANSPORTATION DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESS PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, upon second reading.

Upon motion of Senator Apodaca, the bill is withdrawn from tonight's calendar and re-referred to the **Appropriations/Base Budget Committee**.

WITHDRAWAL FROM A FUTURE CALENDAR

H.B. 348 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AGREEMENTS WITH LOCAL GOVERNMENTS TO ALLOW PUBLIC SAFETY TECHNOLOGY IN THE RIGHTS-OF-WAY OF THE STATE HIGHWAY SYSTEM, placed on the calendar of Tuesday, June 24.

Senator Apodaca offers a motion that the Committee Substitute bill be withdrawn from the calendar of Tuesday, June 24, and re-referred to the **Transportation Committee**, which motion prevails with unanimous consent, and the Chair so orders.

CALENDAR *(continued)*

H.B. 1060, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO IDENTIFY MILITARY-CONNECTED STUDENTS USING THE UNIFORM EDUCATION REPORTING SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE, upon second reading.

The bill passes its second reading (49-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

H.J.R. 1074, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF LINDA COMBS AS STATE CONTROLLER, upon second reading.

The Joint Resolution passes its second reading (49-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

H.J.R. 1112, A JOINT RESOLUTION TO CONFIRM THE APPOINTMENT OF CHARLTON L. ALLEN TO THE NORTH CAROLINA INDUSTRIAL COMMISSION, upon second reading.

The Joint Resolution passes its second reading (31-18) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

S.B. 853 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES AND TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, AND TO CREATE A THREE-JUDGE PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS, upon third reading.

Senator Barringer offers Amendment No. 2, which is adopted (49-0).

The Committee Substitute bill, as amended, passes its third reading (49-0) and is ordered engrossed and sent to the House of Representatives.

S.B. 370 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY STUDENT RIGHTS TO ENGAGE IN PRAYER AND RELIGIOUS ACTIVITY IN SCHOOL, TO CREATE AN ADMINISTRATIVE PROCESS FOR REMEDYING COMPLAINTS REGARDING EXERCISE OF THOSE STUDENT RIGHTS, AND TO CLARIFY RELIGIOUS ACTIVITY FOR SCHOOL PERSONNEL, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Bingham, the Senate concurs in the House Committee Substitute bill (48-1) and the bill is ordered enrolled and sent to the Governor.

S.B. 355 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES AND CLARIFICATIONS IN AN ACT TO ESTABLISH A MORATORIUM ON FILING OF ACTIONS BY CERTAIN LOCAL BOARDS OF EDUCATION CHALLENGING THE SUFFICIENCY OF LOCAL FUNDS APPROPRIATED TO THE PUBLIC SCHOOLS BY THE BOARD OF COUNTY COMMISSIONERS, for concurrence in House Committee Substitute No. 2.

Upon motion of Senator Tucker, the Senate concurs in the House Committee Substitute bill No. 2 (32-17) and the bill is ordered enrolled.

S.B. 744 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, for concurrence in House Committee Substitute No. 2.

The Senate fails to concur in the House Committee Substitute bill No. 2 (0-49) and the House of Representatives is notified.

June 16, 2014

WITHDRAWALS FROM COMMITTEES

S.B. 740, A BILL TO BE ENTITLED AN ACT TO STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM, AS RECOMMENDED BY THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION, referred to the **Agriculture/Environment/Natural Resources Committee** on June 9.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the bill be withdrawn from the **Agriculture/Environment/Natural Resources Committee** and re-referred to the **Judiciary II Committee** with a sequential referral to the **Agriculture/Environment/Natural Resources Committee**, which motion prevails with unanimous consent, and the Chair so orders.

H.B. 330 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA PLANNED COMMUNITY ACT REGARDING THE TRANSFER OF SPECIAL DECLARANT RIGHTS, referred to the **Rules and Operations of the Senate Committee** on May, 7 2013.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Judiciary I Committee**, which motion prevails with unanimous consent, and the Chair so orders.

RE-REFERRAL OF A BILL

S.B. 731, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE TOURISM DEVELOPMENT AUTHORITY REQUIREMENTS PERTAINING TO THE OCCUPANCY TAX AUTHORIZED FOR THE TOWN OF SOUTHPORT, referred to the **State and Local Government Committee** on May 15.

Upon motion of Senator Apodaca, a sequential referral to the **Finance Committee** is added.

SENATE PAGES

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

Connor Badgett, Statesville; Robert Bahner, Pinehurst; Quinton Beale, Jr., Wake Forest; Lilly Black, Burlington; Chandler Byrd, Wake Forest; Cheri Caggia, Cary; Lilli Canaday, Burlington; Jackson Carr, Dunn; Parker Castleberry, Raleigh; Tyler Dabbs, Eden; Will Dabbs, Eden; McKay Dula, Weddington; Caitlyn Ebert, Hickory; Rachel Figard, Davidson; Grayson Flake, Wake Forest; Trey Jones, Tabor City; Alex Luke, Wilmington; Spencer Mangum, Raleigh; Winston Massey, Raleigh; Thomas McBrayer, Hickory; Destini Morton, Rocky Mount; Justin Perkins, Apex; Sophia Politis, Harrisburg; Meredith Roach, Wendell; and Paul Wood, Hickory.

June 16, 2014

Upon motion of Senator Berger, seconded by Senator Meredith, the Senate adjourns at 8:06 p.m., subject to the referral and re-referral of bills and resolutions, to reconvene Tuesday, June 17, at 3:00 p.m.

ONE HUNDRED TWENTY-SIXTH DAY

Senate Chamber
Tuesday, June 17, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

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

"Heavenly Father, in whom we trust, you alone know the end from the beginning. We your children are anxious about more things than we can name in this assembly, but we lift them up to you, and as we bring them from the 'middle' of our lives into your lap, into your presence, we ask you to come and join us in the midst of this place, Raleigh, North Carolina. May our worries restrain us in our private lives. May they keep us sincere in our public duty. Shine your light here upon these gathered, from my left to my right, and help us to stand strong amidst the stormy blast. Will you, Lord, almighty God, guide us we pray, that we may do what is right, and if we suffer for it we shall be blessed in that suffering. This we ask for Christ's sake, who suffered so that we might rise. Amen."

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

Senator Apodaca, Rules Chairman, announces that the Senate Journal of Monday, June 16, 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.

The Chair extends privileges of the floor to Cheryl Blake from Durham, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILLS AND RESOLUTIONS

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

S.B. 370, AN ACT TO CLARIFY STUDENT RIGHTS TO ENGAGE IN PRAYER AND RELIGIOUS ACTIVITY IN SCHOOL, TO CREATE AN ADMINISTRATIVE PROCESS FOR REMEDYING COMPLAINTS

REGARDING EXERCISE OF THOSE STUDENT RIGHTS, AND TO CLARIFY RELIGIOUS ACTIVITY FOR SCHOOL PERSONNEL.

H.B. 1060, AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO IDENTIFY MILITARY-CONNECTED STUDENTS USING THE UNIFORM EDUCATION REPORTING SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

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

S.B. 355, AN ACT TO MAKE TECHNICAL CHANGES AND CLARIFICATIONS IN AN ACT TO ESTABLISH A MORATORIUM ON FILING OF ACTIONS BY CERTAIN LOCAL BOARDS OF EDUCATION CHALLENGING THE SUFFICIENCY OF LOCAL FUNDS APPROPRIATED TO THE PUBLIC SCHOOLS BY THE BOARD OF COUNTY COMMISSIONERS.

H.J.R. 1074, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF LINDA COMBS AS STATE CONTROLLER.
(Res. 2014-6)

H.J.R. 1112, A JOINT RESOLUTION TO CONFIRM THE APPOINTMENT OF CHARLTON L. ALLEN TO THE NORTH CAROLINA INDUSTRIAL COMMISSION. (Res. 2014-7)

CHAPTERED BILL

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

S.B. 355, AN ACT TO MAKE TECHNICAL CHANGES AND CLARIFICATIONS IN AN ACT TO ESTABLISH A MORATORIUM ON FILING OF ACTIONS BY CERTAIN LOCAL BOARDS OF EDUCATION CHALLENGING THE SUFFICIENCY OF LOCAL FUNDS APPROPRIATED TO THE PUBLIC SCHOOLS BY THE BOARD OF COUNTY COMMISSIONERS. (Became law upon ratification, June 17, 2014 - S.L. 2014-9)

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

S.B. 574 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING THAT CERTAIN CIVIL ACTIONS RELATING TO GROUNDWATER CONTAMINATION ARE NOT SUBJECT TO THE TEN-

YEAR STATUTE OF REPOSE SET FORTH IN G.S. 1-52, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the House Committee Substitute bill is withdrawn from today's calendar and re-referred to the **Judiciary I Committee**.

WITHDRAWALS FROM COMMITTEES

H.B. 366 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES PERTAINING TO THE RENAMING OF THE NORTH CAROLINA FOREST SERVICE AND TO MAKE OTHER CHANGES IN THE FOREST SERVICE STATUTES, referred to the **Agriculture/Environment/Natural Resources Committee** on April 8, 2013.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill be withdrawn from the **Agriculture/Environment/Natural Resources Committee** and re-referred to the **Judiciary II Committee** with a sequential referral to the **Agriculture/Environment/Natural Resources Committee**, which motion prevails with unanimous consent, and the Chair so orders.

H.B. 27 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT MODIFYING THE ALLOCATION OF THE PROCEEDS FROM THE GROSS PREMIUM TAX ON INSURANCE COMPANIES UNDER G.S. 105-228.5 TO INCLUDE DEDICATED FUNDING FOR THE WORKERS' COMPENSATION FUND FOR THE BENEFIT OF VOLUNTEER SAFETY WORKERS, referred to the **Rules and Operations of the Senate Committee** on May 15, 2013.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill No. 2 be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Finance Committee**, which motion prevails with unanimous consent, and the Chair so orders.

H.B. 109 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO REVIEW THE LAWS OF THIS STATE AND OTHER STATES RELATING TO THE USE OF MOTORCYCLE HELMETS, AND TO CONSIDER WHETHER THE STATE'S MOTOR VEHICLE LAWS SHOULD BE AMENDED TO PROVIDE CERTAIN EXCEPTIONS TO THE REQUIREMENT THAT ALL OPERATORS AND PASSENGERS ON MOTORCYCLES OR MOPEDS WEAR A SAFETY HELMET, referred to the **Rules and Operations of the Senate Committee** on May 16, 2013.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill No. 2 be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Transportation Committee**, which motion prevails with unanimous consent, and the Chair so orders.

H.B. 267 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO SPECIFY THE CONDITIONS UNDER WHICH THE TURNPIKE AUTHORITY MAY COLLECT TOLLS ON AN EXISTING INTERSTATE HIGHWAY, referred to the **Rules and Operations of the Senate Committee** on May 22, 2013.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill No. 2 be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Insurance Committee**, which motion prevails with unanimous consent, and the Chair so orders.

H.B. 1045, A BILL TO BE ENTITLED AN ACT PROVIDING THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWN OF ELKIN BE CONDUCTED IN EVEN-NUMBERED YEARS AND LENGTHENING THE TERMS OF CURRENT TOWN COMMISSIONERS TO THE NEW ELECTION SCHEDULE, referred to the **Rules and Operations of the Senate Committee** on June 4.

Pursuant to Rule 47(a), Senator Apodaca 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, and the Chair so orders.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Bingham for the **Agriculture/Environment/Natural Resources Committee**:

S.B. 729, A BILL TO BE ENTITLED AN ACT TO (1) CHANGE NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER; (2) ESTABLISH COAL COMBUSTION PRODUCTS IMPOUNDMENT WATER MONITORING PROGRAM; (3) IDENTIFY AND ADDRESS UNPERMITTED WASTEWATER DISCHARGES AT COAL COMBUSTION PRODUCTS IMPOUNDMENT SITES; (4) AMEND S.L. 2009-390; (5) REQUIRE EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS; (6) CHANGE NOTIFICATION REQUIREMENTS APPLICABLE TO DAM REPAIRS; (7) INCREASE COAL COMBUSTION PRODUCTS IMPOUNDMENT INSPECTION REQUIREMENTS; (8) MODIFY THE DEFINITION OF SOLID WASTE TO INCLUDE REMOVED COMBUSTION PRODUCTS; (9) PLACE A TEMPORARY MORATORIUM ON THE USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL; AND (10) ESTABLISH REQUIREMENTS FOR COAL COMBUSTION PRODUCTS IMPOUNDMENT CLOSURE, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15451, which changes the title to read **S.B. 729** (Committee Substitute), A BILL TO BE

ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE JULY 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT,

AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) PROVIDE FOR VARIOUS STUDIES; AND (27) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, is adopted and engrossed.

June 17, 2014

Upon motion of Senator Apodaca, the Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**, with a sequential referral to the **Finance Committee**.

By Senator Gunn for the **Commerce Committee**:

H.B. 1031 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE ECONOMIC DEVELOPMENT WITHIN THE STATE, with a favorable report.

Upon motion of Senator Apodaca, the Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

By Senator Tucker for the **State and Local Government Committee**:

H.B. 769 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE ZONING LAWS TO LIMIT WHEN COUNTIES MAY RESTRICT THE PLACEMENT OF MANUFACTURED HOMES IN AREAS ZONED FOR SINGLE-FAMILY RESIDENTIAL USE, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40244, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Commerce Committee**.

H.B. 1080, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WATHA, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

H.B. 1158 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF MORGANTON CONCERNING THE PROCEDURE FOR REMOVING THE MAYOR AND MEMBERS OF THE CITY COUNCIL FROM OFFICE AND MAKING CHANGES RELATED TO THE METHOD AND TIME OF MUNICIPAL ELECTIONS, with a favorable report.

S.B. 846, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SHALLOTTE, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

S.B. 870, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF DURHAM TO ALLOW PAYMENT FOR ON-STREET PARKING BY VARIOUS MEANS AND TO USE PROCEEDS FROM ON-STREET PARKING FOR PARKING PROGRAMS AND PROVIDING PARKING FACILITIES, with a favorable report.

S.B. 864, A BILL TO BE ENTITLED AN ACT TO PERMIT EMPLOYEES OF THE TOWN OF YANCEYVILLE TO OPERATE MOTORIZED ALL-TERRAIN VEHICLES ON CERTAIN HIGHWAYS PURSUANT TO G.S. 20-171.24, with a favorable report.

CALENDAR

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

H.B. 569 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE VILLAGE OF FOXFIRE AND TO REMOVE CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF HARRISBURG, upon third reading.

The Senate Committee Substitute bill passes its third reading, by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters and Woodard---49.

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. 797 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DUTIES OF THE 911 BOARD RELATING TO PUBLIC SAFETY ANSWERING POINTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY, AND TO CLARIFY THE COLLECTION AUTHORITY OF THE DEPARTMENT OF REVENUE FOR THE 911 FEE ON PREPAID WIRELESS, upon second reading.

Senator Brock offers Amendment No. 1, which is adopted (49-0).

The Committee Substitute bill, as amended, passes its second reading (49-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives.

S.B. 793 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A TEACHER EMPLOYED BY A CHARTER SCHOOL MAY SERVE AS A NONVOTING MEMBER OF THE BOARD OF DIRECTORS FOR THE CHARTER SCHOOL; TO AMEND THE DATE BY WHICH THE STATE BOARD OF EDUCATION SHALL MAKE DECISIONS ON CHARTER SCHOOL APPLICATIONS; TO PROVIDE PRIORITY ENROLLMENT FOR THE CHILDREN OF MEMBERS OF THE BOARD OF DIRECTORS OF CHARTER SCHOOLS BEYOND THE

INITIAL YEAR; TO MAKE CHARTER SCHOOLS SUBJECT TO REQUIREMENTS OF THE OPEN MEETINGS AND PUBLIC RECORDS LAWS; TO ALLOW CHARTER SCHOOLS TO ASK FOR ADDITIONAL INFORMATION REGARDING THE TRANSFER OF THE PER PUPIL SHARE OF THE LOCAL CURRENT EXPENSE FUND; TO SHORTEN THE TIME PERIOD FOR PAYMENT OF DELINQUENT FUNDS; TO CLARIFY THE BIDDING PROCESS FOR THE ASSUMPTION OF CHARTER SCHOOLS; AND TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A FAST TRACK APPROVAL PROCESS, upon third reading.

The Committee Substitute bill passes its third reading (49-0) and is ordered sent to the House of Representatives.

S.B. 463 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROVIDING FOR MINIMUM STANDARDS FOR JAIL DORMITORIES TO ALLOW COUNTIES TO HOUSE SIXTY-FOUR INMATES PER DORMITORY SO LONG AS CERTAIN MINIMUM STANDARDS ARE MET, for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator Woodard, the Senate concurs in the House Committee Substitute bill No. 2 (49-0) and the bill is ordered enrolled and sent to the Governor.

Upon motion of Senator Berger, seconded by Senator Bingham, the Senate adjourns at 3:32 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Wednesday, June 18, at 2:00 p.m.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.B. 1034 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATED TO (1) LOCAL FIREFIGHTERS' RELIEF FUNDS, THE STATEWIDE FIREFIGHTERS' RELIEF FUND, AND THE RESCUE SQUAD WORKERS' RELIEF FUND, (2) WORKERS' COMPENSATION FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS, (3) SUPPLEMENTAL PENSIONS FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS, AND (4) THE VOLUNTEER FIRE DEPARTMENT FUND AND VOLUNTEER RESCUE/EMS FUND, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

Referred to the **Finance Committee** and upon a favorable report, re-referred to the **Pensions & Retirement and Aging Committee**.

H.B. 1067 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEANNEX TWO DESCRIBED TRACTS FROM THE CORPORATE LIMITS OF THE TOWN OF MURPHY.

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

H.B. 1250, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AIR RIFLES, AIR PISTOLS, AND BB GUNS ARE NOT INCLUDED IN THE DEFINITION OF "DANGEROUS FIREARMS" FOR CERTAIN PURPOSES IN THE FOLLOWING COUNTIES: ANSON, CLEVELAND, HARNETT, STANLY, AND SURRY.

Referred to the **Judiciary II Committee**.

H.B. 1252, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CLASS 3 MISDEMEANOR TO MAKE AN UNNEEDED AMBULANCE REQUEST IN BLADEN AND COLUMBUS COUNTIES.

Referred to the **Judiciary II Committee**.

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED TWENTY-SEVENTH DAY

Senate Chamber
Wednesday, June 18, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

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

"Father, it sure is a pleasure to be in your presence. Thank you for always being here, for not forsaking us, for not leaving us even when we wander, even when we part from you, even when we want to go back to Egypt and be in slavery. You are still there with us here, right now. So fill us up with your love and with who you are. Take our eyes off ourselves, and help us to learn once again what it means to serve. Have mercy on us, Lord, and help those all across this state. From Minnesott Beach to Cashiers to Asheville to Durham to Winston-Salem, everywhere, each county, spread your love out, Lord, we ask. In Christ's name, Amen."

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

June 18, 2014

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Tuesday, June 17, 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.

The Chair extends privileges of the floor to Karen Lemmons from Asheboro, North Carolina, who is serving the Senate as Nurse of the Day.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

S.B. 876 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BREVARD TO LEVY A PREPARED FOOD AND BEVERAGES TAX, upon second reading.

Upon motion of Senator Apodaca, the Committee Substitute bill is withdrawn from today's calendar and re-referred to the **Finance Committee**.

WITHDRAWAL FROM COMMITTEE

S.B. 477 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT INSURERS AND HEALTH BENEFIT PLANS FROM LIMITING OR FIXING THE FEE AN OPTOMETRIST MAY CHARGE PATIENTS FOR SERVICES OR MATERIALS UNLESS THE SERVICES OR MATERIALS ARE COVERED BY REIMBURSEMENT UNDER THE PLAN OR INSURER CONTRACT WITH THE OPTOMETRIST, referred to the **Rules and Operations of the Senate Committee** on June 4.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the House Committee Substitute bill be withdrawn from the **Rules and Operations of the Senate Committee** and placed on the calendar of Thursday, June 19, which motion prevails with unanimous consent, and the Chair so orders.

CONVEYANCE OF A BILL

Upon motion of Senator Apodaca, without objection, **S.B. 793**, which passed third reading on Tuesday, June 17, will be sent to the House of Representatives by special message.

WITHDRAWAL FROM COMMITTEE

S.B. 769, A BILL TO BE ENTITLED AN ACT TO CREATE THE NATURE AND HERITAGE TOURISM ADVISORY BOARD; TO REQUIRE THE CREATION OF A STATE NATURE AND HERITAGE TOURISM GUIDE; AND TO REQUIRE CONTRACTING WITH A CONSULTANT TO MAKE RECOMMENDATIONS REGARDING THE OPERATION OF STATE HISTORIC AND CULTURAL SITES, AS RECOMMENDED BY

THE LRC COMMITTEE ON CULTURAL AND NATURAL RESOURCES, referred to the **Commerce Committee** on May 19.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the bill be withdrawn from the **Commerce Committee** and re-referred to the **Rules and Operations of the Senate Committee**, which motion prevails with unanimous consent, and the Chair so orders.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Tillman for the **Education/Higher Education Committee**:

S.B. 761, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE EFFECTIVENESS OF THE OCCUPATIONAL LICENSING OF MILITARY SERVICE MEMBERS AND VETERANS, AND TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND THE STATE BOARD OF COMMUNITY COLLEGES TO SUBMIT A PLAN THAT WILL ENSURE THAT COLLEGE CREDITS ARE UNIFORMLY GRANTED TO STUDENTS WITH MILITARY TRAINING, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION COMMITTEE ON CIVILIAN CREDIT FOR MILITARY TRAINING AND STATE ADJUTANT GENERAL SELECTION CRITERIA, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 45197, which changes the title to read **S.B. 761** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE EFFECTIVENESS OF THE OCCUPATIONAL LICENSING OF MILITARY SERVICE MEMBERS AND VETERANS AND TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND THE STATE BOARD OF COMMUNITY COLLEGES TO SUBMIT A PLAN THAT WILL ENSURE THAT COLLEGE CREDITS ARE UNIFORMLY GRANTED TO STUDENTS WITH MILITARY TRAINING, is adopted and engrossed.

S.B. 818, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AND DEDICATE FUNDS FOR THE NORTH CAROLINA EDUCATION ENDOWMENT FUND TO PROVIDE ADDITIONAL SUPPORT AND FUNDING FOR K-12 PUBLIC SCHOOLS, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 35561, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

Upon the motion of Senator Apodaca, a sequential referral to the **Finance Committee** is added.

June 18, 2014

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

H.B. 1031 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE ECONOMIC DEVELOPMENT WITHIN THE STATE, with a favorable report.

Upon motion of Senator Apodaca, without objection, the rules are suspended and the Committee Substitute bill is placed at the end of today's calendar.

S.B. 729 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE JULY 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14)

REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF

EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) PROVIDE FOR VARIOUS STUDIES; AND (27) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, with a favorable report.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Finance Committee**.

ENROLLED BILLS

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

S.B. 463, AN ACT TO AMEND THE LAW PROVIDING FOR MINIMUM STANDARDS FOR JAIL DORMITORIES TO ALLOW COUNTIES TO HOUSE SIXTY-FOUR INMATES PER DORMITORY SO LONG AS CERTAIN MINIMUM STANDARDS ARE MET.

H.B. 183, AN ACT TO DELAY THE TRANSFER DATE OF THE CLEVELAND COUNTY CORRECTIONAL FACILITY.

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

H.B. 133, AN ACT TO CLARIFY THAT THE CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT COMMISSION IS AN AGENCY WITHIN THE CITY OF CHARLOTTE AND TO EXTEND THE CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT OVERSIGHT COMMITTEE BY ONE YEAR.

CHAPTERED BILL

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

H.B. 133, AN ACT TO CLARIFY THAT THE CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT COMMISSION IS AN AGENCY WITHIN THE CITY OF CHARLOTTE AND TO EXTEND THE CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT OVERSIGHT COMMITTEE BY ONE YEAR. (Became law upon ratification, June 18, 2014 - S.L. 2014-10)

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

June 18, 2014

By Senator Goolsby for the **Judiciary I Committee**:

S.B. 574 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING THAT CERTAIN CIVIL ACTIONS RELATING TO GROUNDWATER CONTAMINATION ARE NOT SUBJECT TO THE TEN-YEAR STATUTE OF REPOSE SET FORTH IN G.S. 1-52, favorable as to concurrence.

Upon motion of Senator Apodaca, without objection, the rules are suspended and the House Committee Substitute bill is placed at the end of today's calendar.

By Senator Tucker for the **State and Local Government Committee**:

S.B. 731, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE TOURISM DEVELOPMENT AUTHORITY REQUIREMENTS PERTAINING TO THE OCCUPANCY TAX AUTHORIZED FOR THE TOWN OF SOUTHPORT, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15452, is adopted and engrossed.

Pursuant to Rule 43, 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:

S.B. 864, A BILL TO BE ENTITLED AN ACT TO PERMIT EMPLOYEES OF THE TOWN OF YANCEYVILLE TO OPERATE MOTORIZED ALL-TERRAIN VEHICLES ON CERTAIN HIGHWAYS PURSUANT TO G.S. 20-171.24, upon second reading.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

S.B. 870, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF DURHAM TO ALLOW PAYMENT FOR ON-STREET PARKING BY VARIOUS MEANS AND TO USE PROCEEDS FROM ON-STREET PARKING FOR PARKING PROGRAMS AND PROVIDING PARKING FACILITIES, upon second reading.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

H.B. 1158 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF MORGANTON CONCERNING THE PROCEDURE FOR REMOVING THE MAYOR AND MEMBERS OF THE CITY COUNCIL FROM OFFICE AND MAKING CHANGES RELATED TO THE METHOD AND TIME OF MUNICIPAL ELECTIONS, upon second reading.

June 18, 2014

The Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

H.B. 1031 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE ECONOMIC DEVELOPMENT WITHIN THE STATE, upon second reading.

The Committee Substitute bill passes its second reading (49-0).

Senator McKissick objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Committee Substitute bill placed on the calendar of Thursday, June 19, upon third reading.

S.B. 574 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING THAT CERTAIN CIVIL ACTIONS RELATING TO GROUNDWATER CONTAMINATION ARE NOT SUBJECT TO THE TEN-YEAR STATUTE OF REPOSE SET FORTH IN G.S. 1-52, for concurrence in House Committee Substitute bill.

Upon motion of Senator Goolsby, the Senate concurs in the House Committee Substitute bill (49-0) and the bill is ordered enrolled and sent to the Governor.

H.B. 1031 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE ECONOMIC DEVELOPMENT WITHIN THE STATE, third reading having been objected to.

Senator McKissick withdraws his objection to third reading.

The Committee Substitute bill passes its third reading (49-0) and is ordered enrolled and sent to the Governor.

POINT OF PERSONAL PRIVILEGE

Upon motion of Senator Apodaca, the words spoken by Senator Barringer regarding her husband are spread upon the journal as follows:

SENATOR BARRINGER: "Ladies and gentlemen, I rise to share with you some very good news. My husband, Brent Barringer, who is sitting in the gallery, is the recipient of the North Carolina Bar Association Citizen Lawyer Award for 2014. The Citizen Lawyer Award recognizes lawyers who exemplify the ideals of the citizen lawyer, public service in appointed and elected positions, work with non-profit charitable and political organizations, military service, and volunteering with youth sports programs, and religious organizations. Brent, who has been my husband for 32 years—and now that you know me, you know that he deserves some kind of public recognition for that feat—served on the UNC Board of Governors from 2003 to 2012. He has been a member of the Centennial Authority of the PNC Arena since 1995, of which he is serving his second term as Vice-Chair. He's also the former chair of the Cary Chamber of Commerce. Notwithstanding all of those outstanding public service record, that record, when asked by the awards committee what was the most

rewarding experience he has ever undertaken, he quickly and unequivocally responded: the ten years of service as a therapeutic foster parent for the Methodist Home for Children. I appreciate the opportunity to share this with you publicly because, in typical Brent fashion, he has declined to attend the awards ceremony and in favor of sitting in a hot and dusty baseball field at the University of South Carolina to watch our son, John Charles, pitch. Brent, thank you."

Upon motion of Senator Pate, seconded by Senator Barringer, the Senate adjourns at 2:31 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the appointment of conferees, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Thursday, June 19, at 11:30 a.m.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Tillman for the **Education/Higher Education Committee**:

H.B. 712 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY EXPERT WITNESS COMPENSATION AND ALLOWANCES, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10587, which changes the title to read **H.B. 712** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CLARIFY THE SPECIAL EDUCATION SCHOLARSHIPS FOR CHILDREN WITH DISABILITIES AND TO EXEMPT CERTAIN SCHOOLS FROM CHILD CARE LICENSURE REQUIREMENTS, is adopted and engrossed.

By Senator Meredith for the **Commerce Committee**:

S.B. 794, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE CERTAIN RULES ADOPTED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 35562, which changes the title to read **S.B. 794** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE CERTAIN RULES ADOPTED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION, TO PROVIDE SPECIFIC DIRECTIONS TO THE INDUSTRIAL COMMISSION TO REPLACE THE RULES, AND TO AMEND CERTAIN PROVISIONS OF THE WORKERS' COMPENSATION LAW, is adopted and engrossed.

H.B. 894, A BILL TO BE ENTITLED AN ACT AUTHORIZING CITIES AND COUNTIES TO ALLOCATE EXCESS STORMWATER CAPACITY FOR URBAN REDEVELOPMENT PROJECTS, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30777, which changes the title to read **H.B. 894** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE SOURCE WATER PROTECTION PLANNING, is adopted and engrossed.

H.B. 1043 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUTES RELATED TO THE USE OF PREQUALIFICATION IN PUBLIC CONSTRUCTION CONTRACTING, AS STUDIED BY THE JOINT PURCHASE AND CONTRACT STUDY COMMITTEE, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10588, is adopted and engrossed.

APPOINTMENT OF A CONFERENCE COMMITTEE

S.B. 744 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

Pursuant to the Senate having failed to concur in the House Committee Substitute bill No. 2 for S.B. 744 on June 16, Senator Berger, President *Pro Tempore*, appoints Senator Brown, Chair; Senator Apodaca, Senator Berger, Senator Brock, Senator Harrington, Senator Hise, Senator Hunt, Senator B. Jackson, Senator Meredith, Senator Pate, Senator Rabon, Senator Randleman, Senator Rucho, Senator Soucek, Senator Tillman and Senator Tucker 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.

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED TWENTY-EIGHTH DAY

Senate Chamber
Thursday, June 19, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

June 19, 2014

Prayer is offered by Tribal Elder Jerry Wolfe of the Eastern Band of the Cherokee Indians, as follows:

"Our Father, God, we thank you for all of the blessings we receive every day. Many times we are blessed and do not realize that we are blessed. Father, be with our leadership for our state and country. Be with them to make the right decisions that may help all people. Father, bless every person that is present as we return to our homes; may we arrive safely. Continue to be with us, for we believe in your kingdom. Until we meet again, in your name we pray. Amen."

The Chair grants leaves of absence for today to Senator Graham and Senator Parmon.

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Wednesday, June 18, 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.

The Chair extends privileges of the floor to Richard D. McGowan from Clayton, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILLS

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

S.B. 574, AN ACT CLARIFYING THAT CERTAIN CIVIL ACTIONS RELATING TO GROUNDWATER CONTAMINATION ARE NOT SUBJECT TO THE TEN-YEAR STATUTE OF REPOSE SET FORTH IN G.S. 1-52.

S.B. 719, AN ACT TO PROVIDE THAT STUDENT ORGANIZATIONS AT CONSTITUENT INSTITUTIONS AND COMMUNITY COLLEGES MAY DETERMINE THE ORGANIZATION'S CORE FUNCTIONS AND RESOLVE ANY DISPUTES OF THE ORGANIZATION AND TO PROHIBIT CONSTITUENT INSTITUTIONS AND COMMUNITY COLLEGES FROM DENYING RECOGNITION TO ORGANIZATIONS FOR EXERCISING THESE RIGHTS.

H.B. 558, AN ACT TO ALLOW SALES TAX REFUNDS FOR SOIL AND WATER CONSERVATION DISTRICTS AND REGIONAL JAILS.

H.B. 698, AN ACT TO AUTHORIZE CRIMINAL HISTORY CHECKS FOR CURRENT VOLUNTEERS OR PAID FIRE DEPARTMENT PERSONNEL AND EMERGENCY MEDICAL SERVICES PERSONNEL AND TO ESTABLISH THE URBAN SEARCH AND RESCUE PROGRAM

AND THE URBAN SEARCH AND RESCUE TEAM ADVISORY COMMITTEE.

H.B. 777, AN ACT TO AMEND THE LAW THAT IMPOSES RESIDENTIAL RESTRICTIONS ON SEX OFFENDERS TO PROVIDE THAT A SEX OFFENDER IS PROHIBITED FROM RESIDING WITHIN ONE THOUSAND FEET OF A SITE WHERE A BOYS AND GIRLS CLUB OF AMERICA IS LOCATED.

H.B. 1031, AN ACT TO FACILITATE ECONOMIC DEVELOPMENT WITHIN 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. 226, AN ACT TO REPEAL A 1935 DURHAM COUNTY LOCAL ACT CONCERNING FIREARM REGISTRATION.

H.B. 1158, AN ACT AMENDING THE CHARTER OF THE CITY OF MORGANTON CONCERNING THE PROCEDURE FOR REMOVING THE MAYOR AND MEMBERS OF THE CITY COUNCIL FROM OFFICE AND MAKING CHANGES RELATED TO THE METHOD AND TIME OF MUNICIPAL ELECTIONS.

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. 226, AN ACT TO REPEAL A 1935 DURHAM COUNTY LOCAL ACT CONCERNING FIREARM REGISTRATION. (Became law upon ratification, June 19, 2014 - S.L. 2014-11)

H.B. 1158, AN ACT AMENDING THE CHARTER OF THE CITY OF MORGANTON CONCERNING THE PROCEDURE FOR REMOVING THE MAYOR AND MEMBERS OF THE CITY COUNCIL FROM OFFICE AND MAKING CHANGES RELATED TO THE METHOD AND TIME OF MUNICIPAL ELECTIONS. (Became law upon ratification, June 19, 2014 - S.L. 2014-12)

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

S.B. 846, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SHALLOTTE, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 45203, is adopted and engrossed.

S.B. 731 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE TOURISM DEVELOPMENT AUTHORITY REQUIREMENTS PERTAINING TO THE OCCUPANCY TAX AUTHORIZED FOR THE TOWN OF SOUTHPORT, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 45204, is adopted and engrossed.

H.B. 346 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING COUNTIES AND CITIES TO ATTACH AND GARNISH A MEMBER OF THE GOVERNING BODY IF THE COUNTY OR CITY HAS BEEN GRANTED A MONEY JUDGMENT AGAINST THAT MEMBER AND THE MONEY JUDGMENT HAS NOT BEEN SATISFIED, with a favorable report.

H.B. 1080, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WATHA, with a favorable report.

S.B. 729 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL

COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE JULY 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL

PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) PROVIDE FOR VARIOUS STUDIES; AND (27) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, with a favorable report.

S.B. 742, A BILL TO BE ENTITLED AN ACT TO ADJUST THE UTILITY REGULATORY FEE TO REFLECT THE CHANGING REGULATORY CLIMATE FOR THE TELECOMMUNICATIONS INDUSTRY, AS RECOMMENDED BY THE LRC COMMITTEE ON THE ASSESSMENT OF REGULATED AND NON-REGULATED INDUSTRY UTILITY FEES, with a favorable report.

H.B. 1034 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATED TO (1) LOCAL FIREFIGHTERS' RELIEF FUNDS, THE STATEWIDE FIREFIGHTERS' RELIEF FUND, AND THE RESCUE SQUAD WORKERS' RELIEF FUND, (2) WORKERS' COMPENSATION FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS, (3) SUPPLEMENTAL PENSIONS FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS, AND (4) THE VOLUNTEER FIRE DEPARTMENT FUND AND VOLUNTEER RESCUE/EMS FUND, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, with an unfavorable report as to the Committee Substitute bill No. 2, but favorable as to the Senate Committee Substitute bill.

June 19, 2014

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30780, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Pensions & Retirement and Aging Committee**.

By Senator Allran for the **Judiciary II Committee**:

H.B. 189 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30781, which changes the title to read **H.B. 189** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, AND TO MAKE TECHNICAL CORRECTIONS TO THE UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Health Care Committee**.

CALENDAR

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

S.B. 761 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE EFFECTIVENESS OF THE OCCUPATIONAL LICENSING OF MILITARY SERVICE MEMBERS AND VETERANS AND TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND THE STATE BOARD OF COMMUNITY COLLEGES TO SUBMIT A PLAN THAT WILL ENSURE THAT COLLEGE CREDITS ARE UNIFORMLY GRANTED TO STUDENTS WITH MILITARY TRAINING, upon second reading.

The Committee Substitute bill passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

S.B. 794 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE CERTAIN RULES ADOPTED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION, TO PROVIDE SPECIFIC DIRECTIONS TO THE INDUSTRIAL COMMISSION TO REPLACE THE RULES, AND TO AMEND CERTAIN PROVISIONS OF THE WORKERS' COMPENSATION LAW, upon second reading.

Senator Brown offers Amendment No. 1, which is adopted (48-0).

The Committee Substitute bill, as amended, passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives.

H.B. 712 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CLARIFY THE SPECIAL EDUCATION SCHOLARSHIPS FOR CHILDREN WITH DISABILITIES AND TO EXEMPT CERTAIN SCHOOLS FROM CHILD CARE LICENSURE REQUIREMENTS, upon second reading.

Senator Barringer offers Amendment No. 1, which is adopted (48-0).

The Senate Committee Substitute bill, as amended, passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

H.B. 894 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE SOURCE WATER PROTECTION PLANNING, upon second reading.

Senator McKissick offers Amendment No. 1, which is adopted (46-2).

The Senate Committee Substitute bill, as amended, passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

H.B. 1043 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUTES RELATED TO THE USE OF PREQUALIFICATION IN PUBLIC CONSTRUCTION CONTRACTING, AS STUDIED BY THE JOINT PURCHASE AND CONTRACT STUDY COMMITTEE, upon second reading.

Senator Gunn offers Amendment No. 1, which is adopted (48-0).

The Senate Committee Substitute bill, as amended, passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

S.B. 477 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT INSURERS AND HEALTH BENEFIT PLANS FROM LIMITING OR FIXING THE FEE AN OPTOMETRIST MAY CHARGE PATIENTS FOR SERVICES OR MATERIALS UNLESS THE SERVICES OR MATERIALS ARE COVERED BY REIMBURSEMENT UNDER THE PLAN OR INSURER CONTRACT WITH THE OPTOMETRIST, for concurrence in the House Committee Substitute bill.

Without objection, Senator Curtis is excused from voting on the bill due to a possible conflict of interest.

Upon motion of Senator Meredith, the Senate concurs in the House Committee Substitute bill (40-7) and the bill is ordered enrolled and sent to the Governor.

June 19, 2014

WITHDRAWAL FROM A FUTURE CALENDAR

S.B. 729 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE JULY 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES'

RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) PROVIDE FOR VARIOUS STUDIES; AND (27) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, placed on the calendar of Monday, June 23.

June 19, 2014

Senator Apodaca offers a motion that the Committee Substitute bill be withdrawn from the calendar of Monday, June 23, and placed on the calendar of Tuesday, June 24, which motion prevails with unanimous consent, and the Chair so orders.

WITHDRAWALS FROM COMMITTEES

H.B. 189 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, AND TO MAKE TECHNICAL CORRECTIONS TO THE UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT, referred to the **Health Care Committee** on June 19.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Senate Committee Substitute bill be withdrawn from the **Health Care Committee** and placed on the calendar of Tuesday, June 24, which motion prevails with unanimous consent, and the Chair so orders.

H.B. 1081 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM THE PROCESS BY WHICH REGULATORY AUTHORITIES REVIEW SUBMITTALS OF APPLICATIONS FOR PERMITS, LICENSES, AND APPROVALS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, referred to the **Rules and Operations of the Senate Committee** on June 4.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Commerce Committee**, which motion prevails with unanimous consent, and the Chair so orders.

Upon motion of Senator Berger, seconded by Senator Hise, the Senate adjourns at 12:19 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Monday, June 23, at 7:00 p.m.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.B. 1044, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE AVERASBORO TOWNSHIP TOURISM DEVELOPMENT AUTHORITY.

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

June 19, 2014

H.B. 1088, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE HIGHWAY PATROL TO STUDY THE FEASIBILITY AND COST-EFFECTIVENESS OF CONTRACTING WITH LOCAL BUSINESSES TO PERFORM MAINTENANCE ON STATE HIGHWAY PATROL VEHICLES IN LIEU OF REQUIRING THE VEHICLES TO BE TAKEN TO A REGIONAL MAINTENANCE FACILITY, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON JUDICIAL EFFICIENCY AND EFFECTIVE ADMINISTRATION OF JUSTICE.

Referred to the **Transportation Committee**.

H.B. 1089, A BILL TO BE ENTITLED AN ACT TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP A CASE MANAGEMENT SYSTEM FOR CIVIL CASES IN SUPERIOR COURT, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON JUDICIAL EFFICIENCY AND EFFECTIVE ADMINISTRATION OF JUSTICE.

Referred to the **Judiciary I Committee**.

H.B. 1090, A BILL TO BE ENTITLED AN ACT TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP A WRITTEN, COMPREHENSIVE POLICY FOR THE MANAGEMENT OF INFORMATION TECHNOLOGY RESOURCES, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON JUDICIAL EFFICIENCY AND EFFECTIVE ADMINISTRATION OF JUSTICE.

Referred to the **Judiciary II Committee**.

H.B. 1091, A BILL TO BE ENTITLED AN ACT TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO STUDY THE APPOINTMENT AND SUPERVISION OF MAGISTRATES, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON JUDICIAL EFFICIENCY AND EFFECTIVE ADMINISTRATION OF JUSTICE.

Referred to the **Judiciary II Committee**.

H.B. 1094 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEDIATED SETTLEMENT CONFERENCES IN DISTRICT COURT CIVIL ACTIONS AND TO MAKE A TECHNICAL CORRECTION TO THE RULES OF CIVIL PROCEDURE, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON JUDICIAL EFFICIENCY AND EFFECTIVE ADMINISTRATION OF JUSTICE.

Referred to the **Judiciary I Committee**.

H.B. 1105 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SEDIMENTATION CONTROL COMMISSION TO TRANSFER ITS RESPONSIBILITY FOR ADMINISTERING AND ENFORCING EXISTING EROSION AND SEDIMENTATION CONTROL

PLANS TO LOCAL GOVERNMENTS WHEN APPROVING LOCAL EROSION AND SEDIMENTATION CONTROL PROGRAMS, AS RECOMMENDED BY THE LRC COMMITTEE ON LAND DEVELOPMENT.

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

H.B. 1106 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DESIGNER OF A RETAINING WALL OR SIMILAR EROSION CONTROL DEVICE HAVING A STRUCTURAL FOUNDATION REQUIRED TO BE INSTALLED UNDER A STATE-APPROVED EROSION AND SEDIMENTATION CONTROL PLAN TO CERTIFY THAT THE DEVICE HAS BEEN DESIGNED IN ACCORDANCE WITH APPLICABLE CODES AND SPECIFICATIONS AND WILL BE INSTALLED ACCORDING TO THE APPROVED EROSION AND SEDIMENTATION CONTROL PLAN.

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

H.B. 1114, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTER OF DEEDS OF AVERY COUNTY TO REFUSE RECORDATION OF A DEED FOR PROPERTY SUBJECT TO DELINQUENT MUNICIPAL PROPERTY TAXES FOR THE TOWN OF ELK PARK.

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

H.B. 1149, A BILL TO BE ENTITLED AN ACT RELATING TO THE AUTHORITY OF THE STATE CHIEF INFORMATION OFFICER TO MONITOR STATE AGENCY USE OF MOBILE ELECTRONIC COMMUNICATIONS DEVICES AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY.

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

H.B. 1159 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GREENVILLE TO CONVEY BY PRIVATE NEGOTIATION AND SALE CERTAIN REAL PROPERTY OWNED BY THE CITY THAT DOES NOT MEET THE MINIMUM LOT SIZE REQUIREMENTS PRESCRIBED BY THE CITY'S ZONING ORDINANCE.

Referred to the **State and Local Government Committee**.

H.B. 1168, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISCHARGE OF A FIREARM OR BOW AND ARROW FROM THE RIGHT-OF-WAY IN YANCEY COUNTY.

Referred to the **State and Local Government Committee**.

H.B. 1195, A BILL TO BE ENTITLED AN ACT TO ENACT ANTI-PENSION-SPIKING LEGISLATION BY ESTABLISHING A CONTRIBUTION-BASED BENEFIT CAP, TO ALLOW MEMBERS OF THE

TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WHO LEAVE EMPLOYMENT WITHIN FIVE YEARS TO RECEIVE A RETURN OF THEIR CONTRIBUTIONS WITH ACCUMULATED INTEREST, AND TO RETURN TO A FIVE-YEAR VESTING PERIOD FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM WHO BECAME MEMBERS ON OR AFTER AUGUST 1, 2011, AND MAKE A CONFORMING CHANGE TO THE SPECIAL SEPARATION ALLOWANCE FOR LAW ENFORCEMENT OFFICERS.

Referred to the **Pensions & Retirement and Aging Committee**.

H.B. 1207, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF HIGH POINT TO ALLOW THE CITY COUNCIL TO HIRE THE CITY ATTORNEY AND TO MAKE CERTAIN TECHNICAL CORRECTIONS.

Referred to the **State and Local Government Committee**.

H.B. 1218, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF MONROE TO REMOVE THE PROVISION AUTHORIZING THE CITY MANAGER TO HAVE DIRECT SUPERVISORY AUTHORITY OVER THE CITY ATTORNEY.

Referred to the **State and Local Government Committee**.

H.B. 1246 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAW PROHIBITING WEAPONS ON CAMPUS OR OTHER EDUCATIONAL PROPERTY DOES NOT APPLY TO AN ARMED DETENTION OFFICER WHEN THE OFFICER IS DISCHARGING HIS OR HER OFFICIAL DUTIES IN CABARRUS, FORSYTH, AND WAKE COUNTIES.

Referred to the **Judiciary II Committee**.

H.B. 1247, A BILL TO BE ENTITLED AN ACT TO ALLOW LIMITED APPOINTMENT OF ELECTED PUBLIC OFFICIALS TO THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY.

Referred to the **State and Local Government Committee**.

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

June 19, 2014

ONE HUNDRED TWENTY-NINTH DAY

Senate Chamber
Monday, June 23, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

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

"Heavenly Father, thank you for bringing us back here again today to a place that sometimes we do not deserve, for sometimes we don't even deserve drawing breath. But we are here to serve and to work and to learn. Lord, we ask you to help us move along together as a community through the next fiery trial that would come our way. We ask you to join us on our journey. Show us your mercy, give us your peace, and plant inside of us a wisdom and knowledge that is only from you. For your wisdom is perfect, and your wisdom is given as a free gift to your children. I make this prayer in the name of Jesus Christ. Amen."

The Chair grants leaves of absence for tonight to Senator Bryant and Senator Walters.

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Thursday, June 19, 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.

The Chair extends privileges of the floor to Julie Alexander from Apex, North Carolina, who is serving the Senate as Nurse of the Day.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Allran for the **Judiciary II Committee**:

H.B. 1027, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES HEARING ON A LICENSE REVOCATION AS A RESULT OF A DRIVING WHILE IMPAIRED IGNITION INTERLOCK VIOLATION BE HELD IN THE LICENSEE'S COUNTY OF RESIDENCE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40258, is adopted and engrossed.

H.B. 366 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES PERTAINING TO THE RENAMING OF THE NORTH CAROLINA FOREST SERVICE AND TO MAKE OTHER CHANGES IN THE FOREST SERVICE STATUTES, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40261, which changes the title to read **H.B. 366** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) MAINTAIN THE CONFIDENTIALITY OF ENVIRONMENTAL INVESTIGATIONS FOR AGRICULTURAL OPERATIONS AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ADOPT RULES FOR A FORMAL COMPLAINT PROCEDURE; (2) CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT ORDINANCES RELATED TO FERTILIZER; (3) STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM; (4) CLARIFY THE MEANING OF THE TERMS "PLANTING AND HARVESTING SEASON" AND "PLANTING AND HARVESTING PERIOD" FOR PURPOSES OF APPLYING FEDERAL LAWS OR REGULATIONS RELATING TO HOURS OF SERVICE RULES FOR CERTAIN DRIVERS TRANSPORTING AGRICULTURAL PRODUCTS; (5) AMEND THE CHAIRMANSHIP OF THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION; (6) ALLOW THE COMMISSIONER OF AGRICULTURE TO APPOINT LAW ENFORCEMENT OFFICERS TO CARRY OUT THE LAW ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; (7) CLASSIFY TRESPASSING ON AN AGRICULTURAL FACILITY AS A FIRST DEGREE TRESPASS; (8) REQUIRE WRITTEN CONSENT TO OPERATE AN ALL TERRAIN VEHICLE ON PROPERTY OWNED BY ANOTHER; AND (9) ALLOW DRAINAGE DISTRICTS TO MAINTAIN DITCHES IN BUFFER ZONES, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Agriculture/Environment/Natural Resources Committee**.

MOTION RELATIVE TO THE CALENDAR

The following change is made to tonight's calendar:

S.B. 742, A BILL TO BE ENTITLED AN ACT TO ADJUST THE UTILITY REGULATORY FEE TO REFLECT THE CHANGING REGULATORY CLIMATE FOR THE TELECOMMUNICATIONS INDUSTRY, AS RECOMMENDED BY THE LRC COMMITTEE ON THE ASSESSMENT OF REGULATED AND NON-REGULATED INDUSTRY UTILITY FEES, upon second reading.

Upon motion of Senator Apodaca, the bill is withdrawn from tonight's calendar and re-referred to the **Finance Committee**.

June 23, 2014

WITHDRAWALS FROM COMMITTEES

H.B. 1113, A BILL TO BE ENTITLED AN ACT TO EXEMPT A CERTAIN INTERLOCAL AGREEMENT BETWEEN THE CITY OF ASHEVILLE AND HENDERSON COUNTY CONCERNING THE BENT CREEK PROPERTY FROM ARTICLE 16 OF CHAPTER 160A OF THE GENERAL STATUTES AND FROM THE SULLIVAN ACTS, referred to the **Rules and Operations of the Senate Committee** on June 4.

Pursuant to Rule 47(a), Senator Apodaca 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, and the Chair so orders.

H.B. 1168, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISCHARGE OF A FIREARM OR BOW AND ARROW FROM THE RIGHT-OF-WAY IN YANCEY COUNTY, referred to the **State and Local Government Committee** on June 19.

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

H.B. 1101 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE PROTECTION PROVIDED TO PERSONS MAKING IMPROVEMENTS TO LEASED REAL PROPERTY UNDER ARTICLE 3 OF CHAPTER 44A OF THE GENERAL STATUTES, AS RECOMMENDED BY THE LRC COMMITTEE ON MECHANICS LIENS AND LEASEHOLD IMPROVEMENTS, referred to the **Rules and Operations of the Senate Committee** on June 4.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Judiciary I Committee**, which motion prevails with unanimous consent, and the Chair so orders.

H.B. 1102, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE INFORMATION REQUIRED TO BE PROVIDED IN A NOTICE TO LIEN AGENT, AS RECOMMENDED BY THE LRC COMMITTEE ON MECHANICS LIENS AND LEASEHOLD IMPROVEMENTS, referred to the **Rules and Operations of the Senate Committee** on June 4.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the bill be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Judiciary I Committee**, which motion prevails with unanimous consent, and the Chair so orders.

ENROLLED BILLS

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

S.B. 477, AN ACT TO PROHIBIT INSURERS AND HEALTH BENEFIT PLANS FROM LIMITING OR FIXING THE FEE AN OPTOMETRIST MAY CHARGE PATIENTS FOR SERVICES OR MATERIALS UNLESS THE SERVICES OR MATERIALS ARE COVERED BY REIMBURSEMENT UNDER THE PLAN OR INSURER CONTRACT WITH THE OPTOMETRIST.

H.B. 1069, AN ACT TO AMEND THE UNEMPLOYMENT INSURANCE LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON UNEMPLOYMENT INSURANCE.

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. 370, AN ACT TO CLARIFY STUDENT RIGHTS TO ENGAGE IN PRAYER AND RELIGIOUS ACTIVITY IN SCHOOL, TO CREATE AN ADMINISTRATIVE PROCESS FOR REMEDYING COMPLAINTS REGARDING EXERCISE OF THOSE STUDENT RIGHTS, AND TO CLARIFY RELIGIOUS ACTIVITY FOR SCHOOL PERSONNEL. (Became law upon approval of the Governor, June 19, 2014 - S.L. 2014-13)

H.B. 573, AN ACT TO BROADEN THE PERMITTED USE OF STORMWATER FEES. (Became law upon approval of the Governor, June 19, 2014 - S.L. 2014-14)

H.B. 1060, AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO IDENTIFY MILITARY-CONNECTED STUDENTS USING THE UNIFORM EDUCATION REPORTING SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE. (Became law upon approval of the Governor, June 19, 2014 - S.L. 2014-15)

H.B. 1103, AN ACT TO REQUIRE THE COURT TO CONSIDER WHETHER A JUVENILE PETITION HAS BEEN PROPERLY VERIFIED AND JURISDICTION HAS BEEN INVOKED AT THE PRE-ADJUDICATION HEARING, AS RECOMMENDED BY THE LRC COMMITTEE ON OMNIBUS FOSTER CARE AND DEPENDENCY. (Became law upon approval of the Governor, June 19, 2014 - S.L. 2014-16)

June 23, 2014

S.B. 574, AN ACT CLARIFYING THAT CERTAIN CIVIL ACTIONS RELATING TO GROUNDWATER CONTAMINATION ARE NOT SUBJECT TO THE TEN-YEAR STATUTE OF REPOSE SET FORTH IN G.S. 1-52. (Became law upon approval of the Governor, June 20, 2014 - S.L. 2014-17)

CALENDAR

Bills on tonight's calendar are taken up and disposed of as follows:

S.B. 846 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SHALLOTTE, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Newton, Parmon, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade and Woodard---48.

Voting in the negative: None.

The Committee Substitute bill remains on the calendar for Tuesday, June 24, upon third reading.

H.B. 1080, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WATHA, upon second reading.

Senator J. Davis offers Amendment No. 1, which is adopted (47-1) and would change the title to read **H.B. 1080** A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WATHA AND TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF WAYNESVILLE, upon concurrence.

The amendment is ruled to be material, which constitutes first reading, and the bill, as amended, remains on the calendar for Tuesday, June 24, upon second reading.

S.B. 731 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE TOURISM DEVELOPMENT AUTHORITY REQUIREMENTS PERTAINING TO THE OCCUPANCY TAX AUTHORIZED FOR THE TOWN OF SOUTHPORT, upon second reading.

The Committee Substitute bill No. 2 passes its second reading and, without objection, is read a third time and passes its third reading and is sent to the House of Representatives.

June 23, 2014

H.B. 346 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING COUNTIES AND CITIES TO ATTACH AND GARNISH A MEMBER OF THE GOVERNING BODY IF THE COUNTY OR CITY HAS BEEN GRANTED A MONEY JUDGMENT AGAINST THAT MEMBER AND THE MONEY JUDGMENT HAS NOT BEEN SATISFIED, upon second reading.

The Senate Committee Substitute bill passes its second reading (46-2) and, without objection, is read a third time and passes its third reading and is sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

SENATE PAGES

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

Ben Britt, Winston-Salem; Gabe Brooks, Gastonia; Ryan Burnett, Raleigh; Chase Cranford, High Point; Weston Davis, Raleigh; Noah Dubois, Hendersonville; William Gaines, Wilmington; Troy Garrett, Asheboro; Will Gauldin III, Southport; Aubrey Greene, Crossnore; Gabby Hubert, Waxhaw; Harrison Idol, High Point; Tas'zhane Jabbaar, Fayetteville; Walter Jackson IV, Laurinburg; Alexus Johnson-Mobley, Raleigh; Zack Maher, Waxhaw; Anna Martina, Harrisburg; Megan Matula, Rolesville; Morgan McGinn, Elon; Martha McSwain, Norwood; Luciano Pogorzelski, Gastonia; Jake Satisky, Raleigh; Andrew Smith, Raleigh; Michael Sonnenberg, Littleton; and Joseph Womble, Cary.

REFERRAL OF A RESOLUTION

Upon motion of Senator Apodaca, without objection, the rules are suspended to allow **S.J.R. 882**, which was filed today, to be introduced this evening and placed on the calendar of Tuesday, June 24.

Upon motion of Senator Berger, seconded by Senator Hunt, the Senate adjourns at 7:20 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the appointment of conferees, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Tuesday, June 24, at 2:00 p.m.

INTRODUCTION OF A RESOLUTION

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

By Senators Blue, Stein, Apodaca (Primary Sponsors) and Brock:

S.J.R. 882, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARTIN LUTHER NESBITT, JR., FORMER MEMBER OF THE NORTH CAROLINA GENERAL ASSEMBLY.

June 23, 2014

Pursuant to a motion by Senator Apodaca, the Joint Resolution is placed on the calendar of Tuesday, June 24.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

S.B. 163 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER CERTAIN CONDITIONS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Tuesday, June 24.

S.B. 790 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PHASE IN THE SALES TAX RATE ON ELECTRICITY SOLD BY CAPE HATTERAS ELECTRICAL MEMBERSHIP CORPORATION AND THE SALES TAX RATE ON PIPED NATURAL GAS SOLD BY GAS CITIES, TO MODIFY THE PROPERTY TAX DEFERRAL PROGRAM FOR SITE INFRASTRUCTURE LAND, AND TO DELAY THE CHANGE IN THE HIGHWAY USE TAX BASE TO INCLUDE DEALER ADMINISTRATIVE FEES, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Tuesday, June 24.

S.B. 741 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW BLADEN COUNTY, COLUMBUS COUNTY, FRANKLIN COUNTY, AND HOKE COUNTY TO NOT ACCEPT THE REGISTRATION OF A DEED TRANSFERRING REAL PROPERTY WHEN TAXES ARE DELINQUENT, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Tuesday, June 24.

H.B. 1059 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE THE LARCENY OF VENUS FLYTRAPS IN NEW HANOVER, BRUNSWICK, ONSLOW, AND PENDER COUNTIES A FELONY OFFENSE AND TO MODIFY THE NEW HANOVER OCCUPANCY TAX.

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

H.B. 1070, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF DUCK TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS.

Referred to the **State and Local Government Committee**.

H.B. 1139 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEDICATE AND ACCEPT CERTAIN PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE AND TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE.

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

H.B. 1145 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF MOTOR VEHICLES.

Referred to the **Insurance Committee**.

H.B. 1154 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE MOORE COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN REAL PROPERTY.

Referred to the **State and Local Government Committee**.

H.B. 1211 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF MOUNT GILEAD.

Referred to the **State and Local Government Committee**.

H.B. 1220 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A COMPASSIONATE USE REGISTRY FOR THE USE AND ADMINISTRATION OF HEMP OIL EXTRACT FOR PEOPLE SUFFERING FROM INTRACTABLE SEIZURE DISORDERS AND TO PROVIDE THAT COMPASSIONATE USE REGISTRANTS ARE NOT SUBJECT TO CRIMINAL PENALTIES FOR THE POSSESSION AND USE OF HEMP OIL EXTRACT WHEN POSSESSED AND USED TO TREAT INTRACTABLE SEIZURE DISORDERS.

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

H.B. 1244, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE INCREASING THE WILSON COUNTY OCCUPANCY TAX.

Referred to the **Finance Committee**.

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

June 23, 2014

ONE HUNDRED THIRTIETH DAY

Senate Chamber
Tuesday, June 24, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

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

"Heavenly Father, we take a moment from our day that has been busy and harried, and we lift our eyes up to the hills from where our help comes from. Our help comes in the name of the Lord, maker of heaven and earth. He does not let our feet slip. He watches over us and he will never slumber; indeed He who watches over Israel will never slumber nor sleep.* Thank you, Lord, for being that kind of God and for doing even more than that but for being willing to dwell inside of us and in the midst of the humdrum of this General Assembly. May we look back and say, 'we were surely blessed to be in this place.' In Christ's name we pray. Amen."

*Paraphrase Psalm 121:1-4, NIV

The Chair grants leaves of absence for today to Senator McKissick and Senator Walters.

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Monday, June 23, 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.

The Chair extends privileges of the floor to Dr. Allison Abernathy from Cherryville, North Carolina, who is serving the Senate as Nurse of the Day.

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. 845, AN ACT TO ALLOW THE VILLAGE OF BALD HEAD ISLAND TO OPERATE A CONTRACT POST OFFICE WITH A GOVERNMENTAL OR COMMERCIAL ENTITY.

S.B. 867, AN ACT TO EXTEND THE TERMS OF OFFICE FROM TWO TO FOUR YEARS FOR THE MAYOR AND THE MEMBERS OF THE BOARD OF ALDERMEN OF THE TOWN OF MCDONALD.

S.B. 868, AN ACT TO EXTEND THE TERMS OF OFFICE FROM TWO TO FOUR YEARS FOR THE MAYOR AND THE MEMBERS OF THE BOARD OF ALDERMEN OF THE TOWN OF PROCTORVILLE.

H.B. 531, AN ACT TO AMEND THE EXTRATERRITORIAL JURISDICTION AUTHORITY OF THE TOWN OF WEAVERVILLE, TO MAKE A SIMILAR TECHNICAL CORRECTION AS TO THE CITY OF ASHEVILLE, TO ALLOW THE COUNTY OF BUNCOMBE TO ZONE CERTAIN DONUT HOLES, TO REPEAL THE BUNCOMBE COUNTY CULTURE AND RECREATION AUTHORITY, AND TO ALLOW THE BOARD OF COMMISSIONERS OF HENDERSON COUNTY TO STANDARDIZE THE CEILING ON FIRE DISTRICT TAXES IN HENDERSON COUNTY.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Bingham for the **Agriculture/Environment/Natural Resources Committee**:

H.B. 1139 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEDICATE AND ACCEPT CERTAIN PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE AND TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE, with a favorable report.

H.B. 379, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE BOARD OF AGRICULTURE OVER PLANTS, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40262, which changes the title to read **H.B. 379** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA VETERINARY MEDICAL BOARD TO AMEND THE BOARD'S LAWS PERTAINING TO LICENSURE FEES AND LICENSE REINSTATEMENT, is adopted and engrossed.

MOTIONS RELATIVE TO THE CALENDAR

The following changes are made to today's calendar:

H.B. 1025 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) AUTHORIZE CONTINUANCES OF DIVISION OF MOTOR VEHICLES INSPECTION STATION VIOLATION CASES; (2) PROVIDE THAT AGRICULTURAL TOURISM SIGNS ON STATE HIGHWAYS ARE

SUBJECT TO DEPARTMENT OF TRANSPORTATION LOCATION AND PLACEMENT RULES; (3) CHANGE THE DUE DATE FOR THE NORTH CAROLINA TURNPIKE AUTHORITY ANNUAL AUDIT REPORT TO OCTOBER; (4) REPEAL A REQUIREMENT THAT THE DEPARTMENT OF TRANSPORTATION ANNUALLY REPORT RIGHT TURN ON RED PEDESTRIAN CRASHES; (5) AMEND THE STATE DRIVERS LICENSE MATERIAL TECHNICAL STANDARDS; (6) APPLY ALTERNATE PRIORITIZATION CRITERIA UNDER THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA TO FEDERAL AND STATE FUNDS USED FOR EMERGENCY REPAIR WORK; (7) REENACT THE AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION TO PARTICIPATE IN PRIVATE DEVELOPER CONTRACTS FOR IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM, SUBJECT TO A LIMIT OF THE LESSER OF TEN PERCENT OR TWO HUNDRED FIFTY THOUSAND DOLLARS; (8) TO EXCLUDE FEDERAL LANDS ACCESS PROGRAM FUNDS FROM THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; (9) UPDATE STATE LAW GOVERNING DEPARTMENT OF TRANSPORTATION OVERSIGHT OF THE SAFETY OF RAIL FIXED GUIDEWAY PUBLIC TRANSPORTATION SYSTEMS; (10) AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO INSTALL AND OPERATE RAMP METERS AND TO PROVIDE THAT VIOLATION OF A RAMP METER SIGNAL IS AN INFRACTION; (11) CLARIFY STATE LAW CONCERNING FERRY RECEIPT GENERATING ACTIVITIES; (12) SPECIFY PENALTIES FOR VIOLATION OF REQUIRED ETHICS REPORTING PROVISIONS APPLICABLE TO METROPOLITAN PLANNING ORGANIZATIONS AND RURAL TRANSPORTATION PLANNING ORGANIZATIONS; AND (13) AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO CONTRACT FOR SPONSORSHIP ARRANGEMENTS FOR DEPARTMENT OPERATIONS, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from today's calendar and placed on the calendar of Saturday, June 28.

H.B. 1027 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES HEARING ON A LICENSE REVOCATION AS A RESULT OF A DRIVING WHILE IMPAIRED IGNITION INTERLOCK VIOLATION BE HELD IN THE LICENSEE'S COUNTY OF RESIDENCE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from today's calendar and placed on the calendar of Saturday, June 28.

WITHDRAWAL FROM COMMITTEE

S.B. 877, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN REAL ESTATE TIME-SHARES FROM THE RULE AGAINST PERPETUITIES, referred to the **Judiciary I Committee** on May 29.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the bill be withdrawn from the **Judiciary I Committee** and re-referred to the **State and Local Government Committee**, which motion prevails with unanimous consent, and the Chair so orders.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

S.J.R. 882, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARTIN LUTHER NESBITT, JR., FORMER MEMBER OF THE NORTH CAROLINA GENERAL ASSEMBLY, upon second reading.

Upon motion of Senator Apodaca, the Joint Resolution is withdrawn from the regular order of business and placed before the Senate for immediate consideration.

CALENDAR

Bills and a resolution on today's calendar are taken up and disposed of as follows:

S.J.R. 882, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARTIN LUTHER NESBITT, JR., FORMER MEMBER OF THE NORTH CAROLINA GENERAL ASSEMBLY, upon second reading.

Without objection, the rules are suspended, and the Joint Resolution is read in its entirety.

Upon motion of Senator Apodaca, the words spoken on the Joint Resolution are spread upon the Journal as follows:

SENATOR BLUE: "It's appropriate that we pause today, I think, to remember and celebrate the life of Martin Nesbitt, a dear friend who we all knew well. As I said at Martin's funeral, and the more I reflect on it now, the more I realize that he, better than any individual I've known over my lifetime, embodied that directive in the Old Testament book of Habakkuk, where the Lord told the prophet, 'Write the vision and make it plain so that a runner can carry the correct message.' And, as I reflect on it, I don't think any of us can remember and know of anyone who had a clearer vision of what we can be in North Carolina, who articulated it so clearly, and who carried it so forcefully. You've heard a lot read in the resolution, and it really does describe a man who dedicated more than half of his life to this General Assembly and the people of North Carolina. And you can get at the heart of what people really feel about someone by the way they describe him and remember him. Immediately

following Martin's death, I read the news coverage from around the state of various papers—those in Western North Carolina as well as Eastern North Carolina. They gave incredible tributes to Martin along the lines of what has been read in the resolution. And those stories that were told across the state generally show Martin, or illustrate him, as a forward thinking leader, a determined champion of the little guy, and somebody who was a valued friend to people all across this state. Now, the interesting thing—Senator Allran and I, along with about 20-25 other people, got elected to the General Assembly, to the House, in 1980. Martin Nesbitt was elected in 1980, and in that class of 1980 there ended up being four speakers. All of the Democratic speakers over the last quarter of a century came from that class—a Lieutenant Governor, a Labor Commissioner, an appellate judge. Even among those people, Martin Nesbitt was like a Redwood or Sequoia among saplings, and he instantly stood out when he got here and started providing leadership for a quarter of a century or more for this state. As we talk about Martin's accomplishments against that backdrop they seem even more remarkable. He thought that we could be a national leader in education and went about trying to show that we could, in fact, do that. He thought that we could improve the quality of life for all of the people in this state, and he went about doing that. He thought that we could improve the quality of life for a lot of people who couldn't do it on their own, that's why he became such a great champion of mental health and mental illness and dedicated a substantial portion of his career, not only in the House, but here in the Senate, in making sure that we did what we should do by this vulnerable group in our population. You know, you heard all of the great things he did, but the one thing that stands out: he figured out early on, even before some of you fellows, that the Commerce Department wasn't working for Western North Carolina, and [he] started supporting this group, Advantage West, which became a model on which we developed a sense of economic development—a theory of economic development—on a local level, and [he] suggested that a centralized approach by the Commerce Department with 'one shoe fits all' mentality simply would never deliver the jobs to the places in the state that needed them most, that it would be those who already had that would keep getting more if we kept doing business as usual. And those who know Advantage West—certainly Senator Apodaca and Senator Davis and now Senator Van Duyn and the others who come from that part of the state—know the tremendous value that it played in converting that region's economy and moving to other kinds of economic development models. But the other thing that I'd point out about Martin is—he seemed to have come by it honest—is his feeling about education, his feeling about what he owed to the people of this state. His parents were both public educators, and so that became part of his DNA, and he spent his career pretty much advocating for education, whether it was his efforts to increase teacher pay and state employees pay because he thought that they should be more appreciated, whether it was his effort as we, for the last time, increased the pay of state legislators in 1994. And he sort of felt that there ought to be some connection between one's ability to work hard and give service to his people and what people thought about them. I believe that Martin knew also that government could help people, that it wasn't always in the way, it wasn't always

impeding progress, but, aimed in the right direction, it could help people overcome some of the impediments they may have had whether they had been put upon or whether they had the misfortune to have been in the wrong place or born in the wrong way. I had the pleasure of working with Martin for 30 plus years, and in that time I saw firsthand his determination to do right by his constituents from Western North Carolina, but also his constituents across this entire state. The state has changed since Senator Allran, Senator Nesbitt, and I came to the legislature in 1980. It's grown a lot, the challenges are somewhat different, but it is still a place where Martin Nesbitt's voice rings out that we can do more for our economy, we can do something to transition us better from an economy of the past—whether it was dependent on tobacco or textiles or furniture or manufacturing—and do the things that make this economy one that's for the future. And I say that Martin had a grand vision, not as if he was the only one alone who developed it, but that as we moved over our progress over the years Martin, along with other leaders in this state over the last three decades, realized that if we were going to make the vision plain and articulate it that you had to come to work every day with the same values. You did have to stick up for the little guy, because at the end of the day he's the one who will make the state the greatest it can be. You did have to advocate for education for everybody, not just those who may be privileged, [who] know how to study and to get by early, but for every single individual in this state, and Martin—as I talk to some of the people who served with us early—really did love to fight anybody who didn't have those values, and he would stick up for those things and speak out until the wee hours of the morning. We here have been the beneficiaries of Martin's great record because he often reminded us how things got the way they were and how we ought to think about how they are and how they were before we decided to just willy-nilly change them. I believe that Martin Nesbitt was separated from this pack of those of us who came in 1980 because he was loyal also to his people and to his friends. There was never anything bad that I know of associated with Martin— certainly no scandal. While he had outrageous ambitions for the people of this state, he never had any personal outrageous ambitions. In fact, he gave his time freely for nearly 35 years at a great sacrifice to benefit the people of this state. And lastly, I talk about Martin as a friend. You know, you heard it read that he liked spending time with his family, and he did, and I didn't drive from Asheville to Raleigh every Sunday night or Monday morning—it used to be every Sunday night because we started on Monday for 30 plus years—eight hours on the road each week coming down here for study committees and all of that. So it has to be challenging on one's ability to spend quality time with his family, but Martin mastered that, and the time with his son, Mart—who grew up around us—and his granddaughter and his wife was valuable time, and he made sure that he did that, and that's that kind of loyalty that made Martin the strong man that he was and one that we can all count as a friend. One final expression that Martin always shared with us was that you know, you can't heat things up too quickly, but if people aren't doing what they ought to do, if you put a blowtorch to their backside sooner or later they'll start moving and you can get them down the road where you need to get them. And you know as well as I do that Martin

knew how to put a blowtorch on many folk when he thought we weren't going in the direction we ought to go. So, Mr. President, I commend this resolution to you. I'm proud to be one of the sponsors of it, and I'm proud to have called Martin Nesbitt a friend and, as importantly, a great servant and a great citizen of North Carolina."

SENATOR STEIN: "It's with affection and sorrow that I rise—affection for Martin Nesbitt and the unique, one of a kind person that he was, and sorrow for having this tribute come years before it should have. Martin, of course, was a man of the mountains. The land, the altitude, the climate, but, most importantly, the people of Buncombe County shaped who he was and how he saw the world. There wasn't a pretentious bone in Martin's body. He treated everyone with respect for the simple reason that he respected everyone. Since he's passed I've had the privilege of having a number of people—be they staff folks, lobbyists, other members—come up to me and share their sentiments, even members of the press. Many of them did so with tears in their eyes. We all got to see the tribute that was paid to him that was referenced in the resolution—about all the volunteer firemen, from the time they hit I-77 West going up the mountain, coming out of the different exits and standing there with their ladders up in the air with American flags as Martin rode up that last time in the ambulance. It was an unbelievable expression of affection and respect. Martin was a unique representative. He absolutely loved legislating. Think about what Dan just said: thirty years coming down the mountain four hours and back. What an incredible testament to his passion for what we do here and the importance of that work on people's lives. You know, we're all by definition politicians. Issues come up, a lot of them are tough issues, and our visions sometimes get clouded by the pull and tug of different interests and competing ideas. Martin, better than almost anyone I knew, had the ability to see through that issue with clarity, and that clarity came because he looked through a lens where he asked himself, 'how's this going to affect working folks? Is this going to make their lives better, or is this going to make their lives harder?' And he would be suspicious, 'would it strengthen some big bureaucracy?' And that bureaucracy to Martin could be large corporations, but it could be big government, state government. He wanted to look out for the little guy, and he and I, on more than one instance, banged heads—didn't always come out in public when we did it—where I was wanting to do something and he would push back and say, 'but how is this going to affect that small business person?' That's what his touchstone was. He cared about the work we do. In committee he would ask penetrating questions. He wanted there to be a deliberative process. He was never comfortable, whether it was under Democrats or Republicans, when bills sped through committee. He wanted us to chew over it because as Dan said, 'the law is the way it is for a reason, and it's not always immediately apparent to us,' but he always knew that we would do better when we asked ourselves the question, 'why is it the way it is?' He would talk to anyone and everyone about his thoughts, often at length. He'd stand up on the Senate floor and speak. Sometimes, you might recall, he'd do it for a pretty long while. But he'd do it with language, imagery, and passion that resonated. My wife, Anna, time and time again would just tell me when

she'd hear some snippet on the radio in the morning, 'I love it when Martin Nesbitt stands up there and speaks. He's speaking in a way that I understand and I share his values.' Martin loved this institution of the General Assembly, both the House and the Senate. He understood that these chambers are bigger than any one of us individually. And he understood that we all play different roles—a different role if you're an Appropriations Chair in the House under Speaker Blue, for whom he had the most profound respect, or as majority leader in the Senate or as minority leader in the Senate. He would talk to us when we had that transition in 2010. It was uncomfortable for a lot of members, particularly people who had been here a little while, and were used to being in the majority, and he'd say, 'guys, you're not in the majority any more. You don't have the votes to win. You have to understand what your role is and continue to do the best you can for the people, but it isn't going to be the way it used to be. You have to find a new way to have an impact that's going to make people's lives better.' No matter what his role was, Martin put his heart and soul into doing that work with integrity. He very much enjoyed the camaraderie of his colleagues, both Democratic and Republican. He used to love to sit and smile at Ellie when Ellie would stand up and say whatever it was she was saying that day. He genuinely enjoyed working with you, Senator Apodaca, especially when y'all were on the same side of whatever peculiar mountain dispute that the rest of us didn't understand. But even when they weren't, after the debate was over, Nesbitt would immediately walk over and talk to Tom and shake his hand because for him the policy wasn't personal. He understood Tom saw the world differently than he did, and it was his role to stand up for his world view, but at the end of the day he always had a handshake for his colleagues. Martin cherished his family. Nothing, I mean nothing, made him happier than when he got in his car to start driving up I-40 to head home. He wanted to be with Deane, and he wanted to crew Mart's races. Those races were always 'job one.' It didn't matter what political gathering was going on—and I got called to pinch hit at a number of them—if there was a race for either Mart or Taylor, he was going to be at that race, and I was going to have to be wherever he wasn't. That's where Martin's priorities were because he lived his life by the right priorities in all the important areas of his life. And for this reason I wholeheartedly commend this resolution that honors Martin—a man of the mountains, a one of a kind legislator, a friend, and a family man. Martin, we miss you."

SENATOR APODACA: "Members, it's always difficult to follow Dan or Josh, but when you have to follow them both, it's very difficult. Martin used to do the best job of that, by the way. He could summarize what you two had said and bring it to terms us mountain folk could understand, because we sometimes, as Josh said, speak a different language. I'm reminded, before I married, my grandfather was talking to me, and he said, 'I'm going to tell you something, son. You may think I'm crazy, but you need to pay attention.' I said, 'what is it?' He said, 'you need to marry somebody you enjoy arguing with because in order to last, you're going to have to walk away from an argument and still love the person you're arguing with.' And he said, 'that may not seem like advice to you now, but you'll learn as you get older, it's good advice.' Well, I think that

summarizes mine and Martin's relationship. We could argue, but at the end of the day I still enjoyed his company, and as we sat around here—and Brunstetter would be back here—there were two times we knew we were going to catch it. The first time was when we heard, 'for the life of me,' and then boom, boom, boom, we'd get laid into. Then he would wrap it up with 'that's just mean spirited.' We knew if we hit any one of those phrases we had done something wrong in Martin's eyes, and we were being corrected for it. But as we went on, and Martin would want to keep talking about something afterwards—which sometimes he did, he didn't finish on the floor, he wanted to finish later—I found the secret weapon, and that was to ask about his granddaughter. And he would change like that, and we'd talk racing. And, Mart, I have to be honest with you, she passed you in his eyes—I'm sorry, but that's OK. He loved to talk about racing, especially with his granddaughter. But, you know, he turned that last lap and went across the finish line, and they raised that checkered flag, and he's up there telling us to wrap it up, you know, enough has been said; he doesn't want to hear anymore. But we miss him in this chamber. I think everybody will admit to that. We miss him every day. So I know he's up in heaven leading some meeting about something that may need to be changed and putting his opinion out there. And he and the Almighty will probably have some interesting discussions, but I think Martin will get his say, but I do recommend this resolution to you. Thank you."

SENATOR ALLRAN: "As Senator Blue has mentioned, the three of us served from the 1980 session on. I served with Martin all 31 years he was in the legislature. I remember so well serving in the House at that time—sitting on the very back of the chamber as Republicans did when there weren't very many of us at all over there—but the new representative coming in from Asheville who was replacing his mother who had passed away, and I thought that was a really interesting thing, and I was fascinated by the thought of that. I've followed him ever since—his career, and I have to say, it was really distressing and shocking to find out that he was fatally sick and that he would pass away in such a short period of time. It was quite a shock and quite awful. But I always liked talking to Martin at different occasions when I would be able to do that, for example, at lunch or whatever, because he was so independent, and he certainly was not a Republican, obviously, but he was not exactly a Democrat either. He was a populist, and he always made his own way and saw things his own way, and nobody ever told him how to do anything. Whatever he wanted to do was exactly what he did. He had a great institutional memory. He had a really good sense of humor. Even as opposition leader he was never bitter and never had a mean spirit. I jotted down a few of his character traits that I not only appreciated and liked, but that I admired—that I do admire: his independent spirit, his populist principles, his honesty, his integrity, his intelligence, his oratorical skills, and, I think, more than anything else, probably his courage to be his own man. He was just unique, and like the other speakers have said—and like I know all of us feel altogether corporately and individually—we certainly do miss Martin Nesbitt."

SENATOR VAN DUYN: "Martin Nesbitt was my senator. I met with him a number of times about issues that I felt passionately about, and he always listened carefully and with respect, and he always returned my phone calls. Surprisingly, he didn't always agree with me, though, but I never doubted that he had the best interests of his people and his mountains at heart. Just recently, I attended a drug court graduation, and there was a woman there who spoke very passionately about a program—Women at Risk—that helped her turn her life around. It made me smile because I remembered how passionately he fought for that program. Thanks to Senator Apodaca we have a more permanent memorial to his memory, and I know he'd be very proud to know that our new STEM school will be named in his honor. Each time I enter the Senate chamber I remember Senator Nesbitt and his love for his people and his mountains, and I am inspired to try to live up to his example. It is my privilege to invite you all to a reception when we recess this afternoon. It will be held in the 1100 court immediately following this, and we will honor his family. Thank you very much."

SENATOR ROBINSON: "Ladies and gentlemen, I, strangely enough, sat with Senator Apodaca and Senator Rucho the other day, and the thing about the three of us, we were just talking their usual junk, but the common piece was how much we miss Martin. And I truly miss Martin. One of the pleasures of coming into the General Assembly was that, when I first decided that I'd like to serve in this wonderful body, Martin came to meet with me. Of course, Katie Dorsett was my predecessor, and I have a lot of respect for her, but there was nothing like the reach that Martin Nesbitt had. He made everybody feel important. He came with knowledge, he came with information, he came to share, but he also came to encourage, and I think all of you would say that, too. Regardless of the party, regardless of the gender, the race, the religion, the anything, Martin always made everybody feel they were somebody. It didn't matter about status or anything, and that's the way he embraced all of us, I am sure, who are here today, and he got to know you. I said at a recent memorial that to me, Martin was a gentle giant, and I'm really sure, he's real tall and so you can imagine looking up. But with all of the stature, all of the knowledge, all of the years of understanding the legislature, having been in a position of power—and not so much power later—it never changed him. He still made everybody feel that what you thought was just as important. You may not have had as much knowledge, but what you thought was important. And he never used his knowledge or his power to make anybody feel little or to blow you away. And that's what humility was about for Martin. Martin was humble. He cared about people; he cared about the little people. He cared about his people up there in Asheville, and we remember him saying, 'my folks up yonder,' or 'my folks up there,' and we knew where that was going when he was talking about it, but it gave you a sense of the people he served. And then as people would come to Raleigh, whether they were teachers or unemployed or about health or mental health, he still made everybody feel important and that your concerns were his concerns. And so, you know, what I think about oftentimes as we move around and we say, and I say to Dan, 'shucks, Dan, we sure miss

Martin, don't we?' And certainly Dan is a great person, and I've known him a long time, too, but that Martin Nesbitt and those special traits that made you as a Republican or me as a Democrat or you as a man or me as a woman, or regardless of African-Americans, Caucasians, Native Americans, Hispanics, whoever it is, if you talk to people across this state—as they talk to you, they will reflect if they've ever met Martin Nesbitt or they heard what he said on the floor, or they watched the television or whatever, they felt the caring that he had and the love he had for North Carolina. Martin genuinely loved North Carolina and always wanted it to be the very best place that offered the best quality of life for everybody. So I am so grateful to you, Dan and Josh and Tom, for presenting this resolution, for having it here, and to his family for sharing him with us, all of us you don't know—and I met some of you at the funeral. We're so grateful for your sharing Martin with us so that we could understand what we should aspire to be, so I commend the resolution to you."

SENATOR GRAHAM: "When I was first elected to the State Senate in 2004, Senator Blue was very instrumental in helping me get here. One of the first individuals—I don't know if he remembers this—he told me I needed to talk to was a guy by the name of Martin Nesbitt. And I called Martin to say, 'I'm from Charlotte and I'm coming to Raleigh and I was told that I needed to talk to you.' He said in his own way, 'well, you know what, I'm going to be that way tomorrow.' I said, 'why don't you stop by the house,' and he did. And on his way back, we spent two hours on that day, and he gave me a lesson on the General Assembly. I had defeated an incumbent, by the way, Fountain Odom, and he said, 'you're in trouble.' And he kind of laid out the line for me and my caucus as well as what was happening in the General Assembly—and I think Gladys is right in the way that it was Politics 101, everything you needed to know about the General Assembly, but you were afraid to ask. Martin made it very clear, very precise, and very poignant in terms of this is what you need to know and this is what you need to do. And that relationship—he was a House member, not a senator, and when he came to this side it really made an impact on me just watching him in terms of being an honest broker. I think you're right, he was a Democrat, no doubt about it, but he was an honest broker in terms of trying to do what was right on behalf of the citizens of the state. He was really more interested in the policy than the politics. He just wanted to make sure that every individual across this state—Democrat, Republican, black, white, rich, poor, young, old—had a better tomorrow, that their 'tomorrow' was better than their 'today.' And his spirit still resides in this chamber. I spoke with Martin, I guess about February, early February, and he called and said, 'how are things going on the trail?' We spoke about 30 minutes on the phone, and he encouraged me and he gave me some advice and sent me on my way. And three days later I got the news. He is gone from our present, but he is not gone from our spirit. He is here. And as I leave and depart the Senate, I do so in his memory and in his honor. He was an honest broker, and as we, as men and women of the Senate, if we would kind of follow in his footsteps and be more concerned about the policy than the politics, North Carolina would be a great place to live as it is today. I commend the resolution to you."

SENATOR D. DAVIS: "Mr. President, members, and to the family, Martin was a true friend to us all and went well beyond just the General Assembly, but I too remember when I first came, and we were experiencing an issue with mental health, and we didn't necessarily see eye to eye, but he reached out to help me—we actually found some common ground and we moved forward and pressed through the issue. That was the person that I actually came to know, a person who was extremely helpful. In listening to all the comments, one thing that I would really emphasize was his ability to not only to hear you, but to truly listen to what you were saying and hear what you were saying, whether it was for the good or for the bad, but he would share his true thoughts. Now, I can tell you, I truly believe that we became friends and where I think I discovered we were friends, I would call him and check in with him on certain things and I had to call a few times on the weekend. So I called him and he said, 'well, I'm at the racetrack.' I felt special that he would take the call at the racetrack. But not only did he fight for the little person, but he looked for those fights, and there were so many exciting exchanges in this chamber. The one that a colleague and I were reflecting on yesterday was we had a bill, some may remember, dealing with the moped and the insurance, and you would think it was a simple bill, but they went round and round and round on that bill, and at the end of the day his thought was, 'I mean, you're kicking down the man who's down on his luck.' And that wasn't even you, Senator Apodaca. But he stood truly behind what he believed in, and the importance of that story is, he fought there on that issue with the same intensity—you thought it was the budget bill or something else. He didn't back down, he didn't shy away. Now, one other personal experience I would like to share—just a reflection. I remember one time we were heading to an activity, and someone walked up to us and asked us for a couple of dollars. Right away, Martin pulls out his wallet right there, opens it up and pulls out a $20. I'm, like, wow, you know so often we truly walk by, but he didn't walk by, and I'm reminded of the Proverb, 'the one who is gracious to the poor also lends to the Lord,' and he allows us to remember that as he lived as an example. I would say to our friend, yes, we miss him. I say to his family it's obvious he remains in our thoughts and our prayers. I just thank God that he stopped so that we could have the opportunity to know him as we have, and thank God that the state of North Carolina was able to have Martin Nesbitt."

SENATOR BERGER: "Members, I've, like you, listened to the comments, and it's brought back a lot of memories. I've tried to think through, what was it about Martin Nesbitt that brings forward these kinds of memories? I think part of it is probably longevity; folks that have been around for long times have memories that probably tend toward the more favorable things and you sort of forget the tough times. Part of it is there's a lot of truth to what folks have said about Martin. He was someone who was special, there's no question about that, but I thought of one thing that he said to me on several occasions that, I think, at least for me, kind of illustrates some of the things that people are saying. There are some things that Republicans generally are for, some things they're against, some things Democrats are generally for, and some things Democrats are generally against. And it wasn't unusual for Martin to have a conversation, at

least with me, and start out with, 'now, you can't be for this,' because he sort of understood where we came from or the kinds of things that we did. He understood kind of the world view of the person who was across from him, and that's a talent. That is part of his personality that I think has helped people in this chamber who have very different world views to have fond memories of Martin Nesbitt. And I'm reminded of one other thing that I think is interesting. The first time I heard that Martin Nesbitt, liberal Democrat, was an active participant in stock car racing was, maybe there's something wrong with me, but that just didn't seem to fit. I had a client, still a client, who also was involved in stock car racing, and he came to see me one day about a particular issue, and he said, 'I know somebody that—and I worked with him on a stock car circuit. We race against each other,' and I think it was a series where apparently they went all over the country just about. He talked about going to Florida and other places and talked about what a great guy this person was and how they got along. Now, this client of mine is not someone who would—no offense to the Democrats—would go to a Democratic Party meeting or anything of that nature, but he truly enjoyed Martin Nesbitt's company. And Martin had a way of understanding people, he had a way of working with other people so that even if you had a different world view, your time with him was time you felt was well spent. So I, like everyone else, commend this resolution to you. I think as Senator Allran and others have said, Martin has left us way too soon, but this resolution is something that is well deserved. I commend it to you."

The Joint Resolution passes its second reading (48-0) and, without objection, is read a third time and passes its third reading, with all present members standing, and is ordered sent to the House of Representatives by special message.

The Senate recesses at 3:10 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the appointment of conferees, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 3:30 p.m.

RECESS

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.B. 1052, A BILL TO BE ENTITLED AN ACT TO ADJUST THE UTILITY REGULATORY FEE TO REFLECT THE CHANGING REGULATORY CLIMATE FOR THE TELECOMMUNICATIONS INDUSTRY, AS RECOMMENDED BY THE LRC COMMITTEE ON THE ASSESSMENT OF REGULATED AND NON-REGULATED INDUSTRY UTILITY FEES.

Referred to the **Finance Committee**.

H.B. 1120, A BILL TO BE ENTITLED AN ACT AUTHORIZING TWO COUNTY COMMISSIONERS TO SERVE ON THE BOARD OF DURHAM TECHNICAL COMMUNITY COLLEGE.

Referred to the **State and Local Government Committee**.

H.B. 1182, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ACQUISITION OR CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.

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

H.B. 1248, A BILL TO BE ENTITLED AN ACT TO ALLOW WASHINGTON COUNTY TO REMOVE ABANDONED VESSELS FROM NAVIGABLE WATERS IN THE SAME MANNER THAT BRUNSWICK AND DARE COUNTIES MAY REMOVE ABANDONED VESSELS.

Referred to the **State and Local Government Committee**.

S.B. 38 (House Committee Substitute) is received from the House of Representatives and ordered held in the Office of the Senate Principal Clerk.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator J. Davis for the **State and Local Government Committee**:

H.B. 1045, A BILL TO BE ENTITLED AN ACT PROVIDING THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWN OF ELKIN BE CONDUCTED IN EVEN-NUMBERED YEARS AND LENGTHENING THE TERMS OF CURRENT TOWN COMMISSIONERS TO THE NEW ELECTION SCHEDULE, with a favorable report.

H.B. 1114, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTER OF DEEDS OF AVERY COUNTY TO REFUSE RECORDATION OF A DEED FOR PROPERTY SUBJECT TO DELINQUENT MUNICIPAL PROPERTY TAXES FOR THE TOWN OF ELK PARK, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

H.B. 1134, A BILL TO BE ENTITLED AN ACT TO REVISE THE REQUIREMENTS FOR A PETITION SUBMITTED TO CLEVELAND COUNTY BY PROPERTY OWNERS SEEKING COUNTY FINANCING OF ROAD IMPROVEMENTS, with a favorable report.

June 24, 2014

H.B. 1159 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GREENVILLE TO CONVEY BY PRIVATE NEGOTIATION AND SALE CERTAIN REAL PROPERTY OWNED BY THE CITY THAT DOES NOT MEET THE MINIMUM LOT SIZE REQUIREMENTS PRESCRIBED BY THE CITY'S ZONING ORDINANCE, with a favorable report.

H.B. 1207, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF HIGH POINT TO ALLOW THE CITY COUNCIL TO HIRE THE CITY ATTORNEY AND TO MAKE CERTAIN TECHNICAL CORRECTIONS, with a favorable report.

H.B. 1218, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF MONROE TO REMOVE THE PROVISION AUTHORIZING THE CITY MANAGER TO HAVE DIRECT SUPERVISORY AUTHORITY OVER THE CITY ATTORNEY, with a favorable report.

S.B. 851, A BILL TO BE ENTITLED AN ACT TO ALLOW FIRST CRAVEN SANITARY DISTRICT TO PROVIDE FOR ABSENTEE VOTING IN THE SAME MANNER AS A MUNICIPALITY, with a favorable report.

S.B. 839, A BILL TO BE ENTITLED AN ACT PROVIDING THAT PARKING METERS IN THE CITY OF WINSTON-SALEM MAY BE ACTIVATED BY COINS, TOKENS, CASH, OR ANY OTHER COMMERCIALLY AVAILABLE MEANS OF PREPAYMENT CREDIT OR DEBIT, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 35568, which changes the title to read **S.B. 839** (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT PARKING METERS IN THE CITY OF WINSTON-SALEM MAY BE ACTIVATED BY COINS, TOKENS, CASH, CREDIT CARDS, DEBIT CARDS, OR ELECTRONIC MEANS, is adopted and engrossed.

S.B. 875, A BILL TO BE ENTITLED AN ACT TO STAGGER THE TERMS OF THE MEMBERS OF THE TOWN COUNCIL OF THE TOWN OF BAKERSVILLE, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 35569, is adopted and engrossed.

H.B. 1113, A BILL TO BE ENTITLED AN ACT TO EXEMPT A CERTAIN INTERLOCAL AGREEMENT BETWEEN THE CITY OF ASHEVILLE AND HENDERSON COUNTY CONCERNING THE BENT CREEK PROPERTY FROM ARTICLE 16 OF CHAPTER 160A OF THE GENERAL STATUTES AND FROM THE SULLIVAN ACTS, with an

unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30789, which changes the title to read **H.B. 1113** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT A TRANSFER OF THE BREVARD ROAD SITE PURSUANT TO AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF ASHEVILLE AND HENDERSON COUNTY FROM ARTICLE 16 OF CHAPTER 160A OF THE GENERAL STATUTES AND FROM THE SULLIVAN ACTS, is adopted and engrossed.

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

CALENDAR *(continued)*

S.B. 846 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SHALLOTTE, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McLaurin, Meredith, Parmon, Pate, Rabon, Randleman, Robinson, Rucho, Sanderson, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade and Woodard---45.

Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives.

The Chair grants a leave of absence for the remainder of today's session to Senator Rabin.

H.B. 1080, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WATHA, upon second reading, as amended.

Senator J. Davis offers Amendment No. 2, which is adopted (45-0).

The bill, as amended, passes its second reading, by roll-call vote, ayes 45, noes 1, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McLaurin, Meredith, Parmon, Pate, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade and Woodard---45.

Voting in the negative: Senator Brock---1.

The bill, as amended, remains on the calendar for Wednesday, June 25, upon third reading.

June 24, 2014

S.B. 741 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW BLADEN COUNTY, COLUMBUS COUNTY, FRANKLIN COUNTY, AND HOKE COUNTY TO NOT ACCEPT THE REGISTRATION OF A DEED TRANSFERRING REAL PROPERTY WHEN TAXES ARE DELINQUENT, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Barefoot, the Senate concurs in the House Committee Substitute bill (47-0) and the bill is ordered enrolled.

WITHDRAWAL FROM COMMITTEE

S.B. 788, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF DUCK TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS, referred to the **State and Local Government Committee** on May 19, with sequential referral to the **Finance Committee**.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the bill be withdrawn from the **State and Local Government Committee** and re-referred to the **Rules and Operations of the Senate Committee** while maintaining its sequential referral to the **Finance Committee**, which motion prevails with unanimous consent, and the Chair so orders.

FLOOR PRIVILEGES

Upon motion of Senator Apodaca, without objection, the rules are suspended to allow staff to join him on the Senate chamber floor while **S.B. 729** is being discussed.

CALENDAR *(continued)*

S.B. 729 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS

UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE JULY 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL

PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) PROVIDE FOR VARIOUS STUDIES; AND (27) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, upon second reading.

Without objection, Senator Blue is excused from voting on the bill due to a conflict of interest.

Upon the appearance of Senator Rabin in the chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

Senator Hartsell offers Amendment No. 1, which is adopted (47-0) and changes the title to read **S.B. 729** (Committee Substitute) A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL

RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE JULY 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE

IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) PROVIDE FOR VARIOUS STUDIES; (27) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (28) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT.

Senator Woodard offers Amendment No. 2.

The Chair grants a leave of absence for the remainder of today's session to Senator Bryant.

Senator Apodaca offers Amendment No. 3 as a Substitute Amendment for Amendment No. 2, which is adopted (33-13).

Amendment No. 2 subsequently fails.

Senator Stein offers Amendment No. 4, which he subsequently withdraws.

Senator Foushee offers Amendment No. 5, which fails (14-32).

June 24, 2014

Senator McLaurin offers Amendment No. 6, which fails (13-33).

Senator J. Jackson offers Amendment No. 7, which fails (13-33).

Senator Van Duyn offers Amendment No. 8, which fails (13-33).

The Chair grants leaves of absence for the remainder of today's session to Senator Blue and Senator Newton.

The Committee Substitute bill, as amended, passes its second reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McLaurin, Meredith, Parmon, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade and Woodard---45.

Voting in the negative: None.

The Committee Substitute bill, as amended, remains on the calendar for Wednesday, June 25, upon third reading.

H.B. 189 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, AND TO MAKE TECHNICAL CORRECTIONS TO THE UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT, upon second reading.

Senator Barringer offers Amendment No. 1, which is adopted (45-0) and changes the title to read **H.B. 189** (Senate Committee Substitute) A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, TO MAKE TECHNICAL CORRECTIONS TO THE UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT, TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO ALLOW FOR SHAREHOLDER ASSENT TO EXCLUSIVE FORUM, AND TO CREATE A THREE-JUDGE PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS.

The Senate Committee Substitute bill, as amended, passes its second reading (45-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

June 24, 2014

S.B. 163 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER CERTAIN CONDITIONS, for concurrence in the House Committee Substitute bill.

The Senate fails to concur in the House Committee Substitute bill (0-45) and the House of Representatives is notified.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

S.B. 790 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PHASE IN THE SALES TAX RATE ON ELECTRICITY SOLD BY CAPE HATTERAS ELECTRICAL MEMBERSHIP CORPORATION AND THE SALES TAX RATE ON PIPED NATURAL GAS SOLD BY GAS CITIES, TO MODIFY THE PROPERTY TAX DEFERRAL PROGRAM FOR SITE INFRASTRUCTURE LAND, AND TO DELAY THE CHANGE IN THE HIGHWAY USE TAX BASE TO INCLUDE DEALER ADMINISTRATIVE FEES, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the House Committee Substitute bill is withdrawn from today's calendar and placed on the calendar of Wednesday, June 25.

Upon motion of Senator Berger, seconded by Senator Tarte, the Senate adjourns at 5:07 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the appointment of conferees, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Wednesday, June 25, at 2:00 p.m.

A SENATORIAL STATEMENT

Submitted by Senator Ralph Hise

Honoring the Memory of Robynn Lowe Spence

WHEREAS, Robynn Lowe Spence was born in North Augusta, South Carolina on June 15, 1967, and was raised in Charlotte, North Carolina; and

WHEREAS, Robynn Lowe Spence graduated from Mecklenburg High School in 1984, and attended Central Piedmont Community College and Isothermal Community College in Spindale, North Carolina; and

WHEREAS, Robynn Lowe Spence worked in the Mecklenburg County Clerk of Court Office from 1990 to 1993 and the Rutherford County Clerk of Court Office from 1993 to 2002, as well as held positions in the Rutherford County Sheriff's Office from 2002 to 2006, the Peter Lane Law Office from 2002 to 2004, and the Rutherford County Department of Social Services from 2004 to 2008; and

WHEREAS, Robynn Lowe Spence was an active member of the Rutherford County Republican Party and in 2008, with the support of many friends and her family, Robynn Lowe Spence ran for Rutherford County Clerk of Court and won, becoming the County's first female Republican Clerk of Court; and

WHEREAS, Robynn Lowe Spence was a dedicated member of Big Springs Baptist Church in Ellenboro; and

WHEREAS, Robynn Lowe Spence passed away suddenly on February 16, 2014, and leaves to mourn her memory, her daughters, Savanna Spence of Rutherfordton and Britt Nabors of Charlotte; her sister, Nikki Floyd of Lincolnton; her brother, Brett Lowe of Monroe; and her fiancée, Chadd Murray; and

NOW, THEREFORE, Robynn Lowe Spence will always be remembered by Rutherford County for the hard work and dedication she provided as Clerk of Court and by the Rutherford County Republican Party.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the twenty-fourth day of June, 2014.

S/Senator Ralph Hise

S/Sarah Lang
Senate Principal Clerk

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
June 19, 2014

Mr. President:

Pursuant to the information that your Honorable Body failed to concur in **S.B. 744 House Committee Substitute No. 2 (7th Edition)**, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, and requests conferees. Speaker Tillis has appointed:

Representative Dollar, Senior Chair
Representative Johnson, Chair
Representative Holloway, Chair
Representative Burr, Chair
Representative McElraft
Representative Horn
Representative McGrady
Representative Blackwell
Representative Avila
Representative Hollo

June 24, 2014

Representative Lambeth
Representative Brisson
Representative West
Representative Murry
Representative Daughtry
Representative Boles
Representative Faircloth
Representative Hurley
Representative Cleveland
Representative R. Brown
Representative Torbett
Representative Shepard
Representative Saine
Representative Lewis and
Representative T. Moore

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

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
June 24, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that Representative Hager has been added as a conferee to **S.B. 744 House Committee Substitute No. 2 (7th Edition)**, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

June 24, 2014

By Senator J. Davis for the **State and Local Government Committee**:

H.B. 1044, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE AVERASBORO TOWNSHIP TOURISM DEVELOPMENT AUTHORITY, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30791, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Finance Committee**.

RE-REFERRAL OF BILLS

H.B. 379 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA VETERINARY MEDICAL BOARD TO AMEND THE BOARD'S LAWS PERTAINING TO LICENSURE FEES AND LICENSE REINSTATEMENT, placed on the calendar of Wednesday, June 25.

Pursuant to a motion by Senator Apodaca, the Senate Committee Substitute bill is withdrawn from the calendar of Wednesday, June 25, and re-referred to the **Finance Committee**.

H.B. 1182, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ACQUISITION OR CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, referred to the **Appropriations/Base Budget Committee** on June 24.

Pursuant to a motion by Senator Apodaca, the bill is withdrawn from the **Appropriations/Base Budget Committee** and re-referred to the **Finance Committee.**

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Bingham for the **Agriculture/Environment/Natural Resources Committee**:

H.B. 366 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) MAINTAIN THE CONFIDENTIALITY OF ENVIRONMENTAL INVESTIGATIONS FOR AGRICULTURAL OPERATIONS AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ADOPT RULES FOR A FORMAL COMPLAINT PROCEDURE; (2) CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT ORDINANCES RELATED TO FERTILIZER; (3) STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE

NORTH AMERICAN STANDARD INSPECTION PROGRAM; (4) CLARIFY THE MEANING OF THE TERMS "PLANTING AND HARVESTING SEASON" AND "PLANTING AND HARVESTING PERIOD" FOR PURPOSES OF APPLYING FEDERAL LAWS OR REGULATIONS RELATING TO HOURS OF SERVICE RULES FOR CERTAIN DRIVERS TRANSPORTING AGRICULTURAL PRODUCTS; (5) AMEND THE CHAIRMANSHIP OF THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION; (6) ALLOW THE COMMISSIONER OF AGRICULTURE TO APPOINT LAW ENFORCEMENT OFFICERS TO CARRY OUT THE LAW ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; (7) CLASSIFY TRESPASSING ON AN AGRICULTURAL FACILITY AS A FIRST DEGREE TRESPASS; (8) REQUIRE WRITTEN CONSENT TO OPERATE AN ALL TERRAIN VEHICLE ON PROPERTY OWNED BY ANOTHER; AND (9) ALLOW DRAINAGE DISTRICTS TO MAINTAIN DITCHES IN BUFFER ZONES, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 30788, which changes the title to read **H.B. 366** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO (1) MAINTAIN THE CONFIDENTIALITY OF ENVIRONMENTAL INVESTIGATIONS FOR AGRICULTURAL OPERATIONS AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ADOPT RULES FOR A FORMAL COMPLAINT PROCEDURE; (2) CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT ORDINANCES RELATED TO FERTILIZER; (3) REWRITE THE LANDSCAPE CONTRACTOR LICENSING STATUTES; (4) STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM; (5) CLARIFY THE MEANING OF THE TERMS "PLANTING AND HARVESTING SEASON" AND "PLANTING AND HARVESTING PERIOD" FOR PURPOSES OF APPLYING FEDERAL LAWS OR REGULATIONS RELATING TO HOURS OF SERVICE RULES FOR CERTAIN DRIVERS TRANSPORTING AGRICULTURAL PRODUCTS; (6) AMEND THE CHAIRMANSHIP OF THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION; (7) ALLOW THE COMMISSIONER OF AGRICULTURE TO APPOINT LAW ENFORCEMENT OFFICERS TO CARRY OUT THE LAW ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; (8) ALLOW THE USE OF PESTICIDES TO CONTROL MOLES; (9) CLASSIFY TRESPASSING ON AN AGRICULTURAL FACILITY AS A FIRST DEGREE TRESPASS; (10) REQUIRE WRITTEN CONSENT TO OPERATE AN ALL-TERRAIN VEHICLE ON PROPERTY OWNED BY ANOTHER; (11) ALLOW DRAINAGE DISTRICTS TO MAINTAIN DITCHES IN BUFFER ZONES; (12) CLARIFY PERIODIC INSPECTIONS AUTHORITY OF THE NORTH CAROLINA HOUSING FINANCE AGENCY; AND (13) PERMIT

SECURITY GRILLES AT ALL EXITS OF A BUILDING SUBJECT TO CERTAIN CONDITIONS, is adopted and engrossed.

Pursuant to a motion by Senator Apodaca, the Senate Committee Substitute bill No. 2 is re-referred to the **Finance Committee**.

By Senator J. Davis for the **State and Local Government Committee**:

H.B. 1067 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEANNEX TWO DESCRIBED TRACTS FROM THE CORPORATE LIMITS OF THE TOWN OF MURPHY, with a favorable report.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Finance Committee**.

H.B. 677, A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE LOCAL GOVERNMENT REGULATORY REFORM ACT, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 20189, which changes the title to read **H.B. 677** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT COUNTIES TO CONSOLIDATE RURAL FIRE PROTECTION DISTRICTS ESTABLISHED UNDER ARTICLE 3A OF CHAPTER 69 OF THE GENERAL STATUTES AND FIRE PROTECTION SERVICE DISTRICTS ESTABLISHED UNDER ARTICLE 16 OF CHAPTER 153A OF THE GENERAL STATUTES AND TO AMEND THE STATUTES GOVERNING THE NORTH CAROLINA MEDICAL BOARD, is adopted and engrossed.

Upon recommendation of Senator J. Davis, the Senate Committee Substitute bill is re-referred to the **Finance Committee**.

H.B. 1247, A BILL TO BE ENTITLED AN ACT TO ALLOW LIMITED APPOINTMENT OF ELECTED PUBLIC OFFICIALS TO THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30792, which changes the title to read **H.B. 1247** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW LIMITED APPOINTMENT OF ELECTED PUBLIC OFFICIALS TO THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY AND TO PROVIDE THAT EMINENT DOMAIN MUST BE AUTHORIZED BY THE AFFECTED APPOINTING AUTHORITY, is adopted and engrossed.

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

June 24, 2014

ONE HUNDRED THIRTY-FIRST DAY

Senate Chamber
Wednesday, June 25, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

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

"Thank you, Lord, for children; how they keep us grounded, Lord. We ask that you would help us to be grounded as we conduct business today. Give us the utmost, highest regard for human life and a keen sense that there will be hard times, but there is a reason for all of this. Guide these servants here as they use their minds, and give them wisdom as they deliberate. When they disagree, give them courage; and when they agree, let them move forward with caution. Thank you for our basic freedom to gather, Lord. We do not deserve it, but you have forged a way. Thank you for giving us the freedom to continue the process of the political life. As these senators, and as our friends in the House, continue to legislate, I pray that they will represent their constituents and that they may serve them well and serve with utmost humility and regard for all human life. It is in Jesus' name we pray. Amen."

The Chair grants leaves of absence for today to Senator Bryant, Senator Parmon, and Senator Walters.

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Tuesday, June 24, 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.

The Chair extends privileges of the floor to Jasmine M. Locklear from Maxton, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILLS AND A RESOLUTION

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

S.B. 815, AN ACT TO ENSURE THE PRIVACY AND SECURITY OF STUDENT EDUCATIONAL RECORDS.

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

S.B. 741, AN ACT TO ALLOW BLADEN COUNTY, COLUMBUS COUNTY, FRANKLIN COUNTY, AND HOKE COUNTY TO NOT ACCEPT

THE REGISTRATION OF A DEED TRANSFERRING REAL PROPERTY WHEN TAXES ARE DELINQUENT.

H.B. 569, AN ACT REMOVING CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE VILLAGE OF FOXFIRE AND TO REMOVE CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF HARRISBURG.

S.J.R. 882, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARTIN LUTHER NESBITT, JR., FORMER MEMBER OF THE NORTH CAROLINA GENERAL ASSEMBLY. (Res. 2014-5)

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:

H.B. 1031, AN ACT TO FACILITATE ECONOMIC DEVELOPMENT WITHIN THE STATE. (Became law upon approval of the Governor, June 24, 2014 - S.L. 2014-18)

H.B. 183, AN ACT TO DELAY THE TRANSFER DATE OF THE CLEVELAND COUNTY CORRECTIONAL FACILITY. (Became law upon approval of the Governor, June 24, 2014 - S.L. 2014-19)

H.B. 558, AN ACT TO ALLOW SALES TAX REFUNDS FOR SOIL AND WATER CONSERVATION DISTRICTS AND REGIONAL JAILS. (Became law upon approval of the Governor, June 24, 2014 - S.L. 2014-20)

H.B. 777, AN ACT TO AMEND THE LAW THAT IMPOSES RESIDENTIAL RESTRICTIONS ON SEX OFFENDERS TO PROVIDE THAT A SEX OFFENDER IS PROHIBITED FROM RESIDING WITHIN ONE THOUSAND FEET OF A SITE WHERE A BOYS AND GIRLS CLUB OF AMERICA IS LOCATED. (Became law upon approval of the Governor, June 24, 2014 - S.L. 2014-21)

S.B. 463, AN ACT TO AMEND THE LAW PROVIDING FOR MINIMUM STANDARDS FOR JAIL DORMITORIES TO ALLOW COUNTIES TO HOUSE SIXTY-FOUR INMATES PER DORMITORY SO LONG AS CERTAIN MINIMUM STANDARDS ARE MET. (Became law upon approval of the Governor, June 24, 2014 - S.L. 2014-22)

S.B. 845, AN ACT TO ALLOW THE VILLAGE OF BALD HEAD ISLAND TO OPERATE A CONTRACT POST OFFICE WITH A GOVERNMENTAL OR COMMERCIAL ENTITY. (Became law upon ratification, June 24, 2014 - S.L. 2014-23)

June 25, 2014

S.B. 867, AN ACT TO EXTEND THE TERMS OF OFFICE FROM TWO TO FOUR YEARS FOR THE MAYOR AND THE MEMBERS OF THE BOARD OF ALDERMEN OF THE TOWN OF MCDONALD. (Became law upon ratification, June 24, 2014 - S.L. 2014-24)

S.B. 868, AN ACT TO EXTEND THE TERMS OF OFFICE FROM TWO TO FOUR YEARS FOR THE MAYOR AND THE MEMBERS OF THE BOARD OF ALDERMEN OF THE TOWN OF PROCTORVILLE. (Became law upon ratification, June 24, 2014 - S.L. 2014-25)

H.B. 531, AN ACT TO AMEND THE EXTRATERRITORIAL JURISDICTION AUTHORITY OF THE TOWN OF WEAVERVILLE, TO MAKE A SIMILAR TECHNICAL CORRECTION AS TO THE CITY OF ASHEVILLE, TO ALLOW THE COUNTY OF BUNCOMBE TO ZONE CERTAIN DONUT HOLES, TO REPEAL THE BUNCOMBE COUNTY CULTURE AND RECREATION AUTHORITY, AND TO ALLOW THE BOARD OF COMMISSIONERS OF HENDERSON COUNTY TO STANDARDIZE THE CEILING ON FIRE DISTRICT TAXES IN HENDERSON COUNTY. (Became law upon ratification, June 24, 2014 - S.L. 2014-26)

The Chair grants a leave of absence for the remainder of today's session to Senator Woodard.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

H.B. 366 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO (1) MAINTAIN THE CONFIDENTIALITY OF ENVIRONMENTAL INVESTIGATIONS FOR AGRICULTURAL OPERATIONS AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ADOPT RULES FOR A FORMAL COMPLAINT PROCEDURE; (2) CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT ORDINANCES RELATED TO FERTILIZER; (3) REWRITE THE LANDSCAPE CONTRACTOR LICENSING STATUTES; (4) STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM; (5) CLARIFY THE MEANING OF THE TERMS "PLANTING AND HARVESTING SEASON" AND "PLANTING AND HARVESTING PERIOD" FOR PURPOSES OF APPLYING FEDERAL LAWS OR REGULATIONS RELATING TO HOURS OF SERVICE RULES FOR CERTAIN DRIVERS TRANSPORTING AGRICULTURAL PRODUCTS; (6) AMEND THE CHAIRMANSHIP OF THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION; (7) ALLOW THE

COMMISSIONER OF AGRICULTURE TO APPOINT LAW ENFORCEMENT OFFICERS TO CARRY OUT THE LAW ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; (8) ALLOW THE USE OF PESTICIDES TO CONTROL MOLES; (9) CLASSIFY TRESPASSING ON AN AGRICULTURAL FACILITY AS A FIRST DEGREE TRESPASS; (10) REQUIRE WRITTEN CONSENT TO OPERATE AN ALL-TERRAIN VEHICLE ON PROPERTY OWNED BY ANOTHER; (11) ALLOW DRAINAGE DISTRICTS TO MAINTAIN DITCHES IN BUFFER ZONES; (12) CLARIFY PERIODIC INSPECTIONS AUTHORITY OF THE NORTH CAROLINA HOUSING FINANCE AGENCY; AND (13) PERMIT SECURITY GRILLES AT ALL EXITS OF A BUILDING SUBJECT TO CERTAIN CONDITIONS, with a favorable report.

H.B. 379 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA VETERINARY MEDICAL BOARD TO AMEND THE BOARD'S LAWS PERTAINING TO LICENSURE FEES AND LICENSE REINSTATEMENT, with a favorable report.

H.B. 1052, A BILL TO BE ENTITLED AN ACT TO ADJUST THE UTILITY REGULATORY FEE TO REFLECT THE CHANGING REGULATORY CLIMATE FOR THE TELECOMMUNICATIONS INDUSTRY, AS RECOMMENDED BY THE LRC COMMITTEE ON THE ASSESSMENT OF REGULATED AND NON-REGULATED INDUSTRY UTILITY FEES, with a favorable report.

H.B. 1067 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEANNEX TWO DESCRIBED TRACTS FROM THE CORPORATE LIMITS OF THE TOWN OF MURPHY, with a favorable report.

H.B. 1182, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ACQUISITION OR CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, with a favorable report.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

S.B. 812 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXERCISE NORTH CAROLINA'S CONSTITUTIONAL AUTHORITY TO REPLACE COMMON CORE AND ESTABLISH, PROMOTE, AND ASSURE HIGH ACADEMIC STANDARDS THAT ARE

ROBUST AND APPROPRIATE FOR NORTH CAROLINA PUBLIC EDUCATION, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the rules are suspended and the House Committee Substitute bill is placed on today's calendar.

S.B. 403 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY VARIOUS PROVISIONS OF THE ELECTION LAWS, for concurrence in the House Committee Substitute bill.

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

H.B. 1212 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF BURLINGTON.

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

H.B. 1267, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A VOTER WHO CASTS A MAIL-IN ABSENTEE BALLOT OR AN IN-PERSON ONE-STOP EARLY VOTE AND DIES THEREAFTER MAY NOT HAVE THAT BALLOT CHALLENGED ON ACCOUNT OF DEATH.

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

CALENDAR

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

H.B. 1080, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WATHA, upon third reading, as amended.

Pursuant to Amendment No. 2 having been ruled material after the bill passed its second reading, Senator Apodaca, having voted with the majority, offers a motion that the vote by which the bill passed its second reading on Tuesday, June 24, be reconsidered, which motion prevails, without objection, and the question before the body becomes passage of the bill, as amended, on its second reading.

The bill, as amended, passes its second reading, by roll-call vote, ayes 45, noes 1, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brown, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn and Wade---45.

Voting in the negative: Senator Brock---1.

The bill remains on the calendar for Thursday, June 26, upon third reading.

S.B. 839 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT PARKING METERS IN THE CITY OF WINSTON-SALEM MAY BE ACTIVATED BY COINS, TOKENS, CASH, CREDIT CARDS, DEBIT CARDS, OR ELECTRONIC MEANS, upon second reading.

The Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

S.B. 851, A BILL TO BE ENTITLED AN ACT TO ALLOW FIRST CRAVEN SANITARY DISTRICT TO PROVIDE FOR ABSENTEE VOTING IN THE SAME MANNER AS A MUNICIPALITY, upon second reading.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

S.B. 875 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STAGGER THE TERMS OF THE MEMBERS OF THE TOWN COUNCIL OF THE TOWN OF BAKERSVILLE, upon second reading.

The Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

H.B. 1045, A BILL TO BE ENTITLED AN ACT PROVIDING THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWN OF ELKIN BE CONDUCTED IN EVEN-NUMBERED YEARS AND LENGTHENING THE TERMS OF CURRENT TOWN COMMISSIONERS TO THE NEW ELECTION SCHEDULE, upon second reading.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

H.B. 1113 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT A TRANSFER OF THE BREVARD ROAD SITE PURSUANT TO AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF ASHEVILLE AND HENDERSON COUNTY FROM ARTICLE 16 OF CHAPTER 160A OF THE GENERAL STATUTES AND FROM THE SULLIVAN ACTS, upon second reading.

The Senate Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

H.B. 1134, A BILL TO BE ENTITLED AN ACT TO REVISE THE REQUIREMENTS FOR A PETITION SUBMITTED TO CLEVELAND COUNTY BY PROPERTY OWNERS SEEKING COUNTY FINANCING OF ROAD IMPROVEMENTS, upon second reading.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

June 25, 2014

H.B. 1159 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GREENVILLE TO CONVEY BY PRIVATE NEGOTIATION AND SALE CERTAIN REAL PROPERTY OWNED BY THE CITY THAT DOES NOT MEET THE MINIMUM LOT SIZE REQUIREMENTS PRESCRIBED BY THE CITY'S ZONING ORDINANCE, upon second reading.

The Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

H.B. 1207, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF HIGH POINT TO ALLOW THE CITY COUNCIL TO HIRE THE CITY ATTORNEY AND TO MAKE CERTAIN TECHNICAL CORRECTIONS, upon second reading.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

H.B. 1247 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW LIMITED APPOINTMENT OF ELECTED PUBLIC OFFICIALS TO THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY AND TO PROVIDE THAT EMINENT DOMAIN MUST BE AUTHORIZED BY THE AFFECTED APPOINTING AUTHORITY, upon second reading.

The Senate Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

MOTION TO RECONSIDER

H.B. 189 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, AND TO MAKE TECHNICAL CORRECTIONS TO THE UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT, having passed second and third readings and having been ordered engrossed on Tuesday, June 24.

Having voted with the majority, Senator Apodaca moves that the vote by which the Senate Committee Substitute bill passed its second reading, on Tuesday, June 24, be reconsidered, which motion prevails without objection, and the bill is recalled from the Engrossing Office. He further moves that the vote by which Amendment No. 1 was adopted be reconsidered, which motion prevails without objection, and the question before the body becomes the adoption of Amendment No. 1.

CALENDAR *(continued)*

H.B. 189 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, AND TO MAKE TECHNICAL CORRECTIONS TO THE UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT, upon second reading with Amendment No. 1 pending.

Senator Barringer withdraws Amendment No. 1.

Senator Barringer offers Amendment No. 2, which is adopted (46-0) and changes the title to read **H.B. 189** (Senate Committee Substitute) A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, TO MAKE TECHNICAL CORRECTIONS TO THE UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT, TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO ALLOW FOR SHAREHOLDER ASSENT TO EXCLUSIVE FORUM, AND TO CREATE A THREE-JUDGE PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS.

The Senate Committee Substitute bill, as amended, passes its second reading (46-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Apodaca for the **Pensions & Retirement and Aging Committee**:

H.B. 1034 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATED TO (1) LOCAL FIREFIGHTERS' RELIEF FUNDS, THE STATEWIDE FIREFIGHTERS' RELIEF FUND, AND THE RESCUE SQUAD WORKERS' RELIEF FUND, (2) WORKERS' COMPENSATION FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS, (3) SUPPLEMENTAL PENSIONS FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS, AND (4) THE VOLUNTEER FIRE DEPARTMENT FUND AND VOLUNTEER RESCUE/EMS FUND, AS

RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 30793, is adopted and engrossed.

By Senator Apodaca for the **Rules and Operations of the Senate Committee**:

S.B. 788, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF DUCK TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

H.B. 1220 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A COMPASSIONATE USE REGISTRY FOR THE USE AND ADMINISTRATION OF HEMP OIL EXTRACT FOR PEOPLE SUFFERING FROM INTRACTABLE SEIZURE DISORDERS AND TO PROVIDE THAT COMPASSIONATE USE REGISTRANTS ARE NOT SUBJECT TO CRIMINAL PENALTIES FOR THE POSSESSION AND USE OF HEMP OIL EXTRACT WHEN POSSESSED AND USED TO TREAT INTRACTABLE SEIZURE DISORDERS, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30798, which changes the title to read **H.B. 1220** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE AN INTRACTABLE EPILEPSY ALTERNATIVE TREATMENT PILOT STUDY PROGRAM AND REGISTRY FOR THE SCIENTIFIC INVESTIGATION OF THE SAFETY AND EFFICACY OF HEMP EXTRACT TREATMENT FOR INTRACTABLE EPILEPSY, is adopted and engrossed.

By Senator Apodaca for the **Insurance Committee**:

H.B. 267 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO SPECIFY THE CONDITIONS UNDER WHICH THE TURNPIKE AUTHORITY MAY COLLECT TOLLS ON AN EXISTING INTERSTATE HIGHWAY, with an unfavorable report as to the Committee Substitute bill No. 2, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30797, which changes the title to read **H.B. 267** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND LAWS GOVERNING CAPTIVE INSURANCE COMPANIES AND RISK RETENTION GROUPS, AS RECOMMENDED BY THE DEPARTMENT OF INSURANCE, is adopted and engrossed.

June 25, 2014

H.B. 1145 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF MOTOR VEHICLES, with an unfavorable report as to the Committee Substitute bill No. 2, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40268, which changes the title to read **H.B. 1145** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF MOTOR VEHICLES AND FOR OPERATORS OF MOPEDS TO HAVE IN FULL FORCE AND EFFECT A POLICY OF FINANCIAL RESPONSIBILITY AND TO AUTHORIZE THE TOWN OF ELIZABETHTOWN AND THE TOWN OF MATTHEWS TO ENROLL ITS EMPLOYEES, RETIREES, AND DEPENDENTS IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, is adopted and engrossed.

Upon the appearance of Senator Woodard in the chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

WITHDRAWALS FROM COMMITTEES

H.B. 1096, A BILL TO BE ENTITLED AN ACT TO ALLOW UNION COUNTY TO USE ATTACHMENT AND GARNISHMENT AND LIEN FOR COUNTY-CONTRACTED AMBULANCE SERVICE SUPPLEMENTED BY COUNTY FUNDS, referred to the **Rules and Operations of the Senate Committee** on June 4.

Pursuant to Rule 47(a), Senator Apodaca 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, and the Chair so orders.

H.B. 1048 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD, referred to the **Rules and Operations of the Senate Committee** on June 4.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Judiciary I Committee**, which motion prevails with unanimous consent, and the Chair so orders.

CALENDAR *(continued)*

H.B. 1218, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF MONROE TO REMOVE THE PROVISION AUTHORIZING THE CITY MANAGER TO HAVE DIRECT SUPERVISORY AUTHORITY OVER THE CITY ATTORNEY, upon second reading.

June 25, 2014

The bill passes its second reading (47-0).

Senator Hartsell objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the bill placed on the calendar of Thursday, June 26, upon third reading.

FLOOR PRIVILEGES

Upon motion of Senator Apodaca, without objection, the rules are suspended to allow staff to join him on the Senate chamber floor while **S.B. 729** is being discussed.

CALENDAR *(continued)*

S.B. 729 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE JULY 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE

IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE

ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) PROVIDE FOR VARIOUS STUDIES; AND (27) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, upon third reading, as amended.

Without objection, Senator Blue is excused from voting on the bill due to a possible conflict of interest.

Senator Foushee offers Amendment No. 9, which is adopted (46-0).

Senator Stein offers Amendment No. 10, which is adopted (43-1) and changes the title to read **S.B. 729** (Committee Substitute) A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE JULY 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO

CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL

RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT.

Senator Stein offers Amendment No. 11.

Senator Apodaca offers Amendment No. 12 as a Substitute Amendment for Amendment No. 11, which is adopted (37-9).

Amendment No. 11 subsequently fails.

Senator Clark offers Amendment No. 13, which fails (13-33).

Senator Wade offers Amendment No. 14, which is adopted (46-0).

Upon motion of Senator Apodaca, the Committee Substitute bill, as amended, is temporarily displaced for a recess.

The Senate recesses at 2:48 p.m. to reconvene at 3:00 p.m.

RECESS

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

CALENDAR *(continued)*

S.B. 729 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF

COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE JULY 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) PROVIDE FOR VARIOUS STUDIES; AND (27) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, displaced earlier today upon third reading, as amended.

The Chair grants a leave of absence for the remainder of today's session to Senator Pate.

Senator Apodaca offers Amendment No. 15, which is adopted (45-0).

The Committee Substitute bill, as amended, passes its third reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise,

Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Newton, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade and Woodard---45.

Voting in the negative: None.

The Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives.

H.B. 1139 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEDICATE AND ACCEPT CERTAIN PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE AND TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Newton, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade and Woodard---46.

Voting in the negative: None.

The Committee Substitute bill remains on the calendar for Thursday, June 26, upon third reading.

S.B. 790 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PHASE IN THE SALES TAX RATE ON ELECTRICITY SOLD BY CAPE HATTERAS ELECTRICAL MEMBERSHIP CORPORATION AND THE SALES TAX RATE ON PIPED NATURAL GAS SOLD BY GAS CITIES, TO MODIFY THE PROPERTY TAX DEFERRAL PROGRAM FOR SITE INFRASTRUCTURE LAND, AND TO DELAY THE CHANGE IN THE HIGHWAY USE TAX BASE TO INCLUDE DEALER ADMINISTRATIVE FEES, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Cook, the Senate concurs in the House Committee Substitute bill (46-0) and the bill is ordered enrolled and sent to the Governor.

S.B. 812 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXERCISE NORTH CAROLINA'S CONSTITUTIONAL AUTHORITY TO REPLACE COMMON CORE AND ESTABLISH, PROMOTE, AND ASSURE HIGH ACADEMIC STANDARDS THAT ARE ROBUST AND APPROPRIATE FOR NORTH CAROLINA PUBLIC EDUCATION, for concurrence in the House Committee Substitute bill.

The Senate fails to concur in the House Committee Substitute bill (0-46) and the House of Representatives is notified.

Upon motion of Senator Berger, seconded by Senator McKissick, the Senate adjourns at 3:32 p.m., in honor of those individuals who worked to pass the Civil Rights Act and those who continue to work for civil rights in our state,

June 25, 2014

subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the appointment of conferees, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Thursday, June 26, at 11:00 a.m.

RE-REFERRAL OF A BILL

S.B. 877, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN REAL ESTATE TIME-SHARES FROM THE RULE AGAINST PERPETUITIES, referred to the **State and Local Government Committee** on June 24.

Pursuant to a motion by Senator Apodaca, the Committee Substitute bill is withdrawn from the **State and Local Government Committee** and re-referred to the **Judiciary I Committee**.

A SENATORIAL STATEMENT

Submitted by Senator Tamara Barringer

Honoring Robin Rose and Tony Withers

WHEREAS, the Miracle League of the Triangle was founded in 2004, to give area children with special needs the opportunity to play baseball; and

WHEREAS, local business owners, Robin Rose and Tony Withers, were inspired to establish the Miracle League of the Triangle after watching a television special on the national Miracle League; and

WHEREAS, with the financial support of the community, the Miracle League of the Triangle was able to build Andy's Foundation Field of Dreams at Adams Elementary School in Cary in 2006 and was able to construct a second baseball field in North Raleigh in 2014; and

WHEREAS, the Miracle League of the Triangle partners with the YMCA and currently serves more than 300 players and provides volunteer opportunities for 4,000 people each season; and

WHEREAS, the Miracle League of the Triangle has earned numerous awards and has waiting lists for both players and volunteers;

NOW, THEREFORE, Robin Rose and Tony Withers deserve recognition for establishing Miracle League of the Triangle and giving children with special needs the opportunity to play baseball.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the twenty fifth day of June, 2014.

S/Senator Tamara Barringer

S/Sarah Lang
Senate Principal Clerk

June 25, 2014

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

S.B. 523 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REMOVE DESCRIBED PARCELS FROM THE CORPORATE LIMITS OF THE TOWN OF WRIGHTSVILLE BEACH AND TO ANNEX THOSE PARCELS TO THE CORPORATE LIMITS OF THE CITY OF WILMINGTON, for concurrence in the House Committee Substitute bill No. 2.

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

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED THIRTY-SECOND DAY

Senate Chamber
Thursday, June 26, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

Prayer is offered by The Honorable Jeff Jackson, Senator from Mecklenburg County, as follows:

"Lord, in this life we are all here to do your work as best we can. We are here to struggle together; we are here to persevere together; we are here to fall down and get back up together. We know that our salvation is only possible through your forgiveness, and, Lord, you have so much to forgive. How many mistakes have I made? How often have I fallen short? How undeserving am I of your boundless love? Lord, I stand before you in full knowledge that none of that will ever change; I will always be a shadow of the man I want to be, but your word tells us that each of us has a piece of your truth. Let us see it in ourselves. Let us see it in others. For it is through the strength of your truth that the sick will heal, the poor will eat, our neighbor will become our brother. Let us hear the truth of your scripture which tells us that there is neither Jew nor Greek, there is neither slave nor free, there is neither male nor female, but one in God's love, and that the mere shadow of your image may suffice for entry into the kingdom. In your name we pray. Amen."

The Chair grants leaves of absence for today to Senator Blue, Senator Bryant, Senator Parmon, and Senator Walters.

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Wednesday, June 25, 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.

The Chair extends privileges of the floor to Wendi Gwaltney from Greensboro, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILLS

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

S.B. 790, AN ACT TO PHASE IN THE SALES TAX RATE ON ELECTRICITY SOLD BY CAPE HATTERAS ELECTRICAL MEMBERSHIP CORPORATION AND THE SALES TAX RATE ON PIPED NATURAL GAS SOLD BY GAS CITIES, TO MODIFY THE PROPERTY TAX DEFERRAL PROGRAM FOR SITE INFRASTRUCTURE LAND, AND TO DELAY THE CHANGE IN THE HIGHWAY USE TAX BASE TO INCLUDE DEALER ADMINISTRATIVE FEES.

H.B. 346, AN ACT AUTHORIZING COUNTIES AND CITIES TO ATTACH AND GARNISH A MEMBER OF THE GOVERNING BODY IF THE COUNTY OR CITY HAS BEEN GRANTED A MONEY JUDGMENT AGAINST THAT MEMBER AND THE MONEY JUDGMENT HAS NOT BEEN SATISFIED.

H.B. 712, AN ACT TO REVISE AND CLARIFY THE SPECIAL EDUCATION SCHOLARSHIPS FOR CHILDREN WITH DISABILITIES AND TO EXEMPT CERTAIN SCHOOLS FROM CHILD CARE LICENSURE REQUIREMENTS.

H.B. 894, AN ACT TO IMPROVE SOURCE WATER PROTECTION PLANNING.

H.B. 1043, AN ACT TO CLARIFY THE STATUTES RELATED TO THE USE OF PREQUALIFICATION IN PUBLIC CONSTRUCTION CONTRACTING, AS STUDIED BY THE JOINT PURCHASE AND CONTRACT STUDY COMMITTEE.

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

S.B. 848, AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR INFRASTRUCTURE DEVELOPMENT BY THE TOWN OF MINT HILL, BY THE CITY OF CONCORD, AND BY THE CITY OF KANNAPOLIS.

June 26, 2014

S.B. 864, AN ACT TO PERMIT EMPLOYEES OF THE TOWN OF YANCEYVILLE TO OPERATE MOTORIZED ALL-TERRAIN VEHICLES ON CERTAIN HIGHWAYS PURSUANT TO G.S. 20-171.24.

S.B. 865, AN ACT PROVIDING THAT THE TOWN OF BOONE SHALL NOT EXERCISE THE POWERS OF EXTRATERRITORIAL JURISDICTION.

S.B. 870, AN ACT AUTHORIZING THE CITY OF DURHAM TO ALLOW PAYMENT FOR ON-STREET PARKING BY VARIOUS MEANS AND TO USE PROCEEDS FROM ON-STREET PARKING FOR PARKING PROGRAMS AND PROVIDING PARKING FACILITIES.

H.B. 1045, AN ACT PROVIDING THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWN OF ELKIN BE CONDUCTED IN EVEN-NUMBERED YEARS AND LENGTHENING THE TERMS OF CURRENT TOWN COMMISSIONERS TO THE NEW ELECTION SCHEDULE.

H.B. 1134, AN ACT TO REVISE THE REQUIREMENTS FOR A PETITION SUBMITTED TO CLEVELAND COUNTY BY PROPERTY OWNERS SEEKING COUNTY FINANCING OF ROAD IMPROVEMENTS.

H.B. 1159, AN ACT AUTHORIZING THE CITY OF GREENVILLE TO CONVEY BY PRIVATE NEGOTIATION AND SALE CERTAIN REAL PROPERTY OWNED BY THE CITY THAT DOES NOT MEET THE MINIMUM LOT SIZE REQUIREMENTS PRESCRIBED BY THE CITY'S ZONING ORDINANCE.

H.B. 1207, AN ACT TO AMEND THE CHARTER OF THE CITY OF HIGH POINT TO ALLOW THE CITY COUNCIL TO HIRE THE CITY ATTORNEY AND TO MAKE CERTAIN TECHNICAL CORRECTIONS.

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. 698, AN ACT TO AUTHORIZE CRIMINAL HISTORY CHECKS FOR CURRENT VOLUNTEERS OR PAID FIRE DEPARTMENT PERSONNEL AND EMERGENCY MEDICAL SERVICES PERSONNEL AND TO ESTABLISH THE URBAN SEARCH AND RESCUE PROGRAM AND THE URBAN SEARCH AND RESCUE TEAM ADVISORY COMMITTEE. (Became law upon approval of the Governor, June 25, 2014 - S.L. 2014-27)

June 26, 2014

S.B. 719, AN ACT TO PROVIDE THAT STUDENT ORGANIZATIONS AT CONSTITUENT INSTITUTIONS AND COMMUNITY COLLEGES MAY DETERMINE THE ORGANIZATION'S CORE FUNCTIONS AND RESOLVE ANY DISPUTES OF THE ORGANIZATION AND TO PROHIBIT CONSTITUENT INSTITUTIONS AND COMMUNITY COLLEGES FROM DENYING RECOGNITION TO ORGANIZATIONS FOR EXERCISING THESE RIGHTS. (Became law upon approval of the Governor, June 25, 2014 - S.L. 2014-28)

S.B. 741, AN ACT TO ALLOW BLADEN COUNTY, COLUMBUS COUNTY, FRANKLIN COUNTY, AND HOKE COUNTY TO NOT ACCEPT THE REGISTRATION OF A DEED TRANSFERRING REAL PROPERTY WHEN TAXES ARE DELINQUENT. (Became law upon ratification, June 25, 2014 - S.L. 2014-29)

H.B. 569, AN ACT REMOVING CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE VILLAGE OF FOXFIRE AND TO REMOVE CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF HARRISBURG. (Became law upon ratification, June 25, 2014 - S.L. 2014-30)

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

S.B. 58 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO SESSION LAW 2014-17, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the rules are suspended, and the House Committee Substitute bill is placed on the end of today's calendar.

WITHDRAWALS FROM A FUTURE CALENDAR

H.B. 1025 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) AUTHORIZE CONTINUANCES OF DIVISION OF MOTOR VEHICLES INSPECTION STATION VIOLATION CASES; (2) PROVIDE THAT AGRICULTURAL TOURISM SIGNS ON STATE HIGHWAYS ARE SUBJECT TO DEPARTMENT OF TRANSPORTATION LOCATION AND PLACEMENT RULES; (3) CHANGE THE DUE DATE FOR THE NORTH CAROLINA TURNPIKE AUTHORITY ANNUAL AUDIT REPORT TO OCTOBER; (4) REPEAL A REQUIREMENT THAT THE DEPARTMENT OF TRANSPORTATION ANNUALLY REPORT RIGHT TURN ON RED PEDESTRIAN CRASHES; (5) AMEND THE STATE DRIVERS LICENSE MATERIAL TECHNICAL STANDARDS; (6) APPLY ALTERNATE PRIORITIZATION CRITERIA UNDER THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA TO FEDERAL AND STATE FUNDS USED FOR EMERGENCY REPAIR WORK; (7) REENACT

THE AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION TO PARTICIPATE IN PRIVATE DEVELOPER CONTRACTS FOR IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM, SUBJECT TO A LIMIT OF THE LESSER OF TEN PERCENT OR TWO HUNDRED FIFTY THOUSAND DOLLARS; (8) TO EXCLUDE FEDERAL LANDS ACCESS PROGRAM FUNDS FROM THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; (9) UPDATE STATE LAW GOVERNING DEPARTMENT OF TRANSPORTATION OVERSIGHT OF THE SAFETY OF RAIL FIXED GUIDEWAY PUBLIC TRANSPORTATION SYSTEMS; (10) AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO INSTALL AND OPERATE RAMP METERS AND TO PROVIDE THAT VIOLATION OF A RAMP METER SIGNAL IS AN INFRACTION; (11) CLARIFY STATE LAW CONCERNING FERRY RECEIPT GENERATING ACTIVITIES; (12) SPECIFY PENALTIES FOR VIOLATION OF REQUIRED ETHICS REPORTING PROVISIONS APPLICABLE TO METROPOLITAN PLANNING ORGANIZATIONS AND RURAL TRANSPORTATION PLANNING ORGANIZATIONS; AND (13) AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO CONTRACT FOR SPONSORSHIP ARRANGEMENTS FOR DEPARTMENT OPERATIONS, placed on the calendar of Saturday, June 28.

Senator Apodaca offers a motion that the Senate Committee Substitute bill be withdrawn from the calendar of Saturday, June 28, and placed on the calendar of Tuesday, July 1, which motion prevails with unanimous consent, and the Chair so orders.

H.B. 1027 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES HEARING ON A LICENSE REVOCATION AS A RESULT OF A DRIVING WHILE IMPAIRED IGNITION INTERLOCK VIOLATION BE HELD IN THE LICENSEE'S COUNTY OF RESIDENCE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, placed on the calendar of Saturday, June 28.

Senator Apodaca offers a motion that the Senate Committee Substitute bill be withdrawn from the calendar of Saturday, June 28, and placed on the calendar of Tuesday, July 1, which motion prevails with unanimous consent, and the Chair so orders.

WITHDRAWAL FROM COMMITTEE

S.B. 523 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REMOVE DESCRIBED PARCELS FROM THE CORPORATE LIMITS OF THE TOWN OF WRIGHTSVILLE BEACH AND TO ANNEX THOSE PARCELS TO THE CORPORATE LIMITS OF THE CITY OF WILMINGTON, referred to the **Rules and Operations of the Senate Committee** on June 25.

June 26, 2014

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the House Committee Substitute bill No. 2 be withdrawn from the **Rules and Operations of the Senate Committee** and placed on today's calendar, which motion prevails with unanimous consent, and the Chair so orders.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

H.B. 1145 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF MOTOR VEHICLES AND FOR OPERATORS OF MOPEDS TO HAVE IN FULL FORCE AND EFFECT A POLICY OF FINANCIAL RESPONSIBILITY AND TO AUTHORIZE THE TOWN OF ELIZABETHTOWN AND THE TOWN OF MATTHEWS TO ENROLL ITS EMPLOYEES, RETIREES, AND DEPENDENTS IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from today's calendar and re-referred to the **Finance Committee**.

RE-REFERRAL OF A BILL

H.B. 458 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE LAWS RELATING TO THE SALE, LEASE, OR CONVEYANCE OF A PUBLIC HOSPITAL, referred to the **State and Local Government Committee** on May 15, 2013, with a sequential referral to the **Judiciary II Committee**.

Upon motion of Senator Apodaca, a sequential referral to the **Health Care Committee** is added.

CONVEYANCE OF BILLS

Upon motion of Senator Apodaca, without objection, all bills being sent to the House of Representatives will be sent by special message for the remainder of the 2014 Session.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

H.B. 1220 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE AN INTRACTABLE EPILEPSY ALTERNATIVE TREATMENT PILOT STUDY PROGRAM AND REGISTRY FOR THE SCIENTIFIC INVESTIGATION OF THE SAFETY AND EFFICACY OF HEMP EXTRACT TREATMENT FOR INTRACTABLE EPILEPSY, upon second reading.

June 26, 2014

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from the regular order of business and placed before the Senate for immediate consideration.

CALENDAR

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

H.B. 1220 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE AN INTRACTABLE EPILEPSY ALTERNATIVE TREATMENT PILOT STUDY PROGRAM AND REGISTRY FOR THE SCIENTIFIC INVESTIGATION OF THE SAFETY AND EFFICACY OF HEMP EXTRACT TREATMENT FOR INTRACTABLE EPILEPSY, upon second reading.

Senator Apodaca offers Amendment No. 1, which is adopted (46-0).

The Senate Committee Substitute bill, as amended, passes its second reading (45-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Tucker for the **State and Local Government Committee**:

H.B. 1059 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE THE LARCENY OF VENUS FLYTRAPS IN NEW HANOVER, BRUNSWICK, ONSLOW, AND PENDER COUNTIES A FELONY OFFENSE AND TO MODIFY THE NEW HANOVER OCCUPANCY TAX, with an unfavorable report as to the Committee Substitute bill No. 2, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40270, which changes the title to read **H.B. 1059** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE LARCENY OF VENUS FLYTRAPS IN BRUNSWICK, COLUMBUS, NEW HANOVER, ONSLOW, AND PENDER COUNTIES A FELONY OFFENSE AND TO MODIFY THE NEW HANOVER OCCUPANCY TAX, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Finance Committee**.

The Chair grants a leave of absence for the remainder of today's session to Senator Jenkins.

June 26, 2014

CALENDAR *(continued)*

H.B. 1080, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WATHA, upon third reading, as amended.

The bill, as amended, passes its third reading, by roll-call vote, ayes 43, noes 1, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Brown, Clark, Cook, Curtis, Daniel, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Krawiec, McKissick, McLaurin, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade and Woodard---43.

Voting in the negative: Senator Brock---1.

The bill, as amended, is ordered sent to the House of Representatives, by special message, for concurrence in Senate Amendments No. 1 and No. 2.

H.B. 1067 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEANNEX TWO DESCRIBED TRACTS FROM THE CORPORATE LIMITS OF THE TOWN OF MURPHY, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Krawiec, McKissick, McLaurin, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade and Woodard---45.

Voting in the negative: None.

The Committee Substitute bill remains on the calendar for Monday, June 30, upon third reading.

H.B. 1218, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF MONROE TO REMOVE THE PROVISION AUTHORIZING THE CITY MANAGER TO HAVE DIRECT SUPERVISORY AUTHORITY OVER THE CITY ATTORNEY, upon third reading.

Senator Hartsell offers Amendment No. 1, which is adopted (37-8) and would change the title to read **H.B. 1218** A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF MONROE TO REMOVE THE PROVISION AUTHORIZING THE CITY MANAGER TO HAVE DIRECT SUPERVISORY AUTHORITY OVER THE CITY ATTORNEY AND TO TEMPORARILY INCREASE THE SIZE OF THE OF THE CABARRUS COUNTY BOARD OF COMMISSIONERS, upon concurrence.

The bill, as amended, passes its third reading (41-4) and is ordered sent to the House of Representatives, by special message, for concurrence in Senate Amendment No. 1.

H.B. 1139 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEDICATE AND ACCEPT CERTAIN PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE AND TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Krawiec, McKissick, McLaurin, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade and Woodard---45.

Voting in the negative: None.

The Committee Substitute bill is ordered enrolled and sent to the Governor.

H.B. 1052, A BILL TO BE ENTITLED AN ACT TO ADJUST THE UTILITY REGULATORY FEE TO REFLECT THE CHANGING REGULATORY CLIMATE FOR THE TELECOMMUNICATIONS INDUSTRY, AS RECOMMENDED BY THE LRC COMMITTEE ON THE ASSESSMENT OF REGULATED AND NON-REGULATED INDUSTRY UTILITY FEES, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Krawiec, McKissick, McLaurin, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn and Wade---44.

Voting in the negative: None.

The bill remains on the calendar for Monday, June 30, upon third reading.

H.B. 1182, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ACQUISITION OR 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, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Krawiec, McKissick, McLaurin, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn and Wade---44.

Voting in the negative: None.

The bill remains on the calendar for Monday, June 30, upon third reading.

June 26, 2014

H.B. 267 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND LAWS GOVERNING CAPTIVE INSURANCE COMPANIES AND RISK RETENTION GROUPS, AS RECOMMENDED BY THE DEPARTMENT OF INSURANCE, upon second reading.

The Senate Committee Substitute bill passes its second reading (44-0) and, without objection, 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.

H.B. 366 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO (1) MAINTAIN THE CONFIDENTIALITY OF ENVIRONMENTAL INVESTIGATIONS FOR AGRICULTURAL OPERATIONS AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ADOPT RULES FOR A FORMAL COMPLAINT PROCEDURE; (2) CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT ORDINANCES RELATED TO FERTILIZER; (3) REWRITE THE LANDSCAPE CONTRACTOR LICENSING STATUTES; (4) STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM; (5) CLARIFY THE MEANING OF THE TERMS "PLANTING AND HARVESTING SEASON" AND "PLANTING AND HARVESTING PERIOD" FOR PURPOSES OF APPLYING FEDERAL LAWS OR REGULATIONS RELATING TO HOURS OF SERVICE RULES FOR CERTAIN DRIVERS TRANSPORTING AGRICULTURAL PRODUCTS; (6) AMEND THE CHAIRMANSHIP OF THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION; (7) ALLOW THE COMMISSIONER OF AGRICULTURE TO APPOINT LAW ENFORCEMENT OFFICERS TO CARRY OUT THE LAW ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; (8) ALLOW THE USE OF PESTICIDES TO CONTROL MOLES; (9) CLASSIFY TRESPASSING ON AN AGRICULTURAL FACILITY AS A FIRST DEGREE TRESPASS; (10) REQUIRE WRITTEN CONSENT TO OPERATE AN ALL-TERRAIN VEHICLE ON PROPERTY OWNED BY ANOTHER; (11) ALLOW DRAINAGE DISTRICTS TO MAINTAIN DITCHES IN BUFFER ZONES; (12) CLARIFY PERIODIC INSPECTIONS AUTHORITY OF THE NORTH CAROLINA HOUSING FINANCE AGENCY; AND (13) PERMIT SECURITY GRILLES AT ALL EXITS OF A BUILDING SUBJECT TO CERTAIN CONDITIONS, upon second reading.

Senator B. Jackson offers Amendment No. 1, which is adopted (45-0).

Without objection, Senator Meredith is excused from voting on the bill because he is a landscape contractor.

Senator J. Jackson offers Amendment No. 2, which fails (9-35).

The Senate Committee Substitute bill No. 2, as amended, passes its second reading (44-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill No. 2.

June 26, 2014

H.B. 379 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA VETERINARY MEDICAL BOARD TO AMEND THE BOARD'S LAWS PERTAINING TO LICENSURE FEES AND LICENSE REINSTATEMENT, upon second reading.

The Senate Committee Substitute bill passes its second reading (45-0) and, without objection, 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.

H.B. 1034 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATED TO (1) LOCAL FIREFIGHTERS' RELIEF FUNDS, THE STATEWIDE FIREFIGHTERS' RELIEF FUND, AND THE RESCUE SQUAD WORKERS' RELIEF FUND, (2) WORKERS' COMPENSATION FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS, (3) SUPPLEMENTAL PENSIONS FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS, AND (4) THE VOLUNTEER FIRE DEPARTMENT FUND AND VOLUNTEER RESCUE/EMS FUND, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, upon second reading.

The Senate Committee Substitute bill No. 2 passes its second reading (45-0) and, without objection, 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 No. 2.

S.B. 523 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REMOVE DESCRIBED PARCELS FROM THE CORPORATE LIMITS OF THE TOWN OF WRIGHTSVILLE BEACH AND TO ANNEX THOSE PARCELS TO THE CORPORATE LIMITS OF THE CITY OF WILMINGTON, for concurrence upon second reading.

Upon motion of Senator Goolsby, the Senate concurs in the House Committee Substitute bill No. 2 on its second reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Krawiec, McKissick, McLaurin, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade and Woodard---45.

Voting in the negative: None

The House Committee Substitute No. 2 remains on the calendar for Monday, June 30, for concurrence upon third reading.

S.B. 58 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO SESSION LAW 2014-17, for concurrence in House Committee Substitute bill.

June 26, 2014

Upon motion of Senator Goolsby, the Senate concurs in the House Committee Substitute bill (45-0) and the bill is ordered enrolled and sent to the Governor.

Upon motion of Senator Pate, seconded by Senator Stein, the Senate adjourns at 12:22 p.m., subject to the receipt of committee reports, the ratification of bills, the appointment of conferees, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Monday, June 30, at 7:00 p.m.

ENROLLED BILLS

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

S.B. 58, AN ACT TO MAKE TECHNICAL CORRECTIONS TO SESSION LAW 2014-17.

H.B. 1220, AN ACT TO CREATE AN INTRACTABLE EPILEPSY ALTERNATIVE TREATMENT PILOT STUDY PROGRAM AND REGISTRY FOR THE SCIENTIFIC INVESTIGATION OF THE SAFETY AND EFFICACY OF HEMP EXTRACT TREATMENT FOR INTRACTABLE EPILEPSY.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Goolsby for the **Judiciary I Committee**:

H.B. 1102, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE INFORMATION REQUIRED TO BE PROVIDED IN A NOTICE TO LIEN AGENT, AS RECOMMENDED BY THE LRC COMMITTEE ON MECHANICS LIENS AND LEASEHOLD IMPROVEMENTS, with a favorable report.

H.B. 1117, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW GOVERNING THE PLEDGE OF JOINT ACCOUNTS IN CREDIT UNIONS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS TO THE LAW GOVERNING THE PLEDGE OF JOINT ACCOUNTS IN BANKS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

S.B. 877, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN REAL ESTATE TIME-SHARES FROM THE RULE AGAINST PERPETUITIES, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

June 26, 2014

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 35577, which changes the title to read **S.B. 877** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN REAL ESTATE TIME SHARES FROM THE RULE AGAINST PERPETUITIES, is adopted and engrossed.

H.B. 1101 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE PROTECTION PROVIDED TO PERSONS MAKING IMPROVEMENTS TO LEASED REAL PROPERTY UNDER ARTICLE 3 OF CHAPTER 44A OF THE GENERAL STATUTES, AS RECOMMENDED BY THE LRC COMMITTEE ON MECHANICS LIENS AND LEASEHOLD IMPROVEMENTS, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40272, which changes the title to read **H.B. 1101** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE PROTECTION PROVIDED TO PERSONS MAKING IMPROVEMENTS TO LEASED REAL PROPERTY UNDER ARTICLE 3 OF CHAPTER 44A OF THE GENERAL STATUTES, AS RECOMMENDED BY THE LRC COMMITTEE ON MECHANICS LIENS AND LEASEHOLD IMPROVEMENTS, TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, AND TO MAKE TECHNICAL CORRECTIONS TO THE UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT, is adopted and engrossed.

By Senator Newton for the **Judiciary I Committee**:

H.B. 369 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE PENALTIES FOR VIOLATION OF THE SEED LAW, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40274, which changes the title to read **H.B. 369** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO VARIOUS CRIMINAL LAWS AND TO AMEND THE WORKERS' COMPENSATION ACT TO EXCLUDE FROM BENEFITS UNDER G.S. 97-29 AND G.S. 97-30, AND FROM VOCATIONAL REHABILITATION, ILLEGAL ALIEN INJURED WORKERS WHO OBTAINED EMPLOYMENT THROUGH MISREPRESENTATION OF EMPLOYMENT STATUS, is adopted and engrossed.

By Senator Goolsby for the **Judiciary I Committee**:

S.B. 773, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GENERAL STATUTES COMMISSION TO MODIFY THE SLAYER STATUTE DUE TO THE NEED TO ACCOUNT

FOR PROPERTY HELD IN A JOINT TENANCY IN UNEQUAL SHARES, TO CLARIFY THE PROVISIONS FOR FILING CERTIFIED COPIES OF PROBATED WILLS IN OTHER COUNTIES WHERE A DECEDENT HAS REAL PROPERTY, TO DELETE THE STATUTORY FORMS FOR JUDGMENT DEBTORS CLAIMING EXEMPTIONS UNDER G.S. 1C-1601 BECAUSE THE ADMINISTRATIVE OFFICE OF THE COURTS ALREADY HAS WIDELY USED FORMS FOR THAT PURPOSE, AND TO RESOLVE AN APPARENT CONFLICT BETWEEN RULE 8 OF THE NORTH CAROLINA RULES OF CIVIL PROCEDURE, DEALING WITH THE CONTENT OF PLEADINGS, AND G.S. 7A-243, DEALING WITH THE PROPER TRIAL COURT DIVISION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 45215, which changes the title to read **S.B. 773** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GENERAL STATUTES COMMISSION TO MODIFY THE SLAYER STATUTE DUE TO THE NEED TO ACCOUNT FOR PROPERTY HELD IN A JOINT TENANCY IN UNEQUAL SHARES, TO CLARIFY THE PROVISIONS FOR FILING CERTIFIED COPIES OF PROBATED WILLS IN OTHER COUNTIES WHERE A DECEDENT HAS REAL PROPERTY, AND TO DELETE THE STATUTORY FORMS FOR JUDGMENT DEBTORS CLAIMING EXEMPTIONS UNDER G.S. 1C-1601 BECAUSE THE ADMINISTRATIVE OFFICE OF THE COURTS ALREADY HAS WIDELY USED FORMS FOR THAT PURPOSE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is adopted and engrossed.

H.B. 330 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA PLANNED COMMUNITY ACT REGARDING THE TRANSFER OF SPECIAL DECLARANT RIGHTS, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30803, is adopted and engrossed.

H.B. 1048 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40273, which changes the title to read **H.B. 1048** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD, TO ADD AN ASSISTANT ADJUTANT GENERAL FOR THE NORTH CAROLINA NATIONAL GUARD, TO INCREASE NATIONAL GUARD FLEXIBILITY WITH RESPECT TO CERTAIN

CAPITAL PROJECTS, AND TO ALLOW FOR ADDITIONAL USES OF FAMILY ASSISTANCE CENTER FUNDS FOR SURVIVING FAMILY MEMBERS OF DECEASED NATIONAL GUARD SERVICEMEMBERS, is adopted and engrossed.

By Senator J. Davis for the **State and Local Government Committee**:

H.B. 458 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE NOTICE AND AN OPPORTUNITY FOR COMMENT FROM COUNTY BOARDS BEFORE PERMITS FOR LAND APPLICATION OF WASTE WITHIN THAT COUNTY ARE ISSUED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION; TO INCREASE THE THRESHOLD FOR DEPARTMENT OF TRANSPORTATION INFORMAL BID PROCEDURES; AND TO STUDY STATE PAYMENTS IN LIEU OF TAXES FOR PUBLIC LANDS, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30802, which changes the title to read **H.B. 458** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE LAWS RELATING TO THE SALE, LEASE, OR CONVEYANCE OF A PUBLIC HOSPITAL, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Judiciary II Committee**.

APPOINTMENT OF A CONFERENCE COMMITTEE

S.B. 812 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXERCISE NORTH CAROLINA'S CONSTITUTIONAL AUTHORITY TO REPLACE COMMON CORE AND ESTABLISH, PROMOTE, AND ASSURE HIGH ACADEMIC STANDARDS THAT ARE ROBUST AND APPROPRIATE FOR NORTH CAROLINA PUBLIC EDUCATION.

Pursuant to the Senate having failed to concur in the House Committee Substitute for S.B. 812 on June 25, Senator Phil Berger, President *Pro Tempore*, appoints Senator Tillman, Chair; Senator Wade and Senator Soucek 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.

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

June 26, 2014

ONE HUNDRED THIRTY-THIRD DAY

Senate Chamber
Monday, June 30, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

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

"Thank you, Heavenly Father, for gathering us again in this place for a new work week. Thank you for gathering us into your presence. Thank you for being in our midst. When you are in the midst of this city, she shall not be moved. God will help her when morning dawns. Even when the nations rage and the kingdoms totter. The Lord utters his voice and the earth melts.* Lord, that is good news that you are here and everything is underneath your banner. Give us grace as we meet and grace as we depart, and help us preserve this great state, and help us to persevere as we begin another week together. It's in your name, Jesus, that we pray. Amen."

*Paraphrase Psalm 46:5, ESV

The Chair grants a leave of absence for tonight to Senator Goolsby.

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Thursday, June 26, 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.

The Chair extends privileges of the floor to Ann Marie Patterson-Powell from Cary, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILLS

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

H.B. 267, AN ACT TO AMEND LAWS GOVERNING CAPTIVE INSURANCE COMPANIES AND RISK RETENTION GROUPS, AS RECOMMENDED BY THE DEPARTMENT OF INSURANCE.

H.B. 379, AN ACT AUTHORIZING THE NORTH CAROLINA VETERINARY MEDICAL BOARD TO AMEND THE BOARD'S LAWS PERTAINING TO LICENSURE FEES AND LICENSE REINSTATEMENT.

H.B. 1034, AN ACT TO AMEND THE LAWS RELATED TO (1) LOCAL FIREFIGHTERS' RELIEF FUNDS, THE STATEWIDE FIREFIGHTERS'

RELIEF FUND, AND THE RESCUE SQUAD WORKERS' RELIEF FUND, (2) WORKERS' COMPENSATION FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS, (3) SUPPLEMENTAL PENSIONS FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS, AND (4) THE VOLUNTEER FIRE DEPARTMENT FUND AND VOLUNTEER RESCUE/EMS FUND, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

H.B. 1139, AN ACT TO DEDICATE AND ACCEPT CERTAIN PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE AND TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE.

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. 848, AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR INFRASTRUCTURE DEVELOPMENT BY THE TOWN OF MINT HILL, BY THE CITY OF CONCORD, AND BY THE CITY OF KANNAPOLIS. (Became law upon ratification, June 26, 2014 - S.L. 2014-31)

S.B. 864, AN ACT TO PERMIT EMPLOYEES OF THE TOWN OF YANCEYVILLE TO OPERATE MOTORIZED ALL-TERRAIN VEHICLES ON CERTAIN HIGHWAYS PURSUANT TO G.S. 20-171.24. (Became law upon ratification, June 26, 2014 - S.L. 2014-32)

S.B. 865, AN ACT PROVIDING THAT THE TOWN OF BOONE SHALL NOT EXERCISE THE POWERS OF EXTRATERRITORIAL JURISDICTION. (Became law upon ratification, June 26, 2014 - S.L. 2014-33)

S.B. 870, AN ACT AUTHORIZING THE CITY OF DURHAM TO ALLOW PAYMENT FOR ON-STREET PARKING BY VARIOUS MEANS AND TO USE PROCEEDS FROM ON-STREET PARKING FOR PARKING PROGRAMS AND PROVIDING PARKING FACILITIES. (Became law upon ratification, June 26, 2014 - S.L. 2014-34)

H.B. 1045, AN ACT PROVIDING THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWN OF ELKIN BE CONDUCTED IN EVEN-NUMBERED YEARS AND LENGTHENING THE TERMS OF CURRENT TOWN COMMISSIONERS TO THE NEW ELECTION SCHEDULE. (Became law upon ratification, June 26, 2014 - S.L. 2014-35)

June 30, 2014

H.B. 1134, AN ACT TO REVISE THE REQUIREMENTS FOR A PETITION SUBMITTED TO CLEVELAND COUNTY BY PROPERTY OWNERS SEEKING COUNTY FINANCING OF ROAD IMPROVEMENTS. (Became law upon ratification, June 26, 2014 - S.L. 2014-36)

H.B. 1159, AN ACT AUTHORIZING THE CITY OF GREENVILLE TO CONVEY BY PRIVATE NEGOTIATION AND SALE CERTAIN REAL PROPERTY OWNED BY THE CITY THAT DOES NOT MEET THE MINIMUM LOT SIZE REQUIREMENTS PRESCRIBED BY THE CITY'S ZONING ORDINANCE. (Became law upon ratification, June 26, 2014 - S.L. 2014-37)

H.B. 1207, AN ACT TO AMEND THE CHARTER OF THE CITY OF HIGH POINT TO ALLOW THE CITY COUNCIL TO HIRE THE CITY ATTORNEY AND TO MAKE CERTAIN TECHNICAL CORRECTIONS. (Became law upon ratification, June 26, 2014 - S.L. 2014-38)

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Newton for the **Judiciary I Committee**:

H.B. 663 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCREASE THE BURDEN OF PROOF IN PRODUCT LIABILITY CASES INVOLVING CERTAIN AGRICULTURAL COMMODITIES, with an unfavorable report as to the Committee Substitute bill No. 2, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30801, which changes the title to read **H.B. 663** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FURTHER DEFINE THE TERM "PRACTICE LAW" FOR PURPOSES OF REGULATING THE UNAUTHORIZED PRACTICE OF LAW, is adopted and engrossed.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

S.B. 3 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AWARD COMPENSATION INCREASES TO TEACHERS, STATE EMPLOYEES, AND RETIREES, TO MODIFY THE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, without objection, the House Committee Substitute bill is returned to the House of Representatives for further consideration.

S.B. 648 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE TRANSPARENCY IN CONTRACTS BETWEEN THE ATTORNEY GENERAL AND PRIVATE ATTORNEYS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the rules are suspended and the House Committee Substitute bill is placed on tonight's calendar.

S.B. 793 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A TEACHER EMPLOYED BY A CHARTER SCHOOL MAY SERVE AS A NONVOTING MEMBER OF THE BOARD OF DIRECTORS FOR THE CHARTER SCHOOL; TO AMEND THE DATE BY WHICH THE STATE BOARD OF EDUCATION SHALL MAKE DECISIONS ON CHARTER SCHOOL APPLICATIONS; TO ALLOW A CHARTER SCHOOL TO EXPAND ONE GRADE HIGHER THAN THE CHARTER SCHOOL CURRENTLY OFFERS; TO REQUIRE CHARTER RENEWALS TO BE FOR TEN YEARS; TO CLARIFY THAT CHARTERS WITH THE MISSION OF SINGLE GENDER EDUCATION MAY LIMIT ADMISSION ON THE BASIS OF GENDER; TO PROVIDE PRIORITY ENROLLMENT FOR THE CHILDREN OF MEMBERS OF THE BOARD OF DIRECTORS OF CHARTER SCHOOLS BEYOND THE INITIAL YEAR; TO MAKE CHARTER SCHOOLS SUBJECT TO REQUIREMENTS OF THE OPEN MEETINGS AND PUBLIC RECORDS LAWS; TO ALLOW CHARTER SCHOOLS TO ASK FOR ADDITIONAL RECORDS REGARDING THE TRANSFER OF THE PER PUPIL SHARE OF THE LOCAL CURRENT EXPENSE FUND; TO SHORTEN THE TIME PERIOD FOR PAYMENT OF DELINQUENT FUNDS; TO CLARIFY THE BIDDING PROCESS FOR THE ASSUMPTION OF CHARTER SCHOOLS; AND TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A FAST-TRACK APPROVAL PROCESS; AND TO ALLOW CHARTER SCHOOLS TO BE ELIGIBLE TO RECEIVE PERMANENT REGISTRATION PLATES, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the rules are suspended and the House Committee Substitute bill is placed on tonight's calendar.

S.B. 871 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF RALEIGH AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF DURHAM AND TO MAKE CHANGES TO S.L. 2013-386, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the rules are suspended and the House Committee Substitute bill is placed on tonight's calendar.

MOTIONS RELATIVE TO THE CALENDAR

The following changes are made to tonight's calendar:

H.B. 369 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO VARIOUS CRIMINAL LAWS AND TO AMEND THE WORKERS' COMPENSATION ACT TO EXCLUDE FROM BENEFITS UNDER G.S. 97-29 AND G.S. 97-30, AND FROM VOCATIONAL REHABILITATION, ILLEGAL ALIEN INJURED WORKERS WHO OBTAINED EMPLOYMENT THROUGH MISREPRESENTATION OF EMPLOYMENT STATUS, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from tonight's calendar and placed on the calendar of Tuesday, July 1.

S.B. 877 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN REAL ESTATE TIME SHARES FROM THE RULE AGAINST PERPETUITIES, upon second reading.

Upon motion of Senator Apodaca, the Committee Substitute bill is withdrawn from tonight's calendar and placed on the calendar of Tuesday, July 1.

H.B. 1048 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD, TO ADD AN ASSISTANT ADJUTANT GENERAL FOR THE NORTH CAROLINA NATIONAL GUARD, TO INCREASE NATIONAL GUARD FLEXIBILITY WITH RESPECT TO CERTAIN CAPITAL PROJECTS, AND TO ALLOW FOR ADDITIONAL USES OF FAMILY ASSISTANCE CENTER FUNDS FOR SURVIVING FAMILY MEMBERS OF DECEASED NATIONAL GUARD SERVICEMEMBERS, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from tonight's calendar and placed on the calendar of Tuesday, July 1.

H.B. 1101 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE PROTECTION PROVIDED TO PERSONS MAKING IMPROVEMENTS TO LEASED REAL PROPERTY UNDER ARTICLE 3 OF CHAPTER 44A OF THE GENERAL STATUTES, AS RECOMMENDED BY THE LRC COMMITTEE ON MECHANICS LIENS AND LEASEHOLD IMPROVEMENTS, TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, AND TO MAKE TECHNICAL CORRECTIONS TO THE UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from tonight's calendar and re-referred to the **Rules and Operations of the Senate Committee**.

H.B. 1102, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE INFORMATION REQUIRED TO BE PROVIDED IN A NOTICE TO LIEN AGENT, AS RECOMMENDED BY THE LRC COMMITTEE ON MECHANICS LIENS AND LEASEHOLD IMPROVEMENTS, upon second reading.

Upon motion of Senator Apodaca, the bill is withdrawn from tonight's calendar and re-referred to the **Rules and Operations of the Senate Committee**.

CALENDAR

Bills on tonight's calendar are taken up and disposed of as follows:

H.B. 1067 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEANNEX TWO DESCRIBED TRACTS FROM THE CORPORATE LIMITS OF THE TOWN OF MURPHY, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters and Woodard---48.

Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

S.B. 523 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REMOVE DESCRIBED PARCELS FROM THE CORPORATE LIMITS OF THE TOWN OF WRIGHTSVILLE BEACH AND TO ANNEX THOSE PARCELS TO THE CORPORATE LIMITS OF THE CITY OF WILMINGTON, for concurrence upon third reading.

The Senate concurs in the House Committee Substitute bill No. 2 on its third reading, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters and Woodard---48.

Voting in the negative: None

The House Committee Substitute bill No. 2 is ordered enrolled.

H.B. 1052, A BILL TO BE ENTITLED AN ACT TO ADJUST THE UTILITY REGULATORY FEE TO REFLECT THE CHANGING REGULATORY CLIMATE FOR THE TELECOMMUNICATIONS INDUSTRY, AS RECOMMENDED BY THE LRC COMMITTEE ON THE ASSESSMENT OF REGULATED AND NON-REGULATED INDUSTRY UTILITY FEES, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Graham, Gunn, Harrington, Hartsell, Hise, Hunt,

B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters and Woodard---48.

Voting in the negative: None.

The bill is ordered enrolled and sent to the Governor.

H.B. 1182, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ACQUISITION OR 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, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters and Woodard---48.

Voting in the negative: None.

The bill is ordered enrolled and sent to the Governor.

S.B. 773 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GENERAL STATUTES COMMISSION TO MODIFY THE SLAYER STATUTE DUE TO THE NEED TO ACCOUNT FOR PROPERTY HELD IN A JOINT TENANCY IN UNEQUAL SHARES, TO CLARIFY THE PROVISIONS FOR FILING CERTIFIED COPIES OF PROBATED WILLS IN OTHER COUNTIES WHERE A DECEDENT HAS REAL PROPERTY, AND TO DELETE THE STATUTORY FORMS FOR JUDGMENT DEBTORS CLAIMING EXEMPTIONS UNDER G.S. 1C-1601 BECAUSE THE ADMINISTRATIVE OFFICE OF THE COURTS ALREADY HAS WIDELY USED FORMS FOR THAT PURPOSE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, upon second reading.

Senator Hartsell offers Amendment No. 1, which is adopted (48-0) and changes the title to read **S.B. 773** (Committee Substitute) A BILL TO BE ENTITLED AN ACT TO IMPLEMENT (I) THE RECOMMENDATIONS OF THE GENERAL STATUTES COMMISSION TO MODIFY THE SLAYER STATUTE DUE TO THE NEED TO ACCOUNT FOR PROPERTY HELD IN A JOINT TENANCY IN UNEQUAL SHARES, TO CLARIFY THE PROVISIONS FOR FILING CERTIFIED COPIES OF PROBATED WILLS IN OTHER COUNTIES WHERE A DECEDENT HAS REAL PROPERTY, AND TO DELETE THE STATUTORY FORMS FOR JUDGMENT DEBTORS CLAIMING EXEMPTIONS UNDER G.S. 1C-1601 BECAUSE THE ADMINISTRATIVE OFFICE OF THE COURTS ALREADY HAS WIDELY USED FORMS FOR THAT PURPOSE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND (II) THE RECOMMENDATIONS OF THE NORTH CAROLINA BAR ASSOCIATION

TO CLARIFY THE REQUIREMENTS FOR THE TIMELY SUBSTITUTION OF A PERSONAL REPRESENTATIVE IN PLACE OF A DECEDENT IN AN ACTION PENDING AT THE DECEDENT'S DEATH AND TO CLARIFY THAT THE COMMON LAW RULE AGAINST ACCUMULATIONS DOES NOT APPLY TO TRUSTS IN THIS STATE.

The Committee Substitute bill, as amended, passes its second reading (48-0).

Senator Hartsell objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Committee Substitute bill, as amended, placed on the calendar of Tuesday, July 1, upon third reading.

H.B. 330 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA PLANNED COMMUNITY ACT REGARDING THE TRANSFER OF SPECIAL DECLARANT RIGHTS, upon second reading.

The Senate Committee Substitute bill passes its second reading (48-0) and, without objection, 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.

H.B. 1117, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW GOVERNING THE PLEDGE OF JOINT ACCOUNTS IN CREDIT UNIONS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS TO THE LAW GOVERNING THE PLEDGE OF JOINT ACCOUNTS IN BANKS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, upon second reading.

The bill passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

S.B. 648 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE TRANSPARENCY IN CONTRACTS BETWEEN THE ATTORNEY GENERAL AND PRIVATE ATTORNEYS, for concurrence in House Committee Substitute bill.

The Senate fails to concur in the House Committee Substitute bill (0-48) and the House of Representatives is notified.

S.B. 793 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A TEACHER EMPLOYED BY A CHARTER SCHOOL MAY SERVE AS A NONVOTING MEMBER OF THE BOARD OF DIRECTORS FOR THE CHARTER SCHOOL; TO AMEND THE DATE BY WHICH THE STATE BOARD OF EDUCATION SHALL MAKE DECISIONS ON CHARTER SCHOOL APPLICATIONS; TO ALLOW A CHARTER SCHOOL TO EXPAND ONE GRADE HIGHER THAN THE CHARTER SCHOOL CURRENTLY OFFERS; TO REQUIRE CHARTER RENEWALS TO BE FOR TEN YEARS; TO CLARIFY THAT CHARTERS WITH THE MISSION OF SINGLE GENDER EDUCATION MAY LIMIT ADMISSION ON THE BASIS OF GENDER; TO PROVIDE PRIORITY ENROLLMENT FOR THE CHILDREN OF MEMBERS OF THE BOARD OF

DIRECTORS OF CHARTER SCHOOLS BEYOND THE INITIAL YEAR; TO MAKE CHARTER SCHOOLS SUBJECT TO REQUIREMENTS OF THE OPEN MEETINGS AND PUBLIC RECORDS LAWS; TO ALLOW CHARTER SCHOOLS TO ASK FOR ADDITIONAL RECORDS REGARDING THE TRANSFER OF THE PER PUPIL SHARE OF THE LOCAL CURRENT EXPENSE FUND; TO SHORTEN THE TIME PERIOD FOR PAYMENT OF DELINQUENT FUNDS; TO CLARIFY THE BIDDING PROCESS FOR THE ASSUMPTION OF CHARTER SCHOOLS; AND TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A FAST-TRACK APPROVAL PROCESS; AND TO ALLOW CHARTER SCHOOLS TO BE ELIGIBLE TO RECEIVE PERMANENT REGISTRATION PLATES, for concurrence in House Committee Substitute bill.

The Senate fails to concur in the House Committee Substitute bill (0-48) and the House of Representatives is notified.

S.B. 871 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF RALEIGH AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF DURHAM AND TO MAKE CHANGES TO S.L. 2013-386, for concurrence in the House Committee Substitute bill.

Upon motion of Senator McKissick, the Senate concurs in the House Committee Substitute bill (48-0) and the bill is ordered enrolled and sent to the Governor by special message.

SENATE PAGES

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

Lauren Bennett, Raleigh; Tristan Blackwell, Mars Hill; Brooklyn Breedlove, Union Mills; Anna Cooke, Goldsboro; Kayla Dunston, Norlina; James Hallberg, Raleigh; Emma Jones, Fayetteville; Mason Meredith, Fayetteville; Arielle Moragne, Cary; Kashad Pryor, Raleigh; Erica Turner, Weldon; Rafael Wallace, Clayton; Caroline Wang, Cary; Jahlia Williams, Battleboro; Alexandria Wingler, East Bend; Olivia Wingler, East Bend; Victoria Wingler, East Bend; Rachel Woods-Barnes, Clayton; and Rebekah Woods-Barnes, Clayton.

Upon motion of Senator Berger, seconded by Senator Apodaca, the Senate adjourns at 7:33 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the appointment of conferees, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Tuesday, July 1, at 2:00 p.m.

ENROLLED BILLS

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

June 30, 2014

S.B. 871, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF RALEIGH AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF DURHAM AND TO MAKE CHANGES TO S.L. 2013-386.

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

S.B. 523, AN ACT TO REMOVE DESCRIBED PARCELS FROM THE CORPORATE LIMITS OF THE TOWN OF WRIGHTSVILLE BEACH AND TO ANNEX THOSE PARCELS TO THE CORPORATE LIMITS OF THE CITY OF WILMINGTON.

H.B. 1067, AN ACT TO DEANNEX TWO DESCRIBED TRACTS FROM THE CORPORATE LIMITS OF THE TOWN OF MURPHY.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
June 30, 2014

Mr. President:

Pursuant to the information that your Honorable Body failed to concur in **S.B. 812 House Committee Substitute (5th Edition)**, A BILL TO BE ENTITLED AN ACT TO EXERCISE NORTH CAROLINA'S CONSTITUTIONAL AUTHORITY TO REPLACE COMMON CORE AND ESTABLISH, PROMOTE, AND ASSURE HIGH ACADEMIC STANDARDS THAT ARE ROBUST AND APPROPRIATE FOR NORTH CAROLINA PUBLIC EDUCATION, and requests conferees. Speaker Tillis has appointed:

Representative Holloway, Chair
Representative Brisson
Representative Horn
Representative Speciale and
Representative Elmore

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

June 30, 2014

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

S.B. 614 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FURTHER PROTECT MILITARY LANDS, TO MAKE AMENDMENTS TO THE MILITARY AFFAIRS COMMISSION, AND TO PROTECT SENSITIVE MILITARY DOCUMENTS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Tuesday, July 1.

H.B. 1151 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW GOVERNING RED LIGHT CAMERAS IN FAYETTEVILLE.

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

H.B. 1224, A BILL TO BE ENTITLED AN ACT TO MODIFY THE JOB MAINTENANCE AND CAPITAL DEVELOPMENT FUND PROVISIONS.

Referred to the **Appropriations/Base Budget Committee**.

H.B. 1253 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN REAL ESTATE TIME SHARES FROM THE RULE AGAINST PERPETUITIES.

Referred to the **Commerce Committee**.

H.J.R. 1268, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES MONROE "JIM" GULLEY, FORMER MEMBER OF THE GENERAL ASSEMBLY.

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

H.B. 1051, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ENTER A CONTRACT TO IMPLEMENT SNAP-ED WITH NORTH CAROLINA COOPERATIVE EXTENSION AND TO REQUIRE REPORTING TO THE HOUSE OF REPRESENTATIVES AGRICULTURE COMMITTEE.

Referred to the **Health Care Committee**.

H.B. 1054 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF SPINDALE AND THE CAPE FEAR PUBLIC UTILITY AUTHORITY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER AVAILABILITY.

Referred to the **Finance Committee**.

H.B. 1057 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE STATUTES AND RULES GOVERNING

INTERBASIN TRANSFERS; (2) DIRECT THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE STATE'S POLICY FOR ESTABLISHING THE QUANTITY OF SURFACE WATER TO BE PROTECTED FOR ECOLOGICAL INTEGRITY AND TO REPORT TO THE ENVIRONMENTAL REVIEW COMMISSION ON THE STATUS OF HYDROLOGIC MODELS PROPOSED FOR USE IN ESTABLISHING THE WATER QUANTITY TO BE RESERVED FOR ECOLOGICAL FLOW; AND (3) PROVIDE FOR AN EXPEDITED INTERBASIN TRANSFER PROCESS FOR CERTAIN RESERVOIRS.

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

H.B. 1097 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PLACE A LICENSE ISSUED UNDER THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW ON PROBATION AND TO PROVIDE THAT NOTICE OF A SUSPENSION, REVOCATION, OR NONRENEWAL OF A LICENSE UNDER THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW SHALL BE GIVEN IN ACCORDANCE WITH RULE 4 OF THE RULES OF CIVIL PROCEDURE.

Referred to the **Transportation Committee**.

H.B. 1099 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE THE USE OF UNMANNED AIRCRAFT SYSTEMS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON UNMANNED AIRCRAFT SYSTEMS.

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

INTRODUCTION OF A BILL

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

By Senator Brock:

S.B. 883, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE MITIGATION PROGRAM REQUIREMENTS FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS RULE ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.B. 1157, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REMOTE RENEWAL OF DRIVERS LICENSES.

Referred to the **Transportation Committee**.

June 30, 2014

H.B. 1190, A BILL TO BE ENTITLED AN ACT TO STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM, AS RECOMMENDED BY THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION.

Referred to the **Transportation Committee**.

H.J.R. 1232 (Committee Substitute), A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WHETHER TO EXEMPT SALES OF GOLD AND SILVER COINS PRODUCED BY THE UNITED STATES MINT FROM SALES TAX.

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

S.B. 734 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, AND BY MAKING VARIOUS OTHER STATUTORY CHANGES, for concurrence in the House Committee Substitute bill.

Referred to the **Ways & Means Committee**.

S.B. 493 (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR VARIOUS ADMINISTRATIVE REFORMS OF THE HEALTH AND SAFETY LAWS BY UPDATING OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, BY STUDYING HEALTH AND SAFETY MATTERS OF CONCERN TO NORTH CAROLINA CITIZENS, AND BY MAKING VARIOUS OTHER STATUTORY CHANGES, for concurrence in the House Committee Substitute bill No. 3.

Referred to the **Ways & Means Committee**.

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED THIRTY-FOURTH DAY

Senate Chamber
Tuesday, July 1, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

July 1, 2014

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

"Heavenly Father, Lord of every nation, we look forward to celebrating the marker of our independence this week, and we pause to honor men and women that have served, and by doing that we honor you. These men and women gave their lives. Their testimony was their lives, not just their lips. We pray that all over this land there may be a return to faith, where we trust you with everything. Even as those in the past faced the perils and dangers of the frontier, crossing the continent, building cabins, rearing families, making ends meet, and also in raising a standard of faith to which men have been willing to repair down through the ages. Lord, you did say in your word that 'we were ready to share with you, not just the Gospel, but also our own selves.'* And so, may we in this Senate share our very selves on this day in July. Lord of Hosts, forgive us. Oh, God, by thy guidance and thy power may our beloved land once again become God's country—a nation contrite in heart, confessing her sins, keenly sensitive to all the unresolved injustice and wrong still in our midst. Hear this, our prayer, Oh, Lord, that we may confidently expect to see it answered in our time, through Jesus Christ, our Lord. Amen."

*1 Thessalonians 2:8, ESV

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

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Monday, June 30, 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.

The Chair extends privileges of the floor to Lucirene McZeak from Raleigh, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILLS

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

S.B. 761, AN ACT TO ENHANCE THE EFFECTIVENESS OF THE OCCUPATIONAL LICENSING OF MILITARY SERVICE MEMBERS AND VETERANS AND TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND THE STATE BOARD OF COMMUNITY COLLEGES TO SUBMIT A PLAN THAT WILL ENSURE THAT COLLEGE CREDITS ARE UNIFORMLY GRANTED TO STUDENTS WITH MILITARY TRAINING.

H.B. 1052, AN ACT TO ADJUST THE UTILITY REGULATORY FEE TO REFLECT THE CHANGING REGULATORY CLIMATE FOR THE TELECOMMUNICATIONS INDUSTRY, AS RECOMMENDED BY THE

LRC COMMITTEE ON THE ASSESSMENT OF REGULATED AND NON-REGULATED INDUSTRY UTILITY FEES.

H.B. 1117, AN ACT TO CONFORM THE LAW GOVERNING THE PLEDGE OF JOINT ACCOUNTS IN CREDIT UNIONS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS TO THE LAW GOVERNING THE PLEDGE OF JOINT ACCOUNTS IN BANKS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

H.B. 1182, AN ACT TO AUTHORIZE THE ACQUISITION OR 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.

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. 790, AN ACT TO PHASE IN THE SALES TAX RATE ON ELECTRICITY SOLD BY CAPE HATTERAS ELECTRICAL MEMBERSHIP CORPORATION AND THE SALES TAX RATE ON PIPED NATURAL GAS SOLD BY GAS CITIES, TO MODIFY THE PROPERTY TAX DEFERRAL PROGRAM FOR SITE INFRASTRUCTURE LAND, AND TO DELAY THE CHANGE IN THE HIGHWAY USE TAX BASE TO INCLUDE DEALER ADMINISTRATIVE FEES. (Became law upon approval of the Governor, June 30, 2014 - S.L. 2014-39)

H.B. 346, AN ACT AUTHORIZING COUNTIES AND CITIES TO ATTACH AND GARNISH A MEMBER OF THE GOVERNING BODY IF THE COUNTY OR CITY HAS BEEN GRANTED A MONEY JUDGMENT AGAINST THAT MEMBER AND THE MONEY JUDGMENT HAS NOT BEEN SATISFIED. (Became law upon approval of the Governor, June 30, 2014 - S.L. 2014-40)

H.B. 894, AN ACT TO IMPROVE SOURCE WATER PROTECTION PLANNING. (Became law upon approval of the Governor, June 30, 2014 - S.L. 2014-41)

H.B. 1043, AN ACT TO CLARIFY THE STATUTES RELATED TO THE USE OF PREQUALIFICATION IN PUBLIC CONSTRUCTION CONTRACTING, AS STUDIED BY THE JOINT PURCHASE AND CONTRACT STUDY COMMITTEE. (Became law upon approval of the Governor, June 30, 2014 - S.L. 2014-42)

July 1, 2014

S.B. 477, AN ACT TO PROHIBIT INSURERS AND HEALTH BENEFIT PLANS FROM LIMITING OR FIXING THE FEE AN OPTOMETRIST MAY CHARGE PATIENTS FOR SERVICES OR MATERIALS UNLESS THE SERVICES OR MATERIALS ARE COVERED BY REIMBURSEMENT UNDER THE PLAN OR INSURER CONTRACT WITH THE OPTOMETRIST. (Became law upon approval of the Governor, June 30, 2014 - S.L. 2014-43)

S.B. 58, AN ACT TO MAKE TECHNICAL CORRECTIONS TO SESSION LAW 2014-17. (Became law upon approval of the Governor, June 30, 2014 - S.L. 2014-44)

S.B. 523, AN ACT TO REMOVE DESCRIBED PARCELS FROM THE CORPORATE LIMITS OF THE TOWN OF WRIGHTSVILLE BEACH AND TO ANNEX THOSE PARCELS TO THE CORPORATE LIMITS OF THE CITY OF WILMINGTON. (Became law upon ratification, June 30, 2014 - S.L. 2014-45)

H.B. 1067, AN ACT TO DEANNEX TWO DESCRIBED TRACTS FROM THE CORPORATE LIMITS OF THE TOWN OF MURPHY. (Became law upon ratification, June 30, 2014 - S.L. 2014-46)

S.B. 871, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF RALEIGH AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF DURHAM AND TO MAKE CHANGES TO S.L. 2013-386. (Became law upon approval of the Governor, June 30, 2014 - S.L. 2014-47)

MOTIONS RELATIVE TO THE CALENDAR

The following changes are made to today's calendar:

H.B. 369 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO VARIOUS CRIMINAL LAWS AND TO AMEND THE WORKERS' COMPENSATION ACT TO EXCLUDE FROM BENEFITS UNDER G.S. 97-29 AND G.S. 97-30, AND FROM VOCATIONAL REHABILITATION, ILLEGAL ALIEN INJURED WORKERS WHO OBTAINED EMPLOYMENT THROUGH MISREPRESENTATION OF EMPLOYMENT STATUS, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from today's calendar and placed on the calendar of Wednesday, July 9.

H.B. 663 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FURTHER DEFINE THE TERM "PRACTICE LAW" FOR PURPOSES OF REGULATING THE UNAUTHORIZED PRACTICE OF LAW, upon second reading.

July 1, 2014

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from today's calendar and placed on the calendar of Wednesday, July 9.

CALENDAR

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

S.B. 877 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN REAL ESTATE TIME SHARES FROM THE RULE AGAINST PERPETUITIES, upon second reading.

Senator Cook offers Amendment No. 1, which is adopted (49-0) and changes the bill from Local to Public.

The Committee Substitute bill, as amended, passes its second reading (49-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives by special message.

H.B. 1025 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) AUTHORIZE CONTINUANCES OF DIVISION OF MOTOR VEHICLES INSPECTION STATION VIOLATION CASES; (2) PROVIDE THAT AGRICULTURAL TOURISM SIGNS ON STATE HIGHWAYS ARE SUBJECT TO DEPARTMENT OF TRANSPORTATION LOCATION AND PLACEMENT RULES; (3) CHANGE THE DUE DATE FOR THE NORTH CAROLINA TURNPIKE AUTHORITY ANNUAL AUDIT REPORT TO OCTOBER; (4) REPEAL A REQUIREMENT THAT THE DEPARTMENT OF TRANSPORTATION ANNUALLY REPORT RIGHT TURN ON RED PEDESTRIAN CRASHES; (5) AMEND THE STATE DRIVERS LICENSE MATERIAL TECHNICAL STANDARDS; (6) APPLY ALTERNATE PRIORITIZATION CRITERIA UNDER THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA TO FEDERAL AND STATE FUNDS USED FOR EMERGENCY REPAIR WORK; (7) REENACT THE AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION TO PARTICIPATE IN PRIVATE DEVELOPER CONTRACTS FOR IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM, SUBJECT TO A LIMIT OF THE LESSER OF TEN PERCENT OR TWO HUNDRED FIFTY THOUSAND DOLLARS; (8) TO EXCLUDE FEDERAL LANDS ACCESS PROGRAM FUNDS FROM THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; (9) UPDATE STATE LAW GOVERNING DEPARTMENT OF TRANSPORTATION OVERSIGHT OF THE SAFETY OF RAIL FIXED GUIDEWAY PUBLIC TRANSPORTATION SYSTEMS; (10) AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO INSTALL AND OPERATE RAMP METERS AND TO PROVIDE THAT VIOLATION OF A RAMP METER SIGNAL IS AN INFRACTION; (11) CLARIFY STATE LAW CONCERNING FERRY RECEIPT GENERATING ACTIVITIES; (12) SPECIFY PENALTIES FOR VIOLATION OF REQUIRED

ETHICS REPORTING PROVISIONS APPLICABLE TO METROPOLITAN PLANNING ORGANIZATIONS AND RURAL TRANSPORTATION PLANNING ORGANIZATIONS; AND (13) AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO CONTRACT FOR SPONSORSHIP ARRANGEMENTS FOR DEPARTMENT OPERATIONS, upon second reading.

The Senate Committee Substitute bill passes its second reading (49-0) and, without objection, 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.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

H.B. 1027 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES HEARING ON A LICENSE REVOCATION AS A RESULT OF A DRIVING WHILE IMPAIRED IGNITION INTERLOCK VIOLATION BE HELD IN THE LICENSEE'S COUNTY OF RESIDENCE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from today's calendar and re-referred to the **Rules and Operations of the Senate Committee**.

CALENDAR *(continued)*

H.B. 1048 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD, TO ADD AN ASSISTANT ADJUTANT GENERAL FOR THE NORTH CAROLINA NATIONAL GUARD, TO INCREASE NATIONAL GUARD FLEXIBILITY WITH RESPECT TO CERTAIN CAPITAL PROJECTS, AND TO ALLOW FOR ADDITIONAL USES OF FAMILY ASSISTANCE CENTER FUNDS FOR SURVIVING FAMILY MEMBERS OF DECEASED NATIONAL GUARD SERVICEMEMBERS, upon second reading.

Senator Soucek offers Amendment No. 1, which is adopted (49-0) and changes the title to read **H.B. 1048** (Senate Committee Substitute) A BILL TO BE ENTITLED AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD, TO ADD AN ASSISTANT ADJUTANT GENERAL FOR THE NORTH CAROLINA NATIONAL GUARD, AND TO ALLOW FOR ADDITIONAL USES OF FAMILY ASSISTANCE CENTER FUNDS FOR SURVIVING FAMILY MEMBERS OF DECEASED NATIONAL GUARD SERVICEMEMBERS.

July 1, 2014

The Senate Committee Substitute bill, as amended, passes its second reading (49-0).

Senator Soucek objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Senate Committee Substitute bill, as amended, placed on the calendar of Wednesday, July 2, upon third reading.

S.B. 773 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GENERAL STATUTES COMMISSION TO MODIFY THE SLAYER STATUTE DUE TO THE NEED TO ACCOUNT FOR PROPERTY HELD IN A JOINT TENANCY IN UNEQUAL SHARES, TO CLARIFY THE PROVISIONS FOR FILING CERTIFIED COPIES OF PROBATED WILLS IN OTHER COUNTIES WHERE A DECEDENT HAS REAL PROPERTY, AND TO DELETE THE STATUTORY FORMS FOR JUDGMENT DEBTORS CLAIMING EXEMPTIONS UNDER G.S. 1C-1601 BECAUSE THE ADMINISTRATIVE OFFICE OF THE COURTS ALREADY HAS WIDELY USED FORMS FOR THAT PURPOSE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, upon third reading, as amended.

Senator Hartsell offers Amendment No. 2, which is adopted (49-0) and changes the title to read **S.B. 773** (Committee Substitute) A BILL TO BE ENTITLED AN ACT TO IMPLEMENT (I) THE RECOMMENDATIONS OF THE GENERAL STATUTES COMMISSION TO MODIFY THE SLAYER STATUTE DUE TO THE NEED TO ACCOUNT FOR PROPERTY HELD IN A JOINT TENANCY IN UNEQUAL SHARES, TO CLARIFY THE PROVISIONS FOR FILING CERTIFIED COPIES OF PROBATED WILLS IN OTHER COUNTIES WHERE A DECEDENT HAS REAL PROPERTY, AND TO DELETE THE STATUTORY FORMS FOR JUDGMENT DEBTORS CLAIMING EXEMPTIONS UNDER G.S. 1C-1601 BECAUSE THE ADMINISTRATIVE OFFICE OF THE COURTS ALREADY HAS WIDELY USED FORMS FOR THAT PURPOSE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND (II) THE RECOMMENDATIONS OF THE NORTH CAROLINA BAR ASSOCIATION TO CLARIFY THE REQUIREMENTS FOR THE TIMELY SUBSTITUTION OF A PERSONAL REPRESENTATIVE IN PLACE OF A DECEDENT IN AN ACTION PENDING AT THE DECEDENT'S DEATH AND TO CLARIFY THAT THE COMMON LAW RULE AGAINST ACCUMULATIONS DOES NOT APPLY TO TRUSTS IN THIS STATE; AND TO MAKE OTHER CHANGES TO THE LAW.

The Committee Substitute bill, as amended, passes its third reading (49-0) and is ordered engrossed and sent to the House of Representatives by special message.

S.B. 614 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FURTHER PROTECT MILITARY LANDS, TO MAKE AMENDMENTS TO THE MILITARY AFFAIRS COMMISSION, AND TO PROTECT SENSITIVE MILITARY DOCUMENTS, for concurrence in the House Committee Substitute bill.

July 1, 2014

The Senate fails to concur in the House Committee Substitute bill (0-49) and the House of Representatives is notified.

APPOINTMENT OF CONFERENCE COMMITTEES

S.B. 793 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A TEACHER EMPLOYED BY A CHARTER SCHOOL MAY SERVE AS A NONVOTING MEMBER OF THE BOARD OF DIRECTORS FOR THE CHARTER SCHOOL; TO AMEND THE DATE BY WHICH THE STATE BOARD OF EDUCATION SHALL MAKE DECISIONS ON CHARTER SCHOOL APPLICATIONS; TO ALLOW A CHARTER SCHOOL TO EXPAND ONE GRADE HIGHER THAN THE CHARTER SCHOOL CURRENTLY OFFERS; TO REQUIRE CHARTER RENEWALS TO BE FOR TEN YEARS; TO CLARIFY THAT CHARTERS WITH THE MISSION OF SINGLE GENDER EDUCATION MAY LIMIT ADMISSION ON THE BASIS OF GENDER; TO PROVIDE PRIORITY ENROLLMENT FOR THE CHILDREN OF MEMBERS OF THE BOARD OF DIRECTORS OF CHARTER SCHOOLS BEYOND THE INITIAL YEAR; TO MAKE CHARTER SCHOOLS SUBJECT TO REQUIREMENTS OF THE OPEN MEETINGS AND PUBLIC RECORDS LAWS; TO ALLOW CHARTER SCHOOLS TO ASK FOR ADDITIONAL RECORDS REGARDING THE TRANSFER OF THE PER PUPIL SHARE OF THE LOCAL CURRENT EXPENSE FUND; TO SHORTEN THE TIME PERIOD FOR PAYMENT OF DELINQUENT FUNDS; TO CLARIFY THE BIDDING PROCESS FOR THE ASSUMPTION OF CHARTER SCHOOLS; AND TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A FAST-TRACK APPROVAL PROCESS; AND TO ALLOW CHARTER SCHOOLS TO BE ELIGIBLE TO RECEIVE PERMANENT REGISTRATION PLATES.

Pursuant to the Senate having failed to concur in the House Committee Substitute for S.B. 793 on June 30, Senator Louis Pate, Deputy President *Pro Tempore*, announces the appointment of Senator Tillman, Chair; Senator Soucek, Senator Daniel and Senator Rabon 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. 648 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE TRANSPARENCY IN CONTRACTS BETWEEN THE ATTORNEY GENERAL AND PRIVATE ATTORNEYS.

Pursuant to the Senate having failed to concur in the House Committee Substitute for S.B. 648 on June 30, Senator Louis Pate, Deputy President *Pro Tempore*, announces the appointment of Senator B. Jackson, Chair; Senator Rucho, Senator Barringer and Senator Apodaca 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.

July 1, 2014

Upon motion of Senator Berger, seconded by Senator Randleman, the Senate adjourns at 2:26 p.m., in honor of Paul R. Hallman, Sr., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the appointment of conferees, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Wednesday, July 2, at 2:00 p.m.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.B. 1033 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A COUNTY TO IMPOSE A SPECIAL ASSESSMENT FOR REPAIR OF A DAM.

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

H.B. 1155, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE VILLAGE OF PINEHURST AND AUTHORIZING THE VILLAGE TO LEVY SPECIAL ASSESSMENTS TO MEET THE COST OF CONSTRUCTION OF A STORMWATER MANAGEMENT SYSTEM TO SERVE THE PROPERTY ADDED.

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

H.B. 1245 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF PLEASANT GARDEN AT THE REQUEST OF THE PROPERTY OWNER AND THE TOWN; AND REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WATHA.

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

S.B. 85 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE AVAILABILITY OF THIRD AND FOURTH YEAR CLINICAL ROTATIONS FOR NORTH CAROLINA ALLOPATHIC AND OSTEOPATHIC MEDICAL STUDENTS AND THE AVAILABILITY OF GRADUATE MEDICAL EDUCATION POSITIONS FOR NORTH CAROLINA ALLOPATHIC AND OSTEOPATHIC MEDICAL SCHOOL GRADUATES, for concurrence in the House Committee Substitute bill.

Referred to the **Ways & Means Committee**.

S.B. 594 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REMOVE PROHIBITIONS ON CARRYING CONCEALED FIREARMS BY ADMINISTRATIVE LAW JUDGES, NORTH CAROLINA APPELLATE JUSTICES AND JUDGES, AND CERTAIN DEPARTMENT

OF PUBLIC SAFETY EMPLOYEES; TO INCREASE THE PENALTY FOR CARRYING A CONCEALED FIREARM; TO INCREASE THE PENALTY FOR GIVING OR SELLING A CELL PHONE TO AN INMATE AND TO MAKE POSSESSION OF A CELL PHONE BY AN INMATE UNLAWFUL; TO AMEND THE OFFENSE OF MAKING THREATS AGAINST OR ASSAULTING LEGISLATIVE, EXECUTIVE, OR COURT OFFICERS; TO CREATE AN OFFENSE WHEN AN INMATE SOLICITS ANOTHER TO COMMIT A CRIMINAL OFFENSE; TO INCREASE PENALTIES FOR CERTAIN VIOLATIONS OF THE AMUSEMENT DEVICE SAFETY ACT; TO PROPERLY IMPLEMENT CURRENT EXPUNCTION PROVISIONS; TO ADD QUALIFIED RETIRED CORRECTIONAL OFFICERS TO OFFICERS EXEMPT FROM CONCEALED CARRY COURSE; TO CONFORM STATE LAW WITH THE UNITED STATES SUPREME COURT DECISION IN HALL V. FLORIDA; TO ADD THE UNFAIR USE OF CRIMINAL RECORD INFORMATION TO THE CONSUMER PROTECTION LAWS; TO DIRECT MERGERS AT THE DEPARTMENT OF PUBLIC SAFETY; AND TO AUTHORIZE REMOTE VIDEO TESTIMONY BY FORENSIC AND CHEMICAL ANALYSTS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON JUDICIAL EFFICIENCY AND EFFECTIVE ADMINISTRATION OF JUSTICE, for concurrence in the House Committee Substitute bill No. 2.

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

ENROLLED BILL

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

S.B. 767, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ROCKINGHAM.

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED THIRTY-FIFTH DAY

Senate Chamber
Wednesday, July 2, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

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

"Almighty and merciful Father, we give you humble and heartfelt thanks today for all your goodness and your steadfast love that does not stop. We bless you for your creation; we bless you for your preservation of us, your people. Lord, we thank you that nothing we do can separate us from your love. Give us courage today to march on and to hear your marching orders. In Christ's name we pray. Amen."

PLEDGE OF ALLEGIANCE

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

The Chair grants leaves of absence for today to Senator Jenkins, Senator Parmon, and Senator Walters.

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Tuesday, July 1, 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.

The Chair extends privileges of the floor to Dr. Janis Puglisi from Lewisville, 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. 330, AN ACT AMENDING THE NORTH CAROLINA PLANNED COMMUNITY ACT REGARDING THE TRANSFER OF SPECIAL DECLARANT RIGHTS.

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

H.B. 1113, AN ACT TO EXEMPT A TRANSFER OF THE BREVARD ROAD SITE PURSUANT TO AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF ASHEVILLE AND HENDERSON COUNTY FROM ARTICLE 16 OF CHAPTER 160A OF THE GENERAL STATUTES AND FROM THE SULLIVAN ACTS.

H.B. 1247, AN ACT TO ALLOW LIMITED APPOINTMENT OF ELECTED PUBLIC OFFICIALS TO THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY AND TO PROVIDE THAT EMINENT DOMAIN MUST BE AUTHORIZED BY THE AFFECTED APPOINTING AUTHORITY.

CALENDAR

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

H.B. 1048 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD, TO ADD AN ASSISTANT ADJUTANT GENERAL FOR THE NORTH CAROLINA NATIONAL GUARD, TO INCREASE NATIONAL GUARD FLEXIBILITY WITH RESPECT TO CERTAIN CAPITAL PROJECTS, AND TO ALLOW FOR ADDITIONAL USES OF FAMILY ASSISTANCE CENTER FUNDS FOR SURVIVING FAMILY MEMBERS OF DECEASED NATIONAL GUARD SERVICEMEMBERS, upon third reading, as amended.

The Senate Committee Substitute bill, as amended, passes its third reading (44-0) and is ordered engrossed and sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill.

LEAVES OF ABSENCE

Without objection, the Chair grants excused leaves of absence to Senator Soucek, Senator Tillman, and Senator Wade for the vote on **H.B. 1048**, as they were attending a conference committee meeting when the vote was taken.

APPOINTMENT OF A CONFERENCE COMMITTEE

S.B. 614 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FURTHER PROTECT MILITARY LANDS, TO MAKE AMENDMENTS TO THE MILITARY AFFAIRS COMMISSION, AND TO PROTECT SENSITIVE MILITARY DOCUMENTS.

Pursuant to the Senate having failed to concur in the House Committee Substitute for S.B. 614 on July 1, Senator Louis Pate, Deputy President *Pro Tempore*, announces the appointment of Senator Brown, Chair; Senator Meredith, Senator Pate, Senator Rabin and Senator Clark as conferees on the part of the Senate to resolve the differences arising between the two bodies. A message is ordered sent to the House of Representatives informing that honorable body of such action and requesting conferees.

Upon motion of Senator Apodaca, seconded by Senator Tillman, the Senate adjourns at 2:26 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the appointment of conferees, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Thursday, July 3, at 9:30 a.m.

July 2, 2014

EXECUTIVE ORDERS

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

Executive Order No. 55, Equal Employment Opportunity (EEO).

Executive Order No. 56, Disaster Declaration for the Town of Woodfin.

Executive Order No. 57, Declaration of a State of Emergency by the Governor of the State of North Carolina.

Executive Order No. 58, Temporary Suspension of Motor Vehicle Regulations to Ensure Restoration of Utility Services and Transporting Essentials.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 1, 2014

Mr. President:

Pursuant to the information that your Honorable Body failed to concur in **S.B. 648 House Committee Substitute (6th Edition)**, A BILL TO BE ENTITLED AN ACT TO CREATE TRANSPARENCY IN CONTRACTS BETWEEN THE ATTORNEY GENERAL AND PRIVATE ATTORNEYS, and requests conferees. Speaker Tillis has appointed:

Representative Daughtry, Chair
Representative Stam
Representative Faircloth
Representative Davis and
Representative Hanes

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

July 2, 2014

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 1, 2014

Mr. President:

Pursuant to the information that your Honorable Body failed to concur in **S.B. 793 House Committee Substitute (5th Edition)**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A TEACHER EMPLOYED BY A CHARTER SCHOOL MAY SERVE AS A NONVOTING MEMBER OF THE BOARD OF DIRECTORS FOR THE CHARTER SCHOOL; TO AMEND THE DATE BY WHICH THE STATE BOARD OF EDUCATION SHALL MAKE DECISIONS ON CHARTER SCHOOL APPLICATIONS; TO ALLOW A CHARTER SCHOOL TO EXPAND ONE GRADE HIGHER THAN THE CHARTER SCHOOL CURRENTLY OFFERS; TO REQUIRE CHARTER RENEWALS TO BE FOR TEN YEARS; TO CLARIFY THAT CHARTERS WITH THE MISSION OF SINGLE GENDER EDUCATION MAY LIMIT ADMISSION ON THE BASIS OF GENDER; TO PROVIDE PRIORITY ENROLLMENT FOR THE CHILDREN OF MEMBERS OF THE BOARD OF DIRECTORS OF CHARTER SCHOOLS BEYOND THE INITIAL YEAR; TO MAKE CHARTER SCHOOLS SUBJECT TO REQUIREMENTS OF THE OPEN MEETINGS AND PUBLIC RECORDS LAWS; TO ALLOW CHARTER SCHOOLS TO ASK FOR ADDITIONAL RECORDS REGARDING THE TRANSFER OF THE PER PUPIL SHARE OF THE LOCAL CURRENT EXPENSE FUND; TO SHORTEN THE TIME PERIOD FOR PAYMENT OF DELINQUENT FUNDS; TO CLARIFY THE BIDDING PROCESS FOR THE ASSUMPTION OF CHARTER SCHOOLS; AND TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A FAST-TRACK APPROVAL PROCESS; AND TO ALLOW CHARTER SCHOOLS TO BE ELIGIBLE TO RECEIVE PERMANENT REGISTRATION PLATES, and requests conferees. Speaker Tillis has appointed:

Representative Horn, Chair
Representative Cotham
Representative Hardister and
Representative Lewis

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

July 2, 2014

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 1, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 189 Senate Committee Substitute (4th Edition)**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, TO MAKE TECHNICAL CORRECTIONS TO THE UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT, TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO ALLOW FOR SHAREHOLDER ASSENT TO EXCLUSIVE FORUM, AND TO CREATE A THREE-JUDGE PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS, and requests conferees. Speaker Tillis has appointed:

Representative Stevens, Chair
Representative Glazier
Representative L. Hall and
Representative T. Moore

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

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:

July 2, 2014

House of Representatives
July 1, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in Senate Amendment No. 1 for **H.B. 1218 (1st Edition)**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF MONROE TO REMOVE THE PROVISION AUTHORIZING THE CITY MANAGER TO HAVE DIRECT SUPERVISORY AUTHORITY OVER THE CITY ATTORNEY, and requests conferees. Speaker Tillis has appointed:

Representative Horn, Chair
Representative Johnson
Representative Ford and
Representative Glazier

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

H.B. 1056 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF LAKE LURE TO PROVIDE THE PLAT AND BOOK NUMBER IN THE OFFICE OF THE RUTHERFORD COUNTY REGISTER OF DEEDS WHERE THE OFFICIAL MAP OF THE TOWN'S BOUNDARIES IS RECORDED.

Referred to the **State and Local Government Committee**.

A SENATORIAL STATEMENT
Submitted by Senator Rick Gunn

Honoring Elon University on its 125th Anniversary

WHEREAS, Elon University was chartered by the North Carolina General Assembly in 1889 as Elon College, a four-year coeducational institution in Mill Point, North Carolina, now the Town of Elon; and

WHEREAS, in 2001 Elon College changed its name to Elon University to reflect its growth in academic programs, personnel, enrollment and national stature; and

WHEREAS, in the 2013-14 academic year, Elon enrolled 5,599 undergraduate and 706 graduate students, with 22 percent of those enrolled from North Carolina and the remainder from 46 other states and 49 other countries; and

WHEREAS, Elon is one of only seven private universities in the nation with accredited schools of business, communications, education, law, and health sciences, as well as a chapter of Phi Beta Kappa, the nation's oldest and most prestigious academic honor society; and

WHEREAS, Elon University is ranked as the #1 Southern regional university in the 2014 U.S. News & World Report "America's Best Colleges" guide; the #1 master's-level university in study abroad by the Institute of International Education; one of the nation's top 25 "Best Value" private universities by Kiplinger's Personal Finance magazine; and one of the nation's 378 "Best Colleges" by Princeton Review; and

WHEREAS, Elon University is renowned as the nation's preeminent community for engaged teaching and learning; has 394 full-time faculty members that are distinguished teacher-scholar-mentors; sends more undergraduate students to study abroad than any other master's-level school in the nation; is a top producer of Fulbright student scholars, Peace Corps volunteers, and Teach for America educators; has been named to the President's Higher Education Community Service Honor Roll by the Corporation for National & Community Service for seven consecutive years; and

WHEREAS, Elon University's historic 620-acre campus in central North Carolina is designated as a botanical garden and regularly receives recognition as one of nation's most beautiful collegiate environments;

NOW, THEREFORE, Elon University should be commended on its 125th anniversary.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the second day of July, 2014.

S/Senator Rick Gunn

S/Sarah Lang
Senate Principal Clerk

APPOINTMENT OF A CONFERENCE COMMITTEE

H.B. 1218, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF MONROE TO REMOVE THE PROVISION AUTHORIZING THE CITY MANAGER TO HAVE DIRECT SUPERVISORY AUTHORITY OVER THE CITY ATTORNEY.

Pursuant to the message from the House of Representatives received earlier today that the House fails to concur in Senate Amendment No. 1 for H.B. 1218 and requests conferees, Senator Phil Berger, President *Pro Tempore*, appoints Senator Hartsell, Co-Chair and Senator Tucker, Co-Chair 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.

July 2, 2014

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

S.B. 201 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STANLY COMMUNITY COLLEGE TO ENTER INTO AGREEMENTS WITH STANLY COUNTY TO JOINTLY ERECT BUILDINGS ON PROPERTY OWNED BY STANLY COMMUNITY COLLEGE, for concurrence in the House Committee Substitute bill.

Referred to the **State and Local Government Committee**.

Pursuant to Senator Apodaca's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED THIRTY-SIXTH DAY

Senate Chamber
Thursday, July 3, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Andrew C. Brock, Senator from Davie County.

Prayer is offered by The Honorable Chad Barefoot, Senator from Wake County, as follows:

"Heavenly Father, thank you for allowing us to live in a country where we can govern ourselves. Lord, I pray that we would be ever mindful of this blessing as we approach our annual celebration of independence. And we especially thank you for those who have risked their lives to protect these freedoms. Lord, I ask that you help us remember that the beginning of true freedom is only found in the redemptive and saving knowledge of your Son, Jesus Christ, who died to set all people of every nation and every background free from the bondage of sin. It is in His name that we pray. Amen."

Senator Barefoot announces that the Senate Journal of Wednesday, July 2, 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.

The Chair extends privileges of the floor to Richard D. McGowan from Clayton, North Carolina, who is serving the Senate as Nurse of the Day.

July 3, 2014

ENROLLED BILLS

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

S.B. 797, AN ACT TO AMEND THE DUTIES OF THE 911 BOARD RELATING TO PUBLIC SAFETY ANSWERING POINTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY, AND TO CLARIFY THE COLLECTION AUTHORITY OF THE DEPARTMENT OF REVENUE FOR THE 911 FEE ON PREPAID WIRELESS.

H.B. 1025, AN ACT TO (1) AUTHORIZE CONTINUANCES OF DIVISION OF MOTOR VEHICLES INSPECTION STATION VIOLATION CASES; (2) PROVIDE THAT AGRICULTURAL TOURISM SIGNS ON STATE HIGHWAYS ARE SUBJECT TO DEPARTMENT OF TRANSPORTATION LOCATION AND PLACEMENT RULES; (3) CHANGE THE DUE DATE FOR THE NORTH CAROLINA TURNPIKE AUTHORITY ANNUAL AUDIT REPORT TO OCTOBER; (4) REPEAL A REQUIREMENT THAT THE DEPARTMENT OF TRANSPORTATION ANNUALLY REPORT RIGHT TURN ON RED PEDESTRIAN CRASHES; (5) AMEND THE STATE DRIVERS LICENSE MATERIAL TECHNICAL STANDARDS; (6) APPLY ALTERNATE PRIORITIZATION CRITERIA UNDER THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA TO FEDERAL AND STATE FUNDS USED FOR EMERGENCY REPAIR WORK; (7) REENACT THE AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION TO PARTICIPATE IN PRIVATE DEVELOPER CONTRACTS FOR IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM, SUBJECT TO A LIMIT OF THE LESSER OF TEN PERCENT OR TWO HUNDRED FIFTY THOUSAND DOLLARS; (8) TO EXCLUDE FEDERAL LANDS ACCESS PROGRAM FUNDS FROM THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; (9) UPDATE STATE LAW GOVERNING DEPARTMENT OF TRANSPORTATION OVERSIGHT OF THE SAFETY OF RAIL FIXED GUIDEWAY PUBLIC TRANSPORTATION SYSTEMS; (10) AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO INSTALL AND OPERATE RAMP METERS AND TO PROVIDE THAT VIOLATION OF A RAMP METER SIGNAL IS AN INFRACTION; (11) CLARIFY STATE LAW CONCERNING FERRY RECEIPT GENERATING ACTIVITIES; (12) SPECIFY PENALTIES FOR VIOLATION OF REQUIRED ETHICS REPORTING PROVISIONS APPLICABLE TO METROPOLITAN PLANNING ORGANIZATIONS AND RURAL TRANSPORTATION PLANNING ORGANIZATIONS; AND (13) AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO CONTRACT FOR SPONSORSHIP ARRANGEMENTS FOR DEPARTMENT OPERATIONS.

July 3, 2014

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

S.B. 851, AN ACT TO ALLOW FIRST CRAVEN SANITARY DISTRICT TO PROVIDE FOR ABSENTEE VOTING IN THE SAME MANNER AS A MUNICIPALITY.

S.B. 875, AN ACT TO STAGGER THE TERMS OF THE MEMBERS OF THE TOWN COUNCIL OF THE TOWN OF BAKERSVILLE.

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. 767, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ROCKINGHAM. (Became law upon ratification, July 1, 2014 - S.L. 2014-48)

H.B. 712, AN ACT TO REVISE AND CLARIFY THE SPECIAL EDUCATION SCHOLARSHIPS FOR CHILDREN WITH DISABILITIES AND TO EXEMPT CERTAIN SCHOOLS FROM CHILD CARE LICENSURE REQUIREMENTS. (Became law upon approval of the Governor, July 1, 2014 - S.L. 2014-49)

S.B. 815, AN ACT TO ENSURE THE PRIVACY AND SECURITY OF STUDENT EDUCATIONAL RECORDS. (Became law upon approval of the Governor, July 1, 2014 - S.L. 2014-50)

H.B. 1113, AN ACT TO EXEMPT A TRANSFER OF THE BREVARD ROAD SITE PURSUANT TO AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF ASHEVILLE AND HENDERSON COUNTY FROM ARTICLE 16 OF CHAPTER 160A OF THE GENERAL STATUTES AND FROM THE SULLIVAN ACTS. (Became law upon ratification, July 2, 2014 - S.L. 2014-51)

H.B. 1247, AN ACT TO ALLOW LIMITED APPOINTMENT OF ELECTED PUBLIC OFFICIALS TO THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY AND TO PROVIDE THAT EMINENT DOMAIN MUST BE AUTHORIZED BY THE AFFECTED APPOINTING AUTHORITY. (Became law upon ratification, July 2, 2014 - S.L. 2014-52)

Upon motion of Senator Blue, seconded by Senator Barefoot, the Senate adjourns at 9:40 a.m., in honor of the 238th Anniversary of the Declaration of Independence, subject to the ratification of bills, the receipt of messages from the House of Representatives, the appointment of conferees, and the receipt of messages from the Governor, to reconvene Monday, July 7, at 4:00 p.m.

July 3, 2014

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

S.B. 794 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE CERTAIN RULES ADOPTED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION, TO PROVIDE SPECIFIC DIRECTIONS TO THE INDUSTRIAL COMMISSION TO REPLACE THE RULES, TO AMEND CERTAIN PROVISIONS OF THE WORKERS' COMPENSATION LAW; AND TO ALLOW THE CONFERENCE OF CHIEF DISTRICT JUDGES TO PRESCRIBE UNIFORM STATEWIDE PRESUMPTIVE GUIDELINES FOR THE COMPUTATION OF RETROACTIVE CHILD SUPPORT OBLIGATIONS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Wednesday, July 9.

H.B. 1181 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODERNIZE AND STABILIZE NORTH CAROLINA'S MEDICAID PROGRAM THROUGH PROVIDER-LED CAPITATED HEALTH PLANS.

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

S.B. 105 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF ELIZABETHTOWN AND THE TOWN OF MATTHEWS TO ENROLL ITS EMPLOYEES AND DEPENDENTS IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, for concurrence in the House Committee Substitute bill No. 2.

Referred to the **Insurance Committee**.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 2, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 1048 Senate Committee Substitute (5th Edition)**, A BILL TO BE ENTITLED AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD, TO ADD AN ASSISTANT ADJUTANT GENERAL FOR THE NORTH CAROLINA NATIONAL

GUARD, AND TO ALLOW FOR ADDITIONAL USES OF FAMILY ASSISTANCE CENTER FUNDS FOR SURVIVING FAMILY MEMBERS OF DECEASED NATIONAL GUARD SERVICEMEMBERS, and requests conferees. Speaker Tillis has appointed:

Representative Hastings, Chair
Representative Szoka
Representative Whitmire and
Representative Floyd

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

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
July 2, 2014

Mr. President:

Pursuant to the information that your Honorable Body failed to concur in **S.B. 614 House Committee Substitute (4th Edition)**, A BILL TO BE ENTITLED AN ACT TO FURTHER PROTECT MILITARY LANDS, TO MAKE AMENDMENTS TO THE MILITARY AFFAIRS COMMISSION, AND TO PROTECT SENSITIVE MILITARY DOCUMENTS, and requests conferees. Speaker Tillis has appointed:

Representative Cleveland, Chair
Representative Whitmire and
Representative J. Bell

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

July 3, 2014

ENROLLED BILL

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

S.B. 874, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE.

Pursuant to Senator Blue's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED THIRTY-SEVENTH DAY

Senate Chamber
Monday, July 7, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Ralph Hise, Senator from Mitchell County.

Prayer is offered by The Honorable Chad Barefoot, Senator from Wake County, as follows:

"Heavenly Father, Lord, we thank you again for another day. Lord, we very much appreciate the fact that you took care of our citizens in this state during the holiday and the weather and the weekend. We pray that you continue to watch out for us and guide and protect us. Lord, watch out for the families of the members who serve in this body. All these things we ask in Jesus' name. Amen."

Senator Stein announces that the Senate Journal of Thursday, July 3, 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.

Upon motion of Senator Stein, seconded by Senator Barefoot, the Senate adjourns at 4:03 p.m., subject to the ratification of bills, the receipt of messages from the House of Representatives, the appointment of conferees, and the receipt of messages from the Governor, to reconvene Tuesday, July 8, at 3:00 p.m.

EXECUTIVE ORDER

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

July 7, 2014

Executive Order No. 59, Amendment to Executive Order 58: Temporary Suspension of Motor Vehicle Regulations Related to Agricultural Vehicles.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 3, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 366 Senate Committee Substitute No. 2 (5th Edition)**, A BILL TO BE ENTITLED AN ACT TO (1) MAINTAIN THE CONFIDENTIALITY OF ENVIRONMENTAL INVESTIGATIONS FOR AGRICULTURAL OPERATIONS AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ADOPT RULES FOR A FORMAL COMPLAINT PROCEDURE; (2) CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT ORDINANCES RELATED TO FERTILIZER; (3) REWRITE THE LANDSCAPE CONTRACTOR LICENSING STATUTES; (4) STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM; (5) CLARIFY THE MEANING OF THE TERMS "PLANTING AND HARVESTING SEASON" AND "PLANTING AND HARVESTING PERIOD" FOR PURPOSES OF APPLYING FEDERAL LAWS OR REGULATIONS RELATING TO HOURS OF SERVICE RULES FOR CERTAIN DRIVERS TRANSPORTING AGRICULTURAL PRODUCTS; (6) AMEND THE CHAIRMANSHIP OF THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION; (7) ALLOW THE COMMISSIONER OF AGRICULTURE TO APPOINT LAW ENFORCEMENT OFFICERS TO CARRY OUT THE LAW ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; (8) ALLOW THE USE OF PESTICIDES TO CONTROL MOLES; (9) CLASSIFY TRESPASSING ON AN AGRICULTURAL FACILITY AS A FIRST DEGREE TRESPASS; (10) REQUIRE WRITTEN CONSENT TO OPERATE AN ALL-TERRAIN VEHICLE ON PROPERTY OWNED BY ANOTHER; (11) ALLOW DRAINAGE DISTRICTS TO MAINTAIN DITCHES IN BUFFER ZONES; (12) CLARIFY PERIODIC INSPECTIONS AUTHORITY OF THE NORTH CAROLINA HOUSING FINANCE AGENCY; AND (13) PERMIT SECURITY GRILLES AT ALL EXITS OF A BUILDING SUBJECT TO CERTAIN CONDITIONS, and requests conferees. Speaker Tillis has appointed:

July 7, 2014

Representative Dixon, Chair
Representative Langdon
Representative Lewis
Representative Boles and
Representative Brisson

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

S.B. 729 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE AUGUST 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO

CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL

RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Tuesday, July 8.

Pursuant to Senator Stein's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED THIRTY-EIGHTH DAY

Senate Chamber
Tuesday, July 8, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

Prayer is offered by The Reverend John Futterer from First Lutheran Church in Albemarle, North Carolina, as follows:

"Almighty God, you have given us this good land as our heritage. Bless our state with honesty in the workplace, with truth in education, and with honor in daily life. When times are prosperous, let our hearts be thankful; and in troubled times, do not let our trust in you fail. We lift before you this day all who govern in this state of North Carolina. May those who hold power understand that it is a trust from you to be to be used not for personal glory or profit, but for the

service of your people. Drive from us cynicism, selfishness, and corruption; grant in your mercy just and honest government; and give us grace to live together in unity and peace. In your blessed name we pray. Amen."

Senator Apodaca, Rules Chairman, announces that the Senate Journal of Monday, July 7, 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.

The Chair extends privileges of the floor to Sharon Ying from Morrisville, North Carolina, who is serving the Senate as Nurse of the Day.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

S.B. 729 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE AUGUST 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE

DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY,

WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the House Committee Substitute bill is withdrawn from today's calendar and placed on the calendar of Thursday, July 10.

WITHDRAWALS FROM A FUTURE CALENDAR

H.B. 663 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FURTHER DEFINE THE TERM "PRACTICE LAW" FOR PURPOSES OF REGULATING THE UNAUTHORIZED PRACTICE OF LAW, placed on the calendar of Wednesday, July 9.

Senator Apodaca offers a motion that the Senate Committee Substitute bill be withdrawn from the calendar of Wednesday, July 9, and re-referred to the **Rules and Operations of the Senate Committee**, which motion prevails with unanimous consent, and the Chair so orders.

H.B. 369 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO VARIOUS CRIMINAL LAWS AND TO AMEND THE WORKERS' COMPENSATION ACT TO EXCLUDE FROM BENEFITS UNDER G.S. 97-29 AND G.S. 97-30, AND FROM VOCATIONAL REHABILITATION, ILLEGAL ALIEN INJURED WORKERS WHO OBTAINED EMPLOYMENT THROUGH MISREPRESENTATION OF EMPLOYMENT STATUS, placed on the calendar of Wednesday, July 9.

Senator Apodaca offers a motion that the Senate Committee Substitute bill be withdrawn from the calendar of Wednesday, July 9, and re-referred to the **Rules and Operations of the Senate Committee**, which motion prevails with unanimous consent, and the Chair so orders.

July 8, 2014

S.B. 794 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE CERTAIN RULES ADOPTED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION, TO PROVIDE SPECIFIC DIRECTIONS TO THE INDUSTRIAL COMMISSION TO REPLACE THE RULES, TO AMEND CERTAIN PROVISIONS OF THE WORKERS' COMPENSATION LAW; AND TO ALLOW THE CONFERENCE OF CHIEF DISTRICT JUDGES TO PRESCRIBE UNIFORM STATEWIDE PRESUMPTIVE GUIDELINES FOR THE COMPUTATION OF RETROACTIVE CHILD SUPPORT OBLIGATIONS, placed on the calendar of Wednesday, July 9.

Senator Apodaca offers a motion that the House Committee Substitute bill be withdrawn from the calendar of Wednesday, July 9, and placed on the calendar of Thursday, July 10, which motion prevails with unanimous consent, and the Chair so orders.

RE-REFERRAL OF BILLS

Upon motion of Senator Apodaca, without objection, all bills that would naturally appear on the calendar of Wednesday, July 9, will be placed on the calendar of Thursday, July 10.

CONFERENCE REPORT

Senator Tillman, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **S.B. 812** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXERCISE NORTH CAROLINA'S CONSTITUTIONAL AUTHORITY TO REPLACE COMMON CORE AND ESTABLISH, PROMOTE, AND ASSURE HIGH ACADEMIC STANDARDS THAT ARE ROBUST AND APPROPRIATE FOR NORTH CAROLINA PUBLIC EDUCATION, 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 812, A BILL TO BE ENTITLED AN ACT TO EXERCISE NORTH CAROLINA'S CONSTITUTIONAL AUTHORITY TO REPLACE COMMON CORE AND ESTABLISH, PROMOTE, AND ASSURE HIGH ACADEMIC STANDARDS THAT ARE ROBUST AND APPROPRIATE FOR NORTH CAROLINA PUBLIC EDUCATION, House Committee Substitute Favorable 6/23/14, Fifth Edition Engrossed 6/24/14, submit the following report:

The Senate and House agree to the following amendment to the House Committee Substitute Favorable 6/23/14, Fifth Edition Engrossed 6/24/14, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute Favorable 6/23/14, Fifth Edition Engrossed 6/24/14, and substitute the attached Proposed Conference Committee Substitute S812-PCCS35584-TL-3.

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

Date Conferees approved report: July 8, 2014.

Conferees for the Senate	*Conferees for the House of Representatives*
S/Jerry W. Tillman, Chair	S/Bryan R. Holloway, Chair
S/Trudy Wade	S/William D. Brisson
S/Dan Soucek	S/D. Craig Horn
	S/Michael Speciale
	S/Jeffrey Elmore

The full text of the proposed Conference Committee Substitute can be found in Chapter 78 of the 2014 Session Laws.

Upon motion of Senator Apodaca, the Conference Committee Substitute bill is placed on the calendar of Thursday, July 10, for adoption.

Upon motion of Senator Apodaca, seconded by Senator Brown, the Senate adjourns at 3:11 p.m., subject to the ratification of bills, the receipt of messages from the House of Representatives, the appointment of conferees, and the receipt of messages from the Governor, to reconvene Wednesday, July 9, at 2:00 p.m.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.B. 1144 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE SCOPE AND APPLICATION OF THE ONE PERCENT/EIGHTY-DOLLAR PRIVILEGE TAX APPLICABLE TO MILL MACHINERY AND CERTAIN OTHER MACHINERY AND EQUIPMENT.
Referred to the **Finance Committee**.

H.B. 1234, A BILL TO BE ENTITLED AN ACT TO PROTECT THE CITIZENS OF NORTH CAROLINA FROM THE FERRY TAX AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF TRANSPORTATION FOR FERRY VESSEL REPLACEMENT.
Referred to the **Transportation Committee**.

H.J.R. 1262, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO EXAMINE WAYS TO

PREVENT SUICIDE AMONG MINORS AND VETERANS IN NORTH CAROLINA.

Referred to the **Health Care Committee**.

S.B. 42 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CONFIDENTIALITY OF UNEMPLOYMENT COMPENSATION RECORDS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Thursday, July 10.

S.B. 78 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE NORTH CAROLINA COURTS COMMISSION TO STUDY REQUIRING CITIES AND COUNTIES TO REMOVE PERSONAL INFORMATION FROM RECORDS AVAILABLE ON INTERNET WEB SITES MAINTAINED BY COUNTIES AND CITIES WHEN REQUESTED BY CERTAIN LAW ENFORCEMENT PERSONNEL, PROSECUTORS, AND JUDICIAL OFFICERS, for concurrence in the House Committee Substitute bill No. 2.

The House Committee Substitute bill No. 2 is placed on the calendar of Thursday, July 10.

S.B. 846 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SHALLOTTE AND TO CLARIFY THE TOURISM DEVELOPMENT AUTHORITY REQUIREMENTS PERTAINING TO THE OCCUPANCY TAX AUTHORIZED FOR THE TOWN OF SOUTHPORT, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Thursday, July 10.

S.B. 853 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO VALIDATE CORPORATE FORUM SELECTION PROVISIONS CONTAINED IN ARTICLES OF INCORPORATION AND BYLAWS, AND TO CREATE A WORKING GROUP TO STUDY JUDICIAL EFFICIENCY AND BUSINESS COURT MODERNIZATION, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Thursday, July 10.

July 8, 2014

EXECUTIVE ORDER

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

Executive Order No. 60, Notice of Termination of Executive Orders 57, 58, and 59.

Pursuant to Senator Apodaca's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED THIRTY-NINTH DAY

Senate Chamber
Wednesday, July 9, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Tom Apodaca, Chairman of the Rules and Operations of the Senate Committee.

Prayer is offered by The Honorable Jerry W. Tillman, Senator from Randolph County, as follows:

"I will begin with a verse from Philippians 4:4-7... 'Rejoice in the Lord always. I say it again, rejoice. Let thy gentleness be known to all, the Lord is near. Don't be anxious about anything, but in everything with prayer and petition and thanksgiving, present your request to God, and the peace of God, which transcends all understanding will guard our hearts and our minds in Christ Jesus.' And I would end by saying, Lord, I just pray in this humble prayer and this august body that you will be preeminent in our lives and we'll put you first in all things. Then everything else will find its proper place. In Christ's name, Amen."

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Tuesday, July 8, 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.

The Chair extends privileges of the floor to Tina Schoen from Waxhaw, North Carolina, who is serving the Senate as Nurse of the Day.

WITHDRAWAL FROM FUTURE CALENDAR

S.B. 42 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CONFIDENTIALITY OF UNEMPLOYMENT COMPENSATION RECORDS, placed on the calendar of Thursday, July 10.

Senator Hise offers a motion that the House Committee Substitute bill be withdrawn from the calendar of Thursday, July 10, and re-referred to the **Rules and Operations of the Senate Committee**, which motion prevails without objection, and the Chair so orders.

Upon motion of Senator Pate, seconded by Senator Curtis, the Senate adjourns at 2:08 p.m., subject to the ratification of bills, the receipt of messages from the House of Representatives, the appointment of conferees, and the receipt of messages from the Governor, to reconvene Thursday, July 10, at 2:00 p.m.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 9, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that Speaker Tillis has been added as a conferee to **S.B. 744 House Committee Substitute No. 2 (7th Edition)**, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

July 9, 2014

ONE HUNDRED FORTIETH DAY

Senate Chamber
Thursday, July 10, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

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

"Heavenly Father, thank you so much for this day. As we come to you on this hot sticky day, we need you as only you can do to sustain us as we pray. Our prayer today is that we might follow you as Simon Peter was asked to do some two thousand years ago. We know that there is a cost to discipleship, Lord, but we also know that you will carry us as we remain faithful to your commands. Come now, Lord Jesus; help us as we follow you. It's in your name we pray. Amen."

The Chair grants leaves of absence for today to Senator Allran, Senator Ford, Senator Jenkins, Senator Parmon, and Senator Robinson.

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Wednesday, July 9, 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.

The Chair extends privileges of the floor to Septina Florimonte from Raleigh, North Carolina, who is serving the Senate as Nurse of the Day.

MOTIONS RELATIVE TO THE CALENDAR

The following changes are made to today's calendar:

S.B. 853 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO VALIDATE CORPORATE FORUM SELECTION PROVISIONS CONTAINED IN ARTICLES OF INCORPORATION AND BYLAWS, AND TO CREATE A WORKING GROUP TO STUDY JUDICIAL EFFICIENCY AND BUSINESS COURT MODERNIZATION, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the House Committee Substitute bill is withdrawn from today's calendar and placed on the calendar of Monday, July 14.

S.B. 729 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE AUGUST 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS,

INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND

COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the House Committee Substitute bill is withdrawn from today's calendar and placed on the calendar of Monday, July 14.

S.B. 794 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE CERTAIN RULES ADOPTED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION, TO PROVIDE SPECIFIC DIRECTIONS TO THE INDUSTRIAL COMMISSION TO REPLACE THE RULES, TO AMEND CERTAIN PROVISIONS OF THE WORKERS' COMPENSATION LAW; AND TO ALLOW THE CONFERENCE OF CHIEF DISTRICT JUDGES TO PRESCRIBE UNIFORM STATEWIDE PRESUMPTIVE GUIDELINES FOR THE COMPUTATION OF RETROACTIVE CHILD SUPPORT OBLIGATIONS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the House Committee Substitute bill is withdrawn from today's calendar and placed on the calendar of Monday, July 14.

S.B. 78 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE NORTH CAROLINA COURTS COMMISSION TO STUDY REQUIRING CITIES AND COUNTIES TO REMOVE PERSONAL INFORMATION FROM RECORDS AVAILABLE ON INTERNET WEB SITES MAINTAINED BY COUNTIES AND CITIES WHEN REQUESTED BY CERTAIN LAW ENFORCEMENT PERSONNEL, PROSECUTORS, AND JUDICIAL OFFICERS, for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator Apodaca, the House Committee Substitute bill No. 2 is withdrawn from today's calendar and re-referred to the **Rules and Operations of the Senate Committee**.

WITHDRAWALS FROM COMMITTEES

H.B. 644 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE HANDLING OF HAZARDOUS DRUGS TO PREVENT DISEASE AND INJURY CAUSED BY EXPOSURE, referred to the **Health Care Committee** on May 15, 2013.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill be withdrawn from the **Health Care Committee** and re-referred to the **Rules and Operations of the Senate Committee**, which motion prevails with unanimous consent, and the Chair so orders.

H.B. 1245 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE

LIMITS OF THE TOWN OF PLEASANT GARDEN AT THE REQUEST OF THE PROPERTY OWNER AND THE TOWN; AND REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WATHA, referred to the **State and Local Government Committee** on July 1.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill be withdrawn from the **State and Local Government Committee** and re-referred to the **Rules and Operations of the Senate Committee** and upon a favorable report, re-referred to the **Finance Committee**, which motion prevails with unanimous consent, and the Chair so orders.

S.B. 105 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF ELIZABETHTOWN AND THE TOWN OF MATTHEWS TO ENROLL ITS EMPLOYEES AND DEPENDENTS IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, referred to the **Insurance Committee** on July 3.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the House Committee Substitute bill No. 2 be withdrawn from the **Insurance Committee** and re-referred to the **Rules and Operations of the Senate Committee**, which motion prevails with unanimous consent, and the Chair so orders.

CALENDAR

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

S.B. 846 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SHALLOTTE AND TO CLARIFY THE TOURISM DEVELOPMENT AUTHORITY REQUIREMENTS PERTAINING TO THE OCCUPANCY TAX AUTHORIZED FOR THE TOWN OF SOUTHPORT, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Rabon, the Senate concurs in the House Committee Substitute bill (43-2) and the bill is ordered enrolled.

S.B. 812 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXERCISE NORTH CAROLINA'S CONSTITUTIONAL AUTHORITY OVER ALL ACADEMIC STANDARDS; TO REPLACE COMMON CORE; AND TO ENSURE THAT STANDARDS ARE ROBUST AND APPROPRIATE AND ENABLE STUDENTS TO SUCCEED ACADEMICALLY AND PROFESSIONALLY, for adoption.

Upon motion of Senator Tillman, the Senate adopts the Conference Committee Substitute bill (33-12).

The Chair orders a message sent to the House of Representatives informing that honorable body of such action.

July 10, 2014

Upon motion of Senator Berger, seconded by Senator Goolsby, the Senate adjourns at 2:21 p.m., subject to the ratification of bills, the receipt of messages from the House of Representatives, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Monday, July 14, at 7:00 p.m.

ENROLLED BILL

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

S.B. 846, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SHALLOTTE AND TO CLARIFY THE TOURISM DEVELOPMENT AUTHORITY REQUIREMENTS PERTAINING TO THE OCCUPANCY TAX AUTHORIZED FOR THE TOWN OF SOUTHPORT.

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. 1220, AN ACT TO CREATE AN INTRACTABLE EPILEPSY ALTERNATIVE TREATMENT PILOT STUDY PROGRAM AND REGISTRY FOR THE SCIENTIFIC INVESTIGATION OF THE SAFETY AND EFFICACY OF HEMP EXTRACT TREATMENT FOR INTRACTABLE EPILEPSY. (Became law upon approval of the Governor, July 3, 2014 - S.L. 2014-53)

S.B. 851, AN ACT TO ALLOW FIRST CRAVEN SANITARY DISTRICT TO PROVIDE FOR ABSENTEE VOTING IN THE SAME MANNER AS A MUNICIPALITY. (Became law upon ratification, July 3, 2014 - S.L. 2014-54)

S.B. 874, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE. (Became law upon ratification, July 3, 2014 - S.L. 2014-55)

S.B. 875, AN ACT TO STAGGER THE TERMS OF THE MEMBERS OF THE TOWN COUNCIL OF THE TOWN OF BAKERSVILLE. (Became law upon ratification, July 3, 2014 - S.L. 2014-56)

H.B. 330, AN ACT AMENDING THE NORTH CAROLINA PLANNED COMMUNITY ACT REGARDING THE TRANSFER OF SPECIAL DECLARANT RIGHTS. (Became law upon approval of the Governor, July 7, 2014 - S.L. 2014-57)

H.B. 1025, AN ACT TO (1) AUTHORIZE CONTINUANCES OF DIVISION OF MOTOR VEHICLES INSPECTION STATION VIOLATION CASES; (2) PROVIDE THAT AGRICULTURAL TOURISM SIGNS ON STATE HIGHWAYS ARE SUBJECT TO DEPARTMENT OF TRANSPORTATION LOCATION AND PLACEMENT RULES; (3) CHANGE THE DUE DATE FOR THE NORTH CAROLINA TURNPIKE AUTHORITY ANNUAL AUDIT REPORT TO OCTOBER; (4) REPEAL A REQUIREMENT THAT THE DEPARTMENT OF TRANSPORTATION ANNUALLY REPORT RIGHT TURN ON RED PEDESTRIAN CRASHES; (5) AMEND THE STATE DRIVERS LICENSE MATERIAL TECHNICAL STANDARDS; (6) APPLY ALTERNATE PRIORITIZATION CRITERIA UNDER THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA TO FEDERAL AND STATE FUNDS USED FOR EMERGENCY REPAIR WORK; (7) REENACT THE AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION TO PARTICIPATE IN PRIVATE DEVELOPER CONTRACTS FOR IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM, SUBJECT TO A LIMIT OF THE LESSER OF TEN PERCENT OR TWO HUNDRED FIFTY THOUSAND DOLLARS; (8) TO EXCLUDE FEDERAL LANDS ACCESS PROGRAM FUNDS FROM THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; (9) UPDATE STATE LAW GOVERNING DEPARTMENT OF TRANSPORTATION OVERSIGHT OF THE SAFETY OF RAIL FIXED GUIDEWAY PUBLIC TRANSPORTATION SYSTEMS; (10) AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO INSTALL AND OPERATE RAMP METERS AND TO PROVIDE THAT VIOLATION OF A RAMP METER SIGNAL IS AN INFRACTION; (11) CLARIFY STATE LAW CONCERNING FERRY RECEIPT GENERATING ACTIVITIES; (12) SPECIFY PENALTIES FOR VIOLATION OF REQUIRED ETHICS REPORTING PROVISIONS APPLICABLE TO METROPOLITAN PLANNING ORGANIZATIONS AND RURAL TRANSPORTATION PLANNING ORGANIZATIONS; AND (13) AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO CONTRACT FOR SPONSORSHIP ARRANGEMENTS FOR DEPARTMENT OPERATIONS. (Became law upon approval of the Governor, July 7, 2014 - S.L. 2014-58)

H.B. 1052, AN ACT TO ADJUST THE UTILITY REGULATORY FEE TO REFLECT THE CHANGING REGULATORY CLIMATE FOR THE TELECOMMUNICATIONS INDUSTRY, AS RECOMMENDED BY THE LRC COMMITTEE ON THE ASSESSMENT OF REGULATED AND NON-REGULATED INDUSTRY UTILITY FEES. (Became law upon approval of the Governor, July 7, 2014 - S.L. 2014-59)

H.B. 1182, AN ACT TO AUTHORIZE THE ACQUISITION OR 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. (Became law upon approval of the Governor, July 7, 2014 - S.L. 2014-60)

H.B. 1117, AN ACT TO CONFORM THE LAW GOVERNING THE PLEDGE OF JOINT ACCOUNTS IN CREDIT UNIONS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS TO THE LAW GOVERNING THE PLEDGE OF JOINT ACCOUNTS IN BANKS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (Became law upon approval of the Governor, July 7, 2014 - S.L. 2014-61)

H.B. 1139, AN ACT TO DEDICATE AND ACCEPT CERTAIN PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE AND TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE. (Became law upon approval of the Governor, July 7, 2014 - S.L. 2014-62)

H.B. 379, AN ACT AUTHORIZING THE NORTH CAROLINA VETERINARY MEDICAL BOARD TO AMEND THE BOARD'S LAWS PERTAINING TO LICENSURE FEES AND LICENSE REINSTATEMENT. (Became law upon approval of the Governor, July 7, 2014 - S.L. 2014-63)

H.B. 1034, AN ACT TO AMEND THE LAWS RELATED TO (1) LOCAL FIREFIGHTERS' RELIEF FUNDS, THE STATEWIDE FIREFIGHTERS' RELIEF FUND, AND THE RESCUE SQUAD WORKERS' RELIEF FUND, (2) WORKERS' COMPENSATION FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS, (3) SUPPLEMENTAL PENSIONS FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS, AND (4) THE VOLUNTEER FIRE DEPARTMENT FUND AND VOLUNTEER RESCUE/EMS FUND, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE. (Became law upon approval of the Governor, July 7, 2014 - S.L. 2014-64)

H.B. 267, AN ACT TO AMEND LAWS GOVERNING CAPTIVE INSURANCE COMPANIES AND RISK RETENTION GROUPS, AS RECOMMENDED BY THE DEPARTMENT OF INSURANCE. (Became law upon approval of the Governor, July 7, 2014 - S.L. 2014-65)

S.B. 797, AN ACT TO AMEND THE DUTIES OF THE 911 BOARD RELATING TO PUBLIC SAFETY ANSWERING POINTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY, AND TO CLARIFY THE COLLECTION AUTHORITY OF THE DEPARTMENT OF REVENUE FOR THE 911 FEE ON PREPAID WIRELESS. (Became law upon approval of the Governor, July 9, 2014 - S.L. 2014-66)

July 10, 2014

S.B. 761, AN ACT TO ENHANCE THE EFFECTIVENESS OF THE OCCUPATIONAL LICENSING OF MILITARY SERVICE MEMBERS AND VETERANS AND TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND THE STATE BOARD OF COMMUNITY COLLEGES TO SUBMIT A PLAN THAT WILL ENSURE THAT COLLEGE CREDITS ARE UNIFORMLY GRANTED TO STUDENTS WITH MILITARY TRAINING. (Became law upon approval of the Governor, July 10, 2014 - S.L. 2014-67)

A SENATORIAL STATEMENT
Submitted by Senator Gene McLaurin

Honoring Mary J. O'Neal for Her Service to Veterans

WHEREAS, Mary J. O'Neal received a BA degree from California Lutheran College and later earned a master's degree from East Carolina University; and

WHEREAS, after college, Mary J. O'Neal volunteered with the Lutheran World Brotherhood Exchange in Ethiopia and held several positions before marrying her husband, Ed, who was later assigned to Fort Bragg; and

WHEREAS, Mary J. O'Neal worked for a number of years with the North Carolina Employment Security Commission and served as president of the North Carolina Employment Counselor Association; and

WHEREAS, Mary J. O'Neal participates in a number of organizations dedicated to our veterans, including the VFW Post 4203 Auxiliary, DAV Auxiliary, and AMVETS Ladies Auxiliary 316, of which she has served as president since 2006; and

WHEREAS, in 2013, Mary J O'Neal served as the State President of the AMVETS Auxiliary and in 2014, serves as the National Executive Committee Representative for North Carolina's AMVETS Auxiliary; and

WHEREAS, Mary J. O'Neal has worked to improve the lives of those in her community through her church and various boards, including the Richmond County Involvement Council, Richmond County Schools Vocational Advisory Council, the Richmond County Literacy Council, the Social Ministry Committee, and the Feed My Sheep food ministry;

NOW, THEREFORE, Mary J. O'Neal should be commended for the service she has rendered to her community, her State, and the nation's veterans.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the tenth day of July, 2014.

S/Senator Gene McLaurin

S/Sarah Lang
Senate Principal Clerk

July 10, 2014

RE-REFERRAL OF A BILL

H.B. 1224, A BILL TO BE ENTITLED AN ACT TO MODIFY THE JOB MAINTENANCE AND CAPITAL DEVELOPMENT FUND PROVISIONS, referred to the **Appropriations/Base Budget Committee** on June 30.

Pursuant to a motion by Senator Apodaca, the bill is withdrawn from the **Appropriations/Base Budget Committee** and re-referred to the **Finance Committee**.

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FORTY-FIRST DAY

Senate Chamber
Monday, July 14, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

Prayer is offered by The Honorable Tommy Tucker, Senator from Union County, as follows:

"Father, we just want to pause today and say, 'thank you.' Thank you, Lord, for the freedom that you give us. Forgive us, Father, when we take for granted the price that has been paid for us to be free and to come together and to be able to deliberate over the people's business. We pray for everyone in this chamber. Lord, most of all we just thank you for the peace that we have in our lives. Father, we are just so grateful to you, and we pray for the men and women and children of Israel and Gaza that are within the sound of a siren, which means they have sixty seconds to find cover. Father, the men and women that pay the price for us to be able to be free and to be able to stand here is beyond what we can fathom. Lord, you are grace, you are love, you are a good God, and we acknowledge that. We pray your wisdom and discernment in the decisions that we make, and may we honor you in all we do and say. In Christ's name, Amen."

The Chair grants leaves of absence for tonight to Senator Newton, Senator Parmon, and Senator Soucek.

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Thursday, July 10, 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.

The Chair extends privileges of the floor to Janice Garner from Clayton, North Carolina, who is serving the Senate as Nurse of the Day.

MOTION RELATIVE TO THE CALENDAR

The following change is made to tonight's calendar:

S.B. 853 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO VALIDATE CORPORATE FORUM SELECTION PROVISIONS CONTAINED IN ARTICLES OF INCORPORATION AND BYLAWS, AND TO CREATE A WORKING GROUP TO STUDY JUDICIAL EFFICIENCY AND BUSINESS COURT MODERNIZATION, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the House Committee Substitute bill is withdrawn from tonight's calendar and placed on the calendar of Wednesday, July 16.

WITHDRAWALS FROM COMMITTEES

H.B. 1155, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE VILLAGE OF PINEHURST AND AUTHORIZING THE VILLAGE TO LEVY SPECIAL ASSESSMENTS TO MEET THE COST OF CONSTRUCTION OF A STORMWATER MANAGEMENT SYSTEM TO SERVE THE PROPERTY ADDED, referred to the **State and Local Government Committee** on July 1.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the bill be withdrawn from the **State and Local Government Committee** and re-referred to the **Finance Committee**, which motion prevails with unanimous consent, and the Chair so orders.

H.B. 1212 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF BURLINGTON, referred to the **State and Local Government Committee** on June 25.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill No. 2 be withdrawn from the **State and Local Government Committee** and re-referred to the **Finance Committee**, which motion prevails with unanimous consent, and the Chair so orders.

H.B. 1154 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE MOORE COUNTY BOARD OF EDUCATION TO

CONVEY CERTAIN REAL PROPERTY, referred to the **State and Local Government Committee** on June 23.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill be withdrawn from the **State and Local Government Committee** and re-referred to the **Finance Committee**, which motion prevails with unanimous consent, and the Chair so orders.

CALENDAR

Bills on tonight's calendar are taken up and disposed of as follows:

S.B. 729 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE AUGUST 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL

COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS;

(22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, for concurrence in the House Committee Substitute bill.

Without objection, Senator Blue is excused from voting on the bill due to a possible conflict of interest.

The Senate fails to concur in the House Committee Substitute bill (0-46) and the House of Representatives is notified.

S.B. 794 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE CERTAIN RULES ADOPTED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION, TO PROVIDE SPECIFIC DIRECTIONS TO THE INDUSTRIAL COMMISSION TO REPLACE THE RULES, TO AMEND CERTAIN PROVISIONS OF THE WORKERS' COMPENSATION LAW; AND TO ALLOW THE CONFERENCE OF CHIEF DISTRICT JUDGES TO PRESCRIBE UNIFORM STATEWIDE PRESUMPTIVE GUIDELINES FOR THE COMPUTATION OF RETROACTIVE CHILD SUPPORT OBLIGATIONS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Brown, the Senate concurs in the House Committee Substitute bill (47-0) and the bill is ordered enrolled and sent to the Governor.

SENATE PAGES

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

Michaela Allred, Yadkinville; Davis Braswell, Fuquay-Varina; Candace Brown, Raleigh; Weston Davis, Raleigh; Autumn Fulton, Pleasant Garden; Sophie Hennings, East Bend; Cory Hood, Dunn; Tyler Hood, Dunn; Jazsmin McNeil, Raleigh; Ruth Parsons, Raleigh; Richard Perrigo, Roxboro; Jordan Ragland, Cary; Erin Ray, Raleigh; Carly Robertson, Cary; Michalia Smith, Holly Springs; Charles Van Dyke, Raleigh; and Jamario Williams, Henderson.

APPOINTMENT OF CONFERENCE COMMITTEES

H.B. 366 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO (1) MAINTAIN THE CONFIDENTIALITY OF ENVIRONMENTAL INVESTIGATIONS FOR AGRICULTURAL OPERATIONS AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ADOPT RULES FOR A FORMAL COMPLAINT PROCEDURE; (2) CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT ORDINANCES RELATED TO FERTILIZER; (3) REWRITE THE LANDSCAPE CONTRACTOR LICENSING STATUTES; (4) STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM; (5) CLARIFY THE MEANING OF THE TERMS "PLANTING AND HARVESTING SEASON" AND "PLANTING AND HARVESTING PERIOD" FOR PURPOSES OF APPLYING FEDERAL LAWS OR REGULATIONS RELATING TO HOURS OF SERVICE RULES FOR CERTAIN DRIVERS TRANSPORTING AGRICULTURAL PRODUCTS; (6) AMEND THE CHAIRMANSHIP OF THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION; (7) ALLOW THE COMMISSIONER OF AGRICULTURE TO APPOINT LAW ENFORCEMENT OFFICERS TO CARRY OUT THE LAW ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; (8) ALLOW THE USE OF PESTICIDES TO CONTROL MOLES; (9) CLASSIFY TRESPASSING ON AN AGRICULTURAL FACILITY AS A FIRST DEGREE TRESPASS; (10) REQUIRE WRITTEN CONSENT TO OPERATE AN ALL-TERRAIN VEHICLE ON PROPERTY OWNED BY ANOTHER; (11) ALLOW DRAINAGE DISTRICTS TO MAINTAIN DITCHES IN BUFFER ZONES; (12) CLARIFY PERIODIC INSPECTIONS AUTHORITY OF THE NORTH CAROLINA HOUSING FINANCE AGENCY; AND (13) PERMIT SECURITY GRILLES AT ALL EXITS OF A BUILDING SUBJECT TO CERTAIN CONDITIONS.

Pursuant to the message from the House of Representatives received on July 7, that the House fails to concur in the Senate Committee Substitute bill No. 2 for H.B. 366 and requests conferees, Senator Louis Pate, Deputy President *Pro Tempore*, announces the appointment of Senator B. Jackson, Chair; Senator Brock, Senator Bingham, Senator Gunn and Senator Walters as conferees on the part of the Senate to resolve the differences arising between the two bodies. A message is ordered sent to the House of Representatives informing that honorable body of such action.

H.B. 1048 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD, TO ADD AN ASSISTANT ADJUTANT GENERAL FOR THE NORTH CAROLINA NATIONAL GUARD, AND TO ALLOW FOR ADDITIONAL USES OF FAMILY ASSISTANCE CENTER FUNDS FOR SURVIVING FAMILY MEMBERS OF DECEASED NATIONAL GUARD SERVICEMEMBERS.

July 14, 2014

Pursuant to the message from the House of Representatives received on July 3, that the House fails to concur in the Senate Committee Substitute bill for H.B. 1048 and requests conferees, Senator Louis Pate, Deputy President *Pro Tempore*, announces the appointment of Senator Rabin, Chair; Senator Soucek, Senator Sanderson, Senator Meredith and Senator Jenkins 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.

S.B. 163 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER CERTAIN CONDITIONS.

Pursuant to the Senate having failed to concur in the House Committee Substitute for S.B. 163 on June 24, Senator Louis Pate, Deputy President *Pro Tempore*, announces the appointment of Senator Hartsell, Chair; Senator B. Jackson, Senator Brock, Senator J. Davis and Senator McLaurin as conferees on the part of the Senate to resolve the differences arising between the two bodies. A message is ordered sent to the House of Representatives informing that honorable body of such action and requesting conferees.

Upon motion of Senator Pate, seconded by Senator Krawiec, the Senate adjourns at 7:19 p.m., in memory of Mr. Albert Parmon, husband of Senator Earline Parmon, subject to the receipt of messages from the House of Representatives, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Tuesday, July 15, at 9:30 a.m.

ONE HUNDRED FORTY-SECOND DAY

Senate Chamber
Tuesday, July 15, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Tom Apodaca, Chairman of the Rules and Operations of the Senate Committee.

Without objection, the prayer is postponed until after recess.

Senator Clark announces that the Senate Journal of Monday, July 14, 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.

The Senate recesses at 9:32 a.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 2:00 p.m.

RECESS

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Apodaca for the **Rules and Operations of the Senate Committee**:

H.B. 1245 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF PLEASANT GARDEN AT THE REQUEST OF THE PROPERTY OWNER AND THE TOWN; AND REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WATHA, with a favorable report.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Finance Committee**.

H.B. 644 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE HANDLING OF HAZARDOUS DRUGS TO PREVENT DISEASE AND INJURY CAUSED BY EXPOSURE, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40280, which changes the title to read **H.B. 644** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE HANDLING OF ANTINEOPLASTIC AGENTS TO PREVENT DISEASE AND INJURY CAUSED BY EXPOSURE, is adopted and engrossed.

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

H.B. 1114, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTER OF DEEDS OF AVERY COUNTY TO REFUSE RECORDATION OF A DEED FOR PROPERTY SUBJECT TO DELINQUENT MUNICIPAL PROPERTY TAXES FOR THE TOWN OF ELK PARK, with a favorable report.

H.B. 1154 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE MOORE COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN REAL PROPERTY, with a favorable report.

H.B. 1212 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF BURLINGTON, with a favorable report.

S.B. 788, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF DUCK TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS, with a favorable report.

H.B. 1155, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE VILLAGE OF PINEHURST AND AUTHORIZING THE VILLAGE TO LEVY SPECIAL ASSESSMENTS TO MEET THE COST OF CONSTRUCTION OF A STORMWATER MANAGEMENT SYSTEM TO SERVE THE PROPERTY ADDED, with a favorable report, as amended.

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

H.B. 1145 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF MOTOR VEHICLES AND FOR OPERATORS OF MOPEDS TO HAVE IN FULL FORCE AND EFFECT A POLICY OF FINANCIAL RESPONSIBILITY AND TO AUTHORIZE THE TOWN OF ELIZABETHTOWN AND THE TOWN OF MATTHEWS TO ENROLL ITS EMPLOYEES, RETIREES, AND DEPENDENTS IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 30805, which changes the title to read **H.B. 1145** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF MOTOR VEHICLES AND FOR OPERATORS OF MOPEDS TO HAVE IN FULL FORCE AND EFFECT A POLICY OF FINANCIAL RESPONSIBILITY, is adopted and engrossed.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 15, 2014

Mr. President:

Pursuant to the information that your Honorable Body failed to concur in **S.B. 163 House Committee Substitute (4th Edition)**, A BILL TO BE ENTITLED AN ACT TO DESIGNATE RECLAIMED WATER AS A

SOURCE WATER UNDER CERTAIN CONDITIONS, and requests conferees. Speaker Tillis has appointed:

Representative Wells, Chair
Representative Catlin
Representative Samuelson and
Representative Brisson

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

The Senate meets pursuant to recess and is called to order by Senator Apodaca.

The Senate recesses at 2:03 p.m. to reconvene at 2:30 p.m.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

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

"'As a mother comforts her child, so will I comfort you, and you will be comforted over Jerusalem.' Isaiah 66. Lord, at times we do feel the sharp need of your comfort like the Israelites in exile. As we think about Senator Parmon, we acknowledge that she might feel troubled with the recent death of her husband, Albert. We lift her up to you, and we give you thanks for his life. Hear our cry, Lord, for help, and save us. Stay near to us and comfort us all, and may you bring us life and comfort into places where death once ruled. Give us calm assurance of the future on this day. It's in Christ's name we pray. Amen."

The Chair grants leaves of absence for today to Senator Meredith, Senator Newton, and Senator Parmon.

The Chair extends privileges of the floor to Brian Lupo from Raleigh, North Carolina, who is serving the Senate as Nurse of the Day.

WITHDRAWALS FROM COMMITTEES

H.B. 1033 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A COUNTY TO IMPOSE A SPECIAL ASSESSMENT

FOR REPAIR OF A DAM, referred to the **Agriculture/Environment/Natural Resources Committee** on July 1.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill No. 2 be withdrawn from the **Agriculture/Environment/Natural Resources Committee** and re-referred to the **Finance Committee**, which motion prevails with unanimous consent, and the Chair so orders.

S.B. 883, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE MITIGATION PROGRAM REQUIREMENTS FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS RULE ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION, referred to the **Agriculture/Environment/Natural Resources Committee** on June 30.

Pursuant to Rule 47(a), Senator Apodaca 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, and the Chair so orders.

S.B. 105 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF ELIZABETHTOWN AND THE TOWN OF MATTHEWS TO ENROLL ITS EMPLOYEES AND DEPENDENTS IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, referred to the **Rules and Operations of the Senate Committee** on July 10.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the House Committee Substitute bill No. 2 be withdrawn from the **Rules and Operations of the Senate Committee** and placed on the calendar of Wednesday, July 16, which motion prevails with unanimous consent, and the Chair so orders.

WITHDRAWALS FROM A FUTURE CALENDAR

Upon motion of Senator Apodaca, without objection, the following bills having been placed on the calendar of Wednesday, July 16, are withdrawn from that day's calendar and placed on today's supplemental calendar:

H.B. 644 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE HANDLING OF ANTINEOPLASTIC AGENTS TO PREVENT DISEASE AND INJURY CAUSED BY EXPOSURE, upon second reading.

H.B. 1212 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF BURLINGTON, upon second reading.

H.B. 1154 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE MOORE COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN REAL PROPERTY, upon second reading.

H.B. 1114, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTER OF DEEDS OF AVERY COUNTY TO REFUSE RECORDATION OF A DEED FOR PROPERTY SUBJECT TO DELINQUENT MUNICIPAL PROPERTY TAXES FOR THE TOWN OF ELK PARK, upon second reading.

S.B. 788, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF DUCK TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS, upon second reading.

S.B. 105 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF ELIZABETHTOWN AND THE TOWN OF MATTHEWS TO ENROLL ITS EMPLOYEES AND DEPENDENTS IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, for concurrence in House Committee Substitute No. 2.

ENROLLED BILL

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

S.B. 794, AN ACT TO DISAPPROVE CERTAIN RULES ADOPTED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION, TO PROVIDE SPECIFIC DIRECTIONS TO THE INDUSTRIAL COMMISSION TO REPLACE THE RULES, TO AMEND CERTAIN PROVISIONS OF THE WORKERS' COMPENSATION LAW; AND TO ALLOW THE CONFERENCE OF CHIEF DISTRICT JUDGES TO PRESCRIBE UNIFORM STATEWIDE PRESUMPTIVE GUIDELINES FOR THE COMPUTATION OF RETROACTIVE CHILD SUPPORT OBLIGATIONS.

SUPPLEMENTAL CALENDAR

Bills on today's supplemental calendar are taken up and disposed of as follows:

H.B. 1212 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF BURLINGTON, upon second reading.

The Committee Substitute bill No. 2 passes its second reading, by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters and Woodard---47.

Voting in the negative: None.

July 15, 2014

The Committee Substitute bill No. 2 remains on the calendar for Wednesday, July 16, upon third reading.

S.B. 788, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF DUCK TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS, upon second reading.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives by special message.

H.B. 1114, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTER OF DEEDS OF AVERY COUNTY TO REFUSE RECORDATION OF A DEED FOR PROPERTY SUBJECT TO DELINQUENT MUNICIPAL PROPERTY TAXES FOR THE TOWN OF ELK PARK, upon second reading.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

H.B. 1154 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE MOORE COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN REAL PROPERTY, upon second reading.

The Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

H.B. 644 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE HANDLING OF ANTINEOPLASTIC AGENTS TO PREVENT DISEASE AND INJURY CAUSED BY EXPOSURE, upon second reading.

The Senate Committee Substitute bill passes its second reading (46-1) and, without objection, 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.

S.B. 105 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF ELIZABETHTOWN AND THE TOWN OF MATTHEWS TO ENROLL ITS EMPLOYEES AND DEPENDENTS IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator Apodaca, the Senate concurs in the House Committee Substitute bill No. 2 (47-0) and the bill is ordered enrolled and sent to the Governor.

July 15, 2014

WITHDRAWALS FROM COMMITTEES

H.B. 1120, A BILL TO BE ENTITLED AN ACT AUTHORIZING TWO COUNTY COMMISSIONERS TO SERVE ON THE BOARD OF DURHAM TECHNICAL COMMUNITY COLLEGE, referred to the **State and Local Government Committee** on June 24.

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

H.B. 1096, A BILL TO BE ENTITLED AN ACT TO ALLOW UNION COUNTY TO USE ATTACHMENT AND GARNISHMENT AND LIEN FOR COUNTY-CONTRACTED AMBULANCE SERVICE SUPPLEMENTED BY COUNTY FUNDS, referred to the **State and Local Government Committee** on June 25.

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

Upon motion of Senator Pate, seconded by Senator Allran, the Senate adjourns at 3:03 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Wednesday, July 16, at 9:30 a.m.

RE-REFERRAL OF BILLS

H.B. 1120, A BILL TO BE ENTITLED AN ACT AUTHORIZING TWO COUNTY COMMISSIONERS TO SERVE ON THE BOARD OF DURHAM TECHNICAL COMMUNITY COLLEGE, referred to the **Rules and Operations of the Senate Committee** on July 15.

Pursuant to a motion by Senator Apodaca, the bill is withdrawn from the **Rules and Operations of the Senate Committee** and placed on the calendar of Wednesday, July 16.

H.B. 348 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AGREEMENTS WITH LOCAL GOVERNMENTS TO ALLOW PUBLIC SAFETY TECHNOLOGY IN THE RIGHTS-OF-WAY OF THE STATE HIGHWAY SYSTEM, referred to the **Transportation Committee** on June 16.

Pursuant to a motion by Senator Apodaca, the Committee Substitute bill is withdrawn from the **Transportation Committee** and placed on the calendar of Wednesday, July 16.

July 15, 2014

H.B. 1056 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF LAKE LURE TO PROVIDE THE PLAT AND BOOK NUMBER IN THE OFFICE OF THE RUTHERFORD COUNTY REGISTER OF DEEDS WHERE THE OFFICIAL MAP OF THE TOWN'S BOUNDARIES IS RECORDED, referred to the **State and Local Government Committee** on July 2.

Pursuant to a motion by Senator Apodaca, the Committee Substitute bill is withdrawn from the **State and Local Government Committee** and re-referred to the **Rules and Operations of the Senate Committee.**

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FORTY-THIRD DAY

Senate Chamber
Wednesday, July 16, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

Without objection, the prayer is postponed until after recess.

Senator Krawiec announces that the Senate Journal of Tuesday, July 15, has been examined and is found to be correct. Upon her motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Senate recesses at 9:34 a.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 3:00 p.m.

RECESS

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 16, 2014

July 16, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **S.B. 812** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXERCISE NORTH CAROLINA'S CONSTITUTIONAL AUTHORITY OVER ALL ACADEMIC STANDARDS; TO REPLACE COMMON CORE; AND TO ENSURE THAT STANDARDS ARE ROBUST AND APPROPRIATE AND ENABLE STUDENTS TO SUCCEED ACADEMICALLY AND PROFESSIONALLY.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

Pursuant to the Senate having adopted the Conference Committee Substitute bill for S.B. 812 on Thursday, July 10, the bill is ordered enrolled and sent to the Governor.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Apodaca for the **Rules and Operations of the Senate Committee**:

H.B. 375, A BILL TO BE ENTITLED AN ACT TO ALLOW PASSENGER BUSES OWNED AND OPERATED BY THE CITY OF CHARLOTTE TO HAVE AN OVERALL LENGTH OF SIXTY FEET OR LESS, with a favorable report.

H.B. 1096, A BILL TO BE ENTITLED AN ACT TO ALLOW UNION COUNTY TO USE ATTACHMENT AND GARNISHMENT AND LIEN FOR COUNTY-CONTRACTED AMBULANCE SERVICE SUPPLEMENTED BY COUNTY FUNDS, with a favorable report.

CONFERENCE REPORT

Senator Brown, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **S.B. 614** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FURTHER PROTECT MILITARY LANDS, TO MAKE AMENDMENTS TO THE MILITARY AFFAIRS COMMISSION, AND TO PROTECT SENSITIVE MILITARY DOCUMENTS, submits for adoption the following report:

July 16, 2014

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 614, A BILL TO BE ENTITLED AN ACT TO FURTHER PROTECT MILITARY LANDS, TO MAKE AMENDMENTS TO THE MILITARY AFFAIRS COMMISSION, AND TO PROTECT SENSITIVE MILITARY DOCUMENTS, House Committee Substitute Favorable 6/25/14, submit the following report:

The Senate and House agree to the following amendments to the House Committee Substitute Favorable 6/25/14, and the Senate concurs in the House Committee Substitute as amended:

On page 3, line 7, by deleting "Council" and substituting "~~Council~~ State Construction Office";

And on page 4, line 26, by deleting "October 1, 2014," and substituting "when it becomes law".

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

Date Conferees approved report: July 16, 2014.

Conferees for the Senate	*Conferees for the House of Representatives*
S/Harry Brown, Chair	S/George G. Cleveland, Chair
Wesley Meredith	S/Chris Whitmire
S/Louis Pate	S/John R. Bell, IV
S/Ronald J. Rabin	
S/Ben Clark	

The Conference Report is placed on today's calendar, for adoption.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 16, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to adopt the conference report for

H.B. 1048, A BILL TO BE ENTITLED AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD, TO ADD AN ASSISTANT ADJUTANT GENERAL FOR THE NORTH CAROLINA NATIONAL GUARD, AND TO ALLOW FOR ADDITIONAL USES OF FAMILY ASSISTANCE CENTER FUNDS FOR SURVIVING FAMILY MEMBERS OF DECEASED NATIONAL GUARD SERVICEMEMBERS. Speaker Tillis has reappointed:

Representative Hastings, Chair
Representative Szoka
Representative Whitmire and
Representative Floyd

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

H.B. 1033 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A COUNTY TO IMPOSE A SPECIAL ASSESSMENT FOR REPAIR OF A DAM, with a favorable report.

H.B. 1245 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF PLEASANT GARDEN AT THE REQUEST OF THE PROPERTY OWNER AND THE TOWN; AND REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WATHA, with a favorable report.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 16, 2014

July 16, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **S.B. 614** (Conference Report), A BILL TO BE ENTITLED AN ACT TO FURTHER PROTECT MILITARY LANDS, TO MAKE AMENDMENTS TO THE MILITARY AFFAIRS COMMISSION, AND TO PROTECT SENSITIVE MILITARY DOCUMENTS.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

The Senate meets pursuant to recess and is called to order by Senator Berger.

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

"Heavenly Father, we bow our heads, and we acknowledge our dependence upon you. Whether it's our first time today or fifteenth, we are just so thankful that you welcome us every time that we come into your presence. We come not just as senators or staff or lawyers or various people representing different institutions around the country, but we come as a capital community that needs your help. I pray that you would bless everyone in this capital community from their head to their toe. I pray these things in the name of Christ. Amen."

The Chair grants leaves of absence for today to Senator Meredith, Senator Newton, and Senator Parmon.

The Chair extends privileges of the floor to Mary E. Schuler from Chapel Hill, North Carolina, who is serving the Senate as Nurse of the Day.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Apodaca for the **Rules and Operations of the Senate Committee**:

H.B. 369 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO VARIOUS CRIMINAL LAWS AND TO AMEND THE WORKERS' COMPENSATION ACT TO EXCLUDE FROM BENEFITS UNDER G.S. 97-29 AND G.S. 97-30, AND FROM VOCATIONAL REHABILITATION, ILLEGAL ALIEN INJURED WORKERS WHO OBTAINED EMPLOYMENT THROUGH MISREPRESENTATION OF EMPLOYMENT STATUS, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

July 16, 2014

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 40283, which changes the title to read **H.B. 369** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO VARIOUS CRIMINAL LAWS, AND TO AMEND SERVICE OF PROCESS FOR SUMMARY EJECTMENT, is adopted and engrossed.

MOTIONS RELATIVE TO THE CALENDAR

The following changes are made to today's calendar:

S.B. 853 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO VALIDATE CORPORATE FORUM SELECTION PROVISIONS CONTAINED IN ARTICLES OF INCORPORATION AND BYLAWS, AND TO CREATE A WORKING GROUP TO STUDY JUDICIAL EFFICIENCY AND BUSINESS COURT MODERNIZATION, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the House Committee Substitute bill is withdrawn from today's calendar and re-referred to the **Rules and Operations of the Senate Committee**.

H.B. 1155, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE VILLAGE OF PINEHURST AND AUTHORIZING THE VILLAGE TO LEVY SPECIAL ASSESSMENTS TO MEET THE COST OF CONSTRUCTION OF A STORMWATER MANAGEMENT SYSTEM TO SERVE THE PROPERTY ADDED, upon second reading.

Upon motion of Senator Apodaca, the bill is withdrawn from today's calendar and re-referred to the **Rules and Operations of the Senate Committee**.

WITHDRAWALS FROM A FUTURE CALENDAR

H.B. 375, A BILL TO BE ENTITLED AN ACT TO ALLOW PASSENGER BUSES OWNED AND OPERATED BY THE CITY OF CHARLOTTE TO HAVE AN OVERALL LENGTH OF SIXTY FEET OR LESS, placed on the calendar of Thursday, July 17.

Senator Apodaca offers a motion that the bill be withdrawn from the calendar of Thursday, July 17, and placed on today's calendar, which motion prevails with unanimous consent, and the Chair so orders.

H.B. 1096, A BILL TO BE ENTITLED AN ACT TO ALLOW UNION COUNTY TO USE ATTACHMENT AND GARNISHMENT AND LIEN FOR

COUNTY-CONTRACTED AMBULANCE SERVICE SUPPLEMENTED BY COUNTY FUNDS, placed on the calendar of Thursday, July 17.

Senator Apodaca offers a motion that the bill be withdrawn from the calendar of Thursday, July 17, and placed on today's calendar, which motion prevails with unanimous consent, and the Chair so orders.

WITHDRAWAL FROM COMMITTEE

S.B. 859, A BILL TO BE ENTITLED AN ACT RELATING TO MUNICIPAL REGULATION OF VACATION RENTALS AND OTHER TRANSIENT OCCUPANCIES, referred to the **State and Local Government Committee** on May 28.

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

WITHDRAWAL FROM A FUTURE CALENDAR

H.B. 1033 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A COUNTY TO IMPOSE A SPECIAL ASSESSMENT FOR REPAIR OF A DAM, placed on the calendar of Thursday, July 17.

Senator Apodaca offers a motion that the Committee Substitute bill No. 2 be withdrawn from the calendar of Thursday, July 17, and placed on today's calendar, which motion prevails with unanimous consent, and the Chair so orders.

CALENDAR

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

H.B. 1212 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF BURLINGTON, upon third reading.

The Committee Substitute bill No. 2 passes its third reading, by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters and Woodard---47.

Voting in the negative: None.

The Committee Substitute bill No. 2 is ordered enrolled.

H.B. 1120, A BILL TO BE ENTITLED AN ACT AUTHORIZING TWO COUNTY COMMISSIONERS TO SERVE ON THE BOARD OF DURHAM TECHNICAL COMMUNITY COLLEGE, upon second reading.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

H.B. 348 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AGREEMENTS WITH LOCAL GOVERNMENTS TO ALLOW PUBLIC SAFETY TECHNOLOGY IN THE RIGHTS-OF-WAY OF THE STATE HIGHWAY SYSTEM, upon second reading.

Upon motion of Senator Apodaca, the Committee Substitute bill is withdrawn from the regular order of business and placed at the end of today's calendar.

CALENDAR *(continued)*

H.B. 1145 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF MOTOR VEHICLES AND FOR OPERATORS OF MOPEDS TO HAVE IN FULL FORCE AND EFFECT A POLICY OF FINANCIAL RESPONSIBILITY, upon second reading.

Senator McKissick offers Amendment No. 1, which fails (14-33).

Senator McKissick offers Amendment No. 2, which fails (20-27).

The Senate Committee Substitute bill No. 2 passes its second reading (36-11) and, without objection, 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 No. 2.

H.B. 375, A BILL TO BE ENTITLED AN ACT TO ALLOW PASSENGER BUSES OWNED AND OPERATED BY THE CITY OF CHARLOTTE TO HAVE AN OVERALL LENGTH OF SIXTY FEET OR LESS, upon second reading.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

H.B. 1096, A BILL TO BE ENTITLED AN ACT TO ALLOW UNION COUNTY TO USE ATTACHMENT AND GARNISHMENT AND LIEN FOR COUNTY-CONTRACTED AMBULANCE SERVICE SUPPLEMENTED BY COUNTY FUNDS, upon second reading.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

July 16, 2014

S.B. 614 (Conference Report), A BILL TO BE ENTITLED AN ACT TO FURTHER PROTECT MILITARY LANDS, TO MAKE AMENDMENTS TO THE MILITARY AFFAIRS COMMISSION, AND TO PROTECT SENSITIVE MILITARY DOCUMENTS, for adoption.

Upon motion of Senator Brown, the Senate adopts the Conference Report (47-0).

The Chair orders a message sent to the House of Representatives informing that honorable body of such action.

Pursuant to the message received earlier today that the House of Representatives has adopted the Conference Report for S.B. 614, the bill is ordered enrolled and sent to the Governor by special message.

H.B. 1033 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A COUNTY TO IMPOSE A SPECIAL ASSESSMENT FOR REPAIR OF A DAM, upon second reading.

The Committee Substitute bill No. 2 passes its second reading, by roll-call vote, ayes 45, noes 2, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Pate, Rabin, Rabon, Robinson, Rucho, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters and Woodard---45.

Voting in the negative: Senators Randleman and Sanderson---2.

The Committee Substitute bill No. 2 remains on the calendar for Thursday, July 17, upon third reading.

H.B. 348 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AGREEMENTS WITH LOCAL GOVERNMENTS TO ALLOW PUBLIC SAFETY TECHNOLOGY IN THE RIGHTS-OF-WAY OF THE STATE HIGHWAY SYSTEM, upon second reading.

Senator McKissick offers Amendment No. 1, which is adopted (44-3) and changes the title to read **H.B. 348** (Committee Substitute) A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AGREEMENTS WITH LOCAL GOVERNMENTS TO ALLOW PUBLIC SAFETY TECHNOLOGY IN THE RIGHTS-OF-WAY OF THE STATE HIGHWAY SYSTEM; AND TO REGULATE THE USE OF AUTOMATIC LICENSE PLATE READER SYSTEMS.

Senator Gunn offers Amendment No. 2, which is adopted (47-0).

Senator Rabon offers Amendment No. 3, which is adopted (47-0).

The Committee Substitute bill, as amended, passes its second reading (29-18).

Senator Brock objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Committee Substitute bill, as amended, placed on the calendar of Thursday, July 17, upon third reading.

Upon motion of Senator Pate, seconded by Senator Allran, the Senate adjourns at 4:00 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Thursday, July 17, at 10:30 a.m.

ENROLLED BILLS

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

S.B. 105, AN ACT TO AUTHORIZE THE TOWN OF ELIZABETHTOWN AND THE TOWN OF MATTHEWS TO ENROLL ITS EMPLOYEES AND DEPENDENTS IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

S.B. 614, AN ACT TO FURTHER PROTECT MILITARY LANDS, TO MAKE AMENDMENTS TO THE MILITARY AFFAIRS COMMISSION, AND TO PROTECT SENSITIVE MILITARY DOCUMENTS.

S.B. 812, AN ACT TO EXERCISE NORTH CAROLINA'S CONSTITUTIONAL AUTHORITY OVER ALL ACADEMIC STANDARDS; TO REPLACE COMMON CORE; AND TO ENSURE THAT STANDARDS ARE ROBUST AND APPROPRIATE AND ENABLE STUDENTS TO SUCCEED ACADEMICALLY AND PROFESSIONALLY.

H.B. 644, AN ACT RELATING TO THE HANDLING OF ANTINEOPLASTIC AGENTS TO PREVENT DISEASE AND INJURY CAUSED BY EXPOSURE.

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

H.B. 1114, AN ACT TO REQUIRE THE REGISTER OF DEEDS OF AVERY COUNTY TO REFUSE RECORDATION OF A DEED FOR PROPERTY SUBJECT TO DELINQUENT MUNICIPAL PROPERTY TAXES FOR THE TOWN OF ELK PARK.

H.B. 1154, AN ACT AUTHORIZING THE MOORE COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN REAL PROPERTY.

July 16, 2014

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. 846, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SHALLOTTE AND TO CLARIFY THE TOURISM DEVELOPMENT AUTHORITY REQUIREMENTS PERTAINING TO THE OCCUPANCY TAX AUTHORIZED FOR THE TOWN OF SOUTHPORT. (Became law upon ratification, July 10, 2014 - S.L. 2014-68)

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

H.B. 101, A BILL TO BE ENTITLED AN ACT TO REPEAL THE ESTATE TAX, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30806, which changes the title to read **H.B. 101** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REAUTHORIZE EXPIRED SPECIAL REGISTRATION PLATES, TO AUTHORIZE ADDITIONAL SPECIAL REGISTRATION PLATES TO BE ON A BACKGROUND OTHER THAN THE "FIRST IN FLIGHT" BACKGROUND, AND TO ESTABLISH A PROCESS BY WHICH PERSONS OR ORGANIZATIONS MUST OBTAIN A MINIMUM NUMBER OF PAID APPLICATIONS PRIOR TO OBTAINING LEGISLATIVE APPROVAL FOR THE DEVELOPMENT OF A SPECIAL REGISTRATION PLATE, is adopted and engrossed.

H.B. 1224, A BILL TO BE ENTITLED AN ACT TO MODIFY THE JOB MAINTENANCE AND CAPITAL DEVELOPMENT FUND PROVISIONS, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40284, which changes the title to read **H.B. 1224** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT THE TOTAL LOCAL GOVERNMENT SALES AND USE TAX RATE TO TWO AND ONE-HALF PERCENT; TO ALLOW COUNTIES TO USE A PORTION OF THE PROCEEDS OF THE LOCAL GOVERNMENT SALES AND USE TAX FOR PUBLIC TRANSPORTATION OR FOR PUBLIC EDUCATION; AND TO MAKE VARIOUS CHANGES TO TAX AND ECONOMIC DEVELOPMENT LAWS, is adopted and engrossed.

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FORTY-FOURTH DAY

Senate Chamber
Thursday, July 17, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

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

"Lord Jesus, it is with fear and trembling that I come before you—not a righteous man, but a man who needs help. We are a people that have clung to idols, as I have. We may have multiplied many of our own desires, and we might smell of sweet perfume. We have tried many things in life that have gone nowhere. Take us under your wing today, Lord. Jesus, intercede for us. May we quickly end fighting here on Jones Street and receive help from the words of the prophet Isaiah, 'when you cry out, let your collection of idols deliver you. The wind will carry them away, a breath will take them away, but he who takes refuge in me shall possess the land and shall inherit my holy mountain.'* Jesus, help us, deliver us, and give us the hope that only you can bring through your resurrected Son. It is in your name that I pray. Amen."

*Isaiah 57:13

The Chair grants leaves of absence for today to Senator J. Jackson, Senator Newton, Senator Parmon, and Senator Pate.

Senator Apodaca, Rules Chairman, announces that the Senate Journal of Wednesday, July 16, 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.

The Chair extends privileges of the floor to Diamond Williams from Harrisburg, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILLS

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

July 17, 2014

H.B. 375, AN ACT TO ALLOW PASSENGER BUSES OWNED AND OPERATED BY THE CITY OF CHARLOTTE TO HAVE AN OVERALL LENGTH OF SIXTY FEET OR LESS.

H.B. 1096, AN ACT TO ALLOW UNION COUNTY TO USE ATTACHMENT AND GARNISHMENT AND LIEN FOR COUNTY-CONTRACTED AMBULANCE SERVICE SUPPLEMENTED BY COUNTY FUNDS.

H.B. 1120, AN ACT AUTHORIZING TWO COUNTY COMMISSIONERS TO SERVE ON THE BOARD OF DURHAM TECHNICAL COMMUNITY COLLEGE.

H.B. 1212, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF BURLINGTON.

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. 1114, AN ACT TO REQUIRE THE REGISTER OF DEEDS OF AVERY COUNTY TO REFUSE RECORDATION OF A DEED FOR PROPERTY SUBJECT TO DELINQUENT MUNICIPAL PROPERTY TAXES FOR THE TOWN OF ELK PARK. (Became law upon ratification, July 16, 2014 - S.L. 2014-69)

H.B. 1154, AN ACT AUTHORIZING THE MOORE COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN REAL PROPERTY. (Became law upon ratification, July 16, 2014 - S.L. 2014-70)

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Apodaca for the **Rules and Operations of the Senate Committee**:

H.B. 1056 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF LAKE LURE TO PROVIDE THE PLAT AND BOOK NUMBER IN THE OFFICE OF THE RUTHERFORD COUNTY REGISTER OF DEEDS WHERE THE OFFICIAL MAP OF THE TOWN'S BOUNDARIES IS RECORDED, with a favorable report.

S.B. 883, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE MITIGATION PROGRAM REQUIREMENTS FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS RULE ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 35586, which changes the title to read **S.B. 883** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE MITIGATION PROGRAM REQUIREMENTS FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS RULE ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION, DIRECT THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADOPT A NEW MITIGATION PROGRAM REQUIREMENTS FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS RULE, AND PROVIDE THAT THE PIPING OF A STREAM ALLOWED UNDER A PERMIT ISSUED BY THE UNITED STATES ARMY CORPS OF ENGINEERS IS AN EXEMPT USE UNDER THE PROTECTION AND MAINTENANCE OF EXISTING RIPARIAN BUFFERS RULES, is adopted and engrossed.

H.B. 1181 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODERNIZE AND STABILIZE NORTH CAROLINA'S MEDICAID PROGRAM THROUGH PROVIDER-LED CAPITATED HEALTH PLANS, with an unfavorable report as to the Committee Substitute bill No. 2, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40282, which changes the title to read **H.B. 1181** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE AND STABILIZE NORTH CAROLINA'S MEDICAID PROGRAM THROUGH FULL-RISK CAPITATED HEALTH PLANS TO BE MANAGED BY A NEW DEPARTMENT OF MEDICAL BENEFITS, is adopted and engrossed.

By Senator Apodaca for the **Pensions & Retirement and Aging Committee**:

H.B. 1193 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE STATUTES AFFECTING THE STATE RETIREMENT SYSTEMS, with a favorable report.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

H.B. 1195, A BILL TO BE ENTITLED AN ACT TO ENACT ANTI-PENSION-SPIKING LEGISLATION BY ESTABLISHING A CONTRIBUTION-BASED BENEFIT CAP, TO ALLOW MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WHO LEAVE EMPLOYMENT WITHIN FIVE YEARS TO RECEIVE A RETURN OF THEIR CONTRIBUTIONS WITH ACCUMULATED

INTEREST, AND TO RETURN TO A FIVE-YEAR VESTING PERIOD FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM WHO BECAME MEMBERS ON OR AFTER AUGUST 1, 2011, AND MAKE A CONFORMING CHANGE TO THE SPECIAL SEPARATION ALLOWANCE FOR LAW ENFORCEMENT OFFICERS, with a favorable report.

H.B. 1194, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO ADMINISTRATION OF THE STATE RETIREMENT SYSTEMS, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40285, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

WITHDRAWAL FROM COMMITTEE

H.B. 1155, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE VILLAGE OF PINEHURST AND AUTHORIZING THE VILLAGE TO LEVY SPECIAL ASSESSMENTS TO MEET THE COST OF CONSTRUCTION OF A STORMWATER MANAGEMENT SYSTEM TO SERVE THE PROPERTY ADDED, referred to the **Rules and Operations of the Senate Committee** on July 16.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the bill be withdrawn from the **Rules and Operations of the Senate Committee** and placed on today's calendar, which motion prevails with unanimous consent, and the Chair so orders.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

H.B. 1224 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT THE TOTAL LOCAL GOVERNMENT SALES AND USE TAX RATE TO TWO AND ONE-HALF PERCENT; TO ALLOW COUNTIES TO USE A PORTION OF THE PROCEEDS OF THE LOCAL GOVERNMENT SALES AND USE TAX FOR PUBLIC TRANSPORTATION OR FOR PUBLIC EDUCATION; AND TO MAKE VARIOUS CHANGES TO TAX AND ECONOMIC DEVELOPMENT LAWS, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from the regular order of business and placed at the end of today's calendar.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Barringer for the **Commerce Committee**:

H.B. 680 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENACT THE JUMP-START OUR BUSINESS START-UPS ACT, with an unfavorable report as to the Committee Substitute bill No. 2, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30786, which changes the title to read **H.B. 680** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE JUMP-START OUR BUSINESS START-UPS ACT AND TO ENACT THE NEW MARKETS JOBS ACT OF 2014, is adopted and engrossed.

Pursuant to Rule 43, the Senate 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. 1245 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF PLEASANT GARDEN AT THE REQUEST OF THE PROPERTY OWNER AND THE TOWN; AND REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WATHA, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Rabon, Randleman, Robinson, Rucho, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters and Woodard---44.

Voting in the negative: None.

The Committee Substitute bill remains on the calendar for Monday, July 21, upon third reading.

H.B. 1033 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A COUNTY TO IMPOSE A SPECIAL ASSESSMENT FOR REPAIR OF A DAM, upon third reading.

The Committee Substitute bill No. 2 passes its third reading, by roll-call vote, ayes 40, noes 4, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis,

J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Rabon, Robinson, Rucho, Soucek, Stein, Tarte, Tillman, Van Duyn, Walters and Woodard---40.

Voting in the negative: Senators Brock, Randleman, Tucker and Wade---4.

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

H.B. 101 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REAUTHORIZE EXPIRED SPECIAL REGISTRATION PLATES, TO AUTHORIZE ADDITIONAL SPECIAL REGISTRATION PLATES TO BE ON A BACKGROUND OTHER THAN THE "FIRST IN FLIGHT" BACKGROUND, AND TO ESTABLISH A PROCESS BY WHICH PERSONS OR ORGANIZATIONS MUST OBTAIN A MINIMUM NUMBER OF PAID APPLICATIONS PRIOR TO OBTAINING LEGISLATIVE APPROVAL FOR THE DEVELOPMENT OF A SPECIAL REGISTRATION PLATE, upon second reading.

The Senate Committee Substitute bill passes its second reading (42-2) and, without objection, 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.

H.B. 369 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO VARIOUS CRIMINAL LAWS, AND TO AMEND SERVICE OF PROCESS FOR SUMMARY EJECTMENT, upon second reading.

Senator Goolsby offers Amendment No. 1, which is adopted (43-1) and changes the title to read **H.B. 369** (Senate Committee Substitute No. 2) A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO VARIOUS CRIMINAL LAWS.

Senator McKissick offers Amendment No. 2, which is adopted (45-0).

Senator Woodard offers Amendment No. 3, which is adopted (44-1).

Senator Robinson offers Amendment No. 4, which is adopted (44-0).

Senator Barefoot offers Amendment No. 5, which is adopted (44-1).

Senator McKissick offers Amendment No. 6, which is adopted (46-0).

Senator McKissick offers Amendment No. 7, which is adopted (46-0) and changes the title to read **H.B. 369** (Senate Committee Substitute No. 2) A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO VARIOUS CRIMINAL LAWS, AND TO CLARIFY TO WHICH LOCAL GOVERNMENT CONTRACTS E-VERIFY APPLIES.

The Senate Committee Substitute bill No. 2, as amended, passes its second reading (45-1).

Senator Apodaca objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Senate Committee Substitute bill No. 2, as amended, placed on the calendar of Monday, July 21, upon third reading.

Upon motion of Senator Apodaca, without objection, the amendments are ordered engrossed prior to third reading.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

H.B. 348 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AGREEMENTS WITH LOCAL GOVERNMENTS TO ALLOW PUBLIC SAFETY TECHNOLOGY IN THE RIGHTS-OF-WAY OF THE STATE HIGHWAY SYSTEM, upon third reading, as amended.

Upon motion of Senator Apodaca, the Committee Substitute bill, as amended, is withdrawn from today's calendar and placed on the calendar of Monday, July 21.

The Senate recesses at 11:10 a.m. to reconvene at 11:25 a.m.

RECESS

The Senate meets pursuant to recess and is called to order by Senator Berger.

The Chair grants a leave of absence for the remainder of today's session to Senator Van Duyn.

Upon the appearance of Senator Pate in the chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

H.B. 1224 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT THE TOTAL LOCAL GOVERNMENT SALES AND USE TAX RATE TO TWO AND ONE-HALF PERCENT; TO ALLOW COUNTIES TO USE A PORTION OF THE PROCEEDS OF THE LOCAL GOVERNMENT SALES AND USE TAX FOR PUBLIC TRANSPORTATION OR FOR PUBLIC EDUCATION; AND TO MAKE VARIOUS CHANGES TO TAX AND ECONOMIC DEVELOPMENT LAWS, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from today's calendar and placed on the calendar of Monday, July 21.

LEAVES OF ABSENCE

Without objection, the Chair grants excused leaves of absence to Senator Rabin and Senator Sanderson for the votes taken earlier today on **H.B. 1245**, **H.B. 1033**, and **H.B. 101**.

July 17, 2014

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Apodaca for the **Rules and Operations of the Senate Committee**:

H.B. 201 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REINSTATE THE 2009 NORTH CAROLINA ENERGY CONSERVATION CODES FOR COMMERCIAL BUILDINGS AND REPEAL THE PORTIONS OF THE 2012 NORTH CAROLINA ENERGY CONSERVATION CODES THAT APPLY TO COMMERCIAL BUILDINGS, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 30807, which changes the title to read **H.B. 201** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE APPLICABILITY OF THE ENERGY CONSERVATION CODE TO CERTAIN EXISTING NONRESIDENTIAL BUILDINGS, TO CLARIFY STORMWATER PROGRAM IMPERVIOUS SURFACE CALCULATIONS FOR REDEVELOPMENT, TO CREATE AN EXEMPTION FROM THE NORTH CAROLINA ENVIRONMENTAL PROTECTION ACT FOR THE REOCCUPATION OF AN EXISTING BUILDING OR FACILITY, TO AMEND THE STATUTE GOVERNING THE DEPARTMENT OF COMMERCE RURAL ECONOMIC DEVELOPMENT DIVISION, AND TO REINSTATE GRAVEL UNDER STORMWATER LAWS, is adopted and engrossed.

CALENDAR *(continued)*

H.B. 1155, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE VILLAGE OF PINEHURST AND AUTHORIZING THE VILLAGE TO LEVY SPECIAL ASSESSMENTS TO MEET THE COST OF CONSTRUCTION OF A STORMWATER MANAGEMENT SYSTEM TO SERVE THE PROPERTY ADDED, upon second reading, with Committee Amendment No. 1.

The bill, with the attached amendment, passes its second reading, by roll-call vote, ayes 34, noes 12, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barringer, Berger, Bingham, Blue, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, Ford, Foushee, Graham, Gunn, Harrington, Hartsell, Hunt, Jenkins, Krawiec, McKissick, McLaurin, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Stein, Tillman, Wade, Walters and Woodard---34.

Voting in the negative: Senators Barefoot, Brock, Brown, J. Davis, Goolsby, Hise, B. Jackson, Meredith, Pate, Soucek, Tarte and Tucker---12.

The bill, with the unengrossed amendment, remains on the calendar for Monday, July 21, upon third reading.

Upon motion of Senator Apodaca, seconded by Senator Allran, the Senate adjourns at 12:05 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Monday, July 21, at 6:30 p.m.

INTRODUCTION OF A BILL

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

By Senator Apodaca:

S.B. 884, 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 the **Rules and Operations of the Senate Committee**.

RE-REFERRAL OF A BILL

H.B. 1224 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT THE TOTAL LOCAL GOVERNMENT SALES AND USE TAX RATE TO TWO AND ONE-HALF PERCENT; TO ALLOW COUNTIES TO USE A PORTION OF THE PROCEEDS OF THE LOCAL GOVERNMENT SALES AND USE TAX FOR PUBLIC TRANSPORTATION OR FOR PUBLIC EDUCATION; AND TO MAKE VARIOUS CHANGES TO TAX AND ECONOMIC DEVELOPMENT LAWS, placed on the calendar of Monday, July 21.

Pursuant to a motion by Senator Apodaca, the Senate Committee Substitute bill is withdrawn from the calendar of Monday, July 21, and re-referred to the **Finance Committee**.

APPOINTMENT OF A CONFERENCE COMMITTEE

S.B. 729 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF

COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE AUGUST 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND

REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT.

Pursuant to the Senate having failed to concur in the House Committee Substitute for S.B. 729 on July 14, Senator Berger, President *Pro Tempore*, appoints Senator Apodaca, Chair; Senator Berger and Senator Wade 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.

July 17, 2014

Pursuant to Senator Apodaca's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FORTY-FIFTH DAY

Senate Chamber
Monday, July 21, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

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

"Heavenly Father, we give you thanks for your presence, which extinguishes all of our anxiety. We praise you for your almighty covering. At the opening of this week, we plead with you to be with us. Be gentle with us, even though we are not gentle with you. Help us to be kind to one another, even though we are not kind with you and even though we do not heed your voice. Have mercy, oh, Lord. Jesus, on this day when we begin the week, we ask for a fresh start of kindness, a fresh dose of your compassion, because without you we can't do anything. It's in your name that we pray. Amen."

The Chair grants leaves of absence for tonight to Senator Allran and Senator Graham.

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Thursday, July 17, 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.

The Chair extends privileges of the floor to Jean A. Davison from Chapel Hill, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILL

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

H.B. 1033, AN ACT TO AUTHORIZE A COUNTY TO IMPOSE A SPECIAL ASSESSMENT FOR REPAIR OF A DAM.

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. 375, AN ACT TO ALLOW PASSENGER BUSES OWNED AND OPERATED BY THE CITY OF CHARLOTTE TO HAVE AN OVERALL LENGTH OF SIXTY FEET OR LESS. (Became law upon ratification, July 17, 2014 - S.L. 2014-71)

H.B. 1096, AN ACT TO ALLOW UNION COUNTY TO USE ATTACHMENT AND GARNISHMENT AND LIEN FOR COUNTY-CONTRACTED AMBULANCE SERVICE SUPPLEMENTED BY COUNTY FUNDS. (Became law upon ratification, July 17, 2014 - S.L. 2014-72)

H.B. 1120, AN ACT AUTHORIZING TWO COUNTY COMMISSIONERS TO SERVE ON THE BOARD OF DURHAM TECHNICAL COMMUNITY COLLEGE. (Became law upon ratification, July 17, 2014 - S.L. 2014-73)

H.B. 1212, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF BURLINGTON. (Became law upon ratification, July 17, 2014 - S.L. 2014-74)

MOTIONS RELATIVE TO THE CALENDAR

The following changes are made to tonight's calendar:

H.B. 1181 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE AND STABILIZE NORTH CAROLINA'S MEDICAID PROGRAM THROUGH FULL-RISK CAPITATED HEALTH PLANS TO BE MANAGED BY A NEW DEPARTMENT OF MEDICAL BENEFITS, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from tonight's calendar and placed on the calendar of Tuesday, July 22.

H.B. 369 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO VARIOUS CRIMINAL LAWS AND TO CLARIFY TO WHICH LOCAL GOVERNMENT CONTRACTS E-VERIFY APPLIES, upon third reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill No. 2 is withdrawn from tonight's calendar and re-referred to the **Rules and Operations of the Senate Committee**.

July 21, 2014

WITHDRAWAL FROM COMMITTEE

S.B. 403 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY VARIOUS PROVISIONS OF THE ELECTION LAWS, referred to the **Rules and Operations of the Senate Committee** on June 25.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the House Committee Substitute bill be withdrawn from the **Rules and Operations of the Senate Committee** and placed on tonight's calendar, which motion prevails with unanimous consent, and the Chair so orders.

MOTION RELATIVE TO THE CALENDAR

The following change is made to tonight's calendar:

H.B. 348 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AGREEMENTS WITH LOCAL GOVERNMENTS TO ALLOW PUBLIC SAFETY TECHNOLOGY IN THE RIGHTS-OF-WAY OF THE STATE HIGHWAY SYSTEM, upon third reading, as amended.

Upon motion of Senator Apodaca, the Committee Substitute bill, as amended, is withdrawn from tonight's calendar and re-referred to the **Rules and Operations of the Senate Committee**.

CALENDAR

Bills on tonight's calendar are taken up and disposed of as follows:

H.B. 1155, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE VILLAGE OF PINEHURST AND AUTHORIZING THE VILLAGE TO LEVY SPECIAL ASSESSMENTS TO MEET THE COST OF CONSTRUCTION OF A STORMWATER MANAGEMENT SYSTEM TO SERVE THE PROPERTY ADDED, upon third reading, with Committee Amendment No. 1.

The bill, with the attached amendment, passes its third reading, by roll-call vote, ayes 37, noes 11, as follows:

Voting in the affirmative: Senators Apodaca, Barringer, Berger, Bingham, Blue, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Parmon, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Stein, Tillman, Van Duyn, Wade, Walters and Woodard---37.

Voting in the negative: Senators Barefoot, Brock, Brown, Goolsby, Hise, Meredith, Newton, Pate, Soucek, Tarte and Tucker---11.

The bill, with the attached amendment, is ordered sent to the House of Representatives, by special message, for concurrence in Senate Amendment No. 1.

H.B. 1245 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF PLEASANT GARDEN AT THE REQUEST OF THE PROPERTY OWNER AND THE TOWN; AND REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WATHA, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Newton, Parmon, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters and Woodard---48.

Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

H.B. 1056 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF LAKE LURE TO PROVIDE THE PLAT AND BOOK NUMBER IN THE OFFICE OF THE RUTHERFORD COUNTY REGISTER OF DEEDS WHERE THE OFFICIAL MAP OF THE TOWN'S BOUNDARIES IS RECORDED, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Newton, Parmon, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters and Woodard---48.

Voting in the negative: None.

The Committee Substitute bill remains on the calendar for Tuesday, July 22, upon third reading.

S.B. 883 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE MITIGATION PROGRAM REQUIREMENTS FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS RULE ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION, DIRECT THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADOPT A NEW MITIGATION PROGRAM REQUIREMENTS FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS RULE, AND PROVIDE THAT THE PIPING OF A STREAM ALLOWED UNDER A PERMIT ISSUED BY THE UNITED STATES ARMY CORPS OF ENGINEERS IS AN EXEMPT USE UNDER THE PROTECTION AND MAINTENANCE OF EXISTING RIPARIAN BUFFERS RULES, upon second reading.

July 21, 2014

Senator Brock offers Amendment No. 1, which is adopted (48-0) and changes the title to read **S.B. 883** (Committee Substitute) A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE MITIGATION PROGRAM REQUIREMENTS FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS RULE ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION AND DIRECT THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADOPT A NEW MITIGATION PROGRAM REQUIREMENTS FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS RULE.

The Committee Substitute bill, as amended, passes its second reading (35-13) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives by special message.

H.B. 201 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE APPLICABILITY OF THE ENERGY CONSERVATION CODE TO CERTAIN EXISTING NONRESIDENTIAL BUILDINGS, TO CLARIFY STORMWATER PROGRAM IMPERVIOUS SURFACE CALCULATIONS FOR REDEVELOPMENT, TO CREATE AN EXEMPTION FROM THE NORTH CAROLINA ENVIRONMENTAL PROTECTION ACT FOR THE REOCCUPATION OF AN EXISTING BUILDING OR FACILITY, TO AMEND THE STATUTE GOVERNING THE DEPARTMENT OF COMMERCE RURAL ECONOMIC DEVELOPMENT DIVISION, AND TO REINSTATE GRAVEL UNDER STORMWATER LAWS, upon second reading.

Senator Brock offers Amendment No. 1, which is adopted (33-15) and changes the title to read **H.B. 201** (Senate Committee Substitute No. 2) A BILL TO BE ENTITLED AN ACT TO AMEND THE APPLICABILITY OF THE ENERGY CONSERVATION CODE TO CERTAIN EXISTING NONRESIDENTIAL BUILDINGS, TO CLARIFY STORMWATER PROGRAM IMPERVIOUS SURFACE CALCULATIONS FOR REDEVELOPMENT, TO CREATE AN EXEMPTION FROM THE NORTH CAROLINA ENVIRONMENTAL PROTECTION ACT FOR THE REOCCUPATION OF AN EXISTING BUILDING OR FACILITY, AND TO AMEND THE STATUTE GOVERNING THE DEPARTMENT OF COMMERCE RURAL ECONOMIC DEVELOPMENT DIVISION.

The Senate Committee Substitute bill No. 2, as amended, passes its second reading (38-10) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill No. 2.

MOTION TO RECONSIDER

H.B. 201 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE APPLICABILITY OF THE ENERGY

CONSERVATION CODE TO CERTAIN EXISTING NONRESIDENTIAL BUILDINGS, TO CLARIFY STORMWATER PROGRAM IMPERVIOUS SURFACE CALCULATIONS FOR REDEVELOPMENT, TO CREATE AN EXEMPTION FROM THE NORTH CAROLINA ENVIRONMENTAL PROTECTION ACT FOR THE REOCCUPATION OF AN EXISTING BUILDING OR FACILITY, TO AMEND THE STATUTE GOVERNING THE DEPARTMENT OF COMMERCE RURAL ECONOMIC DEVELOPMENT DIVISION, AND TO REINSTATE GRAVEL UNDER STORMWATER LAWS, having passed third reading earlier today.

Having voted with the majority, Senator Brock offers a motion that the vote by which the Senate Committee Substitute bill No. 2, as amended, passed its third reading today be reconsidered, which motion prevails without objection, and the question before the body becomes passage of the Senate Committee Substitute bill No. 2, as amended, on its third reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill No. 2, as amended, is withdrawn from tonight's calendar and placed on the calendar of Tuesday, July 22.

CALENDAR *(continued)*

H.B. 1195, A BILL TO BE ENTITLED AN ACT TO ENACT ANTI-PENSION-SPIKING LEGISLATION BY ESTABLISHING A CONTRIBUTION-BASED BENEFIT CAP, TO ALLOW MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WHO LEAVE EMPLOYMENT WITHIN FIVE YEARS TO RECEIVE A RETURN OF THEIR CONTRIBUTIONS WITH ACCUMULATED INTEREST, AND TO RETURN TO A FIVE-YEAR VESTING PERIOD FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM WHO BECAME MEMBERS ON OR AFTER AUGUST 1, 2011, AND MAKE A CONFORMING CHANGE TO THE SPECIAL SEPARATION ALLOWANCE FOR LAW ENFORCEMENT OFFICERS, upon second reading.

The bill passes its second reading (43-5).

Senator Brown objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the bill placed on the calendar of Tuesday, July 22, upon third reading.

S.B. 403 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY VARIOUS PROVISIONS OF THE ELECTION LAWS, for concurrence in House Committee Substitute bill.

The Senate fails to concur in the House Committee Substitute bill (0-48) and the House of Representatives is notified.

July 21, 2014

SENATE PAGES

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

Alton Gayton, Raleigh; Kendall Gillespy, Clayton; Hayle Holberg, Apex; Nicholas Kroll, Holly Springs; Parrish Lewis, Raleigh; Jenny McDonnell, Raleigh; Joynazia Phillips, Rocky Mount; Kamiah Phillips, Rocky Mount; Natalie Rinehard, Cary; Ross Rucho, Charlotte; and Marika Samuelsson, Selma.

APPOINTMENT OF A CONFERENCE COMMITTEE

S.B. 403 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY VARIOUS PROVISIONS OF THE ELECTION LAWS.

Pursuant to the Senate having failed to concur in the House Committee Substitute for S.B. 403 earlier today, Senator Louis Pate, Deputy President *Pro Tempore*, announces the appointment of Senator Rucho, Chair; Senator Apodaca and Senator Goolsby as conferees on the part of the Senate to resolve the differences arising between the two bodies. A message is ordered sent to the House of Representatives informing that honorable body of such action and requesting conferees.

Upon motion of Senator Pate, seconded by Senator Rucho, the Senate adjourns at 7:23 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Tuesday, July 22, at 3:00 p.m.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 21, 2014

Mr. President:

Pursuant to the information that your Honorable Body failed to concur in S.B. 729 House Committee Substitute **(5th Edition)**, A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE

RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE AUGUST 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, and requests conferees. Speaker Tillis has appointed:

Representative McGrady, Chair
Representative Hager
Representative Samuelson and
Representative Glazier

July 21, 2014

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FORTY-SIXTH DAY

Senate Chamber
Tuesday, July 22, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

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

"'Lord, make me an instrument of thy peace. Where there is hatred, let us sow love; where there is injury, pardon; where there is doubt, faith; where there is despair, hope. Lord grant not so much that I might be consoled as to console; be understood as to understand; to be loved as to love. For it is in giving that we are given; it is in pardoning that we are pardoned; and it is in dying that we are born to eternal life.'* It is in Jesus' name I pray. Amen."

*Excerpt from the Prayer of St. Francis of Assissi

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

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Monday, July 21, 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.

The Chair extends privileges of the floor to Kristin Wainwright from Durham, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILL

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

July 22, 2014

H.B. 1245, AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF PLEASANT GARDEN AT THE REQUEST OF THE PROPERTY OWNER AND THE TOWN; AND REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WATHA.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

H.B. 1181 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE AND STABILIZE NORTH CAROLINA'S MEDICAID PROGRAM THROUGH FULL-RISK CAPITATED HEALTH PLANS TO BE MANAGED BY A NEW DEPARTMENT OF MEDICAL BENEFITS, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from today's calendar and re-referred to the **Rules and Operations of the Senate Committee**.

WITHDRAWAL FROM COMMITTEE

S.B. 201 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STANLY COMMUNITY COLLEGE TO ENTER INTO AGREEMENTS WITH STANLY COUNTY TO JOINTLY ERECT BUILDINGS ON PROPERTY OWNED BY STANLY COMMUNITY COLLEGE, referred to the **State and Local Government Committee** on July 2.

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

CALENDAR

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

H.B. 1056 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF LAKE LURE TO PROVIDE THE PLAT AND BOOK NUMBER IN THE OFFICE OF THE RUTHERFORD COUNTY REGISTER OF DEEDS WHERE THE OFFICIAL MAP OF THE TOWN'S BOUNDARIES IS RECORDED, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin,

Meredith, Newton, Parmon, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters and Woodard---49.

Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

H.B. 201 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE APPLICABILITY OF THE ENERGY CONSERVATION CODE TO CERTAIN EXISTING NONRESIDENTIAL BUILDINGS, TO CLARIFY STORMWATER PROGRAM IMPERVIOUS SURFACE CALCULATIONS FOR REDEVELOPMENT, TO CREATE AN EXEMPTION FROM THE NORTH CAROLINA ENVIRONMENTAL PROTECTION ACT FOR THE REOCCUPATION OF AN EXISTING BUILDING OR FACILITY, TO AMEND THE STATUTE GOVERNING THE DEPARTMENT OF COMMERCE RURAL ECONOMIC DEVELOPMENT DIVISION, AND TO REINSTATE GRAVEL UNDER STORMWATER LAWS, upon third reading, as amended.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill No. 2, as amended, is withdrawn from today's calendar and placed on the calendar of Wednesday, July 23.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

H.B. 1044 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE AVERASBORO TOWNSHIP TOURISM DEVELOPMENT AUTHORITY, with a favorable report.

H.B. 1054 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF SPINDALE AND THE CAPE FEAR PUBLIC UTILITY AUTHORITY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER AVAILABILITY, with a favorable report.

H.B. 625, A BILL TO BE ENTITLED AN ACT RELATING TO ZONING PROVISIONS FOR TEMPORARY HEALTH CARE STRUCTURES, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30809, is adopted and engrossed.

July 22, 2014

H.B. 1059 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE LARCENY OF VENUS FLYTRAPS IN BRUNSWICK, COLUMBUS, NEW HANOVER, ONSLOW, AND PENDER COUNTIES A FELONY OFFENSE AND TO MODIFY THE NEW HANOVER OCCUPANCY TAX, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 40287, which changes the title to read **H.B. 1059** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE NEW HANOVER OCCUPANCY TAX, is adopted and engrossed.

CALENDAR *(continued)*

H.B. 1195, A BILL TO BE ENTITLED AN ACT TO ENACT ANTI-PENSION-SPIKING LEGISLATION BY ESTABLISHING A CONTRIBUTION-BASED BENEFIT CAP, TO ALLOW MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WHO LEAVE EMPLOYMENT WITHIN FIVE YEARS TO RECEIVE A RETURN OF THEIR CONTRIBUTIONS WITH ACCUMULATED INTEREST, AND TO RETURN TO A FIVE-YEAR VESTING PERIOD FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM WHO BECAME MEMBERS ON OR AFTER AUGUST 1, 2011, AND MAKE A CONFORMING CHANGE TO THE SPECIAL SEPARATION ALLOWANCE FOR LAW ENFORCEMENT OFFICERS, upon third reading.

The bill passes its third reading (34-15) and is ordered enrolled and sent to the Governor.

Upon motion of Senator Pate, seconded by Senator Blue, the Senate adjourns at 3:36 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Wednesday, July 23, at 12:00 p.m.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 22, 2014

July 22, 2014

Mr. President:

Pursuant to the information that your Honorable Body failed to concur in **S.B. 403 House Committee Substitute (5th Edition)**, A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY VARIOUS PROVISIONS OF THE ELECTION LAWS, and requests conferees. Speaker Tillis has appointed:

Representative Lewis, Chair
Representative T. Moore
Representative S. Martin and
Representative Waddell

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

S.B. 763, A BILL TO BE ENTITLED AN ACT TO AMEND THE REVENUE LAWS, AS RECOMMENDED BY THE REVENUE LAWS STUDY COMMITTEE, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 35588, which changes the title to read **S.B. 763** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO VARIOUS REVENUE LAWS, is adopted and engrossed.

H.B. 27 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT MODIFYING THE ALLOCATION OF THE PROCEEDS FROM THE GROSS PREMIUM TAX ON INSURANCE COMPANIES UNDER G.S. 105-228.5 TO INCLUDE DEDICATED FUNDING FOR THE WORKERS' COMPENSATION FUND FOR THE BENEFIT OF VOLUNTEER SAFETY WORKERS, with an unfavorable report as to the Committee Substitute bill No. 2, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10600, which changes the title to read **H.B. 27** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT UNCLAIMED UNITED STATES SAVINGS BONDS SHALL ESCHEAT TO THE STATE, TO

DIRECT THE TREASURER TO REDEEM THOSE UNITED STATES SAVINGS BONDS ESCHEATED TO THE STATE, TO CREATE AN ESCHEAT SAVINGS BOND TRUST FUND WITHIN THE ESCHEAT FUND FOR DEPOSIT OF THE PROCEEDS OF THOSE REDEMPTIONS, AND TO PROVIDE THAT INTEREST AND INVESTMENT EARNINGS FROM THE ESCHEAT SAVINGS BOND TRUST FUND SHALL BE USED TO FUND SCHOLARSHIPS TO WORTHY AND NEEDY STUDENTS WHO ARE RESIDENTS OF NORTH CAROLINA AND ARE ENROLLED IN PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN NORTH CAROLINA, is adopted and engrossed.

H.B. 1224 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT THE TOTAL LOCAL GOVERNMENT SALES AND USE TAX RATE TO TWO AND ONE-HALF PERCENT; TO ALLOW COUNTIES TO USE A PORTION OF THE PROCEEDS OF THE LOCAL GOVERNMENT SALES AND USE TAX FOR PUBLIC TRANSPORTATION OR FOR PUBLIC EDUCATION; AND TO MAKE VARIOUS CHANGES TO TAX AND ECONOMIC DEVELOPMENT LAWS, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 10601, which changes the title to read **H.B. 1224** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO LIMIT THE TOTAL LOCAL GOVERNMENT SALES AND USE TAX RATE TO TWO AND ONE-HALF PERCENT; TO GIVE COUNTIES THE FLEXIBILITY TO USE UP TO ONE-HALF PERCENT OF THE LOCAL SALES AND USE TAX FOR PUBLIC TRANSPORTATION, FOR PUBLIC EDUCATION, FOR GENERAL PURPOSES, OR FOR A COMBINATION THEREOF; AND TO MAKE VARIOUS CHANGES TO TAX AND ECONOMIC DEVELOPMENT LAWS, is adopted and engrossed.

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

July 22, 2014

ONE HUNDRED FORTY-SEVENTH DAY

Senate Chamber
Wednesday, July 23, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

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

"Almighty God, thanks for this General Assembly. Thanks for civility, for human dignity; it is a grace from you, oh, Lord. Thanks for the simple things like the boys coming here today from Wilson. Thank you for their efforts, what they have done. Lord, we ask you now to join us. Deliver us, Father, from our indulgent hopes. Deliver us from our causes that we may place our hope in your hopes, our peace in your peace. Deliver us from our strategies, and show us your horizons. Lord, I am a flawed man, and I stand before you guilty, but you, oh, Lord, love to save those who are weak. I pray that these men and women that are so wonderfully poised here in North Carolina to do great work for this state would heed the words of Moses, 'Lord, you have been our dwelling place in all generations. Before the mountains were brought forth, and ever they were formed, from everlasting to everlasting, you are God.'* It's in Jesus' name we pray. Amen."

*Paraphrase Psalm 90:1

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Tuesday, July 22, 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.

The Chair extends privileges of the floor to Karen Lemmons from Asheboro, 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. 1195, AN ACT TO ENACT ANTI-PENSION-SPIKING LEGISLATION BY ESTABLISHING A CONTRIBUTION-BASED BENEFIT CAP, TO ALLOW MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WHO LEAVE EMPLOYMENT WITHIN FIVE YEARS TO RECEIVE A RETURN OF THEIR CONTRIBUTIONS WITH ACCUMULATED INTEREST, AND TO RETURN TO A FIVE-YEAR VESTING PERIOD FOR MEMBERS OF THE

TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM WHO BECAME MEMBERS ON OR AFTER AUGUST 1, 2011, AND MAKE A CONFORMING CHANGE TO THE SPECIAL SEPARATION ALLOWANCE FOR LAW ENFORCEMENT OFFICERS.

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

H.B. 1056, AN ACT AMENDING THE CHARTER OF THE TOWN OF LAKE LURE TO PROVIDE THE PLAT AND BOOK NUMBER IN THE OFFICE OF THE RUTHERFORD COUNTY REGISTER OF DEEDS WHERE THE OFFICIAL MAP OF THE TOWN'S BOUNDARIES IS RECORDED.

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. 105, AN ACT TO AUTHORIZE THE TOWN OF ELIZABETHTOWN AND THE TOWN OF MATTHEWS TO ENROLL ITS EMPLOYEES AND DEPENDENTS IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES. (Became law upon approval of the Governor, July 22, 2014 - S.L. 2014-75)

H.B. 644, AN ACT RELATING TO THE HANDLING OF ANTINEOPLASTIC AGENTS TO PREVENT DISEASE AND INJURY CAUSED BY EXPOSURE. (Became law upon approval of the Governor, July 22, 2014 - S.L. 2014-76)

S.B. 794, AN ACT TO DISAPPROVE CERTAIN RULES ADOPTED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION, TO PROVIDE SPECIFIC DIRECTIONS TO THE INDUSTRIAL COMMISSION TO REPLACE THE RULES, TO AMEND CERTAIN PROVISIONS OF THE WORKERS' COMPENSATION LAW; AND TO ALLOW THE CONFERENCE OF CHIEF DISTRICT JUDGES TO PRESCRIBE UNIFORM STATEWIDE PRESUMPTIVE GUIDELINES FOR THE COMPUTATION OF RETROACTIVE CHILD SUPPORT OBLIGATIONS. (Became law upon approval of the Governor, July 22, 2014 - S.L. 2014-77)

S.B. 812, AN ACT TO EXERCISE NORTH CAROLINA'S CONSTITUTIONAL AUTHORITY OVER ALL ACADEMIC STANDARDS; TO REPLACE COMMON CORE; AND TO ENSURE THAT STANDARDS ARE ROBUST AND APPROPRIATE AND ENABLE STUDENTS TO SUCCEED ACADEMICALLY AND PROFESSIONALLY. (Became law upon approval of the Governor, July 22, 2014 - S.L. 2014-78)

July 23, 2014

S.B. 614, AN ACT TO FURTHER PROTECT MILITARY LANDS, TO MAKE AMENDMENTS TO THE MILITARY AFFAIRS COMMISSION, AND TO PROTECT SENSITIVE MILITARY DOCUMENTS. (Became law upon approval of the Governor, July 22, 2014 - S.L. 2014-79)

H.B. 1245, AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF PLEASANT GARDEN AT THE REQUEST OF THE PROPERTY OWNER AND THE TOWN; AND REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WATHA. (Became law upon ratification, July 22, 2014 - S.L. 2014-80)

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

H.B. 1054 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF SPINDALE AND THE CAPE FEAR PUBLIC UTILITY AUTHORITY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER AVAILABILITY, upon second reading.

Upon motion of Senator Apodaca, the Committee Substitute bill is withdrawn from the regular order of business and placed at the end of today's calendar.

CALENDAR

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

H.B. 1044 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE AVERASBORO TOWNSHIP TOURISM DEVELOPMENT AUTHORITY, upon second reading.

The Senate Committee Substitute bill passes its second reading and, without objection, 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.

H.B. 1059 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE NEW HANOVER OCCUPANCY TAX, upon second reading.

The Senate Committee Substitute bill No. 2 passes its second reading and, without objection, 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 No. 2.

July 23, 2014

S.B. 763 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO VARIOUS REVENUE LAWS, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 48, noes 2, as follows:

Voting in the affirmative: Senators Allran, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Newton, Parmon, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters and Woodard---48.

Voting in the negative: Senators Apodaca and Hartsell---2.

The Committee Substitute bill remains on the calendar for Thursday, July 24, upon third reading.

H.B. 1224 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO LIMIT THE TOTAL LOCAL GOVERNMENT SALES AND USE TAX RATE TO TWO AND ONE-HALF PERCENT; TO GIVE COUNTIES THE FLEXIBILITY TO USE UP TO ONE-HALF PERCENT OF THE LOCAL SALES AND USE TAX FOR PUBLIC TRANSPORTATION, FOR PUBLIC EDUCATION, FOR GENERAL PURPOSES, OR FOR A COMBINATION THEREOF; AND TO MAKE VARIOUS CHANGES TO TAX AND ECONOMIC DEVELOPMENT LAWS, upon second reading.

Senator Stein offers Amendment No. 1, which fails (23-27).

Senator Apodaca offers Amendment No. 2, which is adopted (50-0).

The Chair grants a leave of absence for the remainder of today's session to Senator Hunt.

The Senate Committee Substitute bill No. 2, as amended, passes its second reading, by roll-call vote, ayes 33, noes 16, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Berger, Bingham, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, J. Davis, Goolsby, Gunn, Harrington, Hise, B. Jackson, Jenkins, Krawiec, McKissick, Newton, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Soucek, Tarte, Tillman, Tucker, Wade and Walters---33.

Voting in the negative: Senators Barefoot, Barringer, Blue, D. Davis, Ford, Foushee, Graham, Hartsell, J. Jackson, McLaurin, Meredith, Parmon, Robinson, Stein, Van Duyn and Woodard---16.

The Senate Committee Substitute bill No. 2, as amended, remains on the calendar for Thursday, July 24, upon third reading.

The Chair grants a leave of absence for the remainder of today's session to Senator Gunn.

H.B. 27 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT UNCLAIMED UNITED STATES SAVINGS

BONDS SHALL ESCHEAT TO THE STATE, TO DIRECT THE TREASURER TO REDEEM THOSE UNITED STATES SAVINGS BONDS ESCHEATED TO THE STATE, TO CREATE AN ESCHEAT SAVINGS BOND TRUST FUND WITHIN THE ESCHEAT FUND FOR DEPOSIT OF THE PROCEEDS OF THOSE REDEMPTIONS, AND TO PROVIDE THAT INTEREST AND INVESTMENT EARNINGS FROM THE ESCHEAT SAVINGS BOND TRUST FUND SHALL BE USED TO FUND SCHOLARSHIPS TO WORTHY AND NEEDY STUDENTS WHO ARE RESIDENTS OF NORTH CAROLINA AND ARE ENROLLED IN PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN NORTH CAROLINA, upon second reading.

The Senate Committee Substitute bill passes its second reading (48-0) and, without objection, 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.

H.B. 625 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO ZONING PROVISIONS FOR TEMPORARY HEALTH CARE STRUCTURES, upon second reading.

The Senate Committee Substitute bill passes its second reading (48-0) and, without objection, 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.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Apodaca for the **Rules and Operations of the Senate Committee**:

H.B. 369 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO VARIOUS CRIMINAL LAWS AND TO CLARIFY TO WHICH LOCAL GOVERNMENT CONTRACTS E-VERIFY APPLIES, with an unfavorable report as to the Senate Committee Substitute bill No. 2, but favorable as to the Senate Committee Substitute bill No. 3.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 3, 30811, is adopted and engrossed.

H.B. 1151 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW GOVERNING RED LIGHT CAMERAS IN FAYETTEVILLE, with a favorable report.

S.B. 201 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STANLY COMMUNITY COLLEGE TO ENTER INTO AGREEMENTS WITH STANLY COUNTY TO JOINTLY ERECT BUILDINGS ON PROPERTY OWNED BY STANLY COMMUNITY COLLEGE, with a favorable report.

July 23, 2014

S.B. 859, A BILL TO BE ENTITLED AN ACT RELATING TO MUNICIPAL REGULATION OF VACATION RENTALS AND OTHER TRANSIENT OCCUPANCIES, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 45226, is adopted and engrossed.

H.B. 1181 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE AND STABILIZE NORTH CAROLINA'S MEDICAID PROGRAM THROUGH FULL-RISK CAPITATED HEALTH PLANS TO BE MANAGED BY A NEW DEPARTMENT OF MEDICAL BENEFITS, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 40290, is adopted and engrossed.

CALENDAR *(continued)*

H.B. 201 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE APPLICABILITY OF THE ENERGY CONSERVATION CODE TO CERTAIN EXISTING NONRESIDENTIAL BUILDINGS, TO CLARIFY STORMWATER PROGRAM IMPERVIOUS SURFACE CALCULATIONS FOR REDEVELOPMENT, TO CREATE AN EXEMPTION FROM THE NORTH CAROLINA ENVIRONMENTAL PROTECTION ACT FOR THE REOCCUPATION OF AN EXISTING BUILDING OR FACILITY, TO AMEND THE STATUTE GOVERNING THE DEPARTMENT OF COMMERCE RURAL ECONOMIC DEVELOPMENT DIVISION, AND TO REINSTATE GRAVEL UNDER STORMWATER LAWS, upon third reading, as amended.

Senator B. Jackson offers Amendment No. 2, which he subsequently withdraws.

Having voted with the majority, Senator Brock offers a motion that the vote by which the Senate Committee Substitute bill No. 2, as amended, passed its second reading on Monday, July 21, be reconsidered, which motion prevails without objection, and the question before the body becomes passage of the Senate Committee Substitute bill No. 2 on its second reading, as amended.

Senator B. Jackson offers Amendment No. 3, which is adopted (25-23).

Senator Barefoot offers Amendment No. 4, which is adopted (48-0).

The Senate Committee Substitute bill No. 2, as amended, passes its second reading (39-9) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill No. 2.

H.B. 1054 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF SPINDALE AND THE CAPE FEAR PUBLIC UTILITY AUTHORITY TO ATTACH PERSONAL PROPERTY,

GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER AVAILABILITY, upon second reading.

Senator McKissick offers Amendment No. 1, which is adopted (48-0) and would change the title upon concurrence to read **H.B. 1054** (Committee Substitute) A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF SPINDALE TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER AVAILABILITY.

The Committee Substitute bill, as amended, passes its second reading (33-15) and, without objection, 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 Senate Amendment No. 1.

Upon motion of Senator Pate, seconded by Senator D. Davis, the Senate adjourns at 1:50 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Thursday, July 24, at 10:00 a.m.

A SENATORIAL STATEMENT

Submitted by Senator E. S. (Buck) Newton

Congratulating the Wilson City All-Stars for Winning Their Second North Carolina Little League State Championship for Ten-Eleven Year Olds

WHEREAS, on July 18, 2014, the Wilson City All-Stars defeated the Greenville Tar Heel by a score of 7-3 to win the North Carolina Little League State championship for 10 to 11 year olds; and

WHEREAS, the All-Stars have a two-year record of 14-0, winning the District 6 and State titles in 2013 and 2014; and

WHEREAS, this year's team was composed of 10 returning players from the 2013 State championship team; and

WHEREAS, the All-Stars will represent the State of North Carolina again at the Tournament of State Champions in Greenville, North Carolina, from August 1-6, 2014;

NOW, THEREFORE, the Wilson City All-Stars team members and coaches deserve recognition for another successful baseball season and congratulations on winning their second State Little League championship.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the twenty-third day of July, 2014.

S/Senator E. S. (Buck) Newton

S/Sarah Lang
Senate Principal Clerk

July 23, 2014

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FORTY-EIGHTH DAY

Senate Chamber
Thursday, July 24, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

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

"Heavenly Father, every day we get to come into this wonderful building and we get to work together. Every day we come and we hope that something might change, perhaps, for the best. But, Lord, things can also get mired down and stuck in the mud like a tractor. But you have sent the light into the world. You have sent your spirit. Why is that light not enough for us? Why is that spirit not enough for us? You have given us power, the power of your presence. As we wrestle with you, as legislators pass, and as they fail, Lord God, I pray that all of us will know that there are people that are praying for us, that there are whole churches praying for leaders, that we are not here alone. This might be a big machine, but there are people here that need your grace. I pray that these here will know that they can make a difference. And we pray that your light, Jesus, will make a great difference in this place and in these people's lives. It's in your name we pray. Amen."

The Chair grants leaves of absence for today to Senator Gunn and Senator Newton.

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Wednesday, July 23, 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.

The Chair extends privileges of the floor to Wendi Gwaltney from Greensboro, 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. 1056, AN ACT AMENDING THE CHARTER OF THE TOWN OF LAKE LURE TO PROVIDE THE PLAT AND BOOK NUMBER IN THE OFFICE OF THE RUTHERFORD COUNTY REGISTER OF DEEDS WHERE THE OFFICIAL MAP OF THE TOWN'S BOUNDARIES IS RECORDED. (Became law upon ratification, July 23, 2014 - S.L. 2014-81)

CONFERENCE REPORT

Senator Tillman, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **S.B. 793** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A TEACHER EMPLOYED BY A CHARTER SCHOOL MAY SERVE AS A NONVOTING MEMBER OF THE BOARD OF DIRECTORS FOR THE CHARTER SCHOOL; TO AMEND THE DATE BY WHICH THE STATE BOARD OF EDUCATION SHALL MAKE DECISIONS ON CHARTER SCHOOL APPLICATIONS; TO ALLOW A CHARTER SCHOOL TO EXPAND ONE GRADE HIGHER THAN THE CHARTER SCHOOL CURRENTLY OFFERS; TO REQUIRE CHARTER RENEWALS TO BE FOR TEN YEARS; TO CLARIFY THAT CHARTERS WITH THE MISSION OF SINGLE GENDER EDUCATION MAY LIMIT ADMISSION ON THE BASIS OF GENDER; TO PROVIDE PRIORITY ENROLLMENT FOR THE CHILDREN OF MEMBERS OF THE BOARD OF DIRECTORS OF CHARTER SCHOOLS BEYOND THE INITIAL YEAR; TO MAKE CHARTER SCHOOLS SUBJECT TO REQUIREMENTS OF THE OPEN MEETINGS AND PUBLIC RECORDS LAWS; TO ALLOW CHARTER SCHOOLS TO ASK FOR ADDITIONAL RECORDS REGARDING THE TRANSFER OF THE PER PUPIL SHARE OF THE LOCAL CURRENT EXPENSE FUND; TO SHORTEN THE TIME PERIOD FOR PAYMENT OF DELINQUENT FUNDS; TO CLARIFY THE BIDDING PROCESS FOR THE ASSUMPTION OF CHARTER SCHOOLS; AND TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A FAST-TRACK APPROVAL PROCESS; AND TO ALLOW CHARTER SCHOOLS TO BE ELIGIBLE TO RECEIVE PERMANENT REGISTRATION PLATES, 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 793, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A TEACHER EMPLOYED BY A CHARTER SCHOOL MAY SERVE AS A NONVOTING MEMBER OF THE BOARD OF DIRECTORS FOR THE CHARTER SCHOOL; TO AMEND THE DATE BY WHICH THE STATE BOARD OF EDUCATION SHALL MAKE DECISIONS ON CHARTER SCHOOL APPLICATIONS; TO ALLOW A CHARTER SCHOOL TO EXPAND ONE GRADE HIGHER THAN THE CHARTER SCHOOL CURRENTLY OFFERS; TO REQUIRE CHARTER

RENEWALS TO BE FOR TEN YEARS; TO CLARIFY THAT CHARTERS WITH THE MISSION OF SINGLE GENDER EDUCATION MAY LIMIT ADMISSION ON THE BASIS OF GENDER; TO PROVIDE PRIORITY ENROLLMENT FOR THE CHILDREN OF MEMBERS OF THE BOARD OF DIRECTORS OF CHARTER SCHOOLS BEYOND THE INITIAL YEAR; TO MAKE CHARTER SCHOOLS SUBJECT TO REQUIREMENTS OF THE OPEN MEETINGS AND PUBLIC RECORDS LAWS; TO ALLOW CHARTER SCHOOLS TO ASK FOR ADDITIONAL RECORDS REGARDING THE TRANSFER OF THE PER PUPIL SHARE OF THE LOCAL CURRENT EXPENSE FUND; TO SHORTEN THE TIME PERIOD FOR PAYMENT OF DELINQUENT FUNDS; TO CLARIFY THE BIDDING PROCESS FOR THE ASSUMPTION OF CHARTER SCHOOLS; AND TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A FAST-TRACK APPROVAL PROCESS; AND TO ALLOW CHARTER SCHOOLS TO BE ELIGIBLE TO RECEIVE PERMANENT REGISTRATION PLATES, House Committee Substitute Favorable 6/23/14, Fifth Edition Engrossed 6/26/14, submit the following report:

The Senate and the House agree to the following amendment to the House Committee Substitute Favorable 6/23/14, Fifth Edition Engrossed 6/26/14, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute Favorable 6/23/14, Fifth Edition Engrossed 6/26/14, and substitute the attached Proposed Conference Committee Substitute S793-PCCS45224-RQ-3.

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

Date Conferees approved report: July 24, 2014.

Conferees for the Senate	*Conferees for the House of Representatives*
S/Jerry W. Tillman, Chair	S/D. Craig Horn, Chair
S/Dan Soucek	Tricia Ann Cotham
S/Warren Daniel	S/Jon Hardister
S/Bill Rabon	S/David R. Lewis

The full text of the proposed Conference Committee Substitute can be found in Chapter 101 of the 2014 Session Laws.

Upon motion of Senator Apodaca, the Conference Committee Substitute bill is placed on the end of today's calendar for adoption.

CALENDAR

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

S.B. 859 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO MUNICIPAL REGULATION OF VACATION RENTALS AND OTHER TRANSIENT OCCUPANCIES, upon second reading.

The Committee Substitute bill passes its second reading (45-3) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives by special message.

Upon the appearance of Senator Newton in the chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

H.B. 1151 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW GOVERNING RED LIGHT CAMERAS IN FAYETTEVILLE, upon second reading.

The Committee Substitute bill passes its second reading (36-13) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

S.B. 201 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STANLY COMMUNITY COLLEGE TO ENTER INTO AGREEMENTS WITH STANLY COUNTY TO JOINTLY ERECT BUILDINGS ON PROPERTY OWNED BY STANLY COMMUNITY COLLEGE, for concurrence in the House Committee Substitute bill.

Upon motion of Senator McLaurin, the Senate concurs in the House Committee Substitute bill (49-0) and the bill is ordered enrolled.

S.B. 763 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO VARIOUS REVENUE LAWS, upon third reading.

Senator Hartsell offers Amendment No. 1, which fails (21-27).

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 46, noes 2, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, Ford, Foushee, Goolsby, Graham, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Meredith, Newton, Parmon, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters and Woodard---46.

Voting in the negative: Senators Blue and Robinson---2.

The Committee Substitute bill is ordered sent to the House of Representatives by special message.

H.B. 1224 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO LIMIT THE TOTAL LOCAL GOVERNMENT SALES AND USE TAX RATE TO TWO AND ONE-HALF PERCENT; TO GIVE COUNTIES THE FLEXIBILITY TO USE UP TO ONE-HALF PERCENT OF THE LOCAL SALES AND USE TAX FOR PUBLIC

TRANSPORTATION, FOR PUBLIC EDUCATION, FOR GENERAL PURPOSES, OR FOR A COMBINATION THEREOF; AND TO MAKE VARIOUS CHANGES TO TAX AND ECONOMIC DEVELOPMENT LAWS, upon third reading, as amended.

Senator McKissick offers Amendment No. 3, which he subsequently withdraws.

Senator Berger relinquishes the gavel to The Honorable Tom Apodaca, Chairman of the Rules and Operations of the Senate Committee, who presides.

The Chair grants leaves of absence for the remainder of today's session to Senator Berger and Senator Cook.

Senator Rucho offers Amendment No. 4, which is adopted (47-0).

Senator Hartsell offers Amendment No. 5, which fails (21-26).

Upon the appearance of Senator Cook in the chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

Senator Hartsell offers a motion to divide the question, which fails (23-25).

The Senate Committee Substitute bill No. 2, as amended, passes its third reading, by roll-call vote, ayes 32, noes 16, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Bingham, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, J. Davis, Goolsby, Harrington, Hartsell, Hise, B. Jackson, Jenkins, Krawiec, McLaurin, Newton, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Soucek, Tarte, Tillman, Tucker, Wade and Walters---32.

Voting in the negative: Senators Barefoot, Barringer, Blue, D. Davis, Ford, Foushee, Graham, Hunt, J. Jackson, McKissick, Meredith, Parmon, Robinson, Stein, Van Duyn and Woodard---16.

The Senate Committee Substitute bill No. 2, as amended, is ordered engrossed and sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill No. 2.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

H.B. 369 (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO VARIOUS CRIMINAL LAWS AND TO CLARIFY TO WHICH LOCAL GOVERNMENT CONTRACTS E-VERIFY APPLIES, upon third reading.

Upon motion of Senator B. Jackson, without objection, the Senate Committee Substitute bill No. 3 is withdrawn from the regular order of business and placed before the Senate for immediate consideration.

CALENDAR *(continued)*

H.B. 369 (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO VARIOUS CRIMINAL LAWS AND TO CLARIFY TO WHICH LOCAL GOVERNMENT CONTRACTS E-VERIFY APPLIES, upon third reading.

The Chair rules that Senate Committee Substitute bill No. 3, which was adopted by the **Rules and Operations of the Senate Committee** on July 23, be returned to second reading.

The Chair grants a leave of absence for the remainder of today's session to Senator J. Jackson.

Senator Robinson offers Amendment No. 8, which is adopted (43-3).

Senator Meredith offers Amendment No. 9, which is adopted (47-0).

The Senate Committee Substitute bill No. 3, as amended, passes its second reading (46-1) and, without objection, is read a third time and passes its third reading (46-1) and is ordered engrossed and sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill No. 3.

The Senate recesses at 11:34 a.m. to reconvene at 11:45 a.m.

RECESS

The Senate meets pursuant to recess and is called to order by Senator Apodaca.

The Senate recesses at 11:57 a.m. to reconvene at 12:30 p.m.

RECESS

The Senate meets pursuant to recess and is called to order by Senator Berger.

The Chair grants leaves of absence for the remainder of today's session to Senator Hunt and Senator Jenkins.

Senator Berger relinquishes the gavel to Senator Apodaca, who presides.

The Chair grants a leave of absence for the remainder of today's session to Senator Berger.

Upon the appearance of Senator J. Jackson in the chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

CALENDAR *(continued)*

H.B. 1181 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODERNIZE AND STABILIZE NORTH CAROLINA'S MEDICAID PROGRAM THROUGH FULL-RISK CAPITATED HEALTH PLANS TO BE MANAGED BY A NEW DEPARTMENT OF MEDICAL BENEFITS, upon second reading.

Senator Stein offers Amendment No. 1, which is adopted (46-0).

Senator Robinson offers Amendment No. 2, which fails (16-30).

July 24, 2014

Senator Bryant offers Amendment No. 3, which fails (16-29).

The Chair grants a leave of absence for the remainder of today's session to Senator Van Duyn.

The Senate Committee Substitute bill No. 2, as amended, passes its second reading (28-17).

Senator Ford objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Senate Committee Substitute bill No. 2, as amended, placed on the calendar of Monday, July 28, upon third reading.

S.B. 793 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE CHARTER SCHOOL LAWS AND TO MAKE A TECHNICAL CORRECTION TO HOUSE BILL 712, for adoption.

Upon motion of Senator Tillman, the Senate adopts the Conference Committee Substitute bill (45-0).

The Chair orders a message sent to the House of Representatives informing that honorable body of such action.

CONFERENCE REPORT

Senator Hartsell, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **S.B. 163** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER CERTAIN CONDITIONS, 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 163, A BILL TO BE ENTITLED AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER CERTAIN CONDITIONS, House Committee Substitute Favorable 6/18/14, Fourth Edition Engrossed 6/19/14, submit the following report:

The Senate and the House agree to the following amendment to the House Committee Substitute Favorable 6/18/14, Fourth Edition Engrossed 6/19/14, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute Favorable 6/18/14, Fourth Edition Engrossed 6/19/14, and substitute the attached Proposed Conference Committee Substitute S163-PCCS35587-SB-3.

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

Date Conferees approved report: July 24, 2014.

Conferees for the Senate	*Conferees for the House of Representatives*
S/Fletcher L. Hartsell, Jr., Chair	S/Andy Wells, Chair
S/Brent Jackson	S/Rick Catlin
S/Andrew C. Brock	S/Ruth Samuelson
S/Jim Davis	S/William D. Brisson
S/Gene McLaurin	

The full text of the proposed Conference Committee Substitute can be found in the Appendix of the 2014 Senate Journal.

The Conference Committee Substitute bill is placed on the calendar of Monday, July 28, for adoption.

Upon motion of Senator Pate, seconded by Senator Brown, the Senate adjourns at 2:06 p.m., in memory of Representative Jim Fulghum, subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Friday, July 25, at 10:00 a.m.

CONFERENCE REPORT

Senator B. Jackson, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **H.B. 366** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO (1) MAINTAIN THE CONFIDENTIALITY OF ENVIRONMENTAL INVESTIGATIONS FOR AGRICULTURAL OPERATIONS AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ADOPT RULES FOR A FORMAL COMPLAINT PROCEDURE; (2) CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT ORDINANCES RELATED TO FERTILIZER; (3) REWRITE THE LANDSCAPE CONTRACTOR LICENSING STATUTES; (4) STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM; (5) CLARIFY THE MEANING OF THE TERMS "PLANTING AND HARVESTING SEASON" AND "PLANTING AND HARVESTING PERIOD" FOR PURPOSES OF APPLYING FEDERAL LAWS OR REGULATIONS RELATING TO HOURS OF SERVICE RULES FOR CERTAIN DRIVERS TRANSPORTING AGRICULTURAL PRODUCTS; (6) AMEND THE CHAIRMANSHIP OF THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION; (7) ALLOW THE

COMMISSIONER OF AGRICULTURE TO APPOINT LAW ENFORCEMENT OFFICERS TO CARRY OUT THE LAW ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; (8) ALLOW THE USE OF PESTICIDES TO CONTROL MOLES; (9) CLASSIFY TRESPASSING ON AN AGRICULTURAL FACILITY AS A FIRST DEGREE TRESPASS; (10) REQUIRE WRITTEN CONSENT TO OPERATE AN ALL-TERRAIN VEHICLE ON PROPERTY OWNED BY ANOTHER; (11) ALLOW DRAINAGE DISTRICTS TO MAINTAIN DITCHES IN BUFFER ZONES; (12) CLARIFY PERIODIC INSPECTIONS AUTHORITY OF THE NORTH CAROLINA HOUSING FINANCE AGENCY; AND (13) PERMIT SECURITY GRILLES AT ALL EXITS OF A BUILDING SUBJECT TO CERTAIN CONDITIONS, 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 366, A BILL TO BE ENTITLED AN ACT TO (1) MAINTAIN THE CONFIDENTIALITY OF ENVIRONMENTAL INVESTIGATIONS FOR AGRICULTURAL OPERATIONS AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ADOPT RULES FOR A FORMAL COMPLAINT PROCEDURE; (2) CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT ORDINANCES RELATED TO FERTILIZER; (3) REWRITE THE LANDSCAPE CONTRACTOR LICENSING STATUTES; (4) STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM; (5) CLARIFY THE MEANING OF THE TERMS "PLANTING AND HARVESTING SEASON" AND "PLANTING AND HARVESTING PERIOD" FOR PURPOSES OF APPLYING FEDERAL LAWS OR REGULATIONS RELATING TO HOURS OF SERVICE RULES FOR CERTAIN DRIVERS TRANSPORTING AGRICULTURAL PRODUCTS; (6) AMEND THE CHAIRMANSHIP OF THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION; (7) ALLOW THE COMMISSIONER OF AGRICULTURE TO APPOINT LAW ENFORCEMENT OFFICERS TO CARRY OUT THE LAW ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; (8) ALLOW THE USE OF PESTICIDES TO CONTROL MOLES; (9) CLASSIFY TRESPASSING ON AN AGRICULTURAL FACILITY AS A FIRST DEGREE TRESPASS; (10) REQUIRE WRITTEN CONSENT TO OPERATE AN ALL-TERRAIN VEHICLE ON PROPERTY OWNED BY ANOTHER; (11) ALLOW DRAINAGE DISTRICTS TO MAINTAIN DITCHES IN BUFFER ZONES; (12) CLARIFY PERIODIC INSPECTIONS AUTHORITY OF THE NORTH CAROLINA HOUSING FINANCE AGENCY; AND (13) PERMIT

SECURITY GRILLES AT ALL EXITS OF A BUILDING SUBJECT TO CERTAIN CONDITIONS, Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 6/24/14, Fifth Edition Engrossed 6/26/14, submit the following report:

The House and Senate agree to the following amendment to the Senate Committee Substitute, Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 6/24/14, Fifth Edition Engrossed 6/26/14, 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 H366-PCCS40291-TQf-6.

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

Date Conferees approved report: July 24, 2014.

Conferees for the Senate	*Conferees for the House of Representatives*
S/Brent Jackson, Chair	S/Jimmy Dixon, Chair
S/Andrew C. Brock	S/James H. Langdon, Jr.
S/Stan Bingham	S/David R. Lewis
Rick Gunn	S/James L. Boles, Jr.
S/Michael P. Walters	S/William D. Brisson

The full text of the proposed Conference Committee Substitute can be found in Chapter 103 of the 2014 Session Laws.

The Conference Committee Substitute bill is placed on the calendar of Monday, July 28, for adoption.

RE-REFERRAL OF BILLS

Pursuant to a motion by Senator Apodaca, all bills that would naturally appear on the calendar of Friday, July 25, are moved to the calendar of Monday, July 28.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 24, 2014

July 24, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in Senate Amendment No. 1 for **H.B. 1054 Committee Substitute (2nd Edition)**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF SPINDALE AND THE CAPE FEAR PUBLIC UTILITY AUTHORITY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER AVAILABILITY, and requests conferees. Speaker Tillis has appointed:

Representative Hager, Chair
Representative Catlin
Representative Davis and
Representative Tine

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FORTY-NINTH DAY

Senate Chamber
Friday, July 25, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Tom Apodaca, Chairman of the Rules and Operations of the Senate Committee.

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

"Lord, bless us, keep us, shine your face on us, and give us your peace. It's in Christ's name we pray. Amen."

Senator Blue announces that the Senate Journal of Thursday, July 24, 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.

July 25, 2014

ENROLLED BILLS

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

H.B. 201, AN ACT TO AMEND THE APPLICABILITY OF THE ENERGY CONSERVATION CODE TO CERTAIN EXISTING NONRESIDENTIAL BUILDINGS, TO CLARIFY STORMWATER PROGRAM IMPERVIOUS SURFACE CALCULATIONS FOR REDEVELOPMENT, TO CREATE AN EXEMPTION FROM THE NORTH CAROLINA ENVIRONMENTAL PROTECTION ACT FOR THE REOCCUPATION OF AN EXISTING BUILDING OR FACILITY, AND TO AMEND THE STATUTE GOVERNING THE DEPARTMENT OF COMMERCE RURAL ECONOMIC DEVELOPMENT DIVISION.

H.B. 625, AN ACT RELATING TO ZONING PROVISIONS FOR TEMPORARY HEALTH CARE STRUCTURES.

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

S.B. 201, AN ACT TO AUTHORIZE STANLY COMMUNITY COLLEGE TO ENTER INTO AGREEMENTS WITH STANLY COUNTY TO JOINTLY ERECT BUILDINGS ON PROPERTY OWNED BY STANLY COMMUNITY COLLEGE.

H.B. 1044, AN ACT TO MAKE CHANGES TO THE AVERASBORO TOWNSHIP TOURISM DEVELOPMENT AUTHORITY.

H.B. 1151, AN ACT TO MAKE CHANGES TO THE LAW GOVERNING RED LIGHT CAMERAS IN FAYETTEVILLE.

WITHDRAWALS FROM COMMITTEES

H.B. 1193 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE STATUTES AFFECTING THE STATE RETIREMENT SYSTEMS, referred to the **Appropriations/Base Budget Committee** on July 17.

Senator Randleman offers a motion that the Committee Substitute bill be withdrawn from the **Appropriations/Base Budget Committee** and placed on the calendar of Monday, July 28, which motion prevails without objection, and the Chair so orders.

H.B. 1194 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO ADMINISTRATION OF THE STATE RETIREMENT SYSTEMS, referred to the **Appropriations/Base Budget Committee** on July 17.

July 25, 2014

Senator Randleman offers a motion that the Senate Committee Substitute bill be withdrawn from the **Appropriations/Base Budget Committee** and placed on the calendar of Monday, July 28, which motion prevails without objection, and the Chair so orders.

COMMITTEE APPOINTMENT

Senator Pate, Deputy President *Pro Tempore*, announces that pursuant to Rule 31, Senator Berger, President *Pro Tempore*, has appointed Senator Soucek as a member of the **Select Committee on UNC Board of Governors**.

Upon motion of Senator Pate, seconded by Senator Randleman, the Senate adjourns at 10:06 a.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Monday, July 28, at 9:30 a.m.

ENROLLED BILL

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

H.B. 1155, AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE VILLAGE OF PINEHURST AND AUTHORIZING THE VILLAGE TO LEVY SPECIAL ASSESSMENTS TO MEET THE COST OF CONSTRUCTION OF A STORMWATER MANAGEMENT SYSTEM TO SERVE THE PROPERTY ADDED.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 24, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 1145 Senate Committee Substitute No. 2 (6th Edition)**, A BILL TO BE ENTITLED AN ACT TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF MOTOR VEHICLES AND FOR OPERATORS OF MOPEDS TO HAVE IN FULL FORCE AND EFFECT A POLICY OF FINANCIAL RESPONSIBILITY, and requests conferees. Speaker Tillis has appointed:

Representative Shepard, Chair
Representative R. Brown
Representative Carney and
Representative Millis

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

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
July 24, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **S.B. 163** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER CERTAIN CONDITIONS.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

CONFERENCE REPORT

Senator Rabin, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **H.B. 1048** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD, TO ADD AN ASSISTANT ADJUTANT GENERAL FOR THE NORTH CAROLINA NATIONAL GUARD, AND TO ALLOW FOR ADDITIONAL USES OF FAMILY ASSISTANCE CENTER FUNDS FOR SURVIVING FAMILY MEMBERS OF DECEASED NATIONAL GUARD SERVICEMEMBERS, submits for adoption the following report:

July 25, 2014

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 1048, A BILL TO BE ENTITLED AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD, TO ADD AN ASSISTANT ADJUTANT GENERAL FOR THE NORTH CAROLINA NATIONAL GUARD, AND TO ALLOW FOR ADDITIONAL USES OF FAMILY ASSISTANCE CENTER FUNDS FOR SURVIVING FAMILY MEMBERS OF DECEASED NATIONAL GUARD SERVICEMEMBERS, Senate Judiciary I Committee Substitute Adopted 6/26/14, Fifth Edition Engrossed 7/2/14, submit the following report:

The House and Senate agree to the following amendments to the Senate Judiciary I Committee Substitute Adopted 6/26/14, Fifth Edition Engrossed 7/2/14, and the House concurs in the Senate Judiciary I Committee Substitute as amended:

On page 1, lines 29 through 31, rewrite the lines to read:

> "(2) The person shall have a minimum of three years commissioned service in the Army or Air National Guard within the six-year period previous to the appointment date.";

and on page 2, lines 12 through 14, rewrite the lines to read:

> "(5) The person shall have a minimum of 12 months in command of either (i) an Army or Air National Guard unit or (ii) a unit in any component of the Armed Forces of the United States.";

and on page 2, lines 35 through 36, rewrite those lines to read:

"**SECTION 3.** This act is effective when it becomes law. Section 1 of this act applies to appointments made on or after the effective date of this act.".

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

Date Conferees approved report: July 24, 2014.

Conferees for the Senate	*Conferees for the House of Representatives*
S/Ronald J. Rabin, Chair	S/Kelly E. Hastings, Chair
S/Dan Soucek	S/John Szoka
S/Norman W. Sanderson	Chris Whitmire
Wesley Meredith	S/Elmer Floyd
Clark Jenkins	

July 25, 2014

The Conference Report is placed on the calendar of Monday, July 28, for adoption.

ENROLLED BILLS

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

S.B. 877, AN ACT TO EXEMPT CERTAIN REAL ESTATE TIME SHARES FROM THE RULE AGAINST PERPETUITIES.

H.B. 27, AN ACT TO PROVIDE THAT UNCLAIMED UNITED STATES SAVINGS BONDS SHALL ESCHEAT TO THE STATE, TO DIRECT THE TREASURER TO REDEEM THOSE UNITED STATES SAVINGS BONDS ESCHEATED TO THE STATE, TO CREATE AN ESCHEAT SAVINGS BOND TRUST FUND WITHIN THE ESCHEAT FUND FOR DEPOSIT OF THE PROCEEDS OF THOSE REDEMPTIONS, AND TO PROVIDE THAT INTEREST AND INVESTMENT EARNINGS FROM THE ESCHEAT SAVINGS BOND TRUST FUND SHALL BE USED TO FUND SCHOLARSHIPS TO WORTHY AND NEEDY STUDENTS WHO ARE RESIDENTS OF NORTH CAROLINA AND ARE ENROLLED IN PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN NORTH CAROLINA.

H.B. 101, AN ACT TO REAUTHORIZE EXPIRED SPECIAL REGISTRATION PLATES, TO AUTHORIZE ADDITIONAL SPECIAL REGISTRATION PLATES TO BE ON A BACKGROUND OTHER THAN THE "FIRST IN FLIGHT" BACKGROUND, AND TO ESTABLISH A PROCESS BY WHICH PERSONS OR ORGANIZATIONS MUST OBTAIN A MINIMUM NUMBER OF PAID APPLICATIONS PRIOR TO OBTAINING LEGISLATIVE APPROVAL FOR THE DEVELOPMENT OF A SPECIAL REGISTRATION PLATE.

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

S.B. 788, AN ACT TO ALLOW THE TOWN OF DUCK TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS.

H.B. 1059, AN ACT TO MODIFY THE NEW HANOVER OCCUPANCY TAX.

July 25, 2014

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. 201, AN ACT TO AUTHORIZE STANLY COMMUNITY COLLEGE TO ENTER INTO AGREEMENTS WITH STANLY COUNTY TO JOINTLY ERECT BUILDINGS ON PROPERTY OWNED BY STANLY COMMUNITY COLLEGE. (Became law upon ratification, July 25, 2014 - S.L. 2014-82)

H.B. 1044, AN ACT TO MAKE CHANGES TO THE AVERASBORO TOWNSHIP TOURISM DEVELOPMENT AUTHORITY. (Became law upon ratification, July 25, 2014 - S.L. 2014-83)

H.B. 1151, AN ACT TO MAKE CHANGES TO THE LAW GOVERNING RED LIGHT CAMERAS IN FAYETTEVILLE. (Became law upon ratification, July 25, 2014 - S.L. 2014-84)

H.B. 1155, AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE VILLAGE OF PINEHURST AND AUTHORIZING THE VILLAGE TO LEVY SPECIAL ASSESSMENTS TO MEET THE COST OF CONSTRUCTION OF A STORMWATER MANAGEMENT SYSTEM TO SERVE THE PROPERTY ADDED. (Became law upon ratification, July 25, 2014 - S.L. 2014-85)

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FIFTIETH DAY

Senate Chamber
Monday, July 28, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Tom Apodaca, Chairman of the Rules and Operations of the Senate Committee.

The Senate recesses at 9:36 a.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 6:00 p.m.

RECESS

July 28, 2014

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 25, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **S.B. 793** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE CHARTER SCHOOL LAWS AND TO MAKE A TECHNICAL CORRECTION TO HOUSE BILL 712.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

Pursuant to the Senate having adopted the Conference Committee Substitute bill for S.B. 793 on Thursday, July 24, the bill is ordered enrolled and sent to the Governor.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 25, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **H.B. 1048** (Conference Report), A BILL TO BE ENTITLED AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD, TO ADD AN ASSISTANT ADJUTANT GENERAL FOR THE NORTH CAROLINA NATIONAL GUARD, AND TO ALLOW FOR ADDITIONAL USES OF FAMILY ASSISTANCE CENTER FUNDS FOR SURVIVING FAMILY MEMBERS OF DECEASED NATIONAL GUARD SERVICEMEMBERS.

July 28, 2014

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

S.B. 773 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT (I) THE RECOMMENDATIONS OF THE GENERAL STATUTES COMMISSION TO MODIFY THE SLAYER STATUTE DUE TO THE NEED TO ACCOUNT FOR PROPERTY HELD IN A JOINT TENANCY IN UNEQUAL SHARES, TO CLARIFY THE PROVISIONS FOR FILING CERTIFIED COPIES OF PROBATED WILLS IN OTHER COUNTIES WHERE A DECEDENT HAS REAL PROPERTY, AND TO DELETE THE STATUTORY FORMS FOR JUDGMENT DEBTORS CLAIMING EXEMPTIONS UNDER G.S. 1C-1601 BECAUSE THE ADMINISTRATIVE OFFICE OF THE COURTS ALREADY HAS WIDELY USED FORMS FOR THAT PURPOSE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND (II) THE RECOMMENDATIONS OF THE NORTH CAROLINA BAR ASSOCIATION TO CLARIFY THE REQUIREMENTS FOR THE TIMELY SUBSTITUTION OF A PERSONAL REPRESENTATIVE IN PLACE OF A DECEDENT IN AN ACTION PENDING AT THE DECEDENT'S DEATH AND TO CLARIFY THAT THE COMMON LAW RULE AGAINST ACCUMULATIONS DOES NOT APPLY TO TRUSTS IN THIS STATE; AND TO MAKE OTHER CHANGES TO THE LAW, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Tuesday, July 29.

S.B. 376 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW MONTGOMERY COUNTY EMPLOYEES AND THE DEPENDENTS OF EMPLOYEES TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Tuesday, July 29.

H.B. 1133 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND THE SESSION LAWS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE ADDITIONAL TECHNICAL AND OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS.

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

July 28, 2014

APPOINTMENT OF A CONFERENCE COMMITTEE

H.B. 1145 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF MOTOR VEHICLES AND FOR OPERATORS OF MOPEDS TO HAVE IN FULL FORCE AND EFFECT A POLICY OF FINANCIAL RESPONSIBILITY.

Pursuant to the message from the House of Representatives received July 25, that the House fails to concur in the Senate Committee Substitute bill No. 2 for H.B. 1145 and requests conferees, Senator Phil Berger, President *Pro Tempore*, appoints Senator Apodaca, Chair; Senator Sanderson and Senator Curtis 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 Senate meets pursuant to recess and is called to order by Senator Apodaca.

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

"Lord, thank you so much for this evening and this time to gather together. Almighty God, you alone are our refuge in the midst of the trials of life, whether in politics, family, or on the field. May we wait. Prepare us for the glimpses that we'll see of your face even while we're waiting. This day we trust, oh, God, that all you have given us is yours, and that during our waiting, and during our longing, you will transform this desert into fertile ground for your own pleasures. It's in Jesus' name I pray. Amen."

The Chair grants leaves of absence for tonight to Senator Curtis, Senator Jenkins, and Senator Parmon.

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Friday, July 25, 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.

The Chair extends privileges of the floor to Margaret Markie from Durham, 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. 793, AN ACT TO MAKE VARIOUS CHANGES TO THE CHARTER SCHOOL LAWS AND TO MAKE A TECHNICAL CORRECTION TO HOUSE BILL 712.

July 28, 2014

WITHDRAWAL FROM COMMITTEE

S.B. 853 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO VALIDATE CORPORATE FORUM SELECTION PROVISIONS CONTAINED IN ARTICLES OF INCORPORATION AND BYLAWS, AND TO CREATE A WORKING GROUP TO STUDY JUDICIAL EFFICIENCY AND BUSINESS COURT MODERNIZATION, referred to the **Rules and Operations of the Senate Committee** on July 16.

Pursuant to Rule 47(a), Senator Berger offers a motion that the House Committee Substitute bill be withdrawn from the **Rules and Operations of the Senate Committee** and placed on tonight's calendar, which motion prevails with unanimous consent, and the Chair so orders.

MOTIONS RELATIVE TO THE CALENDAR

The following changes are made to tonight's calendar:

H.B. 366 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) MAINTAIN THE CONFIDENTIALITY OF ENVIRONMENTAL INVESTIGATIONS FOR AGRICULTURAL OPERATIONS AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ADOPT RULES FOR A FORMAL COMPLAINT PROCEDURE; (2) CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT ORDINANCES RELATED TO FERTILIZER; (3) REWRITE THE LANDSCAPE CONTRACTOR LICENSING STATUTES; (4) STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM; (5) CLARIFY THE MEANING OF THE TERMS "PLANTING AND HARVESTING SEASON" AND "PLANTING AND HARVESTING PERIOD" FOR PURPOSES OF APPLYING FEDERAL LAWS OR REGULATIONS RELATING TO HOURS OF SERVICE RULES FOR CERTAIN DRIVERS TRANSPORTING AGRICULTURAL PRODUCTS; (6) AMEND THE CHAIRMANSHIP OF THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION; (7) ALLOW THE COMMISSIONER OF AGRICULTURE TO APPOINT LAW ENFORCEMENT OFFICERS TO CARRY OUT THE LAW ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; (8) AMEND THE HORSE INDUSTRY PROMOTION ACT; (9) ALLOW THE USE OF PESTICIDES TO CONTROL MOLES; (10) CLASSIFY TRESPASSING ON AN AGRICULTURAL FACILITY AS A FIRST DEGREE TRESPASS; (11) REQUIRE WRITTEN CONSENT TO OPERATE AN ALL-TERRAIN VEHICLE ON PROPERTY OWNED BY ANOTHER; (12) ALLOW DRAINAGE DISTRICTS TO

MAINTAIN DITCHES IN BUFFER ZONES; (13) CLARIFY PERIODIC INSPECTIONS AUTHORITY OF THE NORTH CAROLINA HOUSING FINANCE AGENCY; (14) PERMIT SECURITY GRILLES AT ALL EXITS OF A BUILDING SUBJECT TO CERTAIN CONDITIONS; (15) DESIGNATE THE "GOT TO BE NC" MARKETING CAMPAIGN AS THE OFFICIAL AGRICULTURAL MARKETING CAMPAIGN FOR THE STATE; (16) ALLOW CERTIFICATION OF PRIVATE PESTICIDE APPLICATORS; AND (17) EXEMPT STATE FAIR ADMISSION FEES FROM RULE MAKING, for adoption upon second reading.

Upon motion of Senator Berger, the Conference Committee Substitute bill is withdrawn from tonight's calendar and placed on the calendar of Tuesday, July 29.

S.B. 163 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER CERTAIN CONDITIONS, for adoption.

Upon motion of Senator Berger, the Conference Committee Substitute bill is withdrawn from tonight's calendar and placed on the calendar of Wednesday, July 30.

CALENDAR

Bills on tonight's calendar are taken up and disposed of as follows:

H.B. 1193 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE STATUTES AFFECTING THE STATE RETIREMENT SYSTEMS, upon second reading.

The Committee Substitute bill passes its second reading (47-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

H.B. 1194 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO ADMINISTRATION OF THE STATE RETIREMENT SYSTEMS, upon second reading.

The Senate Committee Substitute bill passes its second reading (47-0) and, without objection, 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.

H.B. 1181 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODERNIZE AND STABILIZE NORTH CAROLINA'S MEDICAID PROGRAM THROUGH FULL-RISK CAPITATED HEALTH PLANS TO BE MANAGED BY A NEW DEPARTMENT OF MEDICAL BENEFITS, upon third reading, as amended.

The Senate Committee Substitute bill No. 2, as amended, passes its third reading (29-17) and is ordered engrossed and sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill No. 2.

July 28, 2014

H.B. 1048 (Conference Report), A BILL TO BE ENTITLED AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD, TO ADD AN ASSISTANT ADJUTANT GENERAL FOR THE NORTH CAROLINA NATIONAL GUARD, AND TO ALLOW FOR ADDITIONAL USES OF FAMILY ASSISTANCE CENTER FUNDS FOR SURVIVING FAMILY MEMBERS OF DECEASED NATIONAL GUARD SERVICEMEMBERS, for adoption.

Upon motion of Senator Rabin, the Senate adopts the Conference Report (47-0).

The Chair orders a message sent to the House of Representatives informing that honorable body of such action.

S.B. 853 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO VALIDATE CORPORATE FORUM SELECTION PROVISIONS CONTAINED IN ARTICLES OF INCORPORATION AND BYLAWS, AND TO CREATE A WORKING GROUP TO STUDY JUDICIAL EFFICIENCY AND BUSINESS COURT MODERNIZATION, for concurrence in House Committee Substitute bill.

The Senate fails to concur in the House Committee Substitute bill (0-47) and the House of Representatives is notified.

SENATE PAGES

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

Sterrett Brook, Raleigh; Kendall Gillespy, Clayton; Hayle Holberg, Apex; Anjalique Knight, Fayetteville; Nicholas Kroll, Holly Springs; Parrish Lewis, Raleigh; Sam Marsh, Raleigh; Makel McClain, Garner; Sie-chieh Redd, Jr., Garner; Natalie Rinehard, Cary; Tharon Suggs, Garner; Grace Wayne, Raleigh; and Lily Wayne, Raleigh.

Upon motion of Senator Pate, seconded by Senator Berger, the Senate adjourns at 6:27 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Tuesday, July 29, at 2:00 p.m.

RE-REFERRAL OF A BILL

H.B. 272 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT INTEREST ON A DOT CONDEMNATION AWARD SHALL BE PAID FROM THE DATE OF TAKING UNTIL THE

DATE THE JUDGMENT IS PAID AND TO AUTHORIZE A DEFENDANT IN SUCH AN ACTION TO RECOVER ATTORNEYS' FEES AND COSTS IF THE JUDGMENT EXCEEDS THE DEPOSIT BY TWENTY-FIVE PERCENT OR MORE, referred to the **Transportation Committee** on April 18, 2013 with a sequential referral to the **Judiciary II Committee**.

Pursuant to a motion by Senator Apodaca, the sequential referral to the **Judiciary II Committee** is stricken and the Committee Substitute bill No. 2 is withdrawn from the **Transportation Committee** and re-referred to the **Rules and Operations of the Senate Committee**.

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FIFTY-FIRST DAY

Senate Chamber
Tuesday, July 29, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

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

"Lord, you are gracious to bring us together today. With all of our different stories and lives you bring us into this chamber to work together. Lord, you are the maker of all things; you hold up creation. 'While all must change and know decay, you are unchanging, always new. You are our solace; you are our shield; you are our rock secure on which to build. You are the spirit's tranquil home; in you alone is our hope fulfilled.'* You, Lord Jesus, are the strength of our living days, and your loyalty endures forever. Your loyalty endures forever. May we make this prayer in the name of Jesus? Amen."

*Stanbrook Abbey Hymnal

The Chair grants leaves of absence for today to Senator Blue, Senator Curtis, Senator Parmon, and Senator Van Duyn.

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Monday, July 28, 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.

The Chair extends privileges of the floor to Ayanna Whitfield from Winterville, North Carolina, who is serving the Senate as Nurse of the Day.

July 29, 2014

Without objection, Senator Barringer submits a Senatorial Statement out of order.

A SENATORIAL STATEMENT
Submitted by Senator Tamara Barringer

Honoring Thelma Zaytoun for 50 Years of Volunteerism

WHEREAS, Thelma Zaytoun has been a loyal volunteer at Rex Hospital for the past 50 years; and

WHEREAS, Mrs. Zaytoun has logged more than 20,400 volunteer hours at Rex Hospital, benefitting the patients, visitors, physicians, and coworkers, and has unselfishly devoted her time and energy to service and fund-raising to benefit Rex Hospital; and

WHEREAS, Mrs. Zaytoun supported the establishment of the Korner Gift Shop, which opened in 1980, and assisted with the hospital's relocation from St. Mary's Street to Lake Boone Trail, which included helping move new mothers and their babies on buses at 4:00 a.m.; and

WHEREAS, in December of 1988, to commemorate their 45th wedding anniversary and to celebrate her love of nurses, Mrs. Zaytoun and her husband, Joe, established the Thelma K. Zaytoun Scholarship in Nursing Foundation, which has helped dozens of nurses at Rex Hospital further their education and improve patient care at the hospital; and

WHEREAS, Mrs. Zaytoun faithfully served governors James B. Hunt, Jr., Michael F. Easley, and Beverly E. Perdue on the NC Volunteerism and Community Service Commission; and

WHEREAS, Mrs. Zaytoun was awarded North Carolina's highest civilian honor, the Order of the Long Leaf Pine on February 1, 2005; and

WHEREAS, Mrs. Zaytoun is a proud advocate and supporter of Rex Hospital and shares her enthusiasm for the hospital and its excellent care with coworkers, patients, and visitors alike;

NOW, THEREFORE, Mrs. Thelma Zaytoun deserves recognition for her 50 years of outstanding volunteerism at Rex Hospital.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the twenty-ninth day of July, 2014.

S/Senator Tamara Barringer

S/Sarah Lang
Senate Principal Clerk

ENROLLED BILL

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

H.B. 1193, AN ACT TO MAKE TECHNICAL CHANGES TO THE STATUTES AFFECTING THE STATE RETIREMENT SYSTEMS.

July 29, 2014

INTRODUCTION OF A RESOLUTION

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

By Senators Berger, Apodaca (Primary Sponsors) and Brock:

S.R. 885, A SENATE RESOLUTION ELECTING ANNA SPANGLER NELSON TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

Referred to the **Select Committee on UNC Board of Governors**.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Apodaca for the **Rules and Operations of the Senate Committee**:

H.B. 1133 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND THE SESSION LAWS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE ADDITIONAL TECHNICAL AND OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 20190, is adopted and engrossed.

Upon motion of Senator Apodaca, the rules are suspended, and the Senate Committee Substitute bill is placed on the end of today's calendar.

H.B. 272 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT INTEREST ON A DOT CONDEMNATION AWARD SHALL BE PAID FROM THE DATE OF TAKING UNTIL THE DATE THE JUDGMENT IS PAID AND TO AUTHORIZE A DEFENDANT IN SUCH AN ACTION TO RECOVER ATTORNEYS' FEES AND COSTS IF THE JUDGMENT EXCEEDS THE DEPOSIT BY TWENTY-FIVE PERCENT OR MORE, with an unfavorable report as to the Committee Substitute bill No. 2, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30812, which changes the title to read **H.B. 272** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROVIDE THAT THE DIVISION OF MOTOR VEHICLES HEARING ON A LICENSE REVOCATION AS A RESULT OF A DRIVING WHILE IMPAIRED IGNITION INTERLOCK VIOLATION BE HELD IN THE LICENSEE'S COUNTY OF RESIDENCE; (2) DIRECT THE DIVISION OF MOTOR VEHICLES TO ISSUE A SINGLE ANNUAL REGISTRATION RENEWAL STICKER FOR EACH VEHICLE REGISTRATION PLATE; (3) CLARIFY APPLICABILITY OF

PERMANENT LICENSE PLATES LAW TO VEHICLES OWNED BY FEDERALLY RECOGNIZED TRIBE; (4) CLARIFY APPLICATION OF DEALER FEE DISCLOSURE REQUIREMENTS; (5) AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PLACE A LICENSE ISSUED UNDER THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW ON PROBATION; (6) PROVIDE THAT NOTICE OF A SUSPENSION, REVOCATION, OR NONRENEWAL OF A LICENSE UNDER THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW SHALL BE GIVEN IN ACCORDANCE WITH RULE 4 OF THE RULES OF CIVIL PROCEDURE; (7) EXTEND BY ONE YEAR THE DEPARTMENT OF TRANSPORTATION DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESS PROGRAM; AND (8) DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY DIGITAL DISPATCHING SERVICES, is adopted and engrossed.

The Senate recesses at 2:25 p.m. to reconvene at 2:35 p.m.

RECESS

The Senate meets pursuant to recess and is called to order by Senator Berger.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Apodaca for the **Select Committee on UNC Board of Governors**:

S.R. 885, A SENATE RESOLUTION ELECTING ANNA SPANGLER NELSON TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, with a favorable report.

Upon motion of Senator Apodaca, the rules are suspended, and the resolution is placed on today's calendar for immediate consideration.

CALENDAR

Bills and a resolution on today's calendar are taken up and disposed of as follows:

S.R. 885, A SENATE RESOLUTION ELECTING ANNA SPANGLER NELSON TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, for adoption.

Upon motion of Senator Apodaca, the Senate Resolution is adopted first by electronic vote (44-1), and then a second time whereby it is adopted viva voce.

The House of Representatives is notified.

S.B. 376 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW MONTGOMERY COUNTY EMPLOYEES AND THE DEPENDENTS OF EMPLOYEES TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Bingham, the Senate concurs in the House Committee Substitute bill (46-0) and the bill is ordered enrolled and sent to the Governor.

S.B. 773 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT (I) THE RECOMMENDATIONS OF THE GENERAL STATUTES COMMISSION TO MODIFY THE SLAYER STATUTE DUE TO THE NEED TO ACCOUNT FOR PROPERTY HELD IN A JOINT TENANCY IN UNEQUAL SHARES, TO CLARIFY THE PROVISIONS FOR FILING CERTIFIED COPIES OF PROBATED WILLS IN OTHER COUNTIES WHERE A DECEDENT HAS REAL PROPERTY, AND TO DELETE THE STATUTORY FORMS FOR JUDGMENT DEBTORS CLAIMING EXEMPTIONS UNDER G.S. 1C-1601 BECAUSE THE ADMINISTRATIVE OFFICE OF THE COURTS ALREADY HAS WIDELY USED FORMS FOR THAT PURPOSE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND (II) THE RECOMMENDATIONS OF THE NORTH CAROLINA BAR ASSOCIATION TO CLARIFY THE REQUIREMENTS FOR THE TIMELY SUBSTITUTION OF A PERSONAL REPRESENTATIVE IN PLACE OF A DECEDENT IN AN ACTION PENDING AT THE DECEDENT'S DEATH AND TO CLARIFY THAT THE COMMON LAW RULE AGAINST ACCUMULATIONS DOES NOT APPLY TO TRUSTS IN THIS STATE; AND TO MAKE OTHER CHANGES TO THE LAW, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Hartsell, the Senate concurs in the House Committee Substitute bill (46-0) and the bill is ordered enrolled and sent to the Governor.

H.B. 366 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) MAINTAIN THE CONFIDENTIALITY OF ENVIRONMENTAL INVESTIGATIONS FOR AGRICULTURAL OPERATIONS AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ADOPT RULES FOR A FORMAL COMPLAINT PROCEDURE; (2) CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT ORDINANCES RELATED TO FERTILIZER; (3) REWRITE THE LANDSCAPE CONTRACTOR LICENSING STATUTES; (4) STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM; (5) CLARIFY THE MEANING OF THE TERMS "PLANTING AND HARVESTING SEASON" AND "PLANTING AND HARVESTING PERIOD" FOR PURPOSES OF APPLYING FEDERAL LAWS OR REGULATIONS RELATING TO HOURS OF SERVICE RULES FOR CERTAIN DRIVERS TRANSPORTING AGRICULTURAL

PRODUCTS; (6) AMEND THE CHAIRMANSHIP OF THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION; (7) ALLOW THE COMMISSIONER OF AGRICULTURE TO APPOINT LAW ENFORCEMENT OFFICERS TO CARRY OUT THE LAW ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; (8) AMEND THE HORSE INDUSTRY PROMOTION ACT; (9) ALLOW THE USE OF PESTICIDES TO CONTROL MOLES; (10) CLASSIFY TRESPASSING ON AN AGRICULTURAL FACILITY AS A FIRST DEGREE TRESPASS; (11) REQUIRE WRITTEN CONSENT TO OPERATE AN ALL-TERRAIN VEHICLE ON PROPERTY OWNED BY ANOTHER; (12) ALLOW DRAINAGE DISTRICTS TO MAINTAIN DITCHES IN BUFFER ZONES; (13) CLARIFY PERIODIC INSPECTIONS AUTHORITY OF THE NORTH CAROLINA HOUSING FINANCE AGENCY; (14) PERMIT SECURITY GRILLES AT ALL EXITS OF A BUILDING SUBJECT TO CERTAIN CONDITIONS; (15) DESIGNATE THE "GOT TO BE NC" MARKETING CAMPAIGN AS THE OFFICIAL AGRICULTURAL MARKETING CAMPAIGN FOR THE STATE; (16) ALLOW CERTIFICATION OF PRIVATE PESTICIDE APPLICATORS; AND (17) EXEMPT STATE FAIR ADMISSION FEES FROM RULE MAKING, for adoption upon second reading.

Without objection, Senator Meredith is excused from voting on the bill because he is a landscape contractor.

Upon motion of Senator B. Jackson, the Senate adopts the Conference Committee Substitute bill on its second reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Bryant, Clark, Cook, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Wade, Walters and Woodard---45.

Voting in the negative: None.

The Conference Committee Substitute bill remains on the calendar for Wednesday, July 30, for adoption upon third reading.

H.B. 1133 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND THE SESSION LAWS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE ADDITIONAL TECHNICAL AND OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, upon second reading.

The Senate Committee Substitute bill passes its second reading (37-9).

Senator Hartsell objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Senate Committee Substitute bill placed on the calendar of Wednesday, July 30, upon third reading.

WITHDRAWAL FROM A FUTURE CALENDAR

H.B. 272 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROVIDE THAT THE DIVISION OF MOTOR VEHICLES HEARING ON A LICENSE REVOCATION AS A RESULT OF A DRIVING WHILE IMPAIRED IGNITION INTERLOCK VIOLATION BE HELD IN THE LICENSEE'S COUNTY OF RESIDENCE; (2) DIRECT THE DIVISION OF MOTOR VEHICLES TO ISSUE A SINGLE ANNUAL REGISTRATION RENEWAL STICKER FOR EACH VEHICLE REGISTRATION PLATE; (3) CLARIFY APPLICABILITY OF PERMANENT LICENSE PLATES LAW TO VEHICLES OWNED BY FEDERALLY RECOGNIZED TRIBE; (4) CLARIFY APPLICATION OF DEALER FEE DISCLOSURE REQUIREMENTS; (5) AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PLACE A LICENSE ISSUED UNDER THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW ON PROBATION; (6) PROVIDE THAT NOTICE OF A SUSPENSION, REVOCATION, OR NONRENEWAL OF A LICENSE UNDER THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW SHALL BE GIVEN IN ACCORDANCE WITH RULE 4 OF THE RULES OF CIVIL PROCEDURE; (7) EXTEND BY ONE YEAR THE DEPARTMENT OF TRANSPORTATION DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESS PROGRAM; AND (8) DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY DIGITAL DISPATCHING SERVICES, placed on the calendar of Wednesday, July 30.

Senator Apodaca offers a motion that the Senate Committee Substitute bill be withdrawn from the calendar of Wednesday, July 30, and placed before the Senate for immediate consideration, which motion prevails with unanimous consent, and the Chair so orders.

CALENDAR *(continued)*

H.B. 272 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROVIDE THAT THE DIVISION OF MOTOR VEHICLES HEARING ON A LICENSE REVOCATION AS A RESULT OF A DRIVING WHILE IMPAIRED IGNITION INTERLOCK VIOLATION BE HELD IN THE LICENSEE'S COUNTY OF RESIDENCE; (2) DIRECT THE DIVISION OF MOTOR VEHICLES TO ISSUE A SINGLE ANNUAL REGISTRATION RENEWAL STICKER FOR EACH VEHICLE REGISTRATION PLATE; (3) CLARIFY APPLICABILITY OF PERMANENT LICENSE PLATES LAW TO VEHICLES OWNED BY FEDERALLY RECOGNIZED TRIBE; (4) CLARIFY APPLICATION OF DEALER FEE DISCLOSURE REQUIREMENTS; (5) AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PLACE A LICENSE ISSUED UNDER THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW ON PROBATION; (6) PROVIDE THAT NOTICE OF A SUSPENSION, REVOCATION, OR NONRENEWAL OF A LICENSE UNDER THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW SHALL

BE GIVEN IN ACCORDANCE WITH RULE 4 OF THE RULES OF CIVIL PROCEDURE; (7) EXTEND BY ONE YEAR THE DEPARTMENT OF TRANSPORTATION DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESS PROGRAM; AND (8) DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY DIGITAL DISPATCHING SERVICES, upon second reading.

The Senate Committee Substitute bill passes its second reading (46-0) and, without objection, 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.

WITHDRAWAL FROM COMMITTEE

H.B. 884 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A DROPOUT PREVENTION AND RECOVERY PILOT PROGRAM WITH CHARTER SCHOOLS, referred to the **Education/Higher Education Committee** on May 15, 2013, with a sequential referral to the **Appropriations/Base Budget Committee**.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill be withdrawn from the **Education/Higher Education Committee** and re-referred to the **Rules and Operations of the Senate Committee** while maintaining its sequential referral to the **Appropriations/Base Budget Committee**, which motion prevails with unanimous consent, and the Chair so orders.

APPOINTMENT OF A CONFERENCE COMMITTEE

S.B. 853 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO VALIDATE CORPORATE FORUM SELECTION PROVISIONS CONTAINED IN ARTICLES OF INCORPORATION AND BYLAWS, AND TO CREATE A WORKING GROUP TO STUDY JUDICIAL EFFICIENCY AND BUSINESS COURT MODERNIZATION.

Pursuant to the Senate having failed to concur in the House Committee Substitute for S.B. 853 on July 28, Senator Louis Pate, Deputy President *Pro Tempore*, announces the appointment of Senator Rucho, Chair; Senator Barringer and Senator Wade as conferees on the part of the Senate to resolve the differences arising between the two bodies. A message is ordered sent to the House of Representatives informing that honorable body of such action and requesting conferees.

Upon motion of Senator Pate, seconded by Senator McKissick, the Senate adjourns at 3:15 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Wednesday, July 30, at 10:15 a.m.

A SENATORIAL STATEMENT
Submitted by Senator Tommy Tucker

Supporting New Government Bond, Stamp, and Coin Program to benefit Veterans

WHEREAS, the nation is blessed with men and women who voluntarily swear an oath to defend the Constitution of the United States of America against all enemies, foreign and domestic; and

WHEREAS, these men and women make great personal sacrifices in the name of our Constitution, thereby ensuring the perpetuation of our individual liberties; and

WHEREAS, these same men and women voluntarily make great personal sacrifices to carry democracy and extend the freedoms we enjoy to the underprivileged of the world; and

WHEREAS, some of these men and women will incur great personal hardships and catastrophic injury in the performance of their duties; and

WHEREAS, these warriors and their families deserved to be honored, supported, and provided relief;

NOW, THEREFORE, support should be given to any initiative implementing a new government bond, stamp, and coin program from which the proceeds would be used exclusively for those warriors and their families who have borne the brunt of preserving our freedoms and extending those freedoms throughout the world.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the twenty-ninth day of July, 2014.

S/Senator Tommy Tucker

S/Sarah Lang
Senate Principal Clerk

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

July 29, 2014

ONE HUNDRED FIFTY-SECOND DAY

Senate Chamber
Wednesday, July 30, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

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

"God, our Father and protector, it is a noble calling to govern. Help us honor and obey and pray for all in positions of authority, even, and especially, when we don't agree. Bless these men and women with courage to do their jobs, but also keep them from inflated senses of themselves. For none of them can raise the dead. Sometimes we think we can cleanse creation of sin's pollution, but I am thankful today that we cannot do that, Jesus, but only you can. Guide us then to love our neighbor and to promote a just and good society. Help us to use wisely the blessings you have given us in this world. We ask this through your name, Jesus. Amen."

The Chair grants leaves of absence for today to Senator Curtis and Senator Newton.

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Tuesday, July 29, 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.

The Chair extends privileges of the floor to Susan Roberts from Greensboro, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILLS

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

S.B. 376, AN ACT TO ALLOW MONTGOMERY COUNTY EMPLOYEES AND THE DEPENDENTS OF EMPLOYEES TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

S.B. 773, AN ACT TO IMPLEMENT (I) THE RECOMMENDATIONS OF THE GENERAL STATUTES COMMISSION TO MODIFY THE SLAYER STATUTE DUE TO THE NEED TO ACCOUNT FOR PROPERTY HELD IN A JOINT TENANCY IN UNEQUAL SHARES, TO CLARIFY THE PROVISIONS FOR FILING CERTIFIED COPIES OF PROBATED WILLS IN

OTHER COUNTIES WHERE A DECEDENT HAS REAL PROPERTY, AND TO DELETE THE STATUTORY FORMS FOR JUDGMENT DEBTORS CLAIMING EXEMPTIONS UNDER G.S. 1C-1601 BECAUSE THE ADMINISTRATIVE OFFICE OF THE COURTS ALREADY HAS WIDELY USED FORMS FOR THAT PURPOSE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND (II) THE RECOMMENDATIONS OF THE NORTH CAROLINA BAR ASSOCIATION TO CLARIFY THE REQUIREMENTS FOR THE TIMELY SUBSTITUTION OF A PERSONAL REPRESENTATIVE IN PLACE OF A DECEDENT IN AN ACTION PENDING AT THE DECEDENT'S DEATH AND TO CLARIFY THAT THE COMMON LAW RULE AGAINST ACCUMULATIONS DOES NOT APPLY TO TRUSTS IN THIS STATE; AND TO MAKE OTHER CHANGES TO THE LAW.

H.B. 1048, AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD, TO ADD AN ASSISTANT ADJUTANT GENERAL FOR THE NORTH CAROLINA NATIONAL GUARD, AND TO ALLOW FOR ADDITIONAL USES OF FAMILY ASSISTANCE CENTER FUNDS FOR SURVIVING FAMILY MEMBERS OF DECEASED NATIONAL GUARD SERVICEMEMBERS.

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. 788, AN ACT TO ALLOW THE TOWN OF DUCK TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS. (Became law upon ratification, July 25, 2014 - S.L. 2014-86)

H.B. 1059, AN ACT TO MODIFY THE NEW HANOVER OCCUPANCY TAX. (Became law upon ratification, July 25, 2014 - S.L. 2014-87)

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 30, 2014

July 30, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 1181 Senate Committee Substitute No. 2 (6th Edition)**, A BILL TO BE ENTITLED AN ACT TO MODERNIZE AND STABILIZE NORTH CAROLINA'S MEDICAID PROGRAM THROUGH FULL-RISK CAPITATED HEALTH PLANS TO BE MANAGED BY A NEW DEPARTMENT OF MEDICAL BENEFITS.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

CALENDAR

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

H.B. 1133 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND THE SESSION LAWS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE ADDITIONAL TECHNICAL AND OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, upon third reading.

Upon the appearance of Senator Newton in the chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

Senator Hartsell offers Amendment No. 1, which is adopted (49-0).

Senator Brock offers Amendment No. 2, which is adopted (49-0).

Senator Hartsell offers Amendment No. 3, which is adopted (42-7).

Senator Newton offers Amendment No. 4, which is adopted (46-3).

The Senate Committee Substitute bill, as amended, passes its third reading (39-10) and is ordered engrossed and sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill.

H.B. 366 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) MAINTAIN THE CONFIDENTIALITY OF ENVIRONMENTAL INVESTIGATIONS FOR AGRICULTURAL OPERATIONS AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ADOPT RULES FOR A FORMAL COMPLAINT PROCEDURE; (2) CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT ORDINANCES RELATED TO FERTILIZER; (3) REWRITE THE LANDSCAPE CONTRACTOR LICENSING STATUTES; (4) STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM; (5) CLARIFY THE MEANING OF THE TERMS "PLANTING AND HARVESTING SEASON" AND "PLANTING AND

HARVESTING PERIOD" FOR PURPOSES OF APPLYING FEDERAL LAWS OR REGULATIONS RELATING TO HOURS OF SERVICE RULES FOR CERTAIN DRIVERS TRANSPORTING AGRICULTURAL PRODUCTS; (6) AMEND THE CHAIRMANSHIP OF THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION; (7) ALLOW THE COMMISSIONER OF AGRICULTURE TO APPOINT LAW ENFORCEMENT OFFICERS TO CARRY OUT THE LAW ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; (8) AMEND THE HORSE INDUSTRY PROMOTION ACT; (9) ALLOW THE USE OF PESTICIDES TO CONTROL MOLES; (10) CLASSIFY TRESPASSING ON AN AGRICULTURAL FACILITY AS A FIRST DEGREE TRESPASS; (11) REQUIRE WRITTEN CONSENT TO OPERATE AN ALL-TERRAIN VEHICLE ON PROPERTY OWNED BY ANOTHER; (12) ALLOW DRAINAGE DISTRICTS TO MAINTAIN DITCHES IN BUFFER ZONES; (13) CLARIFY PERIODIC INSPECTIONS AUTHORITY OF THE NORTH CAROLINA HOUSING FINANCE AGENCY; (14) PERMIT SECURITY GRILLES AT ALL EXITS OF A BUILDING SUBJECT TO CERTAIN CONDITIONS; (15) DESIGNATE THE "GOT TO BE NC" MARKETING CAMPAIGN AS THE OFFICIAL AGRICULTURAL MARKETING CAMPAIGN FOR THE STATE; (16) ALLOW CERTIFICATION OF PRIVATE PESTICIDE APPLICATORS; AND (17) EXEMPT STATE FAIR ADMISSION FEES FROM RULE MAKING, for adoption upon third reading.

Without objection, Senator Meredith is excused from voting on the bill because he is a landscape contractor.

The Senate adopts the Conference Committee Substitute bill on its third reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Daniel, D. Davis, J. Davis, Ford, Foushee, Goolsby, Graham, Gunn, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McKissick, McLaurin, Newton, Parmon, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters and Woodard---48.

Voting in the negative: None.

The Chair orders a message sent to the House of Representatives informing that honorable body of such action.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

S.B. 163 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER CERTAIN CONDITIONS, for adoption.

Upon motion of Senator Apodaca, the Conference Committee Substitute bill is withdrawn from today's calendar and placed on today's supplemental calendar.

July 30, 2014

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Apodaca for the **Rules and Operations of the Senate Committee**:

H.B. 884 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A DROPOUT PREVENTION AND RECOVERY PILOT PROGRAM WITH CHARTER SCHOOLS, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40294, which changes the title to read **H.B. 884** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A DROPOUT PREVENTION AND RECOVERY PILOT PROGRAM WITH A CHARTER SCHOOL, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

WITHDRAWAL FROM COMMITTEE

H.B. 884 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A DROPOUT PREVENTION AND RECOVERY PILOT PROGRAM WITH A CHARTER SCHOOL, referred to the **Appropriations/Base Budget Committee** on July 30.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Senate Committee Substitute bill be withdrawn from the **Appropriations/Base Budget Committee** and placed on today's supplemental calendar, which motion prevails with unanimous consent, and the Chair so orders.

The Senate recesses at 11:11 a.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 4:00 p.m.

RECESS

A SENATORIAL STATEMENT

Submitted by Senator Thom Goolsby

Honoring Franklin Ervin Williams, Sr.

WHEREAS, Franklin Ervin Williams was born on July 31, 1931, in Duplin County to Joseph Frank Williams and Leanna Brinson Williams; and

WHEREAS, Franklin received a doctorate in pharmacy from the University of Georgia in 1958 and then returned to North Carolina, settling in Wilmington, where he later established Williams Pharmacy and ASCO Wilmington, Inc., a pharmacy consulting company; and

WHEREAS, Franklin served his profession and community as a member of numerous boards and commissions, including the North Carolina Academy of Consulting Pharmacists, the North Carolina Pharmaceutical Association, the Wilmington Sertoma Club, the Wilmington Kiwanis Club, Cape Fear Memorial Hospital, First Citizens Bank, and Cape Fear Community College; and

WHEREAS, Franklin was appointed to the North Carolina Senate on June 4, 1985, by Governor James Martin to fill a vacant seat and served for the remainder of that term; and

WHEREAS, Franklin was a member of the United States Army National Guard from 1949 to 1961, serving his country in active duty during the Korean War from 1951 to 1953, during which time he was promoted to the rank of Master Sergeant; and

WHEREAS, Franklin was a faithful member of the Winter Park Presbyterian Church in Wilmington, serving as a deacon and Sunday school teacher; and

WHEREAS, Franklin died on July 14, 2014, at the age of 82, leaving his wife, Marilyn Williams, and his children, Margaret Kathleen Williams and Franklin E. Williams, Jr., to mourn his loss;

NOW, THEREFORE, Franklin Ervin Williams, Sr., deserves to be honored for his dedicated service to his community, State, and nation.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the thirtieth day of July, 2014.

S/Senator Thom Goolsby

S/Sarah Lang
Senate Principal Clerk

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Apodaca for the **Rules and Operations of the Senate Committee**:

H.B. 761 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT WELL CONTRACTORS FROM ELECTRICAL CONTRACTORS LICENSING REQUIREMENTS AND TO REQUIRE ELECTRICAL TRAINING FOR INITIAL WELL CONTRACTOR CERTIFICATION, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 40295, which changes the title to read **H.B. 761** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER

REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, AND BY MAKING VARIOUS OTHER STATUTORY CHANGES, is adopted and engrossed.

Pursuant to a motion by Senator Apodaca, the Senate Committee Substitute bill No. 2 is placed on today's supplemental calendar.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

S.B. 883 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE MITIGATION PROGRAM REQUIREMENTS FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS RULE ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION, DIRECT THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADOPT A NEW MITIGATION PROGRAM REQUIREMENTS FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS RULE, AND AMEND WASTEWATER DISPOSAL SYSTEM REQUIREMENTS, for concurrence in the House Committee Substitute bill.

Pursuant to a motion by Senator Apodaca, the House Committee Substitute bill is placed on today's supplemental calendar.

The Senate meets pursuant to recess and is called to order by Senator Berger.

CONFERENCE REPORT

Senator Apodaca, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **H.B. 1145** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF MOTOR VEHICLES AND FOR OPERATORS OF MOPEDS TO HAVE IN FULL FORCE AND EFFECT A POLICY OF FINANCIAL RESPONSIBILITY, 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 1145, A BILL TO BE ENTITLED AN ACT TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF MOTOR VEHICLES AND FOR OPERATORS OF MOPEDS TO HAVE IN FULL FORCE AND EFFECT A POLICY OF FINANCIAL RESPONSIBILITY, Senate Finance Committee Substitute Adopted 7/15/14, submit the following report:

July 30, 2014

The House and Senate agree to the following amendment to the Senate Finance Committee Substitute adopted 7/15/14, and the House concurs in the Senate Finance Committee Substitute as amended:

Delete the entire Senate Finance Committee Substitute adopted 7/15/14, and substitute the attached proposed Conference Committee Substitute H1145-PCCS40293-RW-1.

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

Date Conferees approved report: July 30, 2014.

Conferees for the Senate	*Conferees for the House of Representatives*
S/Tom Apodaca, Chair	S/Phil Shepard, Chair
S/Norman W. Sanderson	Rayne Brown
David L. Curtis	S/Becky Carney
	S/Chris Millis

The full text of the proposed Conference Committee Substitute can be found in Chapter 114 of the 2014 Session Laws.

The Conference Committee Substitute bill is placed on the calendar of Thursday, July 31, for adoption.

MOTIONS RELATIVE TO THE SUPPLEMENTAL CALENDAR

The following changes are made to today's supplemental calendar:

S.B. 163 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER CERTAIN CONDITIONS, for adoption.

Upon motion of Senator Apodaca, the Conference Committee Substitute bill is withdrawn from today's supplemental calendar and placed on the calendar of Thursday, July 31.

H.B. 761 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, AND BY MAKING VARIOUS OTHER STATUTORY CHANGES, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill No. 2 is withdrawn from the regular order of business and placed at the end of today's supplemental calendar.

July 30, 2014

CONVEYANCE OF BILLS

Upon motion of Senator Apodaca, all bills being sent to the House of Representatives and to the Governor will be sent by special message for the remainder of the 2014 Session.

SUPPLEMENTAL CALENDAR

Bills on today's supplemental calendar are taken up and disposed of as follows:

H.B. 884 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A DROPOUT PREVENTION AND RECOVERY PILOT PROGRAM WITH A CHARTER SCHOOL, upon second reading.

The Chair grants leaves of absence for the remainder of today's session to Senator Meredith, Senator Newton, and Senator Parmon.

Senator Tillman offers Amendment No. 1, which is adopted (46-0).

Senator McLaurin offers Amendment No. 2.

Upon motion of Senator Apodaca, without objection, the Senate Committee Substitute bill, as amended, is displaced to the end of the supplemental calendar, with Amendment No. 2 pending.

S.B. 883 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE MITIGATION PROGRAM REQUIREMENTS FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS RULE ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION, DIRECT THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADOPT A NEW MITIGATION PROGRAM REQUIREMENTS FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS RULE, AND AMEND WASTEWATER DISPOSAL SYSTEM REQUIREMENTS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Brock, the Senate concurs in the House Committee Substitute bill (34-12) and the bill is ordered enrolled and sent to the Governor by special message.

The Senate recesses at 4:33 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 5:30 p.m.

RECESS

The Senate meets pursuant to recess and is called to order by Senator Berger.

July 30, 2014

RE-REFERRAL OF A BILL

S.B. 403 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY VARIOUS PROVISIONS OF THE ELECTION LAWS, conference committee appointed on July 21.

Senator Apodaca offers a motion that the House Committee Substitute bill be re-referred to the **Rules and Operations of the Senate Committee**, which motion prevails with unanimous consent, and the Chair so orders.

WITHDRAWAL FROM COMMITTEE

S.B. 734 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, AND BY MAKING VARIOUS OTHER STATUTORY CHANGES, referred to the **Ways & Means Committee** on June 30.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the House Committee Substitute bill be withdrawn from the **Ways & Means Committee** and placed on today's supplemental calendar, which motion prevails with unanimous consent, and the Chair so orders.

MOTION RELATIVE TO THE SUPPLEMENTAL CALENDAR

The following change is made to today's supplemental calendar:

H.B. 761 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, AND BY MAKING VARIOUS OTHER STATUTORY CHANGES, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill No. 2 is withdrawn from today's supplemental calendar and re-referred to the **Rules and Operations of the Senate Committee**.

SUPPLEMENTAL CALENDAR *(continued)*

H.B. 884 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A DROPOUT PREVENTION AND RECOVERY PILOT PROGRAM WITH A CHARTER SCHOOL, displaced earlier today upon second reading, as amended, with Amendment No. 2 pending.

The Chair grants a leave of absence for the remainder of today's session to Senator Jenkins.

July 30, 2014

Senator Apodaca offers Amendment No. 3 as a Substitute Amendment for Amendment No. 2, which is adopted (30-15) and changes the title to read **H.B. 884** (Senate Committee Substitute) A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A DROPOUT PREVENTION AND RECOVERY PILOT PROGRAM WITH A CHARTER SCHOOL AND TO REQUIRE THE STATE BOARD OF EDUCATION TO REPORT ON UTILIZATION OF PERSONNEL CONTRACTS.

Amendment No. 2 subsequently fails.

The Senate Committee Substitute bill, as amended, passes its second reading (45-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill.

S.B. 734 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, AND BY MAKING VARIOUS OTHER STATUTORY CHANGES, for concurrence in the House Committee Substitute bill.

The Senate fails to concur in the House Committee Substitute bill (0-45) and the House of Representatives is notified.

Upon motion of Senator Apodaca, the House Committee Substitute bill is referred to the **Rules and Operations of the Senate Committee**.

APPOINTMENT OF A CONFERENCE COMMITTEE

S.B. 734 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, AND BY MAKING VARIOUS OTHER STATUTORY CHANGES.

Pursuant to the Senate having failed to concur in the House Committee Substitute for S.B. 734 earlier today, Senator Louis Pate, Deputy President *Pro Tempore*, announces the appointment of Senator Wade, Chair; Senator Apodaca and Senator Brown as conferees on the part of the Senate to resolve the differences arising between the two bodies. A message is ordered sent to the House of Representatives informing that honorable body of such action and requesting conferees.

Upon motion of Senator Pate, seconded by Senator Tillman, the Senate adjourns at 6:21 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Thursday, July 31, at 10:15 a.m.

RE-REFERRAL OF BILLS

S.B. 734 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, AND BY MAKING VARIOUS OTHER STATUTORY CHANGES, referred to the **Rules and Operations of the Senate Committee** on July 30.

Pursuant to a motion by Senator Apodaca, the referral to the **Rules and Operations of the Senate Committee** is stricken.

H.B. 1086, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION, IN CONJUNCTION WITH OTHER STATE AGENCIES, TO STUDY THE USE OF HIGHWAY SIGNAGE AS A MEANS OF IMPROVING NORTH CAROLINA RESIDENTS' AND TOURISTS' AWARENESS OF STATE PARKS AND TRAILS IN THIS STATE, AS RECOMMENDED BY THE LRC COMMITTEE ON CULTURAL AND NATURAL RESOURCES, referred to the **Transportation Committee** on June 10.

Pursuant to a motion by Senator Apodaca, the bill is withdrawn from the **Transportation Committee** and re-referred to the **Rules and Operations of the Senate Committee**.

CONFERENCE REPORT

Senator Brown, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **S.B. 744** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, 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 744, A BILL TO BE ENTITLED

AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, House Committee Substitute #2 Favorable 6/11/14, Sixth Edition Engrossed 6/13/14, Corrected Copy 6/13/14, submit the following report:

The Senate and House agree to the following amendment to the House Committee Substitute #2 Favorable 6/11/14, Sixth Edition Engrossed 6/13/14, Corrected Copy 6/13/14, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute #2 Favorable 6/11/14, Sixth Edition Engrossed 6/13/14, Corrected Copy 6/13/14, and substitute the attached Proposed Conference Committee Substitute S744-PCCS45234-MDxf-1.

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

Date Conferees approved report: July 30, 2014.

Conferees for the Senate
S/Harry Brown, Chair
S/Tom Apodaca
S/Phil Berger
S/Andrew C. Brock
S/Kathy Harrington
S/Ralph Hise
S/Neal Hunt
S/Brent Jackson
S/Wesley Meredith
S/Louis Pate
S/Bill Rabon
S/Shirley B. Randleman
S/Bob Rucho
S/Dan Soucek
S/Jerry W. Tillman
S/Tommy Tucker

Conferees for the House of Representatives
S/Nelson Dollar, Co-Chair
S/Linda P. Johnson, Co-Chair
S/Bryan R. Holloway, Co-Chair
S/Justin P. Burr, Co-Chair
Pat McElraft
S/D. Craig Horn
S/Chuck McGrady
Hugh Blackwell
S/Marilyn Avila
S/Mark W. Hollo
S/Donny Lambeth
William D. Brisson
S/Roger West
S/Tom Murry
S/N. Leo Daughtry
S/James L. Boles, Jr.
S/John Faircloth
S/Pat B. Hurley
S/George G. Cleveland
Rayne Brown
John A. Torbett
S/Phil Shepard
Jason Saine
S/David R. Lewis
S/Tim Moore
S/Mike Hager
S/Thom Tillis

July 30, 2014

The full text of the proposed Conference Committee Substitute can be found in Chapter 100 of the 2014 Session Laws.

The Conference Report is placed on the calendar of Thursday, July 31, for adoption.

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FIFTY-THIRD DAY

Senate Chamber
Thursday, July 31, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Tom Apodaca, Chairman of the Rules and Operations of the Senate Committee.

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

"Lord, we thank you for giving us a place and a quiet moment amidst the distractions of life, amidst the hustle and the bustle and the conversations. We come to you, and we come into your throne of grace this morning, and we seek your wisdom. We seek you, Lord, God, because your wisdom is far beyond our wisdom and your goodness is far beyond our goodness. As we step closer to you in prayer, we thank you that you fill us, right now, with great peace and consolation. We thank you for that and the many blessings that you have given us during this session--during a difficult and long session. Give us grace now to depart this session with holy longings and joy for what you are doing in our midst and in our world. We pray in Jesus' name. Amen."

The Chair grants leaves of absence for today to Senator Curtis, Senator Gunn, Senator Newton, Senator Parmon, and Senator Walters.

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Wednesday, July 30, 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.

The Chair extends privileges of the floor to Marion S. Braden from Pfafftown, North Carolina, who is serving the Senate as Nurse of the Day.

Upon the appearance of Senator Parmon in the chamber, the Chair acknowledges her presence and the leave of absence granted previously is withdrawn.

ENROLLED BILLS

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

S.B. 883, AN ACT TO DISAPPROVE THE MITIGATION PROGRAM REQUIREMENTS FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS RULE ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION, DIRECT THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADOPT A NEW MITIGATION PROGRAM REQUIREMENTS FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS RULE, AND AMEND WASTEWATER DISPOSAL SYSTEM REQUIREMENTS.

H.B. 1194, AN ACT TO MAKE CHANGES TO ADMINISTRATION OF THE STATE RETIREMENT SYSTEMS.

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. 1195, AN ACT TO ENACT ANTI-PENSION-SPIKING LEGISLATION BY ESTABLISHING A CONTRIBUTION-BASED BENEFIT CAP, TO ALLOW MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WHO LEAVE EMPLOYMENT WITHIN FIVE YEARS TO RECEIVE A RETURN OF THEIR CONTRIBUTIONS WITH ACCUMULATED INTEREST, AND TO RETURN TO A FIVE-YEAR VESTING PERIOD FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM WHO BECAME MEMBERS ON OR AFTER AUGUST 1, 2011, AND MAKE A CONFORMING CHANGE TO THE SPECIAL SEPARATION ALLOWANCE FOR LAW ENFORCEMENT OFFICERS. (Became law upon approval of the Governor, July 30, 2014 - S.L. 2014-88)

H.B. 1033, AN ACT TO AUTHORIZE A COUNTY TO IMPOSE A SPECIAL ASSESSMENT FOR REPAIR OF A DAM. (Became law upon approval of the Governor, July 30, 2014 - S.L. 2014-89)

July 31, 2014

CONFERENCE REPORT

Senator Hartsell, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **S.B. 163** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER CERTAIN CONDITIONS, withdraws the Conference Report submitted on July 24, and 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 163, A BILL TO BE ENTITLED AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER CERTAIN CONDITIONS, House Committee Substitute Favorable 6/18/14, Fourth Edition Engrossed 6/19/14, submit the following report:

The Senate and the House agree to the following amendment to the House Committee Substitute Favorable 6/18/14, Fourth Edition Engrossed 6/19/14, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute Favorable 6/18/14, Fourth Edition Engrossed 6/19/14, and substitute the attached Proposed Conference Committee Substitute S163-PCCS25168-SB-4.

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

Date Conferees approved report: July 31, 2014.

Conferees for the Senate	*Conferees for the House of Representatives*
S/Fletcher L. Hartsell, Jr., Chair	S/Andy Wells, Chair
S/Brent Jackson	S/Rick Catlin
S/Andrew C. Brock	S/Ruth Samuelson
S/Jim Davis	S/William D. Brisson
S/Gene McLaurin	

The full text of the proposed Conference Committee Substitute can be found in Chapter 113 of the 2014 Session Laws.

Without objection, the new Conference Committee Substitute bill takes the place of the original Conference Committee Substitute bill on today's calendar, for adoption.

July 31, 2014

CONFERENCE REPORT

Senator Hartsell, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **H.B. 1218**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF MONROE TO REMOVE THE PROVISION AUTHORIZING THE CITY MANAGER TO HAVE DIRECT SUPERVISORY AUTHORITY OVER THE CITY ATTORNEY, 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 1218, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF MONROE TO REMOVE THE PROVISION AUTHORIZING THE CITY MANAGER TO HAVE DIRECT SUPERVISORY AUTHORITY OVER THE CITY ATTORNEY, submit the following report:

The Senate recedes from Amendment # 1, and the House and Senate agree to the following amendments:

Delete the entire First Edition and substitute the attached proposed Conference Committee Substitute H1218-PCCS10603-ST-5.

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

Date Conferees approved report: July 24, 2014.

Conferees for the Senate	*Conferees for the House of Representatives*
S/Fletcher L. Hartsell, Jr., Co-Chair	S/D. Craig Horn, Chair
S/Tommy Tucker, Co-Chair	S/Linda P. Johnson
	S/Carl Ford
	S/Rick Glazier

The full text of the proposed Conference Committee Substitute can be found in Chapter 92 of the 2014 Session Laws.

The Conference Committee Substitute bill is placed on today's calendar, for adoption.

The Senate recesses at 10:28 a.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 1:00 p.m.

July 31, 2014

RECESS

A SENATORIAL STATEMENT
Submitted by Senator Jim Davis

Honoring Western Carolina University's 125th Anniversary

WHEREAS, Western Carolina University was founded in August 1889, by Professor Robert Lee Madison, who wanted to provide an education for the young people in the region and train teachers to spread education throughout the western part of the State; and

WHEREAS, in 1893, the Legislature designated the school as the first publicly funded normal school, which evolved into a junior college over a 40-year period and, then in 1929, was chartered by the Legislature as a four-year institution under the same name Western Carolina Teachers College; and

WHEREAS, in 1967, the North Carolina General Assembly designated the institution a regional university and changed its name to Western Carolina University and, on July 1, 1972, Western Carolina University became a member of the University of North Carolina system; and

WHEREAS, adjacent to the Great Smokey Mountains and a neighbor to the Eastern Band of Cherokee Indians, Western North Carolina University has a commitment to the rich traditions of the Appalachian and Cherokee cultures; and

WHEREAS, the Millennial Initiative, doubling the size of the campus in 2005, is poised to be a hub for economic growth and a knowledge enterprise zone where university faculty and students, private industry, and government partners collaborate in the study and development of innovative practices that result in applied solutions that meet the needs of the citizens of North Carolina;

NOW, THEREFORE, Western Carolina University should be commended on its quasquicentennial anniversary for its commitment as a public university that serves the public good, providing a focused, rigorous, high-quality curriculum that meets the educational and economic development needs of the people of Western North Carolina, the State and the nation.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the thirty-first day of July, 2014.

S/Senator Jim Davis

S/Sarah Lang
Senate Principal Clerk

EXECUTIVE ORDER

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

Executive Order No. 61, Notice of Termination of Executive Order No. 50.

July 31, 2014

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 31, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 1224 Senate Committee Substitute No. 2 (4th Edition)**, A BILL TO BE ENTITLED AN ACT TO LIMIT THE TOTAL LOCAL GOVERNMENT SALES AND USE TAX RATE TO TWO AND ONE-HALF PERCENT; TO GIVE COUNTIES THE FLEXIBILITY TO USE UP TO ONE-HALF PERCENT OF THE LOCAL SALES AND USE TAX FOR PUBLIC TRANSPORTATION, FOR PUBLIC EDUCATION, FOR GENERAL PURPOSES, OR FOR A COMBINATION THEREOF; AND TO MAKE VARIOUS CHANGES TO TAX AND ECONOMIC DEVELOPMENT LAWS.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

APPOINTMENT OF A CONFERENCE COMMITTEE

H.B. 1054 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF SPINDALE AND THE CAPE FEAR PUBLIC UTILITY AUTHORITY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER AVAILABILITY.

Pursuant to the message from the House of Representatives received July 24, that the House fails to concur in Senate Amendment No. 1 for H.B. 1054 and requests conferees, Senator Phil Berger, President *Pro Tempore*, appoints Senator Hise, Chair; Senator Goolsby and Senator Apodaca 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.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Apodaca for the **Rules and Operations of the Senate Committee**:

July 31, 2014

S.B. 884, 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 the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 25167, is adopted and engrossed.

H.B. 1086, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION, IN CONJUNCTION WITH OTHER STATE AGENCIES, TO STUDY THE USE OF HIGHWAY SIGNAGE AS A MEANS OF IMPROVING NORTH CAROLINA RESIDENTS' AND TOURISTS' AWARENESS OF STATE PARKS AND TRAILS IN THIS STATE, AS RECOMMENDED BY THE LRC COMMITTEE ON CULTURAL AND NATURAL RESOURCES, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 20192, which changes the title to read **H.B. 1086** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA AND SOUTH CAROLINA RAIL COMPACT, is adopted and engrossed.

S.J.R. 881, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY, with an unfavorable report as to the Joint Resolution, but favorable as to the Committee Substitute Joint Resolution.

Pursuant to Rule 45.1, the proposed Committee Substitute Joint Resolution, 45235, which changes the title to read **S.J.R. 881** (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR ADJOURNING THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING, PROVIDING FOR A SUBSEQUENT ADJOURNMENT TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING, AND PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY, is adopted and engrossed.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 31, 2014

July 31, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 272 Senate Committee Substitute (5th Edition)**, A BILL TO BE ENTITLED AN ACT TO (1) PROVIDE THAT THE DIVISION OF MOTOR VEHICLES HEARING ON A LICENSE REVOCATION AS A RESULT OF A DRIVING WHILE IMPAIRED IGNITION INTERLOCK VIOLATION BE HELD IN THE LICENSEE'S COUNTY OF RESIDENCE; (2) DIRECT THE DIVISION OF MOTOR VEHICLES TO ISSUE A SINGLE ANNUAL REGISTRATION RENEWAL STICKER FOR EACH VEHICLE REGISTRATION PLATE; (3) CLARIFY APPLICABILITY OF PERMANENT LICENSE PLATES LAW TO VEHICLES OWNED BY FEDERALLY RECOGNIZED TRIBE; (4) CLARIFY APPLICATION OF DEALER FEE DISCLOSURE REQUIREMENTS; (5) AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PLACE A LICENSE ISSUED UNDER THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW ON PROBATION; (6) PROVIDE THAT NOTICE OF A SUSPENSION, REVOCATION, OR NONRENEWAL OF A LICENSE UNDER THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW SHALL BE GIVEN IN ACCORDANCE WITH RULE 4 OF THE RULES OF CIVIL PROCEDURE; (7) EXTEND BY ONE YEAR THE DEPARTMENT OF TRANSPORTATION DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESS PROGRAM; AND (8) DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY DIGITAL DISPATCHING SERVICES, and requests conferees. Speaker Tillis has appointed:

Representative Stam, Chair
Representative T. Moore
Representative Hager
Representative Iler and
Representative Waddell

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

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
July 31, 2014

July 31, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 369 Senate Committee Substitute No. 3 (7th Edition)**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO VARIOUS CRIMINAL LAWS AND TO CLARIFY TO WHICH LOCAL GOVERNMENT CONTRACTS E-VERIFY APPLIES, and requests conferees. Speaker Tillis has appointed:

Representative Burr, Chair
Representative Daughtry
Representative Stevens
Representative Davis
Representative Jackson and
Representative Glazier

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

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
July 31, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 1133 Senate Committee Substitute (5th Edition)**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND THE SESSION LAWS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE ADDITIONAL TECHNICAL AND OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, and requests conferees. Speaker Tillis has appointed:

Representative T. Moore, Chair
Representative Lewis
Representative Stone and
Representative Wray

July 31, 2014

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

The Senate meets pursuant to recess and is called to order by Senator Apodaca.

The Senate recesses at 1:02 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 3:00 p.m.

RECESS

APPOINTMENT OF A CONFERENCE COMMITTEE

H.B. 272 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROVIDE THAT THE DIVISION OF MOTOR VEHICLES HEARING ON A LICENSE REVOCATION AS A RESULT OF A DRIVING WHILE IMPAIRED IGNITION INTERLOCK VIOLATION BE HELD IN THE LICENSEE'S COUNTY OF RESIDENCE; (2) DIRECT THE DIVISION OF MOTOR VEHICLES TO ISSUE A SINGLE ANNUAL REGISTRATION RENEWAL STICKER FOR EACH VEHICLE REGISTRATION PLATE; (3) CLARIFY APPLICABILITY OF PERMANENT LICENSE PLATES LAW TO VEHICLES OWNED BY FEDERALLY RECOGNIZED TRIBE; (4) CLARIFY APPLICATION OF DEALER FEE DISCLOSURE REQUIREMENTS; (5) AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PLACE A LICENSE ISSUED UNDER THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW ON PROBATION; (6) PROVIDE THAT NOTICE OF A SUSPENSION, REVOCATION, OR NONRENEWAL OF A LICENSE UNDER THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW SHALL BE GIVEN IN ACCORDANCE WITH RULE 4 OF THE RULES OF CIVIL PROCEDURE; (7) EXTEND BY ONE YEAR THE DEPARTMENT OF TRANSPORTATION DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESS PROGRAM; AND (8) DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY DIGITAL DISPATCHING SERVICES.

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. 272 and requests conferees, Senator Phil Berger, President *Pro Tempore*, appoints Senator Harrington, Chair; Senator Ford, and Senator Rabon 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 MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 31, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that Representative Murry has been added as a conferee to **S.B. 648 House Committee Substitute (6th Edition)**, A BILL TO BE ENTITLED AN ACT TO CREATE TRANSPARENCY IN CONTRACTS BETWEEN THE ATTORNEY GENERAL AND PRIVATE ATTORNEYS.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

The Senate meets pursuant to recess and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

The Chair grants a leave of absence for the remainder of today's session to Senator Jenkins.

WITHDRAWALS FROM A FUTURE CALENDAR

S.B. 884 (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, placed on the calendar of Friday, August 1.

Senator Apodaca offers a motion that the Committee Substitute bill be withdrawn from the calendar of Friday, August 1, and placed at the beginning of today's calendar, which motion prevails with unanimous consent, and the Chair so orders.

H.B. 1086 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA AND SOUTH CAROLINA RAIL COMPACT, placed on the calendar of Friday, August 1.

Senator Apodaca offers a motion that the Senate Committee Substitute bill be withdrawn from the calendar of Friday, August 1, and placed on today's calendar, which motion prevails with unanimous consent, and the Chair so orders.

July 31, 2014

S.J.R. 881 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR ADJOURNING THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING, PROVIDING FOR A SUBSEQUENT ADJOURNMENT TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING, AND PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY, placed on the calendar of Friday, August 1.

Senator Apodaca offers a motion that the Committee Substitute Joint Resolution be withdrawn from the calendar of Friday, August 1, and placed at the end of today's calendar, which motion prevails with unanimous consent, and the Chair so orders.

FLOOR PRIVILEGES

Upon motion of Senator Apodaca, without objection, the rules are suspended to allow Research Division staff to join members on the Senate Chamber floor while **S.B. 744** is being discussed.

DISMISSAL OF CONFEREES

Senator Apodaca announces that Senator Berger, President *Pro Tempore*, has dismissed the conferees appointed on July 21, on the part of the Senate to resolve the differences arising between the Senate and the House of Representatives on **S.B. 403** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY VARIOUS PROVISIONS OF THE ELECTION LAWS.

A message is ordered sent to the House of Representatives informing that honorable body of such action.

MOTION TO RECONSIDER

S.B. 403 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY VARIOUS PROVISIONS OF THE ELECTION LAWS, referred to the **Rules and Operations of the Senate Committee** on July 30.

Pursuant to Rule 47(a), Senator Apodaca moves that the House Committee Substitute bill be withdrawn from the **Rules and Operations of the Senate Committee**. Having voted with the majority, he further moves that the rules be suspended to allow the vote by which the Senate failed to concur in the House Committee Substitute bill, on Monday, July 21, to be reconsidered. The motions prevail without objection, and the House Committee Substitute bill is placed as the second to last item on today's calendar, for concurrence.

CONFERENCE REPORT

Senator B. Jackson, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **S.B. 648** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE TRANSPARENCY IN CONTRACTS BETWEEN THE ATTORNEY GENERAL AND PRIVATE ATTORNEYS, 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 648, A BILL TO BE ENTITLED AN ACT TO CREATE TRANSPARENCY IN CONTRACTS BETWEEN THE ATTORNEY GENERAL AND PRIVATE ATTORNEYS, House Committee Substitute Favorable 6/25/14, Sixth Edition Engrossed 6/25/14, submit the following report:

The Senate and House agree to the following amendment to the House Committee Substitute Favorable 6/25/14, Sixth Edition Engrossed 6/25/14, 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 S648-PCCS45236-TP-5.

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

Date Conferees approved report: July 31, 2014.

Conferees for the Senate	*Conferees for the House of Representatives*
S/Brent Jackson, Chair	S/N. Leo Daughtry, Chair
S/Bob Rucho	S/Paul Stam
S/Tamara Barringer	S/John Faircloth
S/Tom Apodaca	S/Ted Davis, Jr.
	S/Edward Hanes, Jr.
	S/Tom Murry

The full text of the proposed Conference Committee Substitute can be found in Chapter 110 of the 2014 Session Laws.

The Conference Committee Substitute bill is placed on today's calendar, for adoption.

Senator Berger relinquishes the gavel to Senator Apodaca, who presides.

July 31, 2014

ENROLLED BILLS

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

H.B. 884, AN ACT TO PROVIDE FOR A DROPOUT PREVENTION AND RECOVERY PILOT PROGRAM WITH A CHARTER SCHOOL AND TO REQUIRE THE STATE BOARD OF EDUCATION TO REPORT ON UTILIZATION OF PERSONNEL CONTRACTS.

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

S.B. 859, AN ACT RELATING TO MUNICIPAL REGULATION OF VACATION RENTALS AND OTHER TRANSIENT OCCUPANCIES.

CALENDAR

Bills and a resolution on today's calendar are taken up and disposed of as follows:

S.B. 884 (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, upon second reading.

The Committee Substitute bill passes its second reading (45-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives by special message.

S.B. 163 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER CERTAIN CONDITIONS, for adoption.

Upon motion of Senator Hartsell, the Senate adopts the Conference Committee Substitute bill (45-0).

The Chair orders a message sent to the House of Representatives informing that honorable body of such action.

H.B. 1145 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF MOTOR VEHICLES, for adoption.

Upon motion of Senator Hise, the Senate adopts the Conference Committee Substitute bill (44-1).

The Chair orders a message sent to the House of Representatives informing that honorable body of such action.

H.B. 1218, (Conference Committee Substitute) A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF MONROE TO

REMOVE THE PROVISION AUTHORIZING THE CITY MANAGER TO HAVE DIRECT SUPERVISORY AUTHORITY OVER THE CITY ATTORNEY AND TO PROVIDE THAT VACANCIES ON THE CABARRUS COUNTY BOARD OF COMMISSIONERS ARE NOT FILLED IN ACCORDANCE WITH G.S. 153A-27.1, for adoption.

Upon motion of Senator Hartsell, the Senate adopts the Conference Committee Substitute bill (36-9).

The Chair orders a message sent to the House of Representatives informing that honorable body of such action.

H.B. 1086 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA AND SOUTH CAROLINA RAIL COMPACT, upon second reading.

The Senate Committee Substitute bill passes its second reading (45-0) and, without objection, 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.

S.B. 648 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE TRANSPARENCY IN CONTRACTS BETWEEN THE ATTORNEY GENERAL AND PRIVATE ATTORNEYS, TO PREVENT THE ABUSE OF PATENTS, TO ALLOW FOR SHAREHOLDER ASSENT TO EXCLUSIVE FORUM, AND TO LIMIT ASBESTOS-RELATED LIABILITIES FOR CERTAIN SUCCESSOR CORPORATIONS, for adoption.

Upon motion of Senator B. Jackson, the Senate adopts the Conference Committee Substitute bill (45-0).

The Chair orders a message sent to the House of Representatives informing that honorable body of such action.

S.B. 744 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, for adoption upon second reading.

Upon motion of Senator Brown, the Senate adopts the Conference Committee Substitute bill on its second reading, by roll-call vote, ayes 32, noes 13, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Clark, Cook, Daniel, J. Davis, Goolsby, Harrington, Hartsell, Hise, Hunt, B. Jackson, Krawiec, McLaurin, Meredith, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Soucek, Tarte, Tillman, Tucker and Wade---32.

Voting in the negative: Senators Blue, Bryant, D. Davis, Ford, Foushee, Graham, J. Jackson, McKissick, Parmon, Robinson, Stein, Van Duyn and Woodard---13.

The Conference Committee Substitute bill remains on the calendar for Friday, August 1, for adoption upon third reading.

July 31, 2014

CONFERENCE REPORT

Senator Barringer, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **S.B. 853** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO VALIDATE CORPORATE FORUM SELECTION PROVISIONS CONTAINED IN ARTICLES OF INCORPORATION AND BYLAWS, AND TO CREATE A WORKING GROUP TO STUDY JUDICIAL EFFICIENCY AND BUSINESS COURT MODERNIZATION, 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 853, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO VALIDATE CORPORATE FORUM SELECTION PROVISIONS CONTAINED IN ARTICLES OF INCORPORATION AND BYLAWS, AND TO CREATE A WORKING GROUP TO STUDY JUDICIAL EFFICIENCY AND BUSINESS COURT MODERNIZATION, House Committee Substitute Favorable 7/1/14, submit the following report:

The Senate and House agree to the following amendments and the Senate concurs in House Committee Substitute Favorable 7/1/14, as amended:

on page 1, lines 5-8, rewrite the lines to read:

> "REORGANIZATION UTILIZING HOLDING COMPANIES, AND TO ESTABLISH A BUSINESS COURT MODERNIZATION SUBCOMMITTEE OF THE JOINT LEGISLATIVE ECONOMIC DEVELOPMENT AND GLOBAL ENGAGEMENT OVERSIGHT COMMITTEE.";

and on page 2, line 23, rewrite the line to read:

"<u>business case, other than an order effecting a settlement agreement or jury verdict.</u>""";

and on page 2, lines 44-45, rewrite the lines to read:

"~~G.S. 75-1.1.~~Disputes involving antitrust law, including disputes arising under Chapter 75 of the General Statutes that do not arise";

and on page 3, lines 9-11, rewrite the lines to read:

"of Chapter 66 of the General Statutes.";

and on page 3, line 51, rewrite the line to read:

"business case. The Notice of Designation";

and on page 4, line 28, rewrite the line to read:

"G.S. 7A-27(a).";

and on page 4, lines 39-50, rewrite those lines to read:

"pursuant to subsection (b) of this section is not so designated, the Superior Court in which the action has been filed shall, by order entered sua sponte, stay the action until it has been designated as a mandatory complex business case by the party required to do so in accordance with subsection (b) of this section.";

and on page 5, line 2, rewrite the line to read:

"tort to be designated as mandatory complex business cases or to confer, enlarge, or diminish the subject matter jurisdiction of any court.""";

and on page 5, lines 11-20, rewrite the lines to read:

"magistrate the sum shall be eighty dollars ($80.00). ~~If a case is assigned to a special superior court judge as a complex business case under G.S. 7A-45.3, upon assignment the party filing the notice of designation pursuant to G.S. 7A-45.4 or the motion for complex business designation shall pay an additional one thousand dollars ($1,000) for support of the General Court of Justice; if a case is assigned to a special superior court judge as a complex business case under G.S. 7A-45.3 by a court on its own motion, upon assignment the plaintiff shall pay an additional one thousand dollars ($1,000) for support of the General Court of Justice.~~ If a case is designated as a mandatory complex business case under G.S. 7A-45.4, upon assignment to a Business Court Judge, the party filing the designation shall pay an additional one thousand one hundred dollars ($1,100) for support of the General Court of Justice. If a case is designated as a complex business case under Rule 2.1 and

Rule 2.2 of the General Rules of Practice for the Superior and District Courts, upon assignment to a Business Court Judge, the plaintiff shall pay an additional one thousand one hundred dollars ($1,100) for support of the General Court of Justice. Sums collected under this subdivision shall be remitted to the State";

and on page 9, line 19, through page 10, line 48, rewrite those lines to read:

"**SECTION 7.** G.S. 1A-1, Rule 8(a)(2) reads as rewritten:

"**Rule 8. General rules of pleadings.**

…

…

(2) A demand for judgment for the relief to which he deems himself entitled. Relief in the alternative or of several different types may be demanded. In all actions involving a material issue related to any of the subjects listed in G.S. 7A-45.4(a)(1), (2), (3), (4), (5), or (8), the pleading shall state whether or not relief is demanded for damages incurred or to be incurred in an amount equal to or exceeding five million dollars ($5,000,000). In all negligence actions, and in all claims for punitive damages in any civil action, wherein the matter in controversy exceeds the sum or value of ten thousand dollars ($10,000), the pleading shall not state the demand for monetary relief, but shall state that the relief demanded is for damages incurred or to be incurred in excess of ten thousand dollars ($10,000). However, at any time after service of the claim for relief, any party may request of the claimant a written statement of the monetary relief sought, and the claimant shall, within 30 days after such service, provide such statement, which shall not be filed with the clerk until the action has been called for trial or entry of default entered. Such statement may be amended in the manner and at times as provided by Rule 15."

SECTION 8.(a) A Subcommittee on Business Court Modernization ("Subcommittee") is created within the Joint Legislative Economic Development and Global Engagement Oversight Committee ("Committee").

SECTION 8.(b) The Subcommittee shall consist of no fewer than six members, with an equal number of Senate and House members appointed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives from among their respective chambers' membership on the Committee. The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate one member to serve as co-chairs of the Subcommittee. The Subcommittee may meet at any time upon the call of

either co-chair. A co-chair or other member of the Subcommittee continues to serve until a successor is appointed. Members of the Subcommittee serve at the pleasure of the appointing officer.

SECTION 8.(c) The Subcommittee may study the implementation of this act and its efforts to modernize complex business cases and legislative improvement to the operations and management of the General Court of Justice.

SECTION 8.(d) A quorum is a majority of members of the Subcommittee. No action may be taken except by a majority vote at a meeting at which a quorum is present.

SECTION 8.(e) The Subcommittee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and Article 5A of Chapter 120 of the General Statutes. The Subcommittee may contract for professional, clerical, or consultant services, as provided by G.S. 120-32.02.

SECTION 8.(f) Members of the Subcommittee shall receive per diem, subsistence, and travel allowance as provided in G.S. 120-3.1, 138-5 and 138-6, as appropriate.

SECTION 8.(g) All expenses of the Subcommittee shall be paid from the Legislative Services Commission's Reserve for Studies. Individual expenses of five thousand dollars ($5,000) or less, including per diem, travel, and subsistence expenses of members of the Subcommittee, and clerical expenses shall be paid upon the authorization of a co-chair of the Subcommittee. Individual expenses in excess of five thousand dollars ($5,000) shall be paid upon the written approval of the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

SECTION 8.(h) The Legislative Services Officer shall assign professional and clerical staff to assist the Subcommittee in its work. The Director of Legislative Assistants of the House of Representatives and the Director of Legislative Assistants of the Senate shall assign clerical support staff to the Subcommittee.

SECTION 8.(i) The Subcommittee may submit an interim report on the results of its study, including any proposed legislation, to the Committee at any time. The Subcommittee shall submit a final report on the results of its study, including any proposed legislation, to the Committee prior to the convening of the 2015 General Assembly. The Committee shall submit a final report of its findings and recommendations to the 2015 General Assembly by filing the report with the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Legislative Library. The Subcommittee shall terminate upon the convening of the 2015 General Assembly or upon the filing of its final report with the Committee, whichever occurs first.

SECTION 9. Section 1 of this act becomes effective October 1, 2014, and applies to actions designated as mandatory complex business cases on or after that date. Sections 3 and 4 of this act become effective October 1, 2014, and apply to actions commenced or petitions filed on or after that date. Section 6 of this act becomes effective October 1, 2014, and applies to plans of merger adopted on or after that date. Section 7 of this act is effective when it becomes law and applies to actions commenced on or after that date. Unless otherwise provided by this act, the remainder of this act is effective when it becomes law.".

July 31, 2014

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

Date Conferees approved report: July 31, 2014.

Conferees for the Senate	*Conferees for the House of Representatives*
S/Bob Rucho, Chair	S/N. Leo Daughtry, Chair
S/Tamara Barringer	S/Tim Moore
S/Trudy Wade	S/Rob Bryan
	S/Sarah Stevens
	S/Robert T. Reives, II

The Conference Report is placed on today's calendar, for adoption.

The unfinished business on today's calendar (**S.B. 403**, **S.J.R. 881**, **S.B. 853**, and **H.B. 1054**) is placed on tonight's supplemental calendar.

The Senate recesses at 5:34 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 9:00 p.m.

RECESS

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 31, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **S.B. 853 House Committee Substitute (5th Edition)**, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO VALIDATE CORPORATE FORUM SELECTION PROVISIONS CONTAINED IN ARTICLES OF INCORPORATION AND BYLAWS, AND TO CREATE A WORKING GROUP TO STUDY JUDICIAL EFFICIENCY AND BUSINESS COURT MODERNIZATION, and requests conferees. Speaker Tillis has appointed:

Representative Daughtry, Chair
Representative T. Moore
Representative Bryan
Representative Stevens and
Representative Reives

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

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
July 31, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **S.B. 734 House Committee Substitute (6th Edition)**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, AND BY MAKING VARIOUS OTHER STATUTORY CHANGES, and requests conferees. Speaker Tillis has appointed:

Representative Moffitt, Chair
Representative Murry
Representative Samuelson and
Representative Tine

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

July 31, 2014

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 31, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **S.B. 648** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE TRANSPARENCY IN CONTRACTS BETWEEN THE ATTORNEY GENERAL AND PRIVATE ATTORNEYS, TO PREVENT THE ABUSE OF PATENTS, TO ALLOW FOR SHAREHOLDER ASSENT TO EXCLUSIVE FORUM, AND TO LIMIT ASBESTOS-RELATED LIABILITIES FOR CERTAIN SUCCESSOR CORPORATIONS.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

Pursuant to the Senate having adopted the Conference Committee Substitute bill for S.B. 648 earlier today, the bill is ordered enrolled and sent to the Governor by special message.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 31, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **H.B. 1218** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF MONROE TO REMOVE THE PROVISION AUTHORIZING THE CITY MANAGER TO HAVE DIRECT SUPERVISORY AUTHORITY OVER THE CITY ATTORNEY AND TO PROVIDE THAT VACANCIES ON THE CABARRUS COUNTY BOARD OF COMMISSIONERS ARE NOT FILLED IN ACCORDANCE WITH G.S. 153A-27.1.

July 31, 2014

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

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
July 31, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **H.B. 1145** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF MOTOR VEHICLES.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

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
July 31, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **S.B. 163** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER CERTAIN CONDITIONS.

July 31, 2014

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

Pursuant to the Senate having adopted the Conference Committee Substitute bill for S.B. 163 earlier today, the bill is ordered enrolled and sent to the Governor by special message.

CONFERENCE REPORT

Senator Hise, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **H.B. 1054** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF SPINDALE AND THE CAPE FEAR PUBLIC UTILITY AUTHORITY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER AVAILABILITY, 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 1054, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF SPINDALE AND THE CAPE FEAR PUBLIC UTILITY AUTHORITY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER AVAILABILITY, Committee Substitute Favorable 6/18/14, submit the following report:

The Senate recedes from amendment #1.

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

Date Conferees approved report: July 31, 2014.

Conferees for the Senate	*Conferees for the House of Representatives*
S/Ralph Hise, Chair	S/Mike Hager, Chair
S/Thom Goolsby	S/Rick Catlin
S/Tom Apodaca	S/Ted Davis, Jr.
	S/Paul Tine

The Conference Report is placed on tonight's supplemental calendar, for adoption.

July 31, 2014

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 31, 2014

Mr. President:

Pursuant to the message from the House of Representatives today, that the House failed to concur in **H.B. 1224 Senate Committee Substitute No. 2 (4th Edition)**, A BILL TO BE ENTITLED AN ACT TO LIMIT THE TOTAL LOCAL GOVERNMENT SALES AND USE TAX RATE TO TWO AND ONE-HALF PERCENT; TO GIVE COUNTIES THE FLEXIBILITY TO USE UP TO ONE-HALF PERCENT OF THE LOCAL SALES AND USE TAX FOR PUBLIC TRANSPORTATION, FOR PUBLIC EDUCATION, FOR GENERAL PURPOSES, OR FOR A COMBINATION THEREOF; AND TO MAKE VARIOUS CHANGES TO TAX AND ECONOMIC DEVELOPMENT LAWS. Speaker Tillis has appointed:

Representative Lewis, Chair
Representative T. Moore
Representative Samuelson
Representative Presnell and
Representative Tine

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

APPOINTMENT OF A CONFERENCE COMMITTEE

H.B. 1224 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO LIMIT THE TOTAL LOCAL GOVERNMENT SALES AND USE TAX RATE TO TWO AND ONE-HALF PERCENT; TO GIVE COUNTIES THE FLEXIBILITY TO USE UP TO ONE-HALF PERCENT OF THE LOCAL SALES AND USE TAX FOR PUBLIC TRANSPORTATION, FOR PUBLIC EDUCATION, FOR GENERAL PURPOSES, OR FOR A COMBINATION THEREOF; AND TO MAKE VARIOUS CHANGES TO TAX AND ECONOMIC DEVELOPMENT LAWS.

Pursuant to the message from the House of Representatives received earlier today that the House fails to concur in the Senate Committee Substitute bill No. 2 for H.B. 1224 and requests conferees, Senator Phil Berger, President *Pro Tempore*, appoints Senator Rucho, Chair; Senator Gunn and Senator Rabon 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.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

S.B. 193 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY P3 ETHICS REPORTING REQUIREMENT IN S.L. 2014-18, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on tonight's supplemental calendar.

RE-REFERRAL OF A BILL

S.B. 403 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY VARIOUS PROVISIONS OF THE ELECTION LAWS, for concurrence in House Committee Substitute bill.

Pursuant to a motion by Senator Apodaca, the House Committee Substitute bill is withdrawn from tonight's supplemental calendar and placed on the calendar of Friday, August 1.

The Senate meets pursuant to recess and is called to order by Senator Berger.

The Chair grants leaves of absence for the remainder of tonight's session to Senator Hartsell and Senator Parmon.

Upon the appearance of Senator Gunn in the chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 31, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that Representative Waddell has been removed as a conferee and Representative D. Hall has been added as a conferee to **H.B. 272 Senate Committee Substitute (5th Edition)**, A BILL TO BE ENTITLED AN ACT TO (1) PROVIDE THAT THE DIVISION OF MOTOR VEHICLES HEARING ON A LICENSE REVOCATION AS A RESULT OF A DRIVING WHILE

IMPAIRED IGNITION INTERLOCK VIOLATION BE HELD IN THE LICENSEE'S COUNTY OF RESIDENCE; (2) DIRECT THE DIVISION OF MOTOR VEHICLES TO ISSUE A SINGLE ANNUAL REGISTRATION RENEWAL STICKER FOR EACH VEHICLE REGISTRATION PLATE; (3) CLARIFY APPLICABILITY OF PERMANENT LICENSE PLATES LAW TO VEHICLES OWNED BY FEDERALLY RECOGNIZED TRIBE; (4) CLARIFY APPLICATION OF DEALER FEE DISCLOSURE REQUIREMENTS; (5) AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PLACE A LICENSE ISSUED UNDER THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW ON PROBATION; (6) PROVIDE THAT NOTICE OF A SUSPENSION, REVOCATION, OR NONRENEWAL OF A LICENSE UNDER THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW SHALL BE GIVEN IN ACCORDANCE WITH RULE 4 OF THE RULES OF CIVIL PROCEDURE; (7) EXTEND BY ONE YEAR THE DEPARTMENT OF TRANSPORTATION DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESS PROGRAM; AND (8) DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY DIGITAL DISPATCHING SERVICES.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

MOTION RELATIVE TO THE SUPPLEMENTAL CALENDAR

The following change is made to tonight's supplemental calendar:

S.J.R. 881 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR ADJOURNING THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING, PROVIDING FOR A SUBSEQUENT ADJOURNMENT TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING, AND PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY, upon second reading.

Upon motion of Senator Apodaca, the Committee Substitute Joint Resolution is withdrawn from the regular order of business and placed at the end of tonight's supplemental calendar.

MOTION TO RECONSIDER

S.B. 729 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON

CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE AUGUST 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT.

July 31, 2014

Having voted with the majority, Senator Apodaca offers a motion that the rules be suspended to allow the vote by which the Senate failed to concur in the House Committee Substitute bill, on Monday, July 14, to be reconsidered, which motion prevails without objection, and the House Committee Substitute bill is placed on the end of tonight's supplemental calendar, for concurrence.

SUPPLEMENTAL CALENDAR

Bills and a resolution on tonight's supplemental calendar are taken up and disposed of as follows:

H.B. 1054 (Conference Report), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF SPINDALE AND THE CAPE FEAR PUBLIC UTILITY AUTHORITY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER AVAILABILITY, for adoption.

Upon motion of Senator Hise, the Senate adopts the Conference Report (29-15).

The Chair orders a message sent to the House of Representatives informing that honorable body of such action.

CONFERENCE REPORT

Senator Ford, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **H.B. 272** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROVIDE THAT THE DIVISION OF MOTOR VEHICLES HEARING ON A LICENSE REVOCATION AS A RESULT OF A DRIVING WHILE IMPAIRED IGNITION INTERLOCK VIOLATION BE HELD IN THE LICENSEE'S COUNTY OF RESIDENCE; (2) DIRECT THE DIVISION OF MOTOR VEHICLES TO ISSUE A SINGLE ANNUAL REGISTRATION RENEWAL STICKER FOR EACH VEHICLE REGISTRATION PLATE; (3) CLARIFY APPLICABILITY OF PERMANENT LICENSE PLATES LAW TO VEHICLES OWNED BY FEDERALLY RECOGNIZED TRIBE; (4) CLARIFY APPLICATION OF DEALER FEE DISCLOSURE REQUIREMENTS; (5) AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PLACE A LICENSE ISSUED UNDER THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW ON PROBATION; (6) PROVIDE THAT NOTICE OF A SUSPENSION, REVOCATION, OR NONRENEWAL OF A LICENSE UNDER THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW SHALL BE GIVEN IN ACCORDANCE WITH RULE 4 OF THE RULES OF CIVIL PROCEDURE; (7) EXTEND BY ONE YEAR THE DEPARTMENT OF TRANSPORTATION DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESS PROGRAM; AND (8) DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY DIGITAL DISPATCHING SERVICES, submits for adoption the following report:

July 31, 2014

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 272, A BILL TO BE ENTITLED AN ACT TO (1) PROVIDE THAT THE DIVISION OF MOTOR VEHICLES HEARING ON A LICENSE REVOCATION AS A RESULT OF A DRIVING WHILE IMPAIRED IGNITION INTERLOCK VIOLATION BE HELD IN THE LICENSEE'S COUNTY OF RESIDENCE; (2) DIRECT THE DIVISION OF MOTOR VEHICLES TO ISSUE A SINGLE ANNUAL REGISTRATION RENEWAL STICKER FOR EACH VEHICLE REGISTRATION PLATE; (3) CLARIFY APPLICABILITY OF PERMANENT LICENSE PLATES LAW TO VEHICLES OWNED BY FEDERALLY RECOGNIZED TRIBE; (4) CLARIFY APPLICATION OF DEALER FEE DISCLOSURE REQUIREMENTS; (5) AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PLACE A LICENSE ISSUED UNDER THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW ON PROBATION; (6) PROVIDE THAT NOTICE OF A SUSPENSION, REVOCATION, OR NONRENEWAL OF A LICENSE UNDER THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW SHALL BE GIVEN IN ACCORDANCE WITH RULE 4 OF THE RULES OF CIVIL PROCEDURE; (7) EXTEND BY ONE YEAR THE DEPARTMENT OF TRANSPORTATION DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESS PROGRAM; AND (8) DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY DIGITAL DISPATCHING SERVICES, Senate Rules and Operations of the Senate Committee Substitute Adopted 7/29/14, submit the following report:

The House and Senate agree to the following amendment to the Senate Rules and Operations of the Senate Committee Substitute Adopted 7/29/14, and the House concurs in the Senate Rules and Operations of the Senate Committee Substitute as amended:

Delete the entire Senate Rules and Operations of the Senate Committee Substitute Adopted 7/29/14, and substitute the attached Proposed Conference Committee Substitute H272- PCCS10604-TKf-2.

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

Date Conferees approved report: July 31, 2014.

Conferees for the Senate	*Conferees for the House of Representatives*
S/Kathy Harrington, Chair	Paul Stam, Chair
S/Joel D. M. Ford	S/Tim Moore
S/Bill Rabon	S/Mike Hager
	Frank Iler
	S/Duane Hall

July 31, 2014

The full text of the proposed Conference Committee Substitute can be found in Chapter 108 of the 2014 Session Laws.

The Conference Committee Substitute bill is placed on tonight's supplemental calendar, for adoption.

SUPPLEMENTAL CALENDAR *(continued)*

S.B. 193 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY P3 ETHICS REPORTING REQUIREMENT IN S.L. 2014-18, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Brown, the Senate concurs in the House Committee Substitute bill (40-4) and the bill is ordered enrolled and sent to the Governor by special message.

S.B. 853 (Conference Report), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO VALIDATE CORPORATE FORUM SELECTION PROVISIONS CONTAINED IN ARTICLES OF INCORPORATION AND BYLAWS, AND TO CREATE A WORKING GROUP TO STUDY JUDICIAL EFFICIENCY AND BUSINESS COURT MODERNIZATION, for adoption.

Upon motion of Senator Barringer, the Senate adopts the Conference Report (44-0).

The Chair orders a message sent to the House of Representatives informing that honorable body of such action.

H.B. 272 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO LAWS AFFECTING THE DEPARTMENT OF TRANSPORTATION AND THE DIVISION OF MOTOR VEHICLES, for adoption.

Upon motion of Senator Ford, the Senate adopts the Conference Committee Substitute bill (43-1).

The Chair orders a message sent to the House of Representatives informing that honorable body of such action.

The Senate recesses at 9:49 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 11:00 p.m.

RECESS

July 31, 2014

The Senate meets pursuant to recess and is called to order by Senator Berger.

The Senate recesses at 11:04 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 11:20 p.m.

RECESS

CONFERENCE REPORT

Senator Rucho, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **H.B. 1224** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO LIMIT THE TOTAL LOCAL GOVERNMENT SALES AND USE TAX RATE TO TWO AND ONE-HALF PERCENT; TO GIVE COUNTIES THE FLEXIBILITY TO USE UP TO ONE-HALF PERCENT OF THE LOCAL SALES AND USE TAX FOR PUBLIC TRANSPORTATION, FOR PUBLIC EDUCATION, FOR GENERAL PURPOSES, OR FOR A COMBINATION THEREOF; AND TO MAKE VARIOUS CHANGES TO TAX AND ECONOMIC DEVELOPMENT LAWS, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1224, A BILL TO BE ENTITLED AN ACT TO LIMIT THE TOTAL LOCAL GOVERNMENT SALES AND USE TAX RATE TO TWO AND ONE-HALF PERCENT; TO GIVE COUNTIES THE FLEXIBILITY TO USE UP TO ONE-HALF PERCENT OF THE LOCAL SALES AND USE TAX FOR PUBLIC TRANSPORTATION, FOR PUBLIC EDUCATION, FOR GENERAL PURPOSES, OR FOR A COMBINATION THEREOF; AND TO MAKE VARIOUS CHANGES TO TAX AND ECONOMIC DEVELOPMENT LAWS, Senate Finance Committee Substitute Adopted 7/22/14, Fourth Edition Engrossed 7/24/14, submit the following report:

The House and Senate agree to the following amendment to the Senate Finance Committee Substitute Adopted 7/22/14, Fourth Edition Engrossed 7/24/14, and the House concurs in the Senate Committee Substitute Adopted 7/22/14, Fourth Edition Engrossed 7/24/14, as amended:

Delete the entire Senate Committee Substitute Adopted 7/22/14, Fourth Edition Engrossed 7/24/14, and substitute the attached proposed Conference Committee Substitute H1224-PCCS20193-SV-6.

July 31, 2014

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

Date Conferees approved report: July 31, 2014.

Conferees for the Senate	*Conferees for the House of Representatives*
S/Bob Rucho, Chair	S/David R. Lewis, Chair
S/Rick Gunn	S/Tim Moore
S/Bill Rabon	S/Ruth Samuelson
	S/Michele D. Presnell
	Paul Tine

The full text of the proposed Conference Committee Substitute can be found in the Appendix of the 2014 Senate Journal.

The Conference Committee Substitute bill is placed on tonight's supplemental calendar, for adoption.

The Senate meets pursuant to recess and is called to order by Senator Berger.

MOTIONS RELATIVE TO THE SUPPLEMENTAL CALENDAR

The following changes are made to tonight's supplemental calendar:

S.J.R. 881 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR ADJOURNING THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING, PROVIDING FOR A SUBSEQUENT ADJOURNMENT TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING, AND PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY, upon second reading.

Upon motion of Senator Apodaca, the Committee Substitute Joint Resolution is withdrawn from tonight's supplemental calendar and placed on the calendar of Friday, August 1.

S.B. 729 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF

COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE AUGUST 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND

REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, for concurrence in House Committee Substitute bill.

Upon motion of Senator Apodaca, the House Committee Substitute bill is withdrawn from tonight's supplemental calendar and placed on the calendar of Friday, August 1.

The Chair grants a leave of absence for the remainder of tonight's session to Senator Graham.

July 31, 2014

SUPPLEMENTAL CALENDAR *(continued)*

H.B. 1224 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT THE TOTAL LOCAL GOVERNMENT SALES AND USE TAX RATE TO TWO AND ONE-HALF PERCENT; TO ALLOW DURHAM, ORANGE, FORSYTH, GUILFORD, MECKLENBURG, AND WAKE COUNTIES TO RETAIN A LOCAL SALES AND USE TAX CAP OF TWO AND THREE-QUARTERS PERCENT IF A MAJORITY OF VOTERS IN THOSE COUNTIES APPROVE THE LEVY OF A ONE-QUARTER PERCENT TAX IN A SPECIAL ELECTION HELD IN 2014; TO GIVE COUNTIES THE FLEXIBILITY TO USE UP TO ONE-HALF PERCENT OF THE LOCAL SALES AND USE TAX FOR PUBLIC TRANSPORTATION, FOR PUBLIC EDUCATION, FOR GENERAL PURPOSES, OR FOR A COMBINATION THEREOF; TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY HISTORIC REHABILITATION INCENTIVES; TO MAKE VARIOUS CHANGES TO TAX AND ECONOMIC DEVELOPMENT LAWS; TO CLARIFY THE CONFIDENTIALITY OF UNEMPLOYMENT COMPENSATION RECORDS; AND TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE REVENUE LAWS, for adoption.

The bill is deemed unfinished business and is displaced for adjournment.

Upon motion of Senator Apodaca, seconded by Senator Blue, the Senate adjourns at 11:59 p.m., subject to the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Friday, August 1, at 12:15 a.m.

ONE HUNDRED FIFTY-FOURTH DAY

Senate Chamber
Friday, August 1, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

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

"Thank you so much, Lord, for another day. My goodness, it is so good to be in your presence. All we need really is to be in your presence. Jesus, bless everyone from my left to my right, and we ask you to speak and to help us finish strong and well and with diligence. We ask you to bless everybody, and we thank you for blessing us with your presence. It's in your name we pray. Amen."

August 1, 2014

The Chair grants leaves of absence for today to Senator Curtis, Senator Graham, Senator Hartsell, Senator Jenkins, Senator Newton, Senator Parmon, and Senator Walters.

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Thursday, July 31, 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.

UNFINISHED BUSINESS

A bill on today's calendar is taken up as unfinished business and disposed of as follows:

H.B. 1224 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT THE TOTAL LOCAL GOVERNMENT SALES AND USE TAX RATE TO TWO AND ONE-HALF PERCENT; TO ALLOW DURHAM, ORANGE, FORSYTH, GUILFORD, MECKLENBURG, AND WAKE COUNTIES TO RETAIN A LOCAL SALES AND USE TAX CAP OF TWO AND THREE-QUARTERS PERCENT IF A MAJORITY OF VOTERS IN THOSE COUNTIES APPROVE THE LEVY OF A ONE-QUARTER PERCENT TAX IN A SPECIAL ELECTION HELD IN 2014; TO GIVE COUNTIES THE FLEXIBILITY TO USE UP TO ONE-HALF PERCENT OF THE LOCAL SALES AND USE TAX FOR PUBLIC TRANSPORTATION, FOR PUBLIC EDUCATION, FOR GENERAL PURPOSES, OR FOR A COMBINATION THEREOF; TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY HISTORIC REHABILITATION INCENTIVES; TO MAKE VARIOUS CHANGES TO TAX AND ECONOMIC DEVELOPMENT LAWS; TO CLARIFY THE CONFIDENTIALITY OF UNEMPLOYMENT COMPENSATION RECORDS; AND TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE REVENUE LAWS, for adoption.

Upon motion of Senator Gunn, the Senate adopts the Conference Committee Substitute bill (32-11).

The Chair orders a message sent to the House of Representatives informing that honorable body of such action.

MOTIONS RELATIVE TO THE CALENDAR

The following changes are made to today's calendar:

S.J.R. 881 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR ADJOURNING THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING, PROVIDING FOR A SUBSEQUENT ADJOURNMENT TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON

RECONVENING, AND PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY, upon second reading.

Upon motion of Senator Apodaca, the Committee Substitute Joint Resolution is withdrawn from the regular order of business and placed at the end of today's calendar.

S.B. 729 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE AUGUST 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION

RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS

SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the House Committee Substitute bill is withdrawn from the regular order of business and placed as the next to last item on today's calendar.

CALENDAR

Bills and a resolution on today's calendar are taken up and disposed of as follows:

S.B. 403 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY VARIOUS PROVISIONS OF THE ELECTION LAWS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Rucho, the Senate concurs in the House Committee Substitute bill (32-11) and the bill is ordered enrolled and sent to the Governor by special message.

S.B. 744 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, for adoption upon third reading.

The Senate adopts the Conference Committee Substitute bill on its third reading, by roll-call vote, ayes 33, noes 10, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Clark, Cook, Daniel, J. Davis, Goolsby, Gunn, Harrington, Hise, Hunt, B. Jackson, Krawiec, McLaurin, Meredith, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Soucek, Tarte, Tillman, Tucker, Wade and Woodard---33.

Voting in the negative: Senators Blue, Bryant, D. Davis, Ford, Foushee, J. Jackson, McKissick, Robinson, Stein and Van Duyn---10.

The House of Representatives is notified.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

S.B. 729 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS

SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE AUGUST 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, for concurrence in the House Committee Substitute bill.

August 1, 2014

Upon motion of Senator Apodaca, the House Committee Substitute bill is withdrawn from today's calendar and re-referred to the **Rules and Operations of the Senate Committee**.

CALENDAR *(continued)*

S.J.R. 881 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR ADJOURNING THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING, PROVIDING FOR A SUBSEQUENT ADJOURNMENT TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING, AND PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY, upon second reading.

Senator Apodaca offers Amendment No. 1, which is adopted (41-2).

The Committee Substitute Joint Resolution, as amended, passes its second reading (40-3) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives by special message.

Upon motion of Senator Pate, seconded by Senator B. Jackson, the Senate adjourns at 12:55 a.m., subject to the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Saturday, August 2, at 10:00 a.m.

ENROLLED BILLS

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

S.B. 163, AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER CERTAIN CONDITIONS.

S.B. 193, AN ACT TO MODIFY P3 ETHICS REPORTING REQUIREMENT IN S.L. 2014-18.

S.B. 403, AN ACT TO AMEND AND CLARIFY VARIOUS PROVISIONS OF THE ELECTION LAWS.

S.B. 648, AN ACT TO CREATE TRANSPARENCY IN CONTRACTS BETWEEN THE ATTORNEY GENERAL AND PRIVATE ATTORNEYS, TO PREVENT THE ABUSE OF PATENTS, TO ALLOW FOR SHAREHOLDER ASSENT TO EXCLUSIVE FORUM, AND TO LIMIT ASBESTOS-RELATED LIABILITIES FOR CERTAIN SUCCESSOR CORPORATIONS.

August 1, 2014

H.B. 1145, AN ACT TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF MOTOR VEHICLES.

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

H.B. 1218, AN ACT AMENDING THE CHARTER OF THE CITY OF MONROE TO REMOVE THE PROVISION AUTHORIZING THE CITY MANAGER TO HAVE DIRECT SUPERVISORY AUTHORITY OVER THE CITY ATTORNEY AND TO PROVIDE THAT VACANCIES ON THE CABARRUS COUNTY BOARD OF COMMISSIONERS ARE NOT FILLED IN ACCORDANCE WITH G.S. 153A-27.1.

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. 201, AN ACT TO AMEND THE APPLICABILITY OF THE ENERGY CONSERVATION CODE TO CERTAIN EXISTING NONRESIDENTIAL BUILDINGS, TO CLARIFY STORMWATER PROGRAM IMPERVIOUS SURFACE CALCULATIONS FOR REDEVELOPMENT, TO CREATE AN EXEMPTION FROM THE NORTH CAROLINA ENVIRONMENTAL PROTECTION ACT FOR THE REOCCUPATION OF AN EXISTING BUILDING OR FACILITY, AND TO AMEND THE STATUTE GOVERNING THE DEPARTMENT OF COMMERCE RURAL ECONOMIC DEVELOPMENT DIVISION. (Became law upon approval of the Governor, July 30, 2014 - S.L. 2014-90)

S.B. 859, AN ACT RELATING TO MUNICIPAL REGULATION OF VACATION RENTALS AND OTHER TRANSIENT OCCUPANCIES. (Became law upon ratification, July 31, 2014 - S.L. 2014-91)

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
August 1, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **S.B. 853** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL,

CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO VALIDATE CORPORATE FORUM SELECTION PROVISIONS CONTAINED IN ARTICLES OF INCORPORATION AND BYLAWS, AND TO CREATE A WORKING GROUP TO STUDY JUDICIAL EFFICIENCY AND BUSINESS COURT MODERNIZATION.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 853 Thursday, July 31, the bill is ordered enrolled and sent to the Governor by special message.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
August 1, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **H.B. 272** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO LAWS AFFECTING THE DEPARTMENT OF TRANSPORTATION AND THE DIVISION OF MOTOR VEHICLES.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

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:

August 1, 2014

House of Representatives
August 1, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **H.B. 366** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) MAINTAIN THE CONFIDENTIALITY OF ENVIRONMENTAL INVESTIGATIONS FOR AGRICULTURAL OPERATIONS AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ADOPT RULES FOR A FORMAL COMPLAINT PROCEDURE; (2) CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT ORDINANCES RELATED TO FERTILIZER; (3) REWRITE THE LANDSCAPE CONTRACTOR LICENSING STATUTES; (4) STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM; (5) CLARIFY THE MEANING OF THE TERMS "PLANTING AND HARVESTING SEASON" AND "PLANTING AND HARVESTING PERIOD" FOR PURPOSES OF APPLYING FEDERAL LAWS OR REGULATIONS RELATING TO HOURS OF SERVICE RULES FOR CERTAIN DRIVERS TRANSPORTING AGRICULTURAL PRODUCTS; (6) AMEND THE CHAIRMANSHIP OF THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION; (7) ALLOW THE COMMISSIONER OF AGRICULTURE TO APPOINT LAW ENFORCEMENT OFFICERS TO CARRY OUT THE LAW ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; (8) AMEND THE HORSE INDUSTRY PROMOTION ACT; (9) ALLOW THE USE OF PESTICIDES TO CONTROL MOLES; (10) CLASSIFY TRESPASSING ON AN AGRICULTURAL FACILITY AS A FIRST DEGREE TRESPASS; (11) REQUIRE WRITTEN CONSENT TO OPERATE AN ALL-TERRAIN VEHICLE ON PROPERTY OWNED BY ANOTHER; (12) ALLOW DRAINAGE DISTRICTS TO MAINTAIN DITCHES IN BUFFER ZONES; (13) CLARIFY PERIODIC INSPECTIONS AUTHORITY OF THE NORTH CAROLINA HOUSING FINANCE AGENCY; (14) PERMIT SECURITY GRILLES AT ALL EXITS OF A BUILDING SUBJECT TO CERTAIN CONDITIONS; (15) DESIGNATE THE "GOT TO BE NC" MARKETING CAMPAIGN AS THE OFFICIAL AGRICULTURAL MARKETING CAMPAIGN FOR THE STATE; (16) ALLOW CERTIFICATION OF PRIVATE PESTICIDE APPLICATORS; AND (17) EXEMPT STATE FAIR ADMISSION FEES FROM RULE MAKING.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

August 1, 2014

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
August 1, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **H.B. 1054** (Conference Report), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF SPINDALE AND THE CAPE FEAR PUBLIC UTILITY AUTHORITY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER AVAILABILITY.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

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
August 1, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that conferees have been dismissed for **H.B. 1133 Senate Committee Substitute (5th Edition)**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND THE SESSION LAWS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE ADDITIONAL TECHNICAL AND OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

August 1, 2014

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FIFTY-FIFTH DAY

Senate Chamber
Saturday, August 2, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Chad Barefoot, Senator from Wake County.

The Senate recesses at 10:10 a.m. to reconvene at 10:30 a.m.

RECESS

The Senate meets pursuant to recess and is called to order by Senator Barefoot.

The Senate recesses at 10:34 a.m. to reconvene at 11:15 a.m.

RECESS

The Senate meets pursuant to recess and is called to order by Senator Barefoot.

Prayer is offered by Senator Barefoot, as follows:

"Heavenly Father, Lord, we thank you for this day; we thank you for this opportunity that you have given us to be here, Lord. We pray that you give us wisdom in our decision making and look over our great state going forward. All these things we ask in Jesus' name. Amen."

Senator Woodard announces that the Senate Journal of Friday, August 1, 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.

Upon motion of Senator Woodard, seconded by Senator Barefoot, the Senate adjourns at 11:18 a.m., subject to the ratification of bills, the receipt of messages from the House of Representatives, and the receipt of messages from the Governor, to reconvene Tuesday, August 5, at 10:00 a.m.

August 2, 2014

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
August 2, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **S.B. 744** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

Pursuant to the Senate having adopted the Conference Committee Substitute bill for S.B. 744 on Friday, August 1, the bill 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. 744, AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

S.B. 853, AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, AND TO ESTABLISH A BUSINESS COURT MODERNIZATION SUBCOMMITTEE OF THE JOINT LEGISLATIVE ECONOMIC DEVELOPMENT AND GLOBAL ENGAGEMENT OVERSIGHT COMMITTEE.

H.B. 272, AN ACT TO MAKE VARIOUS CHANGES TO LAWS AFFECTING THE DEPARTMENT OF TRANSPORTATION AND THE DIVISION OF MOTOR VEHICLES.

H.B. 366, AN ACT TO (1) MAINTAIN THE CONFIDENTIALITY OF ENVIRONMENTAL INVESTIGATIONS FOR AGRICULTURAL OPERATIONS AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ADOPT RULES FOR A FORMAL COMPLAINT PROCEDURE; (2) CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT ORDINANCES RELATED TO FERTILIZER; (3) REWRITE THE LANDSCAPE CONTRACTOR LICENSING STATUTES; (4) STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM; (5) CLARIFY THE MEANING OF THE TERMS "PLANTING AND HARVESTING SEASON" AND "PLANTING AND HARVESTING PERIOD" FOR PURPOSES OF APPLYING FEDERAL LAWS OR REGULATIONS RELATING TO HOURS OF SERVICE RULES FOR CERTAIN DRIVERS TRANSPORTING AGRICULTURAL PRODUCTS; (6) AMEND THE CHAIRMANSHIP OF THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION; (7) ALLOW THE COMMISSIONER OF AGRICULTURE TO APPOINT LAW ENFORCEMENT OFFICERS TO CARRY OUT THE LAW ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; (8) AMEND THE HORSE INDUSTRY PROMOTION ACT; (9) ALLOW THE USE OF PESTICIDES TO CONTROL MOLES; (10) CLASSIFY TRESPASSING ON AN AGRICULTURAL FACILITY AS A FIRST DEGREE TRESPASS; (11) REQUIRE WRITTEN CONSENT TO OPERATE AN ALL-TERRAIN VEHICLE ON PROPERTY OWNED BY ANOTHER; (12) ALLOW DRAINAGE DISTRICTS TO MAINTAIN DITCHES IN BUFFER ZONES; (13) CLARIFY PERIODIC INSPECTIONS AUTHORITY OF THE NORTH CAROLINA HOUSING FINANCE AGENCY; (14) PERMIT SECURITY GRILLES AT ALL EXITS OF A BUILDING SUBJECT TO CERTAIN CONDITIONS; (15) DESIGNATE THE "GOT TO BE NC" MARKETING CAMPAIGN AS THE OFFICIAL AGRICULTURAL MARKETING CAMPAIGN FOR THE STATE; (16) ALLOW CERTIFICATION OF PRIVATE PESTICIDE APPLICATORS; AND (17) EXEMPT STATE FAIR ADMISSION FEES FROM RULE MAKING.

H.B. 1133, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND THE SESSION LAWS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE ADDITIONAL TECHNICAL AND OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS.

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

August 2, 2014

H.B. 1054, AN ACT TO AUTHORIZE THE TOWN OF SPINDALE AND THE CAPE FEAR PUBLIC UTILITY AUTHORITY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER AVAILABILITY.

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. 1218, AN ACT AMENDING THE CHARTER OF THE CITY OF MONROE TO REMOVE THE PROVISION AUTHORIZING THE CITY MANAGER TO HAVE DIRECT SUPERVISORY AUTHORITY OVER THE CITY ATTORNEY AND TO PROVIDE THAT VACANCIES ON THE CABARRUS COUNTY BOARD OF COMMISSIONERS ARE NOT FILLED IN ACCORDANCE WITH G.S. 153A-27.1. (Became law upon ratification, August 1, 2014 - S.L. 2014-92)

H.B. 27, AN ACT TO PROVIDE THAT UNCLAIMED UNITED STATES SAVINGS BONDS SHALL ESCHEAT TO THE STATE, TO DIRECT THE TREASURER TO REDEEM THOSE UNITED STATES SAVINGS BONDS ESCHEATED TO THE STATE, TO CREATE AN ESCHEAT SAVINGS BOND TRUST FUND WITHIN THE ESCHEAT FUND FOR DEPOSIT OF THE PROCEEDS OF THOSE REDEMPTIONS, AND TO PROVIDE THAT INTEREST AND INVESTMENT EARNINGS FROM THE ESCHEAT SAVINGS BOND TRUST FUND SHALL BE USED TO FUND SCHOLARSHIPS TO WORTHY AND NEEDY STUDENTS WHO ARE RESIDENTS OF NORTH CAROLINA AND ARE ENROLLED IN PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN NORTH CAROLINA. (Became law upon approval of the Governor, August 1, 2014 - S.L. 2014-93)

H.B. 625, AN ACT RELATING TO ZONING PROVISIONS FOR TEMPORARY HEALTH CARE STRUCTURES. (Became law upon approval of the Governor, August 1, 2014 - S.L. 2014-94)

S.B. 883, AN ACT TO DISAPPROVE THE MITIGATION PROGRAM REQUIREMENTS FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS RULE ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION, DIRECT THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADOPT A NEW MITIGATION PROGRAM REQUIREMENTS FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS RULE, AND AMEND WASTEWATER DISPOSAL SYSTEM REQUIREMENTS. (Became law upon approval of the Governor, August 1, 2014 - S.L. 2014-95)

August 2, 2014

H.B. 101, AN ACT TO REAUTHORIZE EXPIRED SPECIAL REGISTRATION PLATES, TO AUTHORIZE ADDITIONAL SPECIAL REGISTRATION PLATES TO BE ON A BACKGROUND OTHER THAN THE "FIRST IN FLIGHT" BACKGROUND, AND TO ESTABLISH A PROCESS BY WHICH PERSONS OR ORGANIZATIONS MUST OBTAIN A MINIMUM NUMBER OF PAID APPLICATIONS PRIOR TO OBTAINING LEGISLATIVE APPROVAL FOR THE DEVELOPMENT OF A SPECIAL REGISTRATION PLATE. (Became law upon approval of the Governor, August 1, 2014 - S.L. 2014-96)

H.B. 1193, AN ACT TO MAKE TECHNICAL CHANGES TO THE STATUTES AFFECTING THE STATE RETIREMENT SYSTEMS. (Became law upon approval of the Governor, August 1, 2014 - S.L. 2014-97)

EXECUTIVE ORDER

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

Executive Order No. 62, Addressing Coal Ash in North Carolina.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

S.B. 763 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO VARIOUS REVENUE LAWS; TO MODIFY THE RENEWABLE ENERGY TAX CREDIT; AND TO MODIFY AND EXTEND THE HISTORIC REHABILITATION TAX CREDIT, for concurrence in the House Committee Substitute bill No. 2.

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

Pursuant to Senator Woodard's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FIFTY-SIXTH DAY

Senate Chamber
Tuesday, August 5, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

August 5, 2014

Prayer is offered by The Honorable Chad Barefoot, Senator from Wake County, as follows:

"Heavenly Father, Lord, we again thank you as always for giving us a free country to live in. Lord, we just ask your blessing upon other nations that are in turmoil right now. Lord, we pray that you give their leaders wisdom as you bestow wisdom upon us on how to direct the business of our state. All these things we ask in Jesus' name. Amen."

Senator Woodard announces that the Senate Journal of Saturday, August 2, 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.

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. 1054, AN ACT TO AUTHORIZE THE TOWN OF SPINDALE AND THE CAPE FEAR PUBLIC UTILITY AUTHORITY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER AVAILABILITY. (Became law upon ratification, August 2, 2014 - S.L. 2014-98)

Upon motion of Senator Hunt, seconded by Senator Sanderson, the Senate adjourns at 10:04 a.m. to reconvene Thursday, August 7, at 9:30 a.m.

ONE HUNDRED FIFTY-SEVENTH DAY

Senate Chamber
Thursday, August 7, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

Prayer is offered by The Honorable Dan Blue, Senator from Wake County, as follows:

"Dear God, we come to you this morning in total praise. Praise that not only did you awake us, but you have awakened us; total praise in the endless blessings you constantly pour upon all of us and those about whom we care; praise for living in a democracy where, although sometimes messy, you allow us to determine so much of our own fate; and praise to be empowered to help

change lives in North Carolina, in the United States, and around the world. God, we would ask that you show us how to use this empowerment to do your will here on earth. And finally, Father, praise that you sent your Son so that on the day when we don't awake, you've prepared a place that made us worthy to sit in your presence. In thy name we pray. Amen."

Senator Hise announces that the Senate Journal of Tuesday, August 5, 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.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

S.J.R. 881 (House Committee Substitute), A JOINT RESOLUTION PROVIDING FOR ADJOURNING THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING, PROVIDING FOR A SUBSEQUENT ADJOURNMENT TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING, AND PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY, for concurrence in the House Committee Substitute Joint Resolution.

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

S.B. 884 (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 AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TO APPOINT A MEMBER OF THE BOARD OF DIRECTORS FOR THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN, INC., UPON THE RECOMMENDATION OF THE MAJORITY AND MINORITY LEADERS OF THE HOUSE OF REPRESENTATIVES, for concurrence in the House Committee Substitute bill.

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

H.J.R. 1276 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR ADJOURNING THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING, PROVIDING FOR A SUBSEQUENT ADJOURNMENT TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING, AND PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY.

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

August 7, 2014

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. 877, AN ACT TO EXEMPT CERTAIN REAL ESTATE TIME SHARES FROM THE RULE AGAINST PERPETUITIES. (Became law upon approval of the Governor, August 5, 2014 - S.L. 2014-99)

Upon motion of Senator Brock, seconded by Senator Blue, the Senate adjourns at 9:35 a.m. to reconvene Monday, August 11, at 9:30 a.m.

ONE HUNDRED FIFTY-EIGHTH DAY

Senate Chamber
Monday, August 11, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Joyce Krawiec, Senator from Forsyth County.

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

"Thank you, Lord, for bringing us here today from even across the state. As we close out this summer we thank you for being an abundant God. Even though we regard things in scarcity, you still provide crops; you provide rain and all the good things of life so that we can move forward. Help us to see your abundance more clearly and live the rest of this day in recognition of that fullness of life. We pray in the name of the one that was full of life, Jesus Christ. Amen."

Senator Rabin announces that the Senate Journal of Thursday, August 7, 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.

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. 744, AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS,

AND AGENCIES, AND FOR OTHER PURPOSES. (Became law upon approval of the Governor, August 7, 2014 - S.L. 2014-100)

S.B. 793, AN ACT TO MAKE VARIOUS CHANGES TO THE CHARTER SCHOOL LAWS AND TO MAKE A TECHNICAL CORRECTION TO HOUSE BILL 712. (Became law upon approval of the Governor, August 6, 2014 - S.L. 2014-101)

S.B. 853, AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, AND TO ESTABLISH A BUSINESS COURT MODERNIZATION SUBCOMMITTEE OF THE JOINT LEGISLATIVE ECONOMIC DEVELOPMENT AND GLOBAL ENGAGEMENT OVERSIGHT COMMITTEE. (Became law upon approval of the Governor, August 6, 2014 - S.L. 2014-102)

H.B. 366, AN ACT TO (1) MAINTAIN THE CONFIDENTIALITY OF ENVIRONMENTAL INVESTIGATIONS FOR AGRICULTURAL OPERATIONS AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ADOPT RULES FOR A FORMAL COMPLAINT PROCEDURE; (2) CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT ORDINANCES RELATED TO FERTILIZER; (3) REWRITE THE LANDSCAPE CONTRACTOR LICENSING STATUTES; (4) STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM; (5) CLARIFY THE MEANING OF THE TERMS "PLANTING AND HARVESTING SEASON" AND "PLANTING AND HARVESTING PERIOD" FOR PURPOSES OF APPLYING FEDERAL LAWS OR REGULATIONS RELATING TO HOURS OF SERVICE RULES FOR CERTAIN DRIVERS TRANSPORTING AGRICULTURAL PRODUCTS; (6) AMEND THE CHAIRMANSHIP OF THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION; (7) ALLOW THE COMMISSIONER OF AGRICULTURE TO APPOINT LAW ENFORCEMENT OFFICERS TO CARRY OUT THE LAW ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; (8) AMEND THE HORSE INDUSTRY PROMOTION ACT; (9) ALLOW THE USE OF PESTICIDES TO CONTROL MOLES; (10) CLASSIFY TRESPASSING ON AN AGRICULTURAL FACILITY AS A FIRST DEGREE TRESPASS; (11) REQUIRE WRITTEN CONSENT TO OPERATE AN ALL-TERRAIN VEHICLE ON PROPERTY OWNED BY ANOTHER; (12) ALLOW DRAINAGE DISTRICTS TO MAINTAIN DITCHES IN BUFFER ZONES; (13) CLARIFY PERIODIC INSPECTIONS AUTHORITY OF THE NORTH CAROLINA HOUSING FINANCE AGENCY; (14) PERMIT SECURITY GRILLES AT ALL EXITS OF A BUILDING SUBJECT TO CERTAIN CONDITIONS; (15) DESIGNATE

THE "GOT TO BE NC" MARKETING CAMPAIGN AS THE OFFICIAL AGRICULTURAL MARKETING CAMPAIGN FOR THE STATE; (16) ALLOW CERTIFICATION OF PRIVATE PESTICIDE APPLICATORS; AND (17) EXEMPT STATE FAIR ADMISSION FEES FROM RULE MAKING. (Became law upon approval of the Governor, August 6, 2014 - S.L. 2014-103)

H.B. 884, AN ACT TO PROVIDE FOR A DROPOUT PREVENTION AND RECOVERY PILOT PROGRAM WITH A CHARTER SCHOOL AND TO REQUIRE THE STATE BOARD OF EDUCATION TO REPORT ON UTILIZATION OF PERSONNEL CONTRACTS. (Became law upon approval of the Governor, August 6, 2014 - S.L. 2014-104)

S.B. 376, AN ACT TO ALLOW MONTGOMERY COUNTY EMPLOYEES AND THE DEPENDENTS OF EMPLOYEES TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES. (Became law upon approval of the Governor, August 6, 2014 - S.L. 2014-105)

H.B. 1048, AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD, TO ADD AN ASSISTANT ADJUTANT GENERAL FOR THE NORTH CAROLINA NATIONAL GUARD, AND TO ALLOW FOR ADDITIONAL USES OF FAMILY ASSISTANCE CENTER FUNDS FOR SURVIVING FAMILY MEMBERS OF DECEASED NATIONAL GUARD SERVICEMEMBERS. (Became law upon approval of the Governor, August 6, 2014 - S.L. 2014-106)

S.B. 773, AN ACT TO IMPLEMENT (I) THE RECOMMENDATIONS OF THE GENERAL STATUTES COMMISSION TO MODIFY THE SLAYER STATUTE DUE TO THE NEED TO ACCOUNT FOR PROPERTY HELD IN A JOINT TENANCY IN UNEQUAL SHARES, TO CLARIFY THE PROVISIONS FOR FILING CERTIFIED COPIES OF PROBATED WILLS IN OTHER COUNTIES WHERE A DECEDENT HAS REAL PROPERTY, AND TO DELETE THE STATUTORY FORMS FOR JUDGMENT DEBTORS CLAIMING EXEMPTIONS UNDER G.S. 1C-1601 BECAUSE THE ADMINISTRATIVE OFFICE OF THE COURTS ALREADY HAS WIDELY USED FORMS FOR THAT PURPOSE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND (II) THE RECOMMENDATIONS OF THE NORTH CAROLINA BAR ASSOCIATION TO CLARIFY THE REQUIREMENTS FOR THE TIMELY SUBSTITUTION OF A PERSONAL REPRESENTATIVE IN PLACE OF A DECEDENT IN AN ACTION PENDING AT THE DECEDENT'S DEATH AND TO CLARIFY THAT THE COMMON LAW RULE AGAINST ACCUMULATIONS DOES NOT APPLY TO TRUSTS IN THIS STATE; AND TO MAKE OTHER CHANGES TO THE LAW. (Became law upon approval of the Governor, August 6, 2014 - S.L. 2014-107)

August 11, 2014

H.B. 272, AN ACT TO MAKE VARIOUS CHANGES TO LAWS AFFECTING THE DEPARTMENT OF TRANSPORTATION AND THE DIVISION OF MOTOR VEHICLES. (Became law upon approval of the Governor, August 6, 2014 - S.L. 2014-108)

S.B. 193, AN ACT TO MODIFY P3 ETHICS REPORTING REQUIREMENT IN S.L. 2014-18. (Became law upon approval of the Governor, August 6, 2014 - S.L. 2014-109)

S.B. 648, AN ACT TO CREATE TRANSPARENCY IN CONTRACTS BETWEEN THE ATTORNEY GENERAL AND PRIVATE ATTORNEYS, TO PREVENT THE ABUSE OF PATENTS, TO ALLOW FOR SHAREHOLDER ASSENT TO EXCLUSIVE FORUM, AND TO LIMIT ASBESTOS-RELATED LIABILITIES FOR CERTAIN SUCCESSOR CORPORATIONS. (Became law upon approval of the Governor, August 6, 2014 - S.L. 2014-110)

S.B. 403, AN ACT TO AMEND AND CLARIFY VARIOUS PROVISIONS OF THE ELECTION LAWS. (Became law upon approval of the Governor, August 6, 2014 - S.L. 2014-111)

H.B. 1194, AN ACT TO MAKE CHANGES TO ADMINISTRATION OF THE STATE RETIREMENT SYSTEMS. (Became law upon approval of the Governor, August 6, 2014 - S.L. 2014-112)

S.B. 163, AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER CERTAIN CONDITIONS. (Became law upon approval of the Governor, August 6, 2014 - S.L. 2014-113)

H.B. 1145, AN ACT TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF MOTOR VEHICLES. (Became law upon approval of the Governor, August 6, 2014 - S.L. 2014-114)

Upon motion of Senator Clark, seconded by Senator Hise, the Senate adjourns at 9:34 a.m. to reconvene Wednesday, August 13, at 10:00 a.m.

ONE HUNDRED FIFTY-NINTH DAY

Senate Chamber
Wednesday, August 13, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Ralph Hise, Senator from Mitchell County.

August 13, 2014

Prayer is offered by The Honorable Dan Blue, Senator from Wake County, as follows:

"Dear God, you told us that 'if your people who are called by your name would humble themselves and pray and seek your face and turn from our wicked ways, then you would hear from heaven and would forgive us and heal our land.'* So this morning, we ask you to make us humble. Let us cast aside our fixations on ourselves, our belief that we and only we alone know what is good and right and true. Teach us that only you are the absolute truth. Teach us to listen to those with whom we disagree so that we may also learn that they may have a word from you as well; a word that we need to hear, and by hearing, we become more humble, and we hear them and we move closer to you. Lord, we would ask you to heal the divisions among us, and heal our land. In the name of the Father, the Son, and the Holy Ghost we pray. Amen."

*Paraphrase 2 Chronicles 7:14, NIV

Senator Foushee announces that the Senate Journal of Monday, August 11, has been examined and is found to be correct. Upon her motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

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. 1133, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND THE SESSION LAWS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE ADDITIONAL TECHNICAL AND OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS. (Became law upon approval of the Governor, August 11, 2014 - S.L. 2014-115)

Upon motion of Senator Harrington, seconded by Senator Blue, the Senate adjourns at 10:05 a.m., subject to the referral and re-referral of bills and resolutions, to reconvene Thursday, August 14, at 10:00 a.m.

RE-REFERRAL OF A BILL

H.B. 718 (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY ISSUES RELATED TO PROVIDING DUTY-FREE INSTRUCTIONAL PLANNING TIME DURING REGULAR STUDENT CONTACT HOURS TO ALL CLASSROOM TEACHERS, STRATEGIES FOR PROVIDING NORTH CAROLINA WITH GREAT LEADERS FOR GREAT SCHOOLS, AND THE COMMON CORE STATE STANDARDS; AND DIRECTING THE DEPARTMENT OF PUBLIC

INSTRUCTION TO STUDY THE USE OF CERTAIN SAFETY MEASURES IN SCHOOLS, INCLUDING THE INSTALLATION OF SILENT PANIC ALARM SYSTEMS FOR USE IN LIFE-THREATENING AND EMERGENCY SITUATIONS, referred to the **Education/Higher Education Committee** on May 9, 2013.

Pursuant to a motion by Senator Apodaca the Committee Substitute bill is withdrawn from the **Education/Higher Education Committee** and re-referred to the **Rules and Operations of the Senate Committee**.

Pursuant to Senator Harrington's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED SIXTIETH DAY

Senate Chamber
Thursday, August 14, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

Without objection, the prayer is postponed until after recess.

Without objection, approval of the Journal is postponed until after recess.

The Senate recesses at 10:03 a.m., subject to the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 7:00 p.m.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Austin M. Allran, Senator from Catawba County.

Prayer is offered by Senator Allran, as follows:

"Dear Lord, we come before you this evening as servants. In these quiet moments we acknowledge our humility and dependence on you and give thanks for the great honor and privilege you have given us to serve you and the people in this fine body of democracy. We acknowledge, oh, Lord, how fleeting is time and how humble we are in the scheme of your unfathomable eternity. Therefore, in all of this we give you thanks for blessings too numerous to name. We give you thanks for your empowering strength, and, above all, we give you thanks for your great mercy and grace. In your Son's precious name we pray. Amen."

August 14, 2014

The Chair grants leaves of absence for tonight to Senator Bingham, Senator Daniel, Senator J. Davis, Senator Graham, Senator Jenkins, Senator Parmon, Senator Pate, Senator Robinson, and Senator Tucker.

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Wednesday, August 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 Apodaca for the **Rules and Operations of the Senate Committee**:

H.B. 718 (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY ISSUES RELATED TO PROVIDING DUTY-FREE INSTRUCTIONAL PLANNING TIME DURING REGULAR STUDENT CONTACT HOURS TO ALL CLASSROOM TEACHERS, STRATEGIES FOR PROVIDING NORTH CAROLINA WITH GREAT LEADERS FOR GREAT SCHOOLS, AND THE COMMON CORE STATE STANDARDS; AND DIRECTING THE DEPARTMENT OF PUBLIC INSTRUCTION TO STUDY THE USE OF CERTAIN SAFETY MEASURES IN SCHOOLS, INCLUDING THE INSTALLATION OF SILENT PANIC ALARM SYSTEMS FOR USE IN LIFE-THREATENING AND EMERGENCY SITUATIONS, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10609, which changes the title to read **H.B. 718** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT LOCAL SCHOOL ADMINISTRATIVE UNITS HAVE ADEQUATE FUNDS TO HIRE TEACHER ASSISTANTS FOR THE 2014-2015 SCHOOL YEAR AND TO CLARIFY THE QUARTER-CENT LOCAL OPTION SALES TAX AUTHORITY FOR PUBLIC EDUCATION, is adopted and engrossed.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is placed on tonight's supplemental calendar.

H.J.R. 1276 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR ADJOURNING THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING, PROVIDING FOR A SUBSEQUENT ADJOURNMENT TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING, AND PROVIDING FOR ADJOURNMENT SINE

DIE OF THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY, with an unfavorable report as to the Committee Substitute Joint Resolution, but favorable as to the Senate Committee Substitute Joint Resolution.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute Joint Resolution, 10607, which changes the title to read **H.J.R. 1276** (Senate Committee Substitute), A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY, is adopted and engrossed.

Upon motion of Senator Apodaca, the Senate Committee Substitute Joint Resolution is placed on tonight's supplemental calendar.

RE-REFERRAL OF BILLS

Upon motion of Senator Apodaca, the rules are suspended to allow all bills reported out of committee tonight to be placed on tonight's supplemental calendar.

WITHDRAWALS FROM COMMITTEES

S.B. 884 (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 AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TO APPOINT A MEMBER OF THE BOARD OF DIRECTORS FOR THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN, INC., UPON THE RECOMMENDATION OF THE MAJORITY AND MINORITY LEADERS OF THE HOUSE OF REPRESENTATIVES, referred to the **Rules and Operations of the Senate Committee** on August 7.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the House Committee Substitute bill be withdrawn from the **Rules and Operations of the Senate Committee** and placed on tonight's supplemental calendar, which motion prevails with unanimous consent, and the Chair so orders.

S.B. 729 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT

AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE AUGUST 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE

PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, referred to the **Rules and Operations of the Senate Committee** on August 1.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the House Committee Substitute bill be withdrawn from the **Rules and Operations of the Senate Committee** and placed on tonight's supplemental calendar, which motion prevails with unanimous consent, and the Chair so orders.

The Senate recesses at 7:21 p.m., subject to the receipt of committee reports, to reconvene at 7:45 p.m.

RECESS

August 14, 2014

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Apodaca for the **Rules and Operations of the Senate Committee**:

H.B. 901, A BILL TO BE ENTITLED AN ACT TO DIRECT THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE NEED FOR LEGISLATION TO BETTER PROTECT THE RIGHT OF PERSONS TO BE PAID FOR IMPROVEMENTS TO REAL PROPERTY UNDER A CONTRACT WITH THE TENANT, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute Joint Resolution.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute Joint Resolution, 40300, which changes the title to read **H.J.R. 901** (Senate Committee Substitute), A JOINT RESOLUTION PROVIDING FOR ADJOURNING THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING AND PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY, is adopted and engrossed.

Pursuant to the motion by Senator Apodaca, the Senate Committee Substitute Joint Resolution is placed on tonight's supplemental calendar.

H.B. 182 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE EFFICIENCY AND COST SAVINGS IN STATE GOVERNMENT STUDY COMMISSION, AS RECOMMENDED BY THE LRC COMMITTEE ON EFFICIENCIES IN STATE GOVERNMENT, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute Joint Resolution.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute Joint Resolution, 30816, which changes the title to read **H.J.R. 182** (Senate Committee Substitute), A JOINT RESOLUTION PROVIDING FOR ADJOURNING THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING AND PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY, is adopted and engrossed.

Pursuant to the motion by Senator Apodaca, the Senate Committee Substitute Joint Resolution is placed on tonight's supplemental calendar.

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

The Senate recesses at 7:47 p.m. to reconvene at 8:00 p.m.

August 14, 2014

RECESS

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

MOTION RELATIVE TO THE SUPPLEMENTAL CALENDAR

The following change is made to tonight's supplemental calendar:

H.B. 718 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT LOCAL SCHOOL ADMINISTRATIVE UNITS HAVE ADEQUATE FUNDS TO HIRE TEACHER ASSISTANTS FOR THE 2014-2015 SCHOOL YEAR AND TO CLARIFY THE QUARTER-CENT LOCAL OPTION SALES TAX AUTHORITY FOR PUBLIC EDUCATION, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from the regular order of business and placed before the Senate for immediate consideration.

SUPPLEMENTAL CALENDAR

Bills and resolutions on tonight's supplemental calendar are taken up and disposed of as follows:

H.B. 718 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT LOCAL SCHOOL ADMINISTRATIVE UNITS HAVE ADEQUATE FUNDS TO HIRE TEACHER ASSISTANTS FOR THE 2014-2015 SCHOOL YEAR AND TO CLARIFY THE QUARTER-CENT LOCAL OPTION SALES TAX AUTHORITY FOR PUBLIC EDUCATION, upon second reading.

Senator Stein offers Amendment No. 1.

Senator Apodaca moves that Amendment No. 1 do lie upon the table, seconded by Senator Brock, which motion prevails (27-13).

Senator Blue offers Amendment No. 2, which fails (15-25).

The Senate Committee Substitute bill passes its second reading (34-6) and, without objection, 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.

MOTION RELATIVE TO THE SUPPLEMENTAL CALENDAR

Upon motion of Senator Apodaca, the calendar is rearranged and the Joint Resolutions on tonight's supplemental calendar will be taken up in the following order: **H.J.R. 1276**, **H.J.R. 182**, and **H.J.R. 901**.

August 14, 2014

SUPPLEMENTAL CALENDAR *(continued)*

H.J.R. 1276 (Senate Committee Substitute), A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY, upon second reading.

The Senate Committee Substitute Joint Resolution passes its second reading (36-4) and, without objection, 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 Joint Resolution.

H.J.R. 182 (Senate Committee Substitute), A JOINT RESOLUTION PROVIDING FOR ADJOURNING THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING AND PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY, upon second reading.

The Senate Committee Substitute Joint Resolution passes its second reading (38-2) and, without objection, 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 Joint Resolution.

H.J.R. 901 (Senate Committee Substitute), A JOINT RESOLUTION PROVIDING FOR ADJOURNING THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING AND PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY, upon second reading.

The Senate Committee Substitute Joint Resolution passes its second reading (40-0) and, without objection, 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 Joint Resolution.

S.B. 729 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES,

PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE AUGUST 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL

PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, for concurrence in the House Committee Substitute bill.

Without objection, Senator Blue is excused from voting on the bill due to a conflict of interest.

The Senate fails to concur in the House Committee Substitute bill (0-39) and the House of Representatives is notified.

S.B. 884 (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 AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TO APPOINT A MEMBER OF THE BOARD OF DIRECTORS FOR THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN, INC., UPON THE RECOMMENDATION OF THE MAJORITY AND MINORITY LEADERS OF THE HOUSE OF REPRESENTATIVES, for concurrence in the House Committee Substitute bill.

August 14, 2014

Upon motion of Senator Apodaca, the Senate concurs in the House Committee Substitute bill (40-0) and the bill is ordered enrolled.

APPOINTMENT OF A CONFERENCE COMMITTEE

S.B. 729 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE AUGUST 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO,

AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO

ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT.

Pursuant to the Senate having failed to concur in the House Committee Substitute for S.B. 729 earlier today, Senator Apodaca, Rules Chairman, announces the appointment of Senator Apodaca, Chair; Senator Berger and Senator Wade as conferees on the part of the Senate to resolve the differences arising between the two bodies. A message is ordered sent to the House of Representatives informing that honorable body of such action and requesting conferees.

Upon motion of Senator Berger, seconded by Senator Apodaca, the Senate adjourns at 8:45 p.m., subject to the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Friday, August 15, at 10:00 a.m.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
August 14, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that conferees for **S.B. 734 House Committee Substitute (6th Edition)**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, AND BY MAKING VARIOUS OTHER STATUTORY CHANGES have been dismissed and new conferees have been appointed. Speaker Tillis has appointed:

Representative T. Moore, Chair
Representative Stam
Representative Moffitt
Representative Tillis and
Representative Tine

Respectfully,
S/ Denise G. Weeks
Principal Clerk

August 14, 2014

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED SIXTY-FIRST DAY

Senate Chamber
Friday, August 15, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

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

"'Oh, Lord, you have known me, and you have searched me. You know when I sit down and when we rise up. You discern our thoughts from afar. Before a word is on our tongues or a thought in our minds you know it.'* May these public servants know your joyous and patient presence, seeing in that your love for them, your abiding presence and your mercy. May they ever walk humbly before you in a manner worthy of the Lord. May they be strengthened from their innermost being with all power according to your purposes. In Jesus' name I pray. Amen."

Excerpt Psalm 139: 1-4

The Chair grants leaves of absence for today to Senator Allran, Senator Bingham, Senator Cook, Senator Daniel, Senator J. Davis, Senator Foushee, Senator Graham, Senator Jenkins, Senator Parmon, Senator Pate, Senator Robinson, Senator Tucker, and Senator Woodard.

Senator Apodaca, Rules Chairman, announces that the Senate Journal of Thursday, August 14, 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.

ENROLLED BILL

The Enrolling Clerk reports the following bill duly ratified for presentation to the Secretary of State:

S.B. 884, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TO APPOINT A MEMBER OF THE BOARD OF DIRECTORS FOR THE NORTH CAROLINA PARTNERSHIP FOR

CHILDREN, INC., UPON THE RECOMMENDATION OF THE MAJORITY AND MINORITY LEADERS OF THE HOUSE OF REPRESENTATIVES.

CONFERENCE REPORT

Senator Wade, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **S.B. 734** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, AND BY MAKING VARIOUS OTHER STATUTORY CHANGES, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 734, A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, AND BY MAKING VARIOUS OTHER STATUTORY CHANGES, House Committee Substitute Favorable 6/24/14, Sixth Edition Engrossed 6/25/14, submit the following report:

The House and Senate agree to the following amendment to the House Committee Substitute Favorable 6/24/14, Sixth Edition Engrossed 6/25/14, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute Favorable 6/24/14, Sixth Edition Engrossed 6/25/14, and substitute the attached proposed Conference Committee Substitute S734PCCS45240-RO-6.

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

Date Conferees approved report: August 15, 2014.

Conferees for the Senate	*Conferees for the House of Representatives*
S/Trudy Wade, Chair	S/Tim Moore, Chair
S/Tom Apodaca	S/Paul Stam
S/Harry Brown	Tim D. Moffitt
	S/Thom Tillis
	S/Paul Tine

August 15, 2014

The full text of the proposed Conference Committee Substitute can be found in Chapter 120 of the 2014 Session Laws.

Upon motion of Senator Apodaca, the Conference Committee Substitute is placed on today's calendar, for adoption.

CALENDAR

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

S.B. 734 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, AND BY MAKING VARIOUS OTHER STATUTORY CHANGES, for adoption.

Upon motion of Senator Wade, the Senate adopts the Conference Committee Substitute bill (35-1).

The Chair orders a message sent to the House of Representatives informing that honorable body of such action.

RECESS

The Senate recesses at 10:19 a.m., subject to the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 11:00 a.m.

RECESS

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

The Senate recesses at 11:02 a.m. to reconvene at 11:30 a.m.

RECESS

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

The Senate recesses at 11:34 a.m. to reconvene at 11:45 a.m.

RECESS

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

August 15, 2014

The Senate recesses at 11:54 a.m. to reconvene at 12:30 p.m.

RECESS

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

The Chair grants leaves of absence for the remainder of today's session to Senator Gunn, Senator McKissick, Senator Stein, Senator Tarte, and Senator Van Duyn.

The Senate recesses at 12:32 p.m., subject to the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene at 5:00 p.m.

RECESS

APPOINTMENT OF A CONFERENCE COMMITTEE

H.B. 189 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, TO MAKE TECHNICAL CORRECTIONS TO THE UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT, TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO ALLOW FOR SHAREHOLDER ASSENT TO EXCLUSIVE FORUM, AND TO CREATE A THREE-JUDGE PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS.

Pursuant to the message from the House of Representatives received July 1, that the House fails to concur in the Senate Committee Substitute bill for H.B. 189 and requests conferees, Senator Phil Berger, President *Pro Tempore*, appoints Senator Apodaca, Chair; Senator Rucho and Senator Rabon 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 MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

August 15, 2014

House of Representatives
August 15, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **S.B. 734** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, AND BY MAKING VARIOUS OTHER STATUTORY CHANGES.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

Pursuant to the Senate having adopted the Conference Committee Substitute bill for S.B. 734 earlier today, the bill is ordered enrolled and sent to the Governor by special message.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
August 15, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that conferees have been dismissed for **H.B. 369 Senate Committee Substitute No. 3 (7th Edition)**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO VARIOUS CRIMINAL LAWS AND TO CLARIFY TO WHICH LOCAL GOVERNMENT CONTRACTS E-VERIFY APPLIES.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

August 15, 2014

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
August 15, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that conferees for **H.B. 189 Senate Committee Substitute (4th Edition)**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, TO MAKE TECHNICAL CORRECTIONS TO THE UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT, TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO ALLOW FOR SHAREHOLDER ASSENT TO EXCLUSIVE FORUM, AND TO CREATE A THREE-JUDGE PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS have been dismissed and new conferees have been appointed. Speaker Tillis has appointed:

Representative Lewis, Chair
Representative Stevens
Representative T. Moore and
Representative Tine

Respectfully,
S/ Denise G. Weeks
Principal Clerk

The Senate meets pursuant to recess and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

Upon motion of Senator Rucho, seconded by Senator Blue, the Senate adjourns at 5:06 p.m., subject to the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Monday, August 18, at 4:00 p.m.

August 15, 2014

ENROLLED BILLS

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

S.B. 734, AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, AND BY MAKING VARIOUS OTHER STATUTORY CHANGES.

H.B. 1086, AN ACT TO ESTABLISH THE NORTH CAROLINA AND SOUTH CAROLINA RAIL COMPACT.

H.B. 369, AN ACT TO MAKE CHANGES TO VARIOUS CRIMINAL LAWS AND TO CLARIFY TO WHICH LOCAL GOVERNMENT CONTRACTS E-VERIFY APPLIES.

CONFERENCE REPORT

Senator Apodaca, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **H.B. 189** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, TO MAKE TECHNICAL CORRECTIONS TO THE UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT, TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO ALLOW FOR SHAREHOLDER ASSENT TO EXCLUSIVE FORUM, AND TO CREATE A THREE-JUDGE PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS, 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 189, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE

WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, TO MAKE TECHNICAL CORRECTIONS TO THE UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT, TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO ALLOW FOR SHAREHOLDER ASSENT TO EXCLUSIVE FORUM, AND TO CREATE A THREE-JUDGE PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS, Senate Judiciary II Committee Substitute Adopted 6/19/14, Fourth Edition Engrossed 6/25/14, submit the following report:

The House of Representatives and Senate agree to the following amendment to the Senate Judiciary II Committee Substitute Adopted 6/19/14 Fourth Edition Engrossed 6/25/14, and the House concurs in the Senate Committee Substitute as amended:

Delete the entire Senate Judiciary II Committee Substitute Adopted 6/19/14 Fourth Edition Engrossed 6/25/14, and substitute the attached proposed Conference Committee Substitute H189PCCS30817-RBx-4.

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

Date Conferees approved report: August 15, 2014.

Conferees for the Senate	*Conferees for the House of Representatives*
S/Tom Apodaca, Chair	S/David R. Lewis, Chair
S/Bob Rucho	S/Sarah Stevens
S/Bill Rabon	S/Tim Moore
	Paul Tine

The full text of the proposed Conference Committee Substitute can be found in the Appendix of the 2014 Senate Journal.

The Conference Committee Substitute bill is ruled to be material, which constitutes first reading, and is placed on the calendar of Monday, August 18, for adoption upon second reading.

Pursuant to Senator Rucho's motion to adjourn having prevailed, the Senate stands adjourned.

August 15, 2014

ONE HUNDRED SIXTY-SECOND DAY

Senate Chamber
Monday, August 18, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Ralph Hise, Senator from Mitchell County.

Prayer is offered by Senator Hise as follows:

"Dear Heavenly Father, God, we give thanks to you, God, and we take comfort today, God, in your word that tells us that where only two or three are gathered together in your name that you are in the midst also. God, we give you thanks here in North Carolina, for while there is so much chaos going on in the world, that you have granted us a season of peace. Dear God, we ask that you pour out your Spirit, God, upon this state that we may be at the forefront of ensuring that your purpose comes forth in this earth. We ask for you to bless us today, God, as we move forward and as hopefully this session begins to come to an end. We offer this prayer in the only authority given under heaven, the name of Jesus Christ. Amen."

Senator Stein announces that the Senate Journal of Friday, August 15, 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.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

H.B. 189 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW DURHAM, ORANGE, FORSYTH, GUILFORD, MECKLENBURG, AND WAKE COUNTIES TO RETAIN A LOCAL SALES AND USE TAX CAP OF TWO AND THREE-QUARTERS PERCENT IF A MAJORITY OF VOTERS IN THOSE COUNTIES APPROVE THE LEVY OF A ONE-QUARTER PERCENT TAX IN A SPECIAL ELECTION HELD BY THE END OF 2016; TO CLARIFY THAT A FARMER'S INCOME FROM FARMING OPERATIONS FOR THE PURPOSE OF THE SALES AND USE TAX EXEMPTION IS GROSS SALES AND ALL OTHER INCOME FROM FARMING OPERATIONS; AND TO MAKE OTHER TECHNICAL CHANGES TO THE REVENUE LAWS, for adoption upon second reading.

Upon motion of Senator Barefoot, without objection, the Conference Committee Substitute bill is withdrawn from today's calendar and placed on the calendar of Wednesday, August 20.

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. 884 AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TO APPOINT A MEMBER OF THE BOARD OF DIRECTORS FOR THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN, INC., UPON THE RECOMMENDATION OF THE MAJORITY AND MINORITY LEADERS OF THE HOUSE OF REPRESENTATIVES. (Became law upon ratification, August 15, 2014 - S.L. 2014-116)

Upon motion of Senator Barefoot, seconded by Senator Stein, the Senate adjourns at 4:12 p.m., subject to the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, the appointment of conferees, the referral and re-referral of bills and resolutions, and the receipt of messages from the Governor, to reconvene Wednesday, August 20, at 4:00 p.m.

WITHDRAWAL OF A CONFERENCE REPORT

H.B. 189 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW DURHAM, ORANGE, FORSYTH, GUILFORD, MECKLENBURG, AND WAKE COUNTIES TO RETAIN A LOCAL SALES AND USE TAX CAP OF TWO AND THREE-QUARTERS PERCENT IF A MAJORITY OF VOTERS IN THOSE COUNTIES APPROVE THE LEVY OF A ONE-QUARTER PERCENT TAX IN A SPECIAL ELECTION HELD BY THE END OF 2016; TO CLARIFY THAT A FARMER'S INCOME FROM FARMING OPERATIONS FOR THE PURPOSE OF THE SALES AND USE TAX EXEMPTION IS GROSS SALES AND ALL OTHER INCOME FROM FARMING OPERATIONS; AND TO MAKE OTHER TECHNICAL CHANGES TO THE REVENUE LAWS, previously placed on the calendar of Wednesday, August 20.

Senator Berger withdraws the conference report.

DISMISSAL OF CONFEREES

Senator Berger, President *Pro Tempore*, dismisses the conferees appointed on August 15 on the part of the Senate to resolve the differences arising between the two bodies on **H.B. 189** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, TO MAKE TECHNICAL CORRECTIONS TO THE

UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT, TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO ALLOW FOR SHAREHOLDER ASSENT TO EXCLUSIVE FORUM, AND TO CREATE A THREE-JUDGE PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS.

A message is ordered sent to the House of Representatives informing that honorable body of such action.

APPOINTMENT OF A CONFERENCE COMMITTEE

H.B. 189 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, TO MAKE TECHNICAL CORRECTIONS TO THE UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT, TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO ALLOW FOR SHAREHOLDER ASSENT TO EXCLUSIVE FORUM, AND TO CREATE A THREE-JUDGE PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS.

Pursuant to the message from the House of Representatives received July 1, that the House fails to concur in the Senate Committee Substitute bill for H.B. 189 and requests conferees, Senator Phil Berger, President *Pro Tempore*, appoints Senator Hunt, Chair; Senator Hise, Senator Barefoot and Senator Rabon 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 MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
August 18, 2014

August 18, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that conferees for **H.B. 189 (Conference Committee Substitute)**, A BILL TO BE ENTITLED AN ACT TO ALLOW DURHAM, ORANGE, FORSYTH, GUILFORD, MECKLENBURG, AND WAKE COUNTIES TO RETAIN A LOCAL SALES AND USE TAX CAP OF TWO AND THREE QUARTERS PERCENT IF A MAJORITY OF VOTERS IN THOSE COUNTIES APPROVE THE LEVY OF A ONE QUARTER PERCENT TAX IN A SPECIAL ELECTION HELD BY THE END OF 2016; TO CLARIFY THAT A FARMER'S INCOME FROM FARMING OPERATIONS FOR THE PURPOSE OF THE SALES AND USE TAX EXEMPTION IS GROSS SALES AND ALL OTHER INCOME FROM FARMING OPERATIONS; AND TO MAKE OTHER TECHNICAL CHANGES TO THE REVENUE LAWS, have been dismissed and new conferees have been appointed. Speaker Tillis has appointed:

Representative Lewis, Chair
Representative Stevens
Representative T. Moore and
Representative Brisson

Respectfully,
S/ Denise G. Weeks
Principal Clerk

CONFERENCE REPORT

Senator Hise, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **H.B. 189** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, TO MAKE TECHNICAL CORRECTIONS TO THE UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT, TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO ALLOW FOR SHAREHOLDER ASSENT TO EXCLUSIVE FORUM, AND TO CREATE A THREE-JUDGE PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS, submits for adoption the following report:

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

August 18, 2014

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 189, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, TO MAKE TECHNICAL CORRECTIONS TO THE UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT, TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES, TO STREAMLINE THE PROCESS OF CORPORATE REORGANIZATION UTILIZING HOLDING COMPANIES, TO ALLOW FOR SHAREHOLDER ASSENT TO EXCLUSIVE FORUM, AND TO CREATE A THREE-JUDGE PANEL TO RULE ON CLAIMS THAT AN ACT OF THE GENERAL ASSEMBLY IS FACIALLY INVALID BASED UPON THE NORTH CAROLINA OR UNITED STATES CONSTITUTIONS, Senate Judiciary II Committee Substitute Adopted 6/19/14, Fourth Edition Engrossed 6/25/14, submit the following report:

The House of Representatives and Senate agree to the following amendment to the Senate Judiciary II Committee Substitute Adopted 6/19/14 Fourth Edition Engrossed 6/25/14, and the House concurs in the Senate Committee Substitute as amended:

Delete the entire Senate Judiciary II Committee Substitute Adopted 6/19/14 Fourth Edition Engrossed 6/25/14, and substitute the attached proposed Conference Committee Substitute H189-PCCS10610-RBx-7.

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

Date Conferees approved report: August 18, 2014.

Conferees for the Senate	*Conferees for the House of Representatives*
S/Neal Hunt, Chair	S/David R. Lewis, Chair
S/Ralph Hise	Sarah Stevens
S/Chad Barefoot	S/Tim Moore
Bill Rabon	S/William D. Brisson

The full text of the proposed Conference Committee Substitute can be found in the Appendix of the 2014 Senate Journal.

The Conference Committee Substitute bill is ruled to be material, which constitutes first reading, and is placed on the calendar of Wednesday, August 20, for adoption upon second reading.

August 18, 2014

Pursuant to Senator Barefoot's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED SIXTY-THIRD DAY

Senate Chamber
Wednesday, August 20, 2014

The Senate meets pursuant to adjournment and is called to order by The Honorable Dan Forest, Lieutenant Governor.

Without objection, the prayer is postponed until after recess.

Without objection, approval of the Journal is postponed until after recess.

The Senate recesses at 4:01 p.m., subject to the ratification of bills, the referral and re-referral of bills and resolutions, the receipt of conference reports, the receipt of messages from the House of Representatives, and the receipt of messages from the Governor, to reconvene at 7:00 p.m.

RECESS

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
August 19, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that Representative Moffitt has been added as a conferee to **S.B. 729 House Committee Substitute (5th Edition)**, A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW

BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE AUGUST 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE

IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT.

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:

August 20, 2014

House of Representatives
August 20, 2014

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **S.B. 729** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE OCTOBER 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION

RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE, BUT NO LATER THAN DECEMBER 31, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, AND WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, AND WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW

REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

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
August 20, 2014

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 2014 Session of the 2013 General Assembly and pursuant to **H.J.R. 1276 Senate Committee Substitute (3rd Edition)**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY, stands ready to adjourn *sine die*.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

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:

"Oh, Lord, we your people are so blessed. We're richly blessed like Abraham, who was blessed by Melchizedek. We are so richly blessed, and we thank you for that blessing, Lord. You have blessed us to make us in your image. I pray that each of these men and women will know that you have made them in your image; and not just those that are in charge here, but everyone in the cafeteria, bill writers, schedulers, and legislative assistants. May they know

that you have richly blessed them because you have made us in your image and they bear your image here. They are blessing this place. Where we have blunted your image, Father, give us grace. Where we have marred your image, Father, give us your presence. Where we have gone wrong, Father, confess that you are the one to make it right. We pray in the name of Jesus, our Lord. Amen."

The Chair grants leaves of absence for tonight to Senator Blue, Senator Bryant, Senator Cook, Senator Curtis, Senator J. Davis, Senator Ford, Senator Graham, Senator J. Jackson, Senator Jenkins, and Senator Robinson.

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Monday, August 18, 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.

APPOINTMENT OF AN ESCORT COMMITTEE

The President recognizes Senator Brown, who announces Senator Randleman, Senator Rabon, and Senator Stein as an escort committee for the seating of a new member.

The President orders the Sergeant-at-Arms to open the chamber doors and directs the escort committee to lead The Honorable Michael Vincent Lee to the well of the Senate.

PROCLAMATION FROM THE GOVERNOR

The President instructs the Reading Clerk to read the following proclamation from the Governor appointing Michael Vincent Lee as follows:

THE APPOINTMENT OF MICHAEL VINCENT LEE

2013-2014

BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

A PROCLAMATION

WHEREAS, the Honorable Thomas Cowart Goolsby, elected Senator from Senate District Nine 2013-2014 General Assembly, has resigned; and

WHEREAS, the provisions of General Statute § 163-11 require that the vacancy created by the resignation of the Honorable Thomas Cowart Goolsby be filled by appointment of the person recommended by the Ninth Senate District Executive Committee of the Republican Party; and

WHEREAS, the Ninth Senate District Executive Committee of the Republican Party has notified me of its recommendation of Michael Vincent Lee of New Hanover County, North Carolina, to fill the unexpired term;

I do, by these presents, appoint

MICHAEL VINCENT LEE

as a member of the

NORTH CAROLINA SENATE

2013-2014 General Assembly

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 eighteenth day of August in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-nine.

S/Pat McCrory
Governor

ATTEST:
S/Elaine F. Marshall
Secretary of State

Senator Lee was administered the Oath of Office on August 20, 2014. He is escorted to seat number 12, and the House of Representatives is notified.

CONFERENCE REPORT

Senator Apodaca, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **S.B. 729** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING

REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE AUGUST 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE

PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 729, A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION

RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE AUGUST 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS

PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, House Committee Substitute Favorable 7/2/14, Fifth Edition Engrossed 7/3/14, submit the following report:

August 20, 2014

The Senate and House agree to the following amendment to the House Committee Substitute Favorable 7/2/14, Fifth Edition Engrossed 7/3/14, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute Favorable 7/2/14, Fifth Edition Engrossed 7/3/14, and substitute the attached Proposed Conference Committee Substitute S729-PCCS45242-RI-14.

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

Date Conferees approved report: August 19, 2014.

Conferees for the Senate	*Conferees for the House of Representatives*
S/Tom Apodaca, Chair	S/Chuck McGrady, Chair
S/Phil Berger	S/Mike Hager
S/Trudy Wade	Ruth Samuelson
	Rick Glazier
	S/Tim D. Moffitt

The full text of the proposed Conference Committee Substitute can be found in Chapter 122 of the 2014 Session Laws.

The Conference Committee Substitute bill is placed on tonight's calendar, for adoption.

WITHDRAWAL FROM COMMITTEE

S.B. 42 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CONFIDENTIALITY OF UNEMPLOYMENT COMPENSATION RECORDS, referred to the **Rules and Operations of the Senate Committee** on July 9.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the House Committee Substitute bill be withdrawn from the **Rules and Operations of the Senate Committee** and placed on tonight's calendar, which motion prevails with unanimous consent, and the Chair so orders.

MOTIONS RELATIVE TO THE CALENDAR

The following changes are made to tonight's calendar:

H.B. 189 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW DURHAM, ORANGE, FORSYTH, GUILFORD, MECKLENBURG, AND WAKE COUNTIES TO RETAIN A LOCAL SALES AND USE TAX CAP OF TWO AND THREE-QUARTERS PERCENT IF A MAJORITY OF VOTERS IN THOSE COUNTIES APPROVE THE LEVY OF A ONE-QUARTER PERCENT TAX IN A REFERENDUM HELD BY THE

END OF 2016; TO EXPAND THE MAXIMUM GRANT ALLOWED FOR A TELEVISION OR VIDEO SERIES; TO CLARIFY THAT A FARMER'S INCOME FROM FARMING OPERATIONS FOR THE PURPOSE OF THE SALES AND USE TAX EXEMPTION IS GROSS SALES AND ALL OTHER INCOME FROM FARMING OPERATIONS; AND TO MAKE OTHER TECHNICAL CHANGES TO THE REVENUE LAWS, for adoption.

Upon motion of Senator Apodaca, the bill is withdrawn from today's calendar and re-referred to the **Rules and Operations of the Senate Committee**.

S.B. 729 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE OCTOBER 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE

A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE, BUT NO LATER THAN DECEMBER 31, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, AND WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, AND WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS;

(22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, for adoption.

Upon motion of Senator Apodaca, the Committee Substitute bill is withdrawn from the regular order of business and placed before the Senate for immediate consideration.

CALENDAR

Bills on tonight's calendar are taken up and disposed of as follows:

S.B. 729 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE OCTOBER 1, 2014; (8) PROHIBIT THE

DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE, BUT NO LATER THAN DECEMBER 31, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, AND WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL

COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, AND WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT, for adoption.

Upon motion of Senator Apodaca, the Senate adopts the Conference Committee Substitute bill (38-2).

The Chair orders a message sent to the House of Representatives informing that honorable body of such action.

Pursuant to the message received earlier today that the House of Representatives adopted the Conference Committee Substitute for S.B. 729, the bill is ordered enrolled and sent to the Governor by special message.

S.B. 42 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CONFIDENTIALITY OF UNEMPLOYMENT COMPENSATION RECORDS, for concurrence in House Committee Substitute bill.

Upon motion of Senator Rucho, the Senate concurs in the House Committee Substitute bill (40-0) and the bill is ordered enrolled and sent to the Governor by special message.

August 20, 2014

ENROLLED BILLS AND A RESOLUTION

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. 1276, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2013 REGULAR SESSION OF THE GENERAL ASSEMBLY. (Res. 2014-8)

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

S.B. 3, AN ACT TO MODIFY THE JOB MAINTENANCE AND CAPITAL DEVELOPMENT FUND PROVISIONS.

S.B. 42, AN ACT TO CLARIFY THE CONFIDENTIALITY OF UNEMPLOYMENT COMPENSATION RECORDS.

S.B. 729, AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE OCTOBER 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO

CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE, BUT NO LATER THAN DECEMBER 31, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, AND WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL

RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, AND WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT.

Upon motion of Senator Berger, seconded by Senator Lee, the Senate adjourns *Sine Die* at 7:43 p.m., in accordance with House Joint Resolution 1276, subject to the ratification of bills, the receipt of messages from the House of Representatives, and the receipt of messages from the Governor.

DANIEL J. FOREST
President of the Senate

SARAH LANG
Principal Clerk

August 20, 2014

ADDENDUM

SENATE JOURNAL

2013 SESSION

SECOND SESSION

2014

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 on the same day unless it is ordered by two-thirds of the membership of the Senate present and voting, there is a rule suspension motion which prevails by at least a three-fifths vote of the membership of the Senate present and voting, or the Chair determines that there is no objection, which constitutes unanimous consent.

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.

The Presiding Officer rules whether or not individual bills require a call of the roll. The ruling is made pursuant to Rule 25 and the following citation from Article II, Section 23, of the Constitution of North Carolina, which reads:

> 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 in parentheses throughout the Senate Journal represent the affirmative and negative votes cast and recorded electronically, pursuant to Rule 25. Original vote tabulation sheets are deposited in the Division of Archives and History of the Department of Cultural Resources. Voting data may also be obtained at the Legislative Library and on the N.C. General Assembly's website, www.ncleg.net.

When a committee report that includes a committee substitute is submitted, the five digit numerical figure listed represents the draft number of the committee substitute presented for adoption.

The Senate fully implemented the web-based "Chamber Dashboard" in January of 2013. Senators are required to use an electronic device to examine bill drafts eligible for filing, co-sponsor legislation, and view bills, resolutions, and amendments for consideration on the chamber floor. A version of the Chamber Dashboard is available on the internet for public use through the General Assembly's website.

Senatorial Statements of Personal Privilege are found throughout the Journal. In accordance with Rule 15 and Rule 40(b), Senatorial Statements of Personal Privilege are the preferred alternative to simple resolutions to commemorate individuals, groups, or events of significance. Offered as a point of personal privilege, the statements may not be used to explain a vote, debate a bill, or in any way disrupt the regular business of the Senate.

Sarah Lang
Principal Clerk

HOUSE BILL VETOED BY THE GOVERNOR

H.B. 1069 (Ratified), AN ACT TO AMEND THE UNEMPLOYMENT INSURANCE LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON UNEMPLOYMENT INSURANCE, vetoed by the Governor and returned to the House of Representatives on June 24, 2014.

CHAPTERED BILLS

The following bills were properly enrolled, reviewed, and approved by the Governor as indicated, assigned the following Chapter Numbers and presented to the Office of the Secretary of State after the 2013 General Assembly adjourned *Sine Die* on August 20, 2014.

S.B. 42, AN ACT TO CLARIFY THE CONFIDENTIALITY OF UNEMPLOYMENT COMPENSATION RECORDS. (Became law upon approval of the Governor, August 25, 2014 - S.L. 2014-117)

S.B. 3, AN ACT TO MODIFY THE JOB MAINTENANCE AND CAPITAL DEVELOPMENT FUND PROVISIONS. (Became law upon approval of the Governor, September 13, 2014 - S.L. 2014-118)

H.B. 369, AN ACT TO MAKE CHANGES TO VARIOUS CRIMINAL LAWS AND TO CLARIFY TO WHICH LOCAL GOVERNMENT CONTRACTS E-VERIFY APPLIES. (Became law upon approval of the Governor, September 18, 2014 - S.L. 2014-119)

S.B. 734, AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, AND BY MAKING VARIOUS OTHER STATUTORY CHANGES. (Became law upon approval of the Governor, September 18, 2014 - S.L. 2014-120)

H.B. 1086, AN ACT TO ESTABLISH THE NORTH CAROLINA AND SOUTH CAROLINA RAIL COMPACT. (Became law without the approval of the Governor, September 20, 2014 - S.L. 2014-121)

S.B. 729, AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT

COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE OCTOBER 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE, BUT NO LATER THAN DECEMBER 31, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, AND WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND

REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, AND WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE FOR VARIOUS STUDIES; (28) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (29) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT. (Became law without the approval of the Governor, September 20, 2014 - S.L. 2014-122)

APPENDIX

SENATE JOURNAL

2013 SESSION

SECOND SESSION

2014

NORTH CAROLINA GENERAL ASSEMBLY
SENATE DISTRICTS

DISTRICT COUNTY: Voter Tabulation District (VTD): Census Block

District 1: **BEAUFORT, CAMDEN, CURRITUCK, DARE, GATES, HYDE, PASQUOTANK, PERQUIMANS.**

District 2: **CARTERET, CRAVEN, PAMLICO.**

District 3: **BERTIE, CHOWAN, EDGECOMBE, HERTFORD, MARTIN, NORTHAMPTON, TYRRELL, WASHINGTON.**

District 4: **HALIFAX, NASH**: VTD: 0002, VTD: 0007, VTD: 0021, VTD: 0022, VTD: 0031, VTD: 0032, VTD: 0033, VTD: 0034, VTD: 0035, VTD: 0036, VTD: 0038, VTD: 0040; **VANCE, WARREN, WILSON:** VTD: PRGA: Block(s) 1950007001065, 1950007001066, 1950007001067, 1950012001023, 1950012001025, 1950012001038, 1950012002002, 1950012002003, 1950012002007, 1950012002008, 1950012002009, 1950012002010, 1950012002011, 1950012002014, 1950012002016; VTD: PRTO: 1950012001024, 1950013001000, 1950013001001, 1950013001002, 1950013001003, 1950013001004, 1950013001005, 1950013001006, 1950013001007, 1950013001008, 1950013001009, 1950013001010, 1950013001011, 1950013001012, 1950013001013, 1950013001014, 1950013001015, 1950013001016, 1950013001017, 1950013001018, 1950013001019, 1950013001020, 1950013001021, 1950013001022, 1950013001023, 1950013001024, 1950013001025, 1950013001026, 1950013001027, 1950013001028, 1950013001029, 1950013001030, 1950013001031, 1950013001035, 1950013001036, 1950013001040, 1950013001041, 1950013001042, 1950013002000, 1950013002001, 1950013002002, 1950013002003, 1950013002004, 1950013002005, 1950013002006, 1950013002007, 1950013002008, 1950013002009, 1950013002010, 1950013002011, 1950013002012, 1950013002013, 1950013002014, 1950013002015, 1950013002016, 1950013002017, 1950013002018, 1950013002019, 1950013002020, 1950013002021, 1950013002022, 1950013002023, 1950013002024, 1950013002025, 1950013002026, 1950013002027, 1950013002028, 1950013002029, 1950013002039, 1950013002040, 1950013002041, 1950013002042, 1950013002043, 1950013002044, 1950013002045, 1950013002046, 1950013002047, 1950013002048, 1950013002049, 1950013002050, 1950013002051, 1950013002052, 1950013002053, 1950013002054, 1950013002055, 1950013002056, 1950013002057, 1950013002058, 1950013002059, 1950013002060, 1950013002061, 1950013002062, 1950013002063, 1950013002064, 1950013002065, 1950013002066, 1950013002067, 1950013002068, 1950013002069, 1950013002070, 1950013002074, 1950013002075, 1950013002078, 1950013002079, 1950013002080, 1950013002082, 1950013002083, 1950013002084, 1950013002087, 1950013002088, 1950013003000, 1950013003001, 1950013003002, 1950013003003, 1950013003004, 1950013003005, 1950013003006, 1950013003007, 1950013003008, 1950013003009, 1950013003010, 1950013003011, 1950013003012, 1950013003013, 1950013003014, 1950013003015, 1950013003016, 1950013003017, 1950013003018, 1950013003019, 1950013003020, 1950013004000, 1950013004001, 1950013004002, 1950013004003, 1950013004004, 1950013004005, 1950013004006, 1950013004007, 1950013004008, 1950013004009, 1950013004010, 1950013004011, 1950013004012, 1950013004013, 1950013004014, 1950013004015, 1950013004016, 1950013004017, 1950013004018, 1950013004019, 1950013004020, 1950013004021, 1950013004022, 1950013004023, 1950013004024, 1950013004025, 1950013004026, 1950013004027, 1950013004028, 1950013004029, 1950013004030, 1950013004031, 1950013004032, 1950013004033, 1950013004034, 1950013004035, 1950013004036, 1950013004037, 1950013004038, 1950013004039, 1950013004040, 1950013004041, 1950013004042, 1950013004043, 1950013004044, 1950013004045, 1950013004046, 1950013004047, 1950013004048, 1950013004049, 1950013004050, 1950013004051, 1950013004052, 1950013004053, 1950013004054, 1950013004055; VTD: PRWA, VTD: PRWB, VTD: PRWC, VTD: PRWE, VTD: PRWH, VTD: PRWI, VTD: PRWN, VTD: PRWQ, VTD: PRWR.

District 5: **GREENE, LENOIR:** VTD: C: Block(s) 1070101001051, 1070101003009, 1070101003010, 1070101003011, 1070101003012, 1070101003013, 1070101003014, 1070101003015, 1070101003016, 1070101003017, 1070101003018, 1070101003019, 1070101003020, 1070101003021, 1070101003022, 1070101003023, 1070101003024, 1070101003025, 1070101003026, 1070101003027, 1070101003028, 1070101003029, 1070101003030, 1070101003031; VTD: I: 1070110021000, 1070110021001, 1070110021002, 1070110021003, 1070110021004, 1070110021005, 1070110021008, 1070110021009, 1070110021010, 1070110021011, 1070110021012, 1070110021014, 1070110021015, 1070110021016, 1070110021017, 1070110021018, 1070110021019, 1070110021020, 1070110021021, 1070110021022, 1070110021023, 1070110021024, 1070110021025, 1070110021026, 1070110021027, 1070110021028, 1070110021029, 1070110021030, 1070110021034, 1070110021035, 1070110021036, 1070110021043, 1070110021054, 1070110021055, 1070110021056, 1070110021057; VTD: K1, VTD: K2, VTD: K3: Block(s) 1070106002045, 1070106002046, 1070106002047, 1070106002049, 1070106002052, 1070106002053, 1070106002054, 1070106002055, 1070106002056, 1070106002057, 1070106002058, 1070106002059, 1070106002060, 1070106003030, 1070106003031, 1070107001003, 1070107001004, 1070107001005, 1070107001006, 1070107001007, 1070107001008, 1070107001009, 1070107001010, 1070107001011, 1070107001012, 1070107001013, 1070107001014, 1070107001015, 1070107001016, 1070107001017, 1070107001018, 1070107001019, 1070107001020, 1070107001021, 1070107001022, 1070107001023, 1070107001024, 1070107001025, 1070107001026, 1070107001028, 1070107001030, 1070107001031, 1070107001052, 1070107001053, 1070107001054, 1070107001055, 1070107002004, 1070107002005, 1070107002006, 1070107002012, 1070107002013, 1070107002014, 1070107002015, 1070107002016, 1070107002017, 1070107002019, 1070107002025, 1070107002026, 1070107002027, 1070107002028, 1070107002029, 1070107002030, 1070107002031, 1070107002032, 1070107002033, 1070107002034, 1070107002035, 1070107002036, 1070107002037, 1070107002038, 1070107002039, 1070107002040, 1070107002041, 1070107002042, 1070107002043, 1070107002044, 1070107002045, 1070107002046, 1070107002047, 1070107002048, 1070107002049, 1070107002050, 1070107002051, 1070107002052, 1070107002053, 1070107002058, 1070107002064, 1070107002065, 1070107002066, 1070107002068, 1070107003004, 1070107003005, 1070107003006, 1070107003007, 1070107003008, 1070107003009, 1070107003010, 1070107003011, 1070107003012, 1070107003013, 1070107003014, 1070107003015, 1070107003016, 1070107003017, 1070107003018, 1070107003019, 1070107003020, 1070107003021, 1070107003022, 1070107003023, 1070107003024, 1070107003025, 1070107003026, 1070107003028, 1070107003032; VTD: K4: 1070108001018, 1070108001019, 1070108001020, 1070108001021, 1070108001022, 1070108001023, 1070108001024, 1070108001025, 1070108001026, 1070108001027, 1070108001028, 1070108001029, 1070108001030, 1070108001031, 1070108001032; VTD: K5: 1070106002000, 1070106002001, 1070106002002, 1070106002003, 1070106002004, 1070106002005, 1070106002006, 1070106002007, 1070106002008, 1070106002009, 1070106002010, 1070106002011, 1070106002013, 1070106002014, 1070106002015, 1070106002016, 1070106002017, 1070106002018, 1070106002019, 1070106002020, 1070106002021, 1070106002022, 1070106002023, 1070106002024, 1070106002025, 1070106002026, 1070106002027, 1070106002028, 1070106002029, 1070106002030, 1070106002034, 1070106002035, 1070106002036, 1070106002040, 1070106002041, 1070106002042, 1070106002043, 1070106002044, 1070106003009, 1070106003010, 1070106003011, 1070106003012, 1070106003013, 1070106003014, 1070106003015, 1070106003016, 1070106003017, 1070106003018, 1070106003019, 1070106003020, 1070106003021, 1070106003022, 1070106003023, 1070106003024, 1070106003025, 1070106003026, 1070106003027, 1070106003028, 1070106003029; VTD: K6, VTD: K7, VTD: K8, VTD: K9, VTD: MH: Block(s) 1070110021006, 1070110021007, 1070111001000, 1070111001001, 1070111001002, 1070111001003, 1070111001004, 1070111001005, 1070111001006, 1070111001007, 1070111001008, 1070111001009, 1070111001010, 1070111001011, 1070111001012, 1070111001013, 1070111001014, 1070111001015, 1070111001016, 1070111001017, 1070111001018, 1070111001019, 1070111001020, 1070111001021, 1070111001022, 1070111001023, 1070111001024, 1070111001025,

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District 6: **JONES, ONSLOW.**

District 7: **LENOIR:** VTD: C: Block(s) 1070101001000, 1070101001001, 1070101001002, 1070101001003, 1070101001004, 1070101001005, 1070101001006, 1070101001007, 1070101001008, 1070101001009, 1070101001010, 1070101001011, 1070101001012, 1070101001013, 1070101001014, 1070101001015, 1070101001016, 1070101001017, 1070101001018, 1070101001019, 1070101001020, 1070101001021, 1070101001022, 1070101001023, 1070101001024, 1070101001025, 1070101001026, 1070101001027, 1070101001028, 1070101001029, 1070101001030, 1070101001031, 1070101001032, 1070101001033, 1070101001034, 1070101001035, 1070101001036, 1070101001037, 1070101001038, 1070101001039, 1070101001040, 1070101001041, 1070101001042, 1070101001043, 1070101001044, 1070101001045, 1070101001046, 1070101001047, 1070101001048, 1070101001049, 1070101001050, 1070101001052, 1070101001053, 1070101001054, 1070101001055, 1070101001056, 1070101001057, 1070101001058, 1070101001059, 1070101001060, 1070101001061, 1070101001062, 1070101001063, 1070101001064, 1070101001065, 1070101001066, 1070101001067, 1070101001068, 1070101001069, 1070101001070, 1070101001071, 1070101002000, 1070101002001, 1070101002002, 1070101002003, 1070101002004, 1070101002005, 1070101002006, 1070101002007, 1070101002008, 1070101002009, 1070101002010, 1070101002011, 1070101002012, 1070101002013, 1070101002014, 1070101002015, 1070101002016, 1070101002017, 1070101002018, 1070101002019, 1070101002020, 1070101002021, 1070101002022, 1070101002023, 1070101002024, 1070101002025, 1070101002026, 1070101002027, 1070101002028, 1070101002029, 1070101002030, 1070101002031, 1070101002032, 1070101002033, 1070101002034, 1070101002035, 1070101002036, 1070101002037, 1070101002038, 1070101002039, 1070101002040, 1070101002041, 1070101002042, 1070101002043, 1070101002044, 1070101002045, 1070101002046, 1070101002047, 1070101002048, 1070101002049, 1070101003000, 1070101003001, 1070101003002, 1070101003003, 1070101003004, 1070101003005, 1070101003006, 1070101003007, 1070101003008; VTD: FC, VTD: I: Block(s) 1070110021013, 1070110021033, 1070110021037, 1070110021038, 1070110021039, 1070110021040, 1070110021041, 1070110021042, 1070110021044, 1070110021045, 1070110021046, 1070110021047, 1070110021048, 1070110021049, 1070110021050, 1070110021051, 1070110021052, 1070110021053, 1070110022008, 1070110022009, 1070110022010, 1070110022011, 1070110022012, 1070110022014, 1070110022015, 1070110022016, 1070110022019, 1070110022020, 1070110022021, 1070111002013, 1070111002014, 1070111002015; VTD: K3: 1070106002037, 1070106002038, 1070106002048, 1070106002050, 1070106002051, 1070107001000, 1070107001001, 1070107001002, 1070107001027, 1070107001029, 1070107001032, 1070107001033, 1070107001034, 1070107001035, 1070107001036, 1070107001037, 1070107001038, 1070107001039, 1070107001040, 1070107001041, 1070107001047, 1070107001048, 1070107001049, 1070107001050, 1070107001051, 1070107001060, 1070107002018, 1070107002020, 1070107002021, 1070107002022, 1070107002023, 1070107002024; VTD: K4: 1070106001000, 1070106001001, 1070106001002, 1070106001003, 1070106001004, 1070106001005, 1070106001006, 1070106001007, 1070106001008, 1070106001009, 1070106001010, 1070106001011, 1070106001012, 1070106001013, 1070106001014, 1070106001015, 1070106001016, 1070106001017, 1070106001018, 1070106001019, 1070106001020, 1070106001021, 1070106001022, 1070106001023, 1070106001024, 1070106001025, 1070106001026, 1070106001027, 1070106001028, 1070106001029, 1070106001030, 1070106001031, 1070106001032, 1070106001033, 1070106001034, 1070106001035, 1070108001033, 1070108002026, 1070108002027, 1070108002028, 1070108002029, 1070108002030, 1070108002031, 1070108002032, 1070108002033,

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District 9: **NEW HANOVER:** VTD: CF01, VTD: CF02, VTD: CF03, VTD: FP01, VTD: FP02, VTD: FP03, VTD: FP04, VTD: FP05, VTD: H01, VTD: H02, VTD: H03, VTD: H04, VTD: H05, VTD: H06, VTD: H07, VTD: H08, VTD: H09, VTD: M02, VTD: M03, VTD: M04, VTD: M05, VTD: W03: Block(s) 1290111001004, 1290111001005, 1290111001006, 1290111001007, 1290112002008, 1290112002009, 1290112002010, 1290112002011, 1290112002020, 1290112002021, 1290112002022, 1290112002023, 1290112002024, 1290112002025, 1290112002026, 1290112002027, 1290113001062, 1290113001063, 1290113001064, 1290113001068, 1290113002000, 1290113002001, 1290113002002, 1290113002003, 1290113002004, 1290113002005, 1290113002006, 1290113002007, 1290113002034; VTD: W08, VTD: W12, VTD: W13, VTD: W15, VTD: W16, VTD: W17, VTD: W18, VTD: W21, VTD: W24, VTD: W25, VTD: W26, VTD: W27, VTD: W28, VTD: W29: Block(s) 1290101001002, 1290101001003, 1290101001004, 1290101001005, 1290101001006, 1290101001008, 1290101001009, 1290101001010, 1290101001011, 1290101001012, 1290101001013, 1290101001014, 1290101001015, 1290101001029, 1290101001030, 1290101001031, 1290101001032, 1290101001037, 1290101001038, 1290101001039, 1290101002035, 1290101002036, 1290101002037, 1290101002038, 1290101002039, 1290101002047, 1290101003000, 1290101003001, 1290101003002, 1290101003003, 1290101003004, 1290101003005, 1290101003006, 1290101003007, 1290101003008, 1290101003009, 1290101003010, 1290101003011, 1290101003012, 1290101003013, 1290101003014, 1290101003015, 1290101003016, 1290101003017, 1290101003018, 1290101003019, 1290101003020, 1290101003021, 1290101003022, 1290101003023, 1290101003024, 1290101003025, 1290101003026, 1290101003027, 1290101003028, 1290101003029, 1290101003030, 1290101003031, 1290101003032, 1290102001006, 1290102001007, 1290102001008, 1290102001009, 1290102001010, 1290102001011, 1290102001012, 1290102001013, 1290102001014, 1290102001015, 1290102001033, 1290102001034, 1290102001035, 1290102001038, 1290102001039, 1290102001065; VTD: W30, VTD: W31, VTD: WB.

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District 12: **HARNETT, JOHNSTON:** VTD: PR01: Block(s) 1010414001038, 1010414001039, 1010414001040, 1010414001041, 1010414001044, 1010414001045, 1010414001046, 1010414001047, 1010414001048, 1010414001049, 1010414001050, 1010414001059, 1010414001060, 1010414001061, 1010414001062, 1010414001063, 1010414001065, 1010414001066, 1010414001067, 1010414006000, 1010414006001, 1010414006002, 1010414006003, 1010414006004, 1010414006005, 1010414006006, 1010414006007, 1010414006008, 1010414006009, 1010414006010, 1010414006011, 1010414006015, 1010414006016, 1010414006017, 1010414006018, 1010414006019, 1010414006025, 1010414006026, 1010414006027, 1010414006028, 1010414006029, 1010414006030, 1010414006031, 1010414006032, 1010414006033, 1010414006034, 1010414006035, 1010414006036, 1010414006037, 1010414006038, 1010414006039, 1010414006040, 1010414006041, 1010414006042, 1010414006043, 1010414006044, 1010414006045, 1010414006046, 1010414006047, 1010414006048, 1010414006049, 1010414006050; VTD: PR02: 1010414003000, 1010414003001, 1010414003002, 1010414003003, 1010414003004, 1010414003005, 1010414003006, 1010414003007, 1010414003008, 1010414003009, 1010414003010, 1010414003011, 1010414003012, 1010414003013, 1010414003014, 1010414003015, 1010414003016, 1010414003017, 1010414003018, 1010414003019, 1010414003020, 1010414003021, 1010414003022, 1010414003023, 1010414003024, 1010414003025, 1010414003026, 1010414003027, 1010414003028, 1010414003029, 1010414003030, 1010414003031, 1010414003056, 1010414003057, 1010414003058, 1010414003059, 1010414003060, 1010414003063, 1010414003064, 1010414003065, 1010414003066, 1010414003067, 1010414003068, 1010414003069; VTD: PR03: 1010414001019, 1010414001031, 1010414001032, 1010414001033, 1010414001035, 1010414001036, 1010414001037, 1010414001064, 1010414001068,

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District 13: **COLUMBUS, ROBESON.**

District 14: **WAKE:** VTD: 01-13: Block(s) 1830505002002, 1830505002012; VTD: 01-14: 1830501001039, 1830501001040, 1830501001041, 1830501001042, 1830501001046, 1830501001047, 1830501001048, 1830501001049, 1830501001053, 1830501001054, 1830501001055, 1830501001056, 1830501001065, 1830506003019, 1830506003020, 1830506003024, 1830506003025, 1830506003026, 1830506003027; VTD: 01-18: 1830527011020, 1830527011021, 1830527012009, 1830527012010, 1830527012012, 1830527012013, 1830527012014, 1830527012016, 1830527012017, 1830527012021, 1830527012025, 1830527012026, 1830527012027, 1830527012028, 1830527012029, 1830527012030, 1830527012031, 1830527012032, 1830527012033, 1830527012034, 1830527012035, 1830527012036, 1830527012037, 1830527012038, 1830527012039, 1830527013000, 1830527013005, 1830527013006, 1830527013007, 1830527013008; VTD: 01-19, VTD: 01-20, VTD: 01-21: Block(s) 1830521011007, 1830521011008, 1830521011009, 1830521011010, 1830528031020, 1830545002001, 1830545002002, 1830545002003, 1830545002004, 1830545002005, 1830545002015, 1830545002016, 1830545002017, 1830545002026, 1830545002027, 1830545002028, 1830545002029, 1830545002039, 1830545002040, 1830545002041, 1830545002042, 1830545002043, 1830545002044, 1830545002045, 1830545002046, 1830545002047, 1830545002048, 1830545002049, 1830545002050, 1830545002053, 1830545002054, 1830545002057, 1830545002058, 1830545002059, 1830545002060, 1830545002061, 1830545002062, 1830545002063, 1830545002064; VTD: 01-22, VTD: 01-23: Block(s) 1830511023004, 1830511023005, 1830511023006, 1830511023007, 1830511023011; VTD: 01-25, VTD: 01-26, VTD: 01-27: Block(s) 1830501001072, 1830501001073, 1830501001074, 1830501001075, 1830501001076, 1830501001077, 1830501001078, 1830501001079, 1830501001080, 1830501001081, 1830501001082, 1830501001083, 1830501001084, 1830501001085, 1830501001086, 1830501001087, 1830501001092, 1830501001110, 1830501001111, 1830501001112, 1830501001113, 1830501001114, 1830501001115, 1830510001021, 1830510002000, 1830510002001, 1830510002002, 1830510002003, 1830510002004, 1830510002005, 1830510002006, 1830510002007, 1830510002008, 1830510002009, 1830510002010, 1830510002011, 1830510002012, 1830510002013, 1830510002023, 1830510002024, 1830545001005, 1830545001006, 1830545001007, 1830545001008, 1830545001009, 1830545001012, 1830545001013, 1830545001014, 1830545001015, 1830545001022, 1830545001023, 1830545001024, 1830545001025, 1830545001026; VTD: 01-28: 1830505002000, 1830505002001, 1830519001000, 1830519001001, 1830519001002, 1830519001003, 1830519001004, 1830519001005, 1830519001006, 1830519001007, 1830519001008, 1830519001009, 1830519001010, 1830519001011, 1830519001012, 1830519001013, 1830519001014, 1830519001015, 1830519001016, 1830519001017, 1830519001018, 1830519001019, 1830519001020, 1830519001021, 1830519001022, 1830519001023, 1830519001024, 1830519001025, 1830519001026, 1830519001027, 1830519001028, 1830519001029, 1830519001030, 1830519001031, 1830519001032, 1830519001033, 1830519001034, 1830519001035, 1830519001036, 1830519001037, 1830519001038, 1830519001039, 1830519001040, 1830519001041, 1830519001042, 1830519001043, 1830519001044, 1830519001045, 1830519001046, 1830519001047, 1830519002000, 1830519002001, 1830519002002, 1830519002003, 1830519002004, 1830519002005, 1830519002006, 1830519002007, 1830519002008, 1830519002009, 1830519002010, 1830519002011, 1830519002012, 1830519002013, 1830519002014, 1830519002015, 1830519002016, 1830519002017, 1830519002018, 1830519002019, 1830519002020, 1830519002021, 1830519002022, 1830519003000, 1830519003001, 1830519003002, 1830519003003, 1830519003004, 1830519003005, 1830519003006, 1830519003007, 1830519003008, 1830519003009, 1830519003010, 1830519003011, 1830519003012, 1830519003014, 1830519003015, 1830519003016, 1830519003017, 1830527062013, 1830527062014,

1830527062015, 1830527062016, 1830527062017, 1830527062018, 1830527063025, 1830527063026, 1830527063027, 1830527063028, 1830527063031, 1830527063032, 1830527063033, 1830527063034, 1830541061038, 1830541061039; VTD: 01-34, VTD: 01-35, VTD: 01-38: Block(s) 1830527051002, 1830527051003, 1830527051004, 1830527051005, 1830527051020, 1830527051021, 1830527051022, 1830527051023, 1830527051024, 1830527051025, 1830527051026, 1830527051027, 1830527051032, 1830527052005, 1830527052006, 1830527052007, 1830527052008, 1830527052012, 1830527052017, 1830527052018; VTD: 01-40, VTD: 01-43: Block(s) 1830540011000, 1830540011001, 1830540011002, 1830540011003, 1830540013000, 1830540013001, 1830540013002, 1830540013003, 1830540013004, 1830540013005, 1830540013006, 1830540013007; VTD: 01-44, VTD: 01-46, VTD: 01-50, VTD: 09-01: Block(s) 1830543011005, 1830543011006, 1830543011007, 1830543011008, 1830543011010, 1830543011011, 1830543011012, 1830543011013, 1830543011014, 1830543011015, 1830543011016, 1830543011022; VTD: 10-02: 1830544031000, 1830544031001, 1830544031002, 1830544031003, 1830544031004, 1830544031005, 1830544031006, 1830544031007, 1830544031008, 1830544031009, 1830544031010, 1830544031015, 1830544042009, 1830544042010, 1830544042011, 1830544042012, 1830544042013, 1830544042014, 1830544042015, 1830544042016, 1830544042017, 1830544042018, 1830544042021, 1830544042022, 1830544042023, 1830544042024, 1830544042025, 1830544042026, 1830544043000, 1830544043001, 1830544043002, 1830544043003, 1830544043005, 1830544043006, 1830544043013, 1830544043014, 1830544043015, 1830544043016, 1830544043017, 1830544043018, 1830544043019, 1830544043020, 1830544043021, 1830544043022, 1830544043023, 1830544043024, 1830544043025, 1830544043026, 1830544043029, 1830544043031, 1830544043032, 1830544043033, 1830544043034, 1830544043035, 1830544043036, 1830544043075, 1830544043076, 1830544043077, 1830544043078, 1830544043079, 1830544043090; VTD: 10-03: 1830544022008, 1830544043004, 1830544043007, 1830544043008, 1830544043009, 1830544043010, 1830544043012, 1830544043030, 1830544043066, 1830544043071, 1830544043073, 1830544043074, 1830544043080, 1830544043081, 1830544043082, 1830544043087; VTD: 10-04: 1830541081000, 1830541081001, 1830541081002, 1830541081003, 1830541081004, 1830541081005, 1830541081006, 1830541081007, 1830541081008, 1830541081009, 1830541081010, 1830541081011, 1830541081012, 1830541081013, 1830541081014, 1830541081015, 1830541081016, 1830541081017, 1830541081018, 1830541081019, 1830541082000, 1830541082005, 1830541082006, 1830541082007, 1830541082008, 1830541082009, 1830541082010, 1830541082011, 1830541082012, 1830541082013, 1830541082014, 1830541082015, 1830541082016, 1830541082017, 1830541082018, 1830541082019, 1830541082020, 1830541082021, 1830541082022, 1830541082023, 1830541082024, 1830541082025, 1830541091001, 1830541091002, 1830541091003, 1830541091004, 1830541091005, 1830541091006, 1830541091007, 1830541091008, 1830541091009, 1830541091010, 1830541091011, 1830544022009, 1830544022010, 1830544023004, 1830544023005, 1830544023006, 1830544023007, 1830544023009, 1830544023010, 1830544023011, 1830544023012, 1830544023013, 1830544023014, 1830544023015, 1830544023016, 1830544023017, 1830544023018, 1830544023021, 1830544023022, 1830544023023, 1830544023025, 1830544023026, 1830544023027, 1830544023028, 1830544023029, 1830544023032, 1830544023035, 1830544023036, 1830544023041, 1830544023042, 1830544023043, 1830544023044, 1830544043011, 1830544043037, 1830544043072; VTD: 13-01, VTD: 13-05: Block(s) 1830540171000, 1830540171001, 1830540171002, 1830540171003, 1830540171004, 1830540171005, 1830540171019, 1830540171021, 1830540171022, 1830540171023, 1830540171024, 1830540171025, 1830540171026, 1830540171027, 1830540171028, 1830540171029, 1830540171030, 1830540171031, 1830540171032, 1830540171033, 1830540171034, 1830540171035, 1830540171036, 1830540171037, 1830540171038, 1830540171039, 1830540171040, 1830540171041, 1830540171042, 1830540171043, 1830540171044, 1830540171045, 1830540171046, 1830540171047, 1830540171048, 1830540171049, 1830540171050, 1830540171052, 1830540171053, 1830540171054, 1830540171056, 1830540171059, 1830540171060, 1830540171061, 1830540171062, 1830540181000, 1830540181001, 1830540181002, 1830540181003, 1830540181004, 1830540181005,

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1830528082039, 1830528082040; VTD: 17-01, VTD: 17-02: Block(s) 1830541082001, 1830541082002, 1830541082004, 1830541083000, 1830541083001, 1830541083002, 1830541083003, 1830541083004, 1830541083005, 1830541083006, 1830541083007, 1830541083008, 1830541083009, 1830541083010, 1830541083011, 1830541083012, 1830541083013, 1830541083014, 1830541083015, 1830541083016, 1830541083017, 1830541083018, 1830541083019, 1830541083020, 1830541083021, 1830541083025, 1830541083026, 1830541083027, 1830541083028, 1830541083029, 1830541083030, 1830541083031, 1830541083032, 1830541083033, 1830541083034, 1830541083035, 1830541083036, 1830541083037, 1830541083038, 1830541083039, 1830541083040, 1830541083041, 1830541083042, 1830541083043, 1830541083045, 1830541083046, 1830541083051, 1830541083052, 1830541121039, 1830541121040, 1830541121046, 1830541121047, 1830541121048, 1830541154000, 1830541154001, 1830541154002; VTD: 17-03: 1830541051000, 1830541051001, 1830541051002, 1830541051003, 1830541051004, 1830541051005, 1830541051006, 1830541051007, 1830541051008, 1830541051009, 1830541051010, 1830541051011, 1830541051012, 1830541051013, 1830541051014, 1830541051015, 1830541051016, 1830541051017, 1830541051018, 1830541051019, 1830541051020, 1830541051021, 1830541051022, 1830541051023, 1830541051024, 1830541051025, 1830541051026, 1830541051027, 1830541051028, 1830541051029, 1830541051030, 1830541051031, 1830541051032, 1830541051033, 1830541051034, 1830541051035, 1830541051036, 1830541051037, 1830541051039, 1830541051040, 1830541051041, 1830541051043, 1830541051046, 1830541052000, 1830541052001, 1830541052002, 1830541052003, 1830541052004, 1830541052005, 1830541052006, 1830541052007, 1830541052008, 1830541052009, 1830541052010, 1830541052011, 1830541052012, 1830541052013, 1830541052014, 1830541052016, 1830541052017, 1830541052018, 1830541052019, 1830541052020, 1830541052021, 1830541052022, 1830541052023, 1830541052024, 1830541052025, 1830541052026, 1830541052027, 1830541052028, 1830541052029, 1830541052030, 1830541052031, 1830541052032, 1830541052034, 1830541052035, 1830541052036, 1830541053002, 1830541053005, 1830541053006, 1830541053007, 1830541053008, 1830541053009, 1830541053010, 1830541053011, 1830541053012, 1830541053013, 1830541053014, 1830541053015, 1830541053016, 1830541053017, 1830541053018, 1830541053019, 1830541053020, 1830541053021, 1830541053022, 1830541053023, 1830541053024, 1830541053025, 1830541053026, 1830541053027; VTD: 17-04: 1830541111011, 1830541111014, 1830541121000, 1830541121001, 1830541121002, 1830541121003, 1830541121004, 1830541121005, 1830541121006, 1830541121007, 1830541121008, 1830541121009, 1830541121010, 1830541121011, 1830541121012, 1830541121013, 1830541121014, 1830541121015, 1830541121016, 1830541121017, 1830541121018, 1830541121019, 1830541121020, 1830541121021, 1830541121022, 1830541121023, 1830541121024, 1830541121025, 1830541121026, 1830541121027, 1830541121028, 1830541121029, 1830541121030, 1830541121031, 1830541121032, 1830541121033, 1830541121034, 1830541121035, 1830541121036, 1830541121037, 1830541121038, 1830541121041, 1830541121042, 1830541121043, 1830541121044, 1830541121045, 1830541131008, 1830541131009, 1830541131010, 1830541131011, 1830541131012, 1830541131013, 1830541131014, 1830541131015, 1830541131016, 1830541131017, 1830541131018, 1830541131019, 1830541131020, 1830541131021, 1830541132000, 1830541132001, 1830541132002, 1830541132003, 1830541132004, 1830541132005, 1830541132006, 1830541132007, 1830541132008, 1830541132009, 1830541132010, 1830541132011, 1830541132012, 1830541132013, 1830541132014, 1830541132015, 1830541132016, 1830541132017, 1830541132018, 1830541132019, 1830541132020, 1830541132021, 1830541132022, 1830541132023, 1830541132026, 1830541132028, 1830541132029, 1830541132030, 1830541132031, 1830541132032, 1830541132033, 1830541132036, 1830541132037, 1830541132038, 1830541132039, 1830541132040, 1830541132041, 1830541132042, 1830541132043, 1830541132044; VTD: 17-05, VTD: 17-07, VTD: 17-08: Block(s) 1830541132024, 1830541132025, 1830541132027, 1830541132034, 1830541132035, 1830541141000, 1830541141001, 1830541141002, 1830541141003, 1830541141004, 1830541141005, 1830541141006, 1830541141007, 1830541141008, 1830541141009, 1830541141010, 1830541141011, 1830541141012, 1830541141013, 1830541141014, 1830541141015, 1830541141016,

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District 15: **WAKE:** VTD: 01-03, VTD: 01-04, VTD: 01-05, VTD: 01-10, VTD: 01-11, VTD: 01-12, VTD: 01-15, VTD: 01-17, VTD: 01-18: Block(s) 1830527011000, 1830527011001, 1830527011002, 1830527011003, 1830527011004, 1830527011005, 1830527011006, 1830527011007, 1830527011008, 1830527011009, 1830527011010, 1830527011011, 1830527011012, 1830527011013, 1830527011014, 1830527011015, 1830527011016, 1830527011017, 1830527011018, 1830527011019, 1830527012002, 1830527012003, 1830527012004, 1830527012005, 1830527012006, 1830527012007, 1830527012008, 1830527012020, 1830527013001, 1830527013002, 1830527013003, 1830527013004, 1830527013009; VTD: 01-29, VTD: 01-30, VTD: 01-36, VTD: 01-37, VTD: 01-39, VTD: 01-42, VTD: 01-43: Block(s) 1830540012000, 1830540012001, 1830540012002, 1830540012003, 1830540012004, 1830540012007, 1830540012008, 1830540012009, 1830540012010, 1830540012011, 1830540012012, 1830540012013, 1830540012014, 1830540012015, 1830540012016; VTD: 01-45, VTD: 01-47, VTD: 01-51, VTD: 02-01, VTD: 02-02, VTD: 02-03, VTD: 02-04, VTD: 02-05, VTD: 02-06, VTD: 07-03, VTD: 07-04, VTD: 07-05, VTD: 07-06, VTD: 07-

07, VTD: 07-09, VTD: 07-11, VTD: 07-13, VTD: 08-02, VTD: 08-03, VTD: 08-04, VTD: 08-05, VTD: 08-07, VTD: 08-08, VTD: 08-09, VTD: 08-10, VTD: 08-11, VTD: 13-02, VTD: 13-05: Block(s) 1830540171015, 1830540171016, 1830540171017, 1830540171018, 1830540171020, 1830540171051, 1830540171057, 1830540171058; VTD: 13-06, VTD: 13-10, VTD: 13-11, VTD: 14-01, VTD: 14-02, VTD: 19-03, VTD: 19-05, VTD: 19-06, VTD: 19-11, VTD: 19-12.

District 16: **WAKE:** VTD: 01-01, VTD: 01-02, VTD: 01-06, VTD: 01-07, VTD: 01-09, VTD: 01-13: Block(s) 1830505001000, 1830505001001, 1830505001004, 1830505001005, 1830505001010, 1830505001011, 1830505001012, 1830505002003, 1830505002004, 1830505002005, 1830505002006, 1830505002007, 1830505002008, 1830505002009, 1830505002010, 1830505002011, 1830505002013, 1830505002014, 1830505002015, 1830505002016, 1830505002017, 1830505002018, 1830505002019, 1830505002020, 1830505002021, 1830505002022, 1830505003000, 1830505003001, 1830505003002, 1830505003003, 1830505003004, 1830505003005, 1830505003006, 1830505003007, 1830505003008, 1830505003009, 1830505003010, 1830505003011, 1830505003012, 1830505003013, 1830505003014, 1830505003015, 1830505003016, 1830505003017, 1830505003018, 1830505003019, 1830505003020, 1830505003021, 1830505003022, 1830505003023, 1830518001000, 1830518001001, 1830518001002, 1830518001003, 1830518001004, 1830518001005, 1830518001006, 1830518001007, 1830518001038, 1830527052039, 1830527061039; VTD: 01-14: 1830501001000, 1830501001001, 1830501001002, 1830501001003, 1830501001004, 1830501001005, 1830501001006, 1830501001007, 1830501001008, 1830501001009, 1830501001015, 1830501001016, 1830501001017, 1830501001018, 1830501001019, 1830501001020, 1830501001021, 1830501001022, 1830501001023, 1830501001024, 1830501001025, 1830501001026, 1830501001043, 1830501001044, 1830501001045, 1830504001000, 1830504001001, 1830504001002, 1830504001003, 1830504001004, 1830504001005, 1830504001006, 1830504001007, 1830504001008, 1830504001009, 1830504001010, 1830504001011, 1830504001012, 1830504001013, 1830504001014, 1830504001015, 1830504001016, 1830504001017, 1830504001019, 1830504001020, 1830504001021, 1830504001022, 1830504001023, 1830504001024, 1830504001025, 1830504001026, 1830504001027, 1830504001028, 1830504001032, 1830504001033, 1830504001034, 1830504001035, 1830504001036, 1830504002000, 1830504002001, 1830504002002, 1830504002003, 1830504002004, 1830504002005, 1830504002006, 1830504002007, 1830504002008, 1830504002009, 1830504002010, 1830504002011, 1830504002012, 1830504002013, 1830504002014, 1830504002015, 1830505001002, 1830505001003, 1830505001006, 1830505001007, 1830505001008, 1830505001009, 1830505001013, 1830505001014, 1830505001015, 1830505001016, 1830505001017, 1830505001018, 1830505001019, 1830505001020, 1830505001021, 1830505001022, 1830505001023, 1830505001024, 1830505001025, 1830505001026, 1830505001027, 1830505001028, 1830505001029, 1830505001030, 1830505001031, 1830506003000, 1830506003001, 1830506003002, 1830506003003, 1830506003004, 1830506003005, 1830506003006, 1830506003007, 1830506003008, 1830506003009, 1830506003010; VTD: 01-16, VTD: 01-21: Block(s) 1830545002006, 1830545002007, 1830545002008, 1830545002009, 1830545002010, 1830545002011, 1830545002012, 1830545002013, 1830545002014, 1830545002018, 1830545002019, 1830545002020, 1830545002021, 1830545002022, 1830545002023, 1830545002024, 1830545002025, 1830545002030, 1830545002031, 1830545002032, 1830545002033, 1830545002034, 1830545002035, 1830545002036, 1830545002037, 1830545002038, 1830545002051, 1830545002080, 1830545002081, 1830545002082, 1830545002083, 1830545002084, 1830545002085, 1830545002086, 1830545002087, 1830545002088, 1830545002089, 1830545002093, 1830545003000, 1830545003001, 1830545003002, 1830545003003, 1830545003004, 1830545003005, 1830545003006, 1830545003007, 1830545003008, 1830545003009, 1830545003010, 1830545003011, 1830545003012, 1830545003013, 1830545003014, 1830545003015, 1830545003016, 1830545003017, 1830545003018, 1830545003019, 1830545003020, 1830545003021, 1830545003022, 1830545003023, 1830545003024, 1830545003025, 1830545003026, 1830545003027, 1830545003028, 1830545003029, 1830545003030, 1830545003031, 1830545003032, 1830545003033, 1830545004000, 1830545004001,

1830545004002, 1830545004003, 1830545004004, 1830545004005, 1830545004006, 1830545004007, 1830545004008, 1830545004009, 1830545004010, 1830545004011, 1830545004012, 1830545004013, 1830545004014, 1830545004015, 1830545004016, 1830545004017, 1830545004018, 1830545004019; VTD: 01-23: 1830510001002, 1830510001003, 1830510001004, 1830510001005, 1830510001006, 1830510001007, 1830510001008, 1830510001009, 1830510001010, 1830510001011, 1830510001012, 1830510001013, 1830510001014, 1830510001015, 1830510001016, 1830510001017, 1830510001018, 1830510001022, 1830511011000, 1830511011001, 1830511011002, 1830511011003, 1830511011004, 1830511011005, 1830511011006, 1830511011007, 1830511012006, 1830511021000, 1830511021001, 1830511021002, 1830511021003, 1830511021004, 1830511021005, 1830511021006, 1830511021007, 1830511021008, 1830511021009, 1830511021010, 1830511021011, 1830511021012, 1830511021013, 1830511021014, 1830511021015, 1830511021016, 1830511022000, 1830511022001, 1830511022002, 1830511022003, 1830511022004, 1830511022005, 1830511022006, 1830511022007, 1830511022008, 1830511022009, 1830511022010, 1830511022011, 1830511023000, 1830511023001, 1830511023002, 1830511023003, 1830511023008, 1830511023009, 1830511023010, 1830514004007, 1830514004008, 1830514004009, 1830514004010, 1830514004011, 1830514004012, 1830514004013, 1830514004014, 1830514004015, 1830523021000, 1830523021001, 1830523021002, 1830523021003, 1830523021004, 1830523021005, 1830523021006, 1830523021007, 1830523021008, 1830523021009, 1830523021010, 1830523021011, 1830523021012, 1830523021013, 1830523021014, 1830523021015, 1830523021016, 1830523021017, 1830523021018, 1830523021019, 1830523021020, 1830523021027, 1830523021028, 1830523021029, 1830523021030, 1830523021031, 1830523021032, 1830523021033, 1830523021034, 1830523021035, 1830523021036, 1830523021040, 1830523021041, 1830523021042, 1830524092000, 1830524092001, 1830524092002, 1830524092003, 1830524092004; VTD: 01-27: 1830510001000, 1830510001001, 1830510001019, 1830510001020, 1830510002014, 1830510002015, 1830510002016, 1830510002017, 1830510002018, 1830510002019, 1830510002020, 1830510002021, 1830510002022, 1830510002025, 1830510002026, 1830510002027, 1830510002028, 1830510002029, 1830510002030, 1830510002031, 1830523021037, 1830523021038, 1830523021039, 1830523021048, 1830523021049, 1830523021050, 1830523021051, 1830523021052, 1830523021053, 1830523021054, 1830545001010, 1830545001011, 1830545001016, 1830545001017, 1830545001018, 1830545001019, 1830545001020, 1830545001021, 1830545001027, 1830545001028, 1830545001029, 1830545001030, 1830545001031, 1830545001032, 1830545001033, 1830545001034, 1830545001035, 1830545001036, 1830545001037, 1830545001038, 1830545001039, 1830545001040, 1830545001041, 1830545001042, 1830545001043, 1830545001044, 1830545001045, 1830545001047, 1830545001048, 1830545001053; VTD: 01-28: 1830505003024, 1830527052026, 1830527052027, 1830527052028, 1830527052029, 1830527052030, 1830527052031, 1830527052032, 1830527052035, 1830527052036, 1830527052037, 1830527052038, 1830527061035, 1830527061036, 1830527061037, 1830527061038, 1830527061040; VTD: 01-31, VTD: 01-32, VTD: 01-33, VTD: 01-38: Block(s) 1830527051006, 1830527051007, 1830527051008, 1830527051009, 1830527051010, 1830527051011, 1830527051012, 1830527051013, 1830527051014, 1830527051015, 1830527051016, 1830527051017, 1830527051018, 1830527051019, 1830527051028, 1830527051029, 1830527051030, 1830527051031, 1830527052000, 1830527052001, 1830527052002, 1830527052003, 1830527052004, 1830527052009, 1830527052010, 1830527052011, 1830527052013, 1830527052014, 1830527052015, 1830527052016, 1830527052019, 1830527052020, 1830527052021, 1830527052022, 1830527052023, 1830527052024, 1830527052025, 1830527052033, 1830527052034; VTD: 01-41, VTD: 01-48, VTD: 01-49, VTD: 04-01, VTD: 04-02, VTD: 04-03, VTD: 04-04, VTD: 04-05, VTD: 04-08, VTD: 04-11, VTD: 04-13, VTD: 04-14, VTD: 04-16, VTD: 04-17, VTD: 04-18, VTD: 04-19, VTD: 04-20, VTD: 04-21, VTD: 05-01, VTD: 05-03, VTD: 05-04, VTD: 05-05, VTD: 07-01, VTD: 07-02, VTD: 07-10, VTD: 07-12, VTD: 08-06, VTD: 11-01, VTD: 11-02, VTD: 18-01: Block(s) 1830523012005, 1830523013002, 1830523013003, 1830523013004, 1830523013005, 1830523013006, 1830523013007, 1830523013008, 1830523013009, 1830523013010, 1830523013011, 1830523013012, 1830523013013,

1830523013014, 1830523013017, 1830523013018, 1830523013024, 1830523013025, 1830523013026, 1830523013027, 1830523013028, 1830523013029, 1830523013030, 1830523013031, 1830523013032, 1830523013033, 1830523021021, 1830523021022, 1830523021023, 1830523021025, 1830523021026, 1830523021043, 1830523021044, 1830523021045, 1830523021046, 1830523021047, 1830523022000, 1830523022001, 1830523022002, 1830523022003, 1830523022004, 1830523022005, 1830523022006, 1830523022007, 1830523022008, 1830523022009, 1830523022010, 1830523022011, 1830523022012, 1830523022013, 1830523022014, 1830523022015, 1830523022016, 1830523022017, 1830523023000, 1830523023001, 1830523023002, 1830523023003, 1830523023004, 1830523023005, 1830523023006, 1830523023007, 1830523023008, 1830523023009, 1830523023010, 1830523023011, 1830523023012, 1830523023013, 1830523023014, 1830523023015, 1830523023016, 1830523023017, 1830523023018, 1830523023019, 1830523023020, 1830523023021, 1830523023022, 1830523023023, 1830523023024, 1830523023025, 1830523023026, 1830523023027, 1830523023028, 1830523023029, 1830523023030, 1830523023031, 1830523023032, 1830523023033, 1830523023034, 1830523023035, 1830523023036, 1830523023037, 1830523023038; VTD: 18-06: 1830523011002, 1830523011003, 1830523011006, 1830523011007, 1830523011008, 1830523011009, 1830523011010, 1830523011011, 1830523011012, 1830523011013, 1830523011014, 1830523011015, 1830523011016, 1830523011017, 1830523011018, 1830523011019, 1830523011020, 1830523011021, 1830523011022, 1830523011023, 1830523011024, 1830523012003, 1830523012004, 1830523012006, 1830523013015, 1830523013016, 1830523013019, 1830523013020, 1830523013021, 1830523013022, 1830523013023, 1830524041023, 1830524041026, 1830530031077, 1830530031078, 1830530031079, 1830530031084, 1830530031085, 1830530081016, 1830530081019, 1830530081020, 1830530081021, 1830530081022, 1830530081023, 1830530081024, 1830530081025, 1830530081026, 1830530081027, 1830530081028, 1830530081029, 1830530081030, 1830530081031, 1830530081032, 1830530081033, 1830530081034, 1830530081035, 1830530081036, 1830530081037, 1830530081038, 1830530081039, 1830530081040, 1830530081041, 1830530081042, 1830530081043, 1830530081044, 1830530081045, 1830530081046, 1830530081047, 1830530081048, 1830530081049, 1830530081050, 1830530081051, 1830530081052, 1830530081053, 1830530081054, 1830530081055, 1830530081056, 1830530081057, 1830530081058, 1830530081059, 1830530081061, 1830530082005, 1830530082006, 1830530082007, 1830530082008.

District 17: **WAKE:** VTD: 03-00, VTD: 04-06, VTD: 04-07, VTD: 04-09, VTD: 04-10, VTD: 04-12, VTD: 04-15, VTD: 05-06, VTD: 06-01, VTD: 06-04, VTD: 06-05, VTD: 06-06, VTD: 06-07, VTD: 12-01: Block(s) 1830531091000, 1830531091002, 1830531091003, 1830531091004, 1830531091005, 1830531091006, 1830531091007, 1830531091008, 1830531091009, 1830531091010, 1830531091011, 1830531091012, 1830531091013, 1830531091014, 1830531091015, 1830531091016, 1830531091017, 1830531091018, 1830531091019, 1830531091020, 1830531091021, 1830531091031, 1830531091032, 1830531091033, 1830531091034, 1830531091035, 1830531091036, 1830531091037, 1830531091038, 1830531091039, 1830531091040, 1830531091041, 1830531091042, 1830531091043, 1830531091044, 1830531091045, 1830531091046, 1830531091047, 1830531091048, 1830531091049, 1830531091050, 1830531091051, 1830531091052, 1830531091053, 1830531091054, 1830531091055, 1830531091056, 1830531091057, 1830531091058, 1830531091059, 1830531091060, 1830531091088, 1830531091089, 1830531091090, 1830531091091, 1830531091093, 1830531091095, 1830531091096, 1830531091097, 1830531091098, 1830531091099, 1830531091100; VTD: 12-02, VTD: 12-05: Block(s) 1830531111000, 1830531111001, 1830531111002, 1830531111003, 1830531111004, 1830531111005, 1830531111006, 1830531111007, 1830531111008, 1830531111009, 1830531111010, 1830531111011, 1830531111012, 1830531111013, 1830531113019, 1830531113020, 1830531113021, 1830532011000, 1830532011001, 1830532011002, 1830532011003, 1830532011004, 1830532011005, 1830532011006, 1830532011007, 1830532011008, 1830532011009, 1830532011010, 1830532011011, 1830532011012, 1830532011013, 1830532011014, 1830532011015, 1830532011016, 1830532011017, 1830532011018, 1830532011019,

1830532011020, 1830532011021, 1830532011022, 1830532011023, 1830532011024, 1830532011025, 1830532011026, 1830532011027, 1830532011028, 1830532011029, 1830532011030, 1830532011031, 1830532011032, 1830532011033, 1830532011034, 1830532011035, 1830532011036, 1830532011037, 1830532011038, 1830532011039, 1830532011040, 1830532011041, 1830532011042, 1830532011043, 1830532011044, 1830532011045, 1830532011046, 1830532011047, 1830532011048, 1830532011049, 1830532011050, 1830532011051, 1830532011052, 1830532011053, 1830532011054, 1830532011055, 1830532011056, 1830532011057, 1830532011058, 1830532011059, 1830532011060, 1830532011061, 1830532011062, 1830532011063; VTD: 12-06: 1830531072000, 1830531072001, 1830531072002, 1830531072003, 1830531072004, 1830531072005, 1830531072006, 1830531072007, 1830531072008, 1830531072009, 1830531072010, 1830531072011, 1830531072012, 1830531072013, 1830531072014, 1830531072018, 1830531072019, 1830531072023, 1830531072024, 1830531072025, 1830531072026, 1830531072027, 1830531072028, 1830531072029, 1830531072030, 1830531072037, 1830531072038, 1830531072040, 1830531072041, 1830531072044, 1830531072046, 1830531082046, 1830531082047, 1830531082048, 1830531082049, 1830531082050, 1830531082051, 1830531082052, 1830531082053, 1830531082054, 1830531082055, 1830531082056, 1830531082057, 1830531082059, 1830531082060, 1830531082063, 1830531082064, 1830531082065, 1830531082066, 1830531082067, 1830531082068, 1830531082069, 1830531082070, 1830531082071, 1830531082072, 1830531082073, 1830531082078, 1830531082079, 1830531082080, 1830531082081; VTD: 12-08, VTD: 12-09, VTD: 18-02, VTD: 18-03, VTD: 18-04: Block(s) 1830530071000, 1830530071007, 1830530071008, 1830530071009, 1830530071010, 1830530072000, 1830530072001, 1830530072002, 1830530072003, 1830530072004, 1830530072005, 1830530072006, 1830530072007, 1830530072008, 1830530082013, 1830530082014, 1830530083000, 1830530083001, 1830530083002, 1830530083003, 1830530083004, 1830530083005, 1830530083006, 1830530083007, 1830530083008; VTD: 18-05, VTD: 18-06: Block(s) 1830530082009, 1830530082010, 1830530082011, 1830530082012, 1830530082015; VTD: 18-07: 1830530061015, 1830530061016, 1830530061017, 1830530061018, 1830530061019, 1830530061020, 1830530061021, 1830530061022, 1830530061023, 1830530061024, 1830530084000, 1830530084001, 1830530084002, 1830530084003, 1830530084004, 1830530084005, 1830530084006, 1830530084007, 1830530084008, 1830530084009, 1830530084010, 1830530084011, 1830530084012, 1830530084013, 1830531112000, 1830531112001, 1830531112002, 1830531112003, 1830531112004, 1830531112005, 1830531112006, 1830531112007, 1830531112008; VTD: 18-08, VTD: 20-01, VTD: 20-02, VTD: 20-03, VTD: 20-04, VTD: 20-05, VTD: 20-06, VTD: 20-08, VTD: 20-09, VTD: 20-10, VTD: 20-11, VTD: 20-12.

District 18: **FRANKLIN, WAKE:** VTD: 09-01: Block(s) 1830542101027, 1830542101028, 1830542101029, 1830543011000, 1830543011001, 1830543011002, 1830543011003, 1830543011004, 1830543011009, 1830543011017, 1830543011018, 1830543011019, 1830543011020, 1830543011021, 1830543012000, 1830543012001, 1830543012002, 1830543012003, 1830543012004, 1830543012005, 1830543012006, 1830543012007, 1830543012008, 1830543012009, 1830543012010, 1830543012011, 1830543012012, 1830543012013, 1830543012014, 1830543012015, 1830543012016, 1830543012017, 1830543012018, 1830543012019, 1830543012020, 1830543012021, 1830543012022, 1830543012023, 1830543012024, 1830543012025, 1830543012026, 1830543013001, 1830543013002, 1830543013003, 1830543013004, 1830543013005, 1830543013006, 1830543013007, 1830543013008, 1830543013009; VTD: 09-02, VTD: 09-03, VTD: 10-01, VTD: 10-02: Block(s) 1830544031011, 1830544031012, 1830544031013, 1830544031014, 1830544031016, 1830544032000, 1830544032001, 1830544032002, 1830544032003, 1830544032004, 1830544032008, 1830544032009, 1830544032011, 1830544041000, 1830544041001, 1830544041002, 1830544041003, 1830544041004, 1830544041005, 1830544041006, 1830544041007, 1830544041008, 1830544041013, 1830544041014, 1830544041015, 1830544041016, 1830544041017, 1830544041018, 1830544041019, 1830544041020, 1830544041021, 1830544041022, 1830544041023, 1830544041024, 1830544041025, 1830544041026, 1830544041027, 1830544041028,

1830544041029, 1830544041030, 1830544041031, 1830544041032, 1830544041040, 1830544041041, 1830544041042, 1830544041043, 1830544041044, 1830544041045, 1830544041046, 1830544041047, 1830544041048, 1830544041053, 1830544041054, 1830544041071, 1830544041072, 1830544041073, 1830544042000, 1830544042001, 1830544042002, 1830544042003, 1830544042004, 1830544042005, 1830544042006, 1830544042007, 1830544042008, 1830544042019, 1830544042020; VTD: 10-03: 1830544021000, 1830544021001, 1830544021002, 1830544021003, 1830544021004, 1830544021005, 1830544021006, 1830544021007, 1830544021008, 1830544021009, 1830544021010, 1830544021011, 1830544021012, 1830544021013, 1830544021014, 1830544021015, 1830544021016, 1830544021017, 1830544021018, 1830544021019, 1830544021020, 1830544021021, 1830544021022, 1830544021023, 1830544021024, 1830544021025, 1830544021026, 1830544021027, 1830544021028, 1830544021029, 1830544021030, 1830544021031, 1830544021032, 1830544021033, 1830544021034, 1830544021035, 1830544021036, 1830544021037, 1830544021038, 1830544021039, 1830544021040, 1830544022000, 1830544022001, 1830544022002, 1830544022003, 1830544022004, 1830544022005, 1830544022006, 1830544022007, 1830544022011, 1830544022012, 1830544022013, 1830544022014, 1830544022015, 1830544022016, 1830544022017, 1830544022018, 1830544022019, 1830544022020, 1830544022021, 1830544022022, 1830544022023, 1830544022024, 1830544022025, 1830544022026, 1830544022027, 1830544022028, 1830544022029, 1830544022030, 1830544022031, 1830544022032, 1830544022033, 1830544022034, 1830544022035, 1830544022036, 1830544022037, 1830544022038, 1830544022039, 1830544022043, 1830544022044, 1830544022045, 1830544022051, 1830544022052, 1830544022053, 1830544022054, 1830544022057, 1830544022058, 1830544022059, 1830544022060, 1830544022061, 1830544022062, 1830544022065, 1830544022066, 1830544022067, 1830544022068, 1830544022069, 1830544041009, 1830544041010, 1830544041011, 1830544041012, 1830544041033, 1830544041034, 1830544041035, 1830544041036, 1830544041037, 1830544041038, 1830544041039, 1830544041049, 1830544041050, 1830544041051, 1830544041052, 1830544041055, 1830544041056, 1830544041057, 1830544041058, 1830544041059, 1830544041060, 1830544041061, 1830544041062, 1830544041063, 1830544041064, 1830544041065, 1830544041066, 1830544041067, 1830544041068, 1830544041069, 1830544041070, 1830544043083, 1830544043084, 1830544043085, 1830544043086, 1830544043088, 1830544043089; VTD: 10-04: 1830541091000, 1830541091012, 1830541091013, 1830541091014, 1830541091015, 1830541091016, 1830541091017, 1830541091018, 1830541091019, 1830541091020, 1830541091021, 1830541091022, 1830541091023, 1830541091024, 1830541091025, 1830541091026, 1830541091027, 1830541091028, 1830544022040, 1830544022041, 1830544022042, 1830544022046, 1830544022047, 1830544022048, 1830544022049, 1830544022050, 1830544022055, 1830544022056, 1830544022063, 1830544022064, 1830544023008, 1830544023030, 1830544023031, 1830544023033, 1830544023034, 1830544023037, 1830544023038, 1830544023039, 1830544023040, 1830544023045, 1830544023046; VTD: 12-01: 1830531082000, 1830531082001, 1830531082002, 1830531082003, 1830531082004, 1830531082005, 1830531082006, 1830531082007, 1830531082008, 1830531082010, 1830531082011, 1830531082012, 1830531082013, 1830531082014, 1830531082015, 1830531082016, 1830531082017, 1830531082018, 1830531082019, 1830531082020, 1830531082021, 1830531082022, 1830531082023, 1830531082024, 1830531082025, 1830531082083, 1830531082084, 1830531082085, 1830531082086, 1830531082087, 1830531082089, 1830531082090, 1830531091001, 1830531091022, 1830531091023, 1830531091024, 1830531091025, 1830531091026, 1830531091027, 1830531091028, 1830531091029, 1830531091030, 1830531091061, 1830531091062, 1830531091063, 1830531091064, 1830531091065, 1830531091066, 1830531091067, 1830531091068, 1830531091069, 1830531091070, 1830531091071, 1830531091072, 1830531091073, 1830531091074, 1830531091075, 1830531091076, 1830531091077, 1830531091078, 1830531091079, 1830531091080, 1830531091081, 1830531091082, 1830531091083, 1830531091084, 1830531091085, 1830531091086, 1830531091087, 1830531091092; VTD: 12-04, VTD: 12-05: Block(s) 1830531113000, 1830531113001, 1830531113002, 1830531113003, 1830531113004, 1830531113005, 1830531113006, 1830531113007, 1830531113008, 1830531113009, 1830531113010,

1830531113011, 1830531113012, 1830531113013, 1830531113014, 1830531113015, 1830531113016, 1830531113017, 1830531113018, 1830531113022, 1830531113023, 1830531113024; VTD: 12-06: 1830531071000, 1830531071001, 1830531071002, 1830531071003, 1830531071004, 1830531071005, 1830531071006, 1830531071007, 1830531071008, 1830531071009, 1830531071010, 1830531071011, 1830531071012, 1830531071013, 1830531071014, 1830531071015, 1830531071016, 1830531071017, 1830531071018, 1830531071019, 1830531071020, 1830531071027, 1830531071028, 1830531071029, 1830531071030, 1830531071038, 1830531071039, 1830531071040, 1830531071041, 1830531071042, 1830531071044, 1830531071045, 1830531072015, 1830531072016, 1830531072017, 1830531072020, 1830531072021, 1830531072022, 1830531072039, 1830531072045, 1830531072054; VTD: 12-07, VTD: 15-01, VTD: 15-02, VTD: 15-03, VTD: 15-04, VTD: 16-01: Block(s) 1830528071000, 1830528071001, 1830528071002, 1830528071003, 1830528071009, 1830528071010, 1830528071011, 1830528071012, 1830528071013, 1830528071014, 1830528071015, 1830528071016, 1830528071017, 1830528071018, 1830528071019, 1830528071020, 1830528071021, 1830528071022, 1830528071023, 1830528071024, 1830528071025, 1830528071026, 1830528071027, 1830528071028, 1830528071029, 1830528072087, 1830528072088, 1830528072089, 1830528072090, 1830528072091, 1830528072092, 1830528084000, 1830528084001, 1830528084002, 1830528084003, 1830528084004, 1830528084005, 1830528084006, 1830528084007, 1830528084008, 1830528084009, 1830528084010, 1830528084011, 1830528084012, 1830528084013, 1830528084014, 1830528084015, 1830528084016, 1830528084017, 1830528084018, 1830528084019, 1830528084020, 1830528084021, 1830528084022, 1830528084023, 1830528084024, 1830528084044, 1830528092000, 1830528092001, 1830528092002, 1830528092003, 1830528092004, 1830528092005, 1830528092006, 1830528092007, 1830528092008, 1830528092009, 1830528092010, 1830528092011, 1830528092012, 1830528092013, 1830528092014, 1830528092015, 1830528092016, 1830528092017, 1830528092018, 1830528092019, 1830528092020, 1830528092021, 1830528092022, 1830528092023, 1830528092024, 1830528092025, 1830528092026, 1830528092027, 1830528092028, 1830528092029, 1830528092030, 1830528092031, 1830528092032, 1830528092033, 1830528092034, 1830528092035, 1830528092036, 1830528092037, 1830528092038, 1830528092039, 1830528092040, 1830528092041, 1830528092042, 1830528092043, 1830528092044, 1830528092045, 1830528092046; VTD: 16-03: 1830528021020, 1830528022000, 1830528023000, 1830528023001, 1830528023002, 1830528023003, 1830528023004, 1830528023005, 1830528023022, 1830528023023, 1830528023024, 1830528023027, 1830528023028, 1830528023029, 1830528024000, 1830528024001, 1830528024002, 1830528024003, 1830528024004, 1830528024005, 1830528024006, 1830528024020, 1830545002074, 1830545002091, 1830545002092; VTD: 16-04: 1830528081017, 1830528081018, 1830528081019, 1830528081020, 1830528081021, 1830528081022, 1830528081026, 1830528081027, 1830528083002, 1830528083003, 1830528083004, 1830528083005, 1830528083006, 1830528083011, 1830528083012, 1830528083013, 1830528083014, 1830528083015, 1830528083016, 1830528083017, 1830528083018, 1830528083020, 1830528083021, 1830528083024, 1830528083028, 1830528083029, 1830528083033, 1830528083034, 1830528083035, 1830528083036, 1830528083037, 1830528083038, 1830528083039, 1830528083040, 1830528083041, 1830528083044, 1830528083045, 1830528083046, 1830528083047, 1830528083048, 1830528083049, 1830528084054; VTD: 16-05: 1830528021004, 1830528021005, 1830528021006, 1830528021007, 1830528021008, 1830528021009, 1830528021010, 1830528021011, 1830528021012, 1830528021013, 1830528021014, 1830528021015, 1830528021016, 1830528021017, 1830528021018, 1830528021019, 1830528021021, 1830528021022, 1830528021023, 1830528021024, 1830528021025, 1830528021026, 1830528021027, 1830528021028, 1830528021029, 1830528021030, 1830528021031, 1830528021032, 1830528023006, 1830528023007, 1830528023008, 1830528023009, 1830528023010, 1830528023011, 1830528023012, 1830528023013, 1830528023014, 1830528023015, 1830528023016, 1830528023017, 1830528023018, 1830528023019, 1830528023020, 1830528023021, 1830528023025, 1830528023026, 1830528024007, 1830528024008, 1830528024009, 1830528024010, 1830528024011, 1830528024012, 1830528024013, 1830528024014, 1830528024015, 1830528024016, 1830528024017,

1830528024018, 1830528024019, 1830528024021, 1830530093000, 1830530093001, 1830530093002, 1830530093003, 1830530093004, 1830530093005, 1830530093006, 1830530093007, 1830530093008, 1830530093009, 1830530093010, 1830530093011, 1830530093012, 1830530093013, 1830530093014, 1830530093015, 1830530093016, 1830530093017, 1830530093018, 1830530093019, 1830530093020, 1830530093021, 1830545002078, 1830545002079; VTD: 16-06: 1830528014000, 1830528014001, 1830528014002, 1830528014003, 1830528014004, 1830528014005, 1830528014006, 1830528014007, 1830528014008, 1830528014009, 1830528014010, 1830528014011, 1830528014012, 1830528014013, 1830528014014, 1830528014015, 1830528014016, 1830528015004, 1830528081002, 1830528081003, 1830528081005, 1830528081006, 1830528081007, 1830528081008, 1830528081009, 1830528081010, 1830528081011, 1830528081012, 1830528081013, 1830528081014, 1830528081015, 1830528081016, 1830528081025; VTD: 16-07, VTD: 16-08: Block(s) 1830528064039, 1830528064040, 1830528064041, 1830528064042, 1830528064043, 1830528064044, 1830528071004, 1830528072093, 1830528072094; VTD: 16-09: 1830528082000, 1830528082019, 1830528082020, 1830528082021, 1830528082031, 1830528082032, 1830528082033, 1830528082035, 1830528082041, 1830528082042, 1830528082043, 1830528082044, 1830528082045, 1830528082046, 1830528082047, 1830528082048, 1830528082049, 1830528082050, 1830528082051, 1830528082052, 1830528082053, 1830528082054, 1830528082055, 1830528082056, 1830528082057, 1830528082058, 1830528082059, 1830528084025, 1830528084026, 1830528084027, 1830528084028, 1830528084029, 1830528084030, 1830528084031, 1830528084032, 1830528084033, 1830528084034, 1830528084035, 1830528084036, 1830528084037, 1830528084038, 1830528084039, 1830528084040, 1830528084041, 1830528084042, 1830528084043, 1830528084045, 1830528084046, 1830528084047, 1830528084048, 1830528084049, 1830528084050, 1830528084051, 1830528084052, 1830528084053, 1830528084055, 1830528084056, 1830528091000, 1830528091001, 1830528091002, 1830528091003, 1830528091004, 1830528091005, 1830528091006, 1830528091007, 1830528091008; VTD: 17-02: 1830541082003, 1830541083044, 1830541083048, 1830541083049, 1830541083050, 1830541154003, 1830541154004, 1830541154005, 1830541154006, 1830541154007, 1830541154008, 1830541154010, 1830541154016, 1830541154019; VTD: 17-03: 1830541053000, 1830541053001, 1830541053003, 1830541053004, 1830541055000, 1830541055001, 1830541055002, 1830541055003, 1830541055004, 1830541055005, 1830541055006, 1830541055007, 1830541055008, 1830541055009, 1830541055010, 1830541055011, 1830541055012, 1830541055013; VTD: 17-04: 1830541102041, 1830541102042, 1830541102043, 1830541102044, 1830541102045, 1830541102046, 1830541102047, 1830541102048, 1830541102049, 1830541102052, 1830541102053, 1830541103039, 1830541103040, 1830541103041, 1830541103042, 1830541111004, 1830541111005, 1830541111006, 1830541111007, 1830541111008, 1830541111009, 1830541111010, 1830541111012, 1830541111013, 1830541111015, 1830541111016, 1830541111017, 1830541111018, 1830541111019, 1830541131000, 1830541131001, 1830541131002, 1830541131003, 1830541131004, 1830541131005, 1830541131006, 1830541131007; VTD: 17-06, VTD: 17-08: Block(s) 1830541142011, 1830541153011, 1830541153012; VTD: 18-04: 1830530091020, 1830530091021, 1830530091022, 1830530091023, 1830530091024, 1830530091025, 1830530091026, 1830530091027, 1830530091028, 1830530091029, 1830530094000, 1830530094001, 1830530094002, 1830530094003, 1830530094004, 1830530094005, 1830530094010; VTD: 18-07: 1830530094006, 1830530094007, 1830530094008, 1830530094009, 1830530094011, 1830530094012, 1830530094013, 1830530094014, 1830530094015, 1830530094016, 1830530094017, 1830530094018, 1830531112009, 1830531112010, 1830531112011, 1830531112012, 1830531112013, 1830531112014, 1830531112015, 1830531112016; VTD: 19-04: 1830542091000, 1830542091001, 1830542091002, 1830542091003, 1830542091004, 1830542091005, 1830542091006, 1830542091007, 1830542091008, 1830542091009, 1830542091010, 1830542091011, 1830542091012, 1830542091013, 1830542091014, 1830542091015, 1830542091016, 1830542091017, 1830542091018, 1830542091019, 1830542091020, 1830542091021, 1830542091022, 1830542091023, 1830542091024, 1830542091025, 1830542091026, 1830542091027, 1830542091028, 1830542091029, 1830542091030, 1830542091031,

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District 19: **CUMBERLAND:** VTD: AH49: Block(s) 0510032033000, 0510032033014, 0510032042000, 0510032042001, 0510032042003, 0510032042004, 0510032042005, 0510032043000, 0510032043001, 0510032043006, 0510032043007; VTD: AL51, VTD: CC01: Block(s) 0510002003019, 0510002003020, 0510002003021, 0510002003022, 0510002003025, 0510002003026, 0510002003033, 0510002003034, 0510002003035, 0510002003047, 0510008001027, 0510008003013, 0510008003025, 0510008003026, 0510008003027, 0510008003028, 0510015001006, 0510038002021, 0510038002022, 0510038002028, 0510038002029, 0510038002030, 0510038002031, 0510038002032, 0510038002033, 0510038002034, 0510038002035, 0510038002036, 0510038002037, 0510038002038, 0510038002039, 0510038002040, 0510038002041, 0510038002042, 0510038002044, 0510038002047, 0510038002048, 0510038002049, 0510038002050, 0510038002051, 0510038002053, 0510038002054, 0510038002061, 0510038002062; VTD: CC03: 0510020011005, 0510020011009, 0510022002030, 0510022002032; VTD: CC04: 0510008001001, 0510008001008, 0510008001009, 0510008001010, 0510008001011, 0510008001012, 0510008001013, 0510008001014, 0510008001015, 0510008001016, 0510008001017, 0510008001021, 0510008001022, 0510008001023, 0510008001025, 0510008001026, 0510008001029, 0510008001030, 0510008002001, 0510008002002, 0510008002003, 0510008002004, 0510008002005, 0510008002006, 0510008002007, 0510008002008, 0510008002009, 0510008002010, 0510008002011, 0510008002012, 0510008002013, 0510008003000, 0510008003001, 0510008003006, 0510008003007, 0510008003008, 0510008003009, 0510008003010, 0510008003011, 0510008003012, 0510038002017, 0510038002018; VTD: CC06: 0510009001005, 0510009001006, 0510009001007, 0510009001008, 0510009001009, 0510009001010, 0510009001011, 0510009001012, 0510009001013, 0510009001014, 0510009001015, 0510009001016, 0510009001017, 0510009001018, 0510009003000, 0510009003001, 0510009003004, 0510009003005, 0510009004001, 0510009004002, 0510009004003, 0510009004004, 0510009004005, 0510009004006, 0510009004007, 0510009004008, 0510009004009, 0510009004010, 0510009004011, 0510009004012,

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District 22: **CASWELL, DURHAM:** VTD: 01: Block(s) 0630001021004, 0630001021005, 0630001021006, 0630003021007, 0630003021008, 0630003021009, 0630003021010, 0630003021011, 0630003021012, 0630003021013, 0630003021014, 0630003022003, 0630003022004, 0630003022005, 0630003022006, 0630003022007, 0630003022014, 0630003022015; VTD: 02: 0630003012000, 0630003012013, 0630003013000, 0630003013001, 0630003013008, 0630003013009, 0630003013010, 0630003013011, 0630003013012, 0630003013013, 0630003013014, 0630003013015, 0630003013016, 0630003013017, 0630003023005, 0630003023006, 0630003023012, 0630003023013, 0630003023014, 0630003023020, 0630003023028, 0630003023029, 0630003023030, 0630003023033, 0630004011000, 0630004011001, 0630004011002, 0630004011003, 0630004011018, 0630004011021, 0630004012021, 0630004012022, 0630004013024, 0630004021000, 0630004021018, 0630004021028, 0630004021029, 0630015031000, 0630015031001, 0630022001011; VTD: 03: 0630004013016, 0630004013017, 0630004013018, 0630004013019, 0630004013020, 0630004013021, 0630004013022, 0630004013023, 0630004021001, 0630004021002, 0630004021003, 0630004021004, 0630004021005, 0630004021006, 0630004021007, 0630004021008, 0630004021009, 0630004021012, 0630004021013, 0630004021014, 0630004021015, 0630004021016, 0630004021017, 0630004021026, 0630004021027, 0630004021032, 0630004021033, 0630004021034, 0630004021039, 0630004021040, 0630004021041, 0630004021042, 0630004021043, 0630004021044, 0630004021045, 0630004021046, 0630004021047, 0630004021051, 0630004021052, 0630004021053, 0630004021054, 0630004021055, 0630004021056; VTD: 04: 0630004011004, 0630004011005, 0630004011006, 0630004011007, 0630004011008, 0630004011009, 0630004011010, 0630004011011, 0630004011012, 0630004011013, 0630004011014, 0630004011015, 0630004011016, 0630004011017, 0630004011019, 0630004011020, 0630004011022, 0630004011023, 0630004011024, 0630004011026, 0630004011027, 0630004011028, 0630004012001, 0630004012002, 0630004012003, 0630004012004, 0630004012005, 0630004012006, 0630004012007, 0630004012008, 0630004012009, 0630004012010, 0630004012011, 0630004012012, 0630004012013, 0630004012014, 0630004012015, 0630004012016, 0630004012017, 0630004012018, 0630004012019, 0630004012020, 0630004013000, 0630004013001, 0630004013002, 0630004013003, 0630004013004, 0630004013005, 0630004013012; VTD: 05: 0630005001018, 0630005001019, 0630005001027, 0630005001028, 0630006003001, 0630015011002, 0630015011003, 0630015011004, 0630015011005, 0630015011006, 0630015011007, 0630015011008, 0630015011009, 0630015011010, 0630015011011, 0630015011012, 0630015011013, 0630015011014, 0630015021001, 0630015021002, 0630015021003, 0630015021008, 0630015021009, 0630015022000, 0630015022001, 0630015022002, 0630015022003, 0630015023012, 0630015023013, 0630015023014, 0630015023015, 0630015023016, 0630015023018, 0630015024006, 0630015024007; VTD: 06: 0630006002000, 0630006002002,

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District 23: **CHATHAM, ORANGE.**

District 24: **ALAMANCE, RANDOLPH:** VTD: 14, VTD: 17, VTD: 19, VTD: 20, VTD: 21, VTD: 23, VTD: 27, VTD: 29, VTD: 30, VTD: 31, VTD: 35.

District 25: **ANSON, RICHMOND, ROWAN:** VTD: 01, VTD: 03, VTD: 05, VTD: 06, VTD: 13, VTD: 22, VTD: 23, VTD: 25, VTD: 26, VTD: 33; **SCOTLAND, STANLY.**

District 26: **GUILFORD:** VTD: CG1, VTD: CG2, VTD: CG3A, VTD: CG3B: Block(s) 0810157061009, 0810157061010, 0810157061012, 0810157061013, 0810157061016, 0810157061018, 0810157061019, 0810157061020, 0810157061021, 0810157061022, 0810157061023, 0810157061024, 0810157061025, 0810157061026, 0810157061027, 0810157061028, 0810157061029, 0810157061030, 0810157061031, 0810157061032, 0810157061033, 0810157061034, 0810157061035, 0810157061036, 0810157061037, 0810157061038, 0810157061039, 0810157061040, 0810157061041, 0810157061042, 0810157061043, 0810157061044, 0810157061045, 0810157061046, 0810157061047, 0810157061048, 0810157061049, 0810157061050, 0810157061051, 0810157061052, 0810157061053, 0810157061054, 0810157061055, 0810157061057, 0810157061058, 0810157061059, 0810157061063, 0810157061064, 0810157061065, 0810157061066,

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District 27: **GUILFORD:** VTD: FEN1: Block(s) 0810168001006, 0810168001007, 0810168001008, 0810168001009, 0810168001010, 0810168001011, 0810168001012, 0810168001013, 0810168001014, 0810168001015, 0810168001016, 0810168001017, 0810168001018, 0810168001019, 0810168001020, 0810168001021, 0810168001022, 0810168001023, 0810168001024, 0810168001025, 0810168001026, 0810168001027, 0810168001029, 0810168001030, 0810168002045, 0810168002046, 0810168002071, 0810168002072, 0810168002073, 0810168002074, 0810168002075, 0810168002088, 0810168002089, 0810171001006, 0810171001007, 0810171001008, 0810171001009, 0810171001010, 0810171001011, 0810171001035, 0810171001053, 0810171001054, 0810171001055, 0810171001057, 0810171001071, 0810171001072, 0810171001073; VTD: FEN2, VTD: FR1: Block(s) 0810165032001, 0810165032002, 0810165032005, 0810165032006, 0810165032007, 0810165032008, 0810165032009, 0810165032010, 0810165032013, 0810165032014, 0810165032015, 0810165032016, 0810165032017, 0810165032018, 0810165032019, 0810165032020, 0810165032021, 0810165032022, 0810165032023, 0810165032024, 0810165032025, 0810165032026, 0810165032028, 0810165032029, 0810165032030, 0810165032031, 0810165032032, 0810165051000, 0810165051001, 0810165051002, 0810165051003, 0810165051004, 0810165051005, 0810165051006, 0810165051007, 0810165051008, 0810165051009, 0810165051010, 0810165051012, 0810165051024, 0810165052002, 0810165052003, 0810165061000, 0810165061001, 0810165061002, 0810165061003, 0810165061004, 0810165061006, 0810165061007, 0810165061008, 0810165062000, 0810165062001, 0810165062007; VTD: FR2: 0810164072001, 0810164072002, 0810164072004, 0810164072005, 0810164072007, 0810164072008, 0810164072009, 0810164072010, 0810164072011, 0810164072012, 0810164072013, 0810164072014, 0810164072015, 0810164072017, 0810164072021, 0810164072022, 0810164072023, 0810164072024, 0810164072027, 0810164072028, 0810164072029, 0810164072030, 0810164072031, 0810164072032, 0810164072033, 0810164072034, 0810164072035, 0810164072036, 0810164072037,

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District 28: **GUILFORD:** VTD: CG3B: Block(s) 0810157062016, 0810157062017, 0810157062020, 0810157062021, 0810157062022, 0810157062033, 0810157062035, 0810157062036, 0810157062037, 0810157062038; VTD: FEN1: 0810128041019, 0810128041027, 0810128041028, 0810128041029, 0810128041030, 0810128041031, 0810128041032, 0810128041033, 0810128041034, 0810128041035, 0810128041036, 0810128041043, 0810128051041, 0810128051043, 0810128051049, 0810128051050, 0810128051051, 0810128051065, 0810128051066, 0810168001000, 0810168001001, 0810168001002, 0810168001003, 0810168001004, 0810168001005, 0810168002000, 0810168002001, 0810168002002, 0810168002003, 0810168002038, 0810168002039, 0810168002040, 0810168002041, 0810168002042, 0810168002043, 0810168002044, 0810168002091, 0810171001012, 0810171001013, 0810171001014, 0810171001015, 0810171001016, 0810171001017, 0810171001018, 0810171001019, 0810171001020, 0810171001021, 0810171001022, 0810171001023, 0810171001024, 0810171001025, 0810171001026, 0810171001027, 0810171001028, 0810171001029, 0810171001030, 0810171001031, 0810171001032, 0810171001033, 0810171001034, 0810171001036, 0810171001037, 0810171001038, 0810171001039, 0810171001040, 0810171001041, 0810171001042, 0810171001043, 0810171001044, 0810171001045, 0810171001046, 0810171001047, 0810171001048, 0810171001049, 0810171001050, 0810171001051, 0810171001052, 0810171001058, 0810171001059, 0810171001060, 0810171001061, 0810171001062, 0810171001074, 0810171001078; VTD: FR1: 0810165031005, 0810165031010, 0810165031011, 0810165031012, 0810165031013, 0810165031017, 0810165031018, 0810165031019, 0810165031020, 0810165031021, 0810165031022,

0810165031023, 0810165031024, 0810165031025, 0810165031026, 0810165031027, 0810165031030, 0810165031031, 0810165031032, 0810165031033, 0810165031034, 0810165031035, 0810165031036, 0810165031037, 0810165031038, 0810165031039, 0810165031040, 0810165031041, 0810165031042, 0810165031043, 0810165031044, 0810165031045, 0810165031046, 0810165031047, 0810165031048, 0810165031049, 0810165031050, 0810165031051, 0810165032000, 0810165032003, 0810165032011, 0810165032012, 0810165032027; VTD: FR2: 0810164051040, 0810164051041, 0810164051042, 0810164051043, 0810164051055, 0810164051056, 0810164051057, 0810164051058, 0810164051061, 0810164051062, 0810164051065, 0810164061035, 0810164061036, 0810164061037, 0810164061038, 0810164072000, 0810164072003, 0810164072006, 0810164072016, 0810164072018, 0810164072019, 0810164072020, 0810164072025, 0810164072026, 0810165031007, 0810165031014, 0810165031015, 0810165031016, 0810165032004; VTD: G01, VTD: G02, VTD: G03, VTD: G04, VTD: G05, VTD: G06, VTD: G07, VTD: G08, VTD: G09, VTD: G10, VTD: G11, VTD: G12, VTD: G14, VTD: G26: Block(s) 0810155001044, 0810155001045, 0810155001046, 0810155001050, 0810155001051, 0810155001059, 0810155001060, 0810155001061, 0810155001082, 0810157062019, 0810157062023, 0810157062024, 0810157062025, 0810157062026, 0810157062028, 0810157062029, 0810157062030, 0810157062031, 0810157062032, 0810157062034, 0810157062039, 0810157062040, 0810157062041, 0810157062042, 0810157062043, 0810157062044, 0810157062045, 0810157062046, 0810157062047, 0810157062048, 0810157062049, 0810157062050, 0810157062051; VTD: G37, VTD: G43: Block(s) 0810161021000, 0810161021001, 0810161021002, 0810161021004, 0810161021005, 0810161021006, 0810161021007, 0810161021008, 0810161021009, 0810161021010, 0810161022000, 0810161022001, 0810161022002, 0810161022003, 0810161022004, 0810161022005, 0810161022006, 0810161022007, 0810161022008, 0810161022009, 0810161023003, 0810161023004, 0810161023005, 0810161023006, 0810161023007, 0810161023008; VTD: G44, VTD: G45, VTD: G46, VTD: G47, VTD: G48, VTD: G49, VTD: G50, VTD: G51, VTD: G52, VTD: G53, VTD: G54, VTD: G55, VTD: G56, VTD: G57, VTD: G58, VTD: G59, VTD: G60, VTD: G61: Block(s) 0810126071027, 0810126171000, 0810126171001, 0810126171002, 0810126171003, 0810126171004, 0810126171005, 0810126171006, 0810126171007, 0810126171008, 0810126171009, 0810126171010, 0810126171011, 0810126171012, 0810126171013, 0810126171014, 0810126171015, 0810126171016, 0810126171017, 0810126171018, 0810126171019, 0810126171020, 0810126171021, 0810126171022, 0810126171023, 0810126171024, 0810126171025, 0810126171026, 0810126172000, 0810126172001, 0810126172002, 0810126172003, 0810126172004, 0810126172005, 0810126172006, 0810126172007, 0810126172008, 0810126172009, 0810126172010, 0810126172011, 0810126172012, 0810126172013, 0810126172014, 0810126172015, 0810126172016, 0810126172017, 0810126172018, 0810126172019, 0810126172020, 0810126172021; VTD: G62, VTD: G63, VTD: G64: Block(s) 0810160111014, 0810160111068, 0810160111069, 0810160111070, 0810160111071, 0810160111072, 0810160111073, 0810160111074, 0810160111075, 0810160111076, 0810160111077, 0810160111078, 0810160111079, 0810160112000, 0810160112001, 0810160112002, 0810160112003, 0810160112004, 0810160112005, 0810160112006, 0810160112007, 0810160112008, 0810160112010, 0810160112011, 0810160112012, 0810160112013, 0810160112014, 0810160112015, 0810160112016, 0810160112017, 0810160112018, 0810160113000, 0810160113001, 0810160113002, 0810160113003, 0810160113004, 0810160113006, 0810160113007, 0810160113008, 0810160114000, 0810160114001, 0810160114002, 0810160114003, 0810160114004, 0810160114005, 0810164051000, 0810164051001, 0810164051002, 0810164051003, 0810164051004, 0810164051005, 0810164051006, 0810164051007, 0810164051013, 0810164051014, 0810164051015, 0810164051016, 0810164051026, 0810164051030, 0810164051031, 0810164051032, 0810164051038, 0810164051044, 0810164051045, 0810164051046, 0810164051047, 0810164051048, 0810164051049, 0810164051050, 0810164051051, 0810164051052, 0810164051053, 0810164051063, 0810164061000, 0810164061001, 0810165031000, 0810165031001, 0810165031002, 0810165031003, 0810165031004, 0810165031006, 0810165031008, 0810165031009; VTD: G67, VTD: G68, VTD: G69, VTD: G70, VTD: G71, VTD: G72, VTD: G73, VTD: G74,

VTD: G75, VTD: H03: Block(s) 0810143001000, 0810143001001, 0810143001002, 0810143001003, 0810143001004, 0810143001005, 0810143001006, 0810143001007, 0810143001008, 0810143001009, 0810143001010, 0810143001041, 0810143002000, 0810143002001, 0810143002002, 0810143002003, 0810143002004, 0810143002005, 0810143002006, 0810143002007, 0810143002008, 0810143002009, 0810143002010, 0810143002011, 0810143002012, 0810143002013, 0810143002014, 0810143002015, 0810143002016, 0810143002017, 0810143002018, 0810143002019, 0810143002020, 0810143002021, 0810143002022, 0810143002023, 0810143002024, 0810143002025, 0810143002029, 0810143002030, 0810143002031, 0810143002032, 0810143002033, 0810143002034, 0810143002035, 0810143002036, 0810143002037, 0810143002040, 0810143002041, 0810143002042, 0810143002048, 0810143003000, 0810143003001, 0810143003002, 0810143003003, 0810143003004, 0810143003005, 0810143003006, 0810143003007, 0810143003008, 0810143003009, 0810143003015; VTD: H05, VTD: H07, VTD: H08, VTD: H09, VTD: H10, VTD: H11, VTD: H18, VTD: H19A, VTD: H19B, VTD: HP, VTD: JEF2: Block(s) 0810111021019, 0810111021022, 0810111021023, 0810111021024, 0810111021025, 0810128031025, 0810128031039, 0810128031040, 0810128031041, 0810128031049, 0810128031050, 0810128031051, 0810128031052, 0810128031084, 0810128031085, 0810128031086, 0810128031087, 0810128031088, 0810128032000, 0810128032001, 0810128032002, 0810128032003, 0810128032004, 0810128032007, 0810128032008, 0810128032009, 0810128032010, 0810128032011, 0810128032012, 0810128032013, 0810128032014, 0810128032020, 0810128032021, 0810128032025, 0810128032094, 0810153003078; VTD: JEF3: 0810128032022, 0810128032023, 0810128032024, 0810128032026, 0810128032027, 0810128032028, 0810128032029, 0810128032030, 0810128032031, 0810128032032, 0810128032033, 0810128032034, 0810128032035, 0810128032036, 0810128032037, 0810128032040, 0810128032041, 0810128032042, 0810128032043, 0810128032044, 0810128032045, 0810128032046, 0810128032047, 0810128032048, 0810128032049, 0810128032050, 0810128032051, 0810128032052, 0810128032053, 0810128032054, 0810128032055, 0810128032056, 0810128032057, 0810128032058, 0810128032059, 0810128032060, 0810128032061, 0810128032062, 0810128032063, 0810128032064, 0810128032065, 0810128032066, 0810128032067, 0810128032068, 0810128032069, 0810128032070, 0810128032071, 0810128032072, 0810128032073, 0810128032074, 0810128032075, 0810128032076, 0810128032077, 0810128032078, 0810128032079, 0810128032080, 0810128032081, 0810128032083, 0810128032084, 0810128032088, 0810128032089, 0810128032095, 0810172001061, 0810172001065, 0810172001068, 0810172001069, 0810172001070, 0810172001071, 0810172001072, 0810172001073, 0810172001074, 0810172001075, 0810172001076, 0810172001077, 0810172001078, 0810172001082, 0810172001118; VTD: MON2: 0810155001033, 0810155001034, 0810155001035, 0810155001036, 0810155001037, 0810155001038, 0810155001041, 0810155001047, 0810155001048, 0810155001049, 0810155001052, 0810155001053, 0810155001054, 0810155001055, 0810155001058, 0810155001067, 0810155001068, 0810155001069, 0810155001070, 0810155001080, 0810155001081, 0810155001095, 0810157062014, 0810157062015, 0810157062018, 0810157062027; VTD: PG1: 0810168004000, 0810168004001, 0810168004002, 0810168004003, 0810168004004; VTD: SUM1: 0810167011008, 0810167011011, 0810167011012, 0810167011013, 0810167011014, 0810167011015, 0810167011016, 0810167011017, 0810167011018, 0810167011020, 0810167011027, 0810167011028, 0810167011029, 0810167011030, 0810167011043, 0810167011044, 0810167011092, 0810167011093, 0810167011094; VTD: SUM2: 0810167011057, 0810167011058, 0810167011060, 0810167011061, 0810167011063, 0810167011064, 0810167011065, 0810167011066, 0810167011067, 0810167011068, 0810167011069, 0810167011070, 0810167011071, 0810167011072, 0810167011073, 0810167011082, 0810167011083, 0810167011084, 0810167013000, 0810167013001, 0810167013002, 0810167013003, 0810167013004, 0810167013005, 0810167013006, 0810167013007, 0810167013008, 0810167013009, 0810167013010, 0810167013011, 0810168002022, 0810168002025, 0810168002032, 0810168002033, 0810168002034, 0810168002076, 0810168002077.

District 29: **MOORE, RANDOLPH:** VTD: 01, VTD: 02, VTD: 03, VTD: 04, VTD: 05, VTD: 06, VTD: 07, VTD: 08, VTD: 09, VTD: 10, VTD: 11, VTD: 12, VTD: 13, VTD: 15, VTD: 16, VTD: 18, VTD: 22, VTD: 24, VTD: 25, VTD: 26, VTD: 28, VTD: 32, VTD: 33, VTD: 34, VTD: 36, VTD: 37, VTD: 38, VTD: 39, VTD: 40.

District 30: **STOKES, SURRY, WILKES.**

District 31: **FORSYTH:** VTD: 011, VTD: 012, VTD: 013: Block(s) 0670033071018, 0670033071019, 0670033071020, 0670033071021, 0670033071022, 0670033071023, 0670033071024, 0670033071025, 0670033071026, 0670033071027, 0670033071028, 0670033071029, 0670033071030, 0670033071031, 0670033071032, 0670033071033, 0670033071034, 0670033071035, 0670033071036, 0670033071037, 0670033071038, 0670033071039, 0670033071040, 0670033071041, 0670033071042, 0670033071043, 0670033071044, 0670033071045, 0670033071046, 0670033071047, 0670033071048, 0670033071049, 0670033071050, 0670033071051, 0670033071052, 0670033071053, 0670033071054, 0670033071055, 0670033071056, 0670033071057, 0670033071058, 0670033071059, 0670033081014, 0670033081023, 0670033081024, 0670033081025, 0670033081026, 0670033081027, 0670033081029, 0670033081036, 0670033081037, 0670033081038, 0670033081039, 0670033081040, 0670033081041, 0670033081045, 0670033081049, 0670033081050, 0670033081051, 0670033081052, 0670033081053, 0670033081054, 0670033081055, 0670033081056, 0670033081057, 0670033081058, 0670033081059, 0670033081060, 0670033081061, 0670033082000, 0670033082001, 0670033082002, 0670033082003, 0670033082004, 0670033082005, 0670033082006, 0670033082007, 0670033082008, 0670033082009, 0670033082010, 0670033082011, 0670033082012; VTD: 014, VTD: 015, VTD: 021, VTD: 031: Block(s) 0670028072003, 0670028072004, 0670028072005, 0670028072006, 0670028072007, 0670028072013, 0670028072014, 0670028072015, 0670028072016, 0670028072017, 0670028072018, 0670028072019, 0670028072020, 0670028072021, 0670028072022, 0670028072023, 0670028072024, 0670028072025, 0670028072026, 0670028072027, 0670028072028, 0670028072029, 0670028072030, 0670028072031, 0670028072032, 0670028072033, 0670028072034, 0670028072035, 0670028072036, 0670028072037, 0670028072038, 0670028072039, 0670028072040, 0670028072041, 0670028072042, 0670028072043, 0670028072044, 0670028072045, 0670028072046, 0670028072047, 0670028072048, 0670028072049, 0670028072050, 0670028072051, 0670028072052, 0670028072053, 0670028072058, 0670028072059, 0670028072062, 0670028073000, 0670028073001, 0670028073002, 0670028073003, 0670028073004, 0670028073005, 0670028073006, 0670028073007, 0670028073008, 0670028073009, 0670028073010, 0670028073017, 0670028073022, 0670028073023, 0670028073024, 0670028073028, 0670028073029, 0670028073030; VTD: 032: 0670028041000, 0670028041001, 0670028041002, 0670028041003, 0670028041004, 0670028041005, 0670028041006, 0670028041007, 0670028041024, 0670028041025, 0670028082007, 0670028082008, 0670028082009, 0670028082010, 0670028082011, 0670028082046, 0670028082047, 0670028082048, 0670028082049, 0670028082050, 0670028082051, 0670028082072, 0670028082073, 0670028082074, 0670028082075, 0670028082076, 0670028082077, 0670028082078, 0670028082079, 0670028082080, 0670028082081, 0670028082082, 0670028082083, 0670028082084, 0670028082086, 0670028082087, 0670028082088, 0670028082089, 0670028082095, 0670028082096, 0670028082097, 0670028082098, 0670028082099, 0670028091000, 0670028091003, 0670028091004, 0670028091005, 0670028091007, 0670028091008, 0670028091009, 0670028091010, 0670028091011, 0670028091012, 0670028091013, 0670028091014, 0670028091015, 0670028091016, 0670028091017, 0670028091018, 0670028091019, 0670028091020, 0670028091021, 0670028091025, 0670028091027, 0670028091031, 0670028091034, 0670028091038, 0670028091039, 0670028091040, 0670028091041, 0670028091042, 0670028092026, 0670028092032, 0670028092033, 0670028092034, 0670028092035, 0670028092036, 0670028092037, 0670028092038, 0670028092039, 0670028092040, 0670028092041, 0670028092042, 0670028092043, 0670028092044, 0670028092045, 0670028092046, 0670028092047, 0670028092048, 0670028092049, 0670028092050, 0670028092051, 0670028092052, 0670028092053, 0670028092054, 0670028092055, 0670028092056, 0670028092057, 0670028092059, 0670028092060, 0670028092061, 0670028092062,

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District 32 **FORSYTH:** VTD: 013: Block(s) 0670033071003, 0670033071004, 0670033071005, 0670033071006, 0670033071007, 0670033071008, 0670033071010, 0670033072010, 0670033072011, 0670033072018, 0670033072019, 0670033072021, 0670033072022, 0670033072023, 0670033072024, 0670033081000, 0670033081001, 0670033081002, 0670033081003, 0670033081004, 0670033081005, 0670033081006, 0670033081007, 0670033081008, 0670033081009, 0670033081010, 0670033081011, 0670033081012, 0670033081013, 0670033081015, 0670033081016, 0670033081017, 0670033081018, 0670033081019, 0670033081020, 0670033081021, 0670033081022, 0670033081028, 0670033081030, 0670033081031, 0670033081032, 0670033081033, 0670033081034, 0670033081035, 0670033081042, 0670033081043, 0670033081044, 0670033081046, 0670033081047, 0670033081048, 0670033081062, 0670033081063; VTD: 031: 0670028071000, 0670028071001, 0670028071005, 0670028071019, 0670028071020, 0670028071021, 0670028071022, 0670028071023, 0670028071024, 0670028071025, 0670028071027, 0670028071028, 0670028072054, 0670028072055, 0670028072056, 0670028072057, 0670028072061; VTD: 032: 0670028041015, 0670028041016, 0670028041017, 0670028041018, 0670028041019, 0670028041021, 0670028041022, 0670028061013, 0670028061014, 0670028061015, 0670028061024, 0670028091001, 0670028091002, 0670028091006, 0670028091022, 0670028091023, 0670028091024, 0670028091026, 0670028091028, 0670028091029, 0670028091033, 0670028091035, 0670028091036, 0670028092101; VTD: 033: 0670027021000, 0670028061000, 0670028061001, 0670028061002, 0670028061003, 0670028061004, 0670028061005, 0670028061006, 0670028061016, 0670028061017, 0670028061018, 0670028061019, 0670028061020, 0670028061021, 0670028061022, 0670028061023, 0670028062000, 0670028062001, 0670028062002, 0670028062003, 0670028062004, 0670028062005, 0670028062006, 0670028062007, 0670028062008, 0670028062009, 0670028062010, 0670028062011, 0670028062012, 0670028062013, 0670028062014, 0670028062015, 0670028062016, 0670028062017, 0670028062018, 0670028062019, 0670028062020, 0670028062021, 0670028062022, 0670028062023, 0670028062024, 0670028062025, 0670028062026, 0670028062027, 0670028062028, 0670028062029, 0670028062030, 0670028062031, 0670028062032, 0670028062033, 0670028062034, 0670028071002, 0670028071003, 0670028071004, 0670028071006, 0670028071007, 0670028071008, 0670028071009, 0670028071010, 0670028071011, 0670028071012, 0670028071013, 0670028071014, 0670028071015, 0670028071016, 0670028071017, 0670028071018, 0670028071026, 0670028071029, 0670029012013, 0670029012014, 0670029012015, 0670029012016, 0670029012017, 0670029012018, 0670029012019, 0670029012020, 0670029012021, 0670029012022, 0670029012023, 0670029012025, 0670029012026, 0670029012027, 0670029012028, 0670029012039; VTD: 042: 0670035004002, 0670035004003, 0670035004004, 0670035004005, 0670035004006, 0670035004007, 0670035004008, 0670035004009, 0670035004010, 0670035004011, 0670035004012, 0670035004013, 0670035004014, 0670035004015, 0670035004016, 0670035004017, 0670035004024, 0670035004028, 0670035004029, 0670035004030, 0670035005000,

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District 33: **DAVIDSON, MONTGOMERY.**

District 34: **DAVIE, IREDELL:** VTD: BA, VTD: BE, VTD: CD, VTD: CH-A, VTD: CH-B, VTD: CS, VTD: EM, VTD: NH, VTD: OL, VTD: SB, VTD: TB, VTD: UG; **ROWAN:** VTD: 02, VTD: 04, VTD: 07, VTD: 08, VTD: 09, VTD: 10, VTD: 11, VTD: 12, VTD: 14, VTD: 15, VTD: 16, VTD: 17, VTD: 18, VTD: 19, VTD: 20, VTD: 21, VTD: 24, VTD: 27, VTD: 28, VTD: 29, VTD: 30, VTD: 31, VTD: 32, VTD: 34, VTD: 35, VTD: 36, VTD: 38, VTD: 39, VTD: 40, VTD: 41, VTD: 42, VTD: 44, VTD: 45, VTD: 46.

District 35: **UNION:** VTD: 001, VTD: 002, VTD: 003, VTD: 004, VTD: 005, VTD: 006, VTD: 007, VTD: 008, VTD: 009, VTD: 010, VTD: 011, VTD: 013, VTD: 014, VTD: 015, VTD: 016, VTD: 017A, VTD: 017B, VTD: 018, VTD: 019, VTD: 020A, VTD: 020B, VTD: 021, VTD: 022, VTD: 023, VTD: 024, VTD: 025, VTD: 026, VTD: 027, VTD: 028, VTD: 029A, VTD: 029B, VTD: 029C, VTD: 030, VTD: 031, VTD: 033, VTD: 034, VTD: 036, VTD: 037A, VTD: 038A, VTD: 038B, VTD: 039, VTD: 040, VTD: 041, VTD: 042, VTD: 043.

District 36: **CABARRUS, UNION:** VTD: 012, VTD: 032, VTD: 035, VTD: 037B.

District 37: **MECKLENBURG:** VTD: 002, VTD: 005, VTD: 006, VTD: 009, VTD: 010, VTD: 011, VTD: 013: Block(s) 1190001004000, 1190001004001, 1190001004002, 1190001004003, 1190001004004, 1190001004005, 1190001004006, 1190001004007, 1190001004008, 1190001004009, 1190001004010, 1190001004011, 1190001004012, 1190001004013, 1190001004014, 1190001004015, 1190001004016, 1190001004017, 1190001004018, 1190001004019, 1190001004020, 1190001004021, 1190001005000, 1190001005001, 1190001005002, 1190001005003, 1190001005004, 1190001005005, 1190001005006, 1190001005007, 1190001005008, 1190001005009, 1190001005010, 1190001005011, 1190001005012, 1190001005013, 1190001005014, 1190001005015, 1190001005016, 1190001005017, 1190001005018, 1190001005019, 1190001005020, 1190001005021, 1190001005022, 1190001005023, 1190001005024, 1190001005025, 1190001005026, 1190001005027, 1190001005028, 1190001005029, 1190001005030, 1190001005031, 1190001005032, 1190005001027, 1190005001030, 1190005001031, 1190005001034, 1190005001035, 1190005001036, 1190005001037, 1190006001000, 1190006001001, 1190006001002, 1190006001003, 1190006001004, 1190006001005, 1190006001006, 1190006001007, 1190006001008, 1190006001009, 1190006001010,

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District 38: **MECKLENBURG:** VTD: 012, VTD: 016, VTD: 022, VTD: 023, VTD: 024, VTD: 025, VTD: 031, VTD: 039, VTD: 040, VTD: 041, VTD: 052: Block(s) 1190037002003, 1190037002016, 1190037002023, 1190037002024, 1190038021001, 1190038021002, 1190038021003, 1190038021004, 1190038021005, 1190038021006, 1190038021007, 1190038021008, 1190038021009, 1190038021010, 1190038021011, 1190038021012, 1190038021013, 1190038021014, 1190038021015, 1190038021016, 1190038022000, 1190038022001, 1190038022002, 1190038022003, 1190038022004, 1190038022005, 1190038022006, 1190038022007, 1190038022008, 1190038022009, 1190038022010, 1190038022011, 1190038022012, 1190038022013, 1190038022015, 1190038022016, 1190038022017, 1190038022018, 1190038022019, 1190038022020, 1190038022021, 1190038023003, 1190038023004, 1190038023005, 1190038023006, 1190038023007, 1190038023008, 1190038023009, 1190038023010, 1190038023011, 1190038023013, 1190038023014, 1190038023015, 1190038023019, 1190038023022, 1190038023023, 1190038023024; VTD: 053, VTD: 078.1, VTD: 079, VTD: 080, VTD: 081, VTD: 089, VTD: 128, VTD: 135, VTD: 141, VTD: 147, VTD: 150: Block(s) 1190060081000, 1190060081001, 1190060081002, 1190060081003, 1190060081004, 1190060081005, 1190060081006, 1190060081007, 1190060081008, 1190060081017, 1190060081018, 1190060082000, 1190060082001, 1190060082002, 1190060082003, 1190060082004, 1190060082005, 1190060082007, 1190060082008, 1190060082009, 1190060101000, 1190060101001, 1190060101004, 1190061032020, 1190061032021, 1190061032023, 1190061032025, 1190061032026, 1190061032027, 1190061032028, 1190061041000, 1190061041001, 1190061042000, 1190061042001, 1190061042010, 1190061042011, 1190061042012, 1190061042013, 1190061042014, 1190061042015, 1190061042016, 1190061042031, 1190061042032; VTD: 151: 1190055091000, 1190055091002, 1190055091003, 1190055091004, 1190055091006, 1190055091007, 1190055091008, 1190055091009, 1190055091010, 1190055091012, 1190055091013, 1190055091014, 1190055091016, 1190055092000, 1190055092001, 1190055092002, 1190055092003, 1190055092004, 1190055092005, 1190055092006, 1190055092007, 1190055092008, 1190055092009, 1190055093000, 1190055093001, 1190055093002, 1190055093003, 1190055093004, 1190055093005, 1190055093006, 1190055093007, 1190055093008, 1190055093009, 1190055093010, 1190055093011, 1190055093012, 1190055093013, 1190055093014, 1190055093015, 1190055093016, 1190055093017; VTD: 200: 1190059061032, 1190059061033, 1190059061034, 1190059061035, 1190059061036, 1190059061037, 1190059061038, 1190059061039, 1190059061040, 1190059061041, 1190059061042, 1190059061043, 1190059061044, 1190059061045, 1190059061046, 1190059061047, 1190059061048, 1190059061049, 1190059061050, 1190059061051, 1190059061052, 1190059061053, 1190059061054, 1190059061055, 1190059061056, 1190059061057, 1190059061058, 1190059061059, 1190059061060, 1190059061061, 1190059061062, 1190059061063, 1190059061064, 1190059061065, 1190059061066, 1190059061067, 1190059061068, 1190059061069, 1190059061070, 1190059061071, 1190059061072, 1190059061073, 1190059061074, 1190059061075, 1190059061076, 1190059061077, 1190059061078, 1190059061079, 1190059061080, 1190059061081, 1190059061082, 1190059061083, 1190059061084, 1190059061085, 1190059061086, 1190059061087, 1190059061088, 1190059061089, 1190059061090, 1190059062014, 1190059062024, 1190059062025, 1190059062026, 1190059062027, 1190059062028, 1190059062029, 1190059062030, 1190059062037, 1190059062038, 1190059062039, 1190059063000, 1190059063001, 1190059063002, 1190059063003, 1190059063004, 1190059063005, 1190059063006, 1190059063007, 1190059063008, 1190059063009, 1190059063010, 1190059063011, 1190059063012, 1190059063013, 1190059063014, 1190059063015, 1190059063018, 1190059064000, 1190059064001, 1190059064002, 1190059064003, 1190059064004, 1190059064005, 1190059064006, 1190059064007, 1190059064008, 1190059064009, 1190059064010, 1190059064011, 1190059064012, 1190059064013, 1190059064014, 1190059064015, 1190059064016, 1190059064017, 1199801001022, 1199801001023, 1199801001024, 1199801001025, 1199801001026, 1199801001027, 1199801001028, 1199801001029, 1199801001030, 1199801001031, 1199801001032, 1199801001033, 1199801001034, 1199801001037, 1199801001038, 1199801001039, 1199801001040, 1199801001041;

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Block(s) 1190060071011, 1190060071019, 1190060071021, 1190060071022, 1190060071023, 1190060071024, 1190060071025, 1190060071026, 1190060071027, 1190060071028, 1190060071029, 1190060071030, 1190060071031, 1190060071032, 1190060071033, 1190060071034, 1190060071035, 1190060071036, 1190060071037, 1190060071038, 1190060071039, 1190060071040, 1190060071041, 1190060071042, 1190060071043, 1190060071044, 1190060071045, 1190060071046, 1190060071047, 1190060071048, 1190060071049, 1190060071050, 1190060071051, 1190060071052, 1190060071053, 1190060071054, 1190060071055, 1190060071056, 1190060071057, 1190060071058, 1190060071059, 1190060072018, 1190060072019, 1190060072020, 1190060072021, 1190060072029, 1190060072030, 1190060072031, 1190060072033, 1190060072034, 1190060072039, 1190060072040, 1190060072041, 1190060072045, 1190060072046, 1190061031051, 1190061031052, 1190061031055, 1190061031056, 1190061031057, 1190061031058, 1190061031059, 1190061031060, 1190061031061; VTD: 224, VTD: 238.1: Block(s) 1190055081022, 1190055081023, 1190055081024, 1190055081025, 1190055081026, 1190055081027, 1190055081028, 1190055081029, 1190055081030, 1190055081031, 1190055081032, 1190055081033, 1190055081034, 1190055081035, 1190055081036, 1190055081037, 1190055081038, 1190055081039, 1190055082000, 1190055082001, 1190055082002, 1190055082003, 1190055082004, 1190055082010, 1190055133007; VTD: 239.

District 39: **MECKLENBURG:** VTD: 001, VTD: 007: Block(s) 1190021002005, 1190021002007, 1190021002008, 1190021002016, 1190022002007, 1190022002013, 1190022002014; VTD: 008, VTD: 018, VTD: 019, VTD: 032, VTD: 035: Block(s) 1190022001001, 1190022001005, 1190022001006, 1190022001007, 1190022001008, 1190022001009, 1190022001010, 1190022001011, 1190022001012, 1190022002004, 1190022002005, 1190022002006, 1190022002008, 1190022002010, 1190022002011, 1190022002012, 1190022002015, 1190022002016; VTD: 036, VTD: 047, VTD: 048, VTD: 057, VTD: 064: Block(s) 1190019142000, 1190019142001, 1190019142002, 1190019142003, 1190019142004, 1190019142005, 1190019142006, 1190019142007, 1190019142008, 1190019142009, 1190019142010, 1190019142011, 1190019142012, 1190019142013, 1190019142014, 1190019142015, 1190019142016, 1190019142017, 1190019142018; VTD: 065, VTD: 066, VTD: 067, VTD: 068, VTD: 069, VTD: 070, VTD: 071, VTD: 072, VTD: 073, VTD: 074, VTD: 075, VTD: 076, VTD: 085: Block(s) 1190020034000, 1190020034001, 1190020034002, 1190020034003, 1190020034004, 1190020034010, 1190058111000, 1190058111001, 1190058111002, 1190058111003, 1190058111004, 1190058111005, 1190058111006, 1190058111007, 1190058111008, 1190058111009, 1190058111010, 1190058111011, 1190058111012, 1190058111014, 1190058111015; VTD: 086, VTD: 090, VTD: 091, VTD: 092, VTD: 093, VTD: 096: Block(s) 1190058111013, 1190058112002, 1190058112003, 1190058112006, 1190058112007, 1190058112008, 1190058112009, 1190058112010, 1190058112011, 1190058112012, 1190058112013, 1190058112014, 1190058112015, 1190058112016, 1190058112017, 1190058112018, 1190058121004, 1190058121013; VTD: 100, VTD: 101, VTD: 103, VTD: 106, VTD: 110, VTD: 111, VTD: 112, VTD: 113: Block(s) 1190058471006, 1190058471007, 1190058471008, 1190058482000, 1190058482001, 1190058482002, 1190058482003, 1190058482004, 1190058482005, 1190058482006; VTD: 114, VTD: 117: Block(s) 1190019142019, 1190019142020, 1190019142021; VTD: 118, VTD: 119, VTD: 121, VTD: 131, VTD: 137, VTD: 139.1, VTD: 140, VTD: 144, VTD: 148, VTD: 217: Block(s) 1190030153003, 1190030153009, 1190058121009, 1190058121018; VTD: 226: 1190058151010, 1190058151018, 1190058151019, 1190058311000, 1190058311001, 1190058311002, 1190058311003, 1190058311004, 1190058311005, 1190058311006, 1190058311007, 1190058311008, 1190058311009, 1190058311010, 1190058311011, 1190058311012, 1190058311013, 1190058311014, 1190058391000, 1190058391001, 1190058391017, 1190058391018, 1190058391019, 1190058391020, 1190058391021, 1190058391022, 1190058391028; VTD: 231: 1190058361000, 1190058361001, 1190058361002, 1190058361003, 1190058361004, 1190058361005, 1190058361006, 1190058361007, 1190058361008, 1190058361009, 1190058361010, 1190058361011, 1190058361012, 1190058361013, 1190058361014, 1190058361015, 1190058361016, 1190058361017,

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District 40: **MECKLENBURG:** VTD: 003, VTD: 004, VTD: 007: Block(s) 1190021001000, 1190021001001, 1190021001002, 1190021001003, 1190021001004, 1190021002000, 1190021002001, 1190021002002, 1190021002003, 1190021002004, 1190021002006, 1190021002009, 1190021002010, 1190021002011, 1190021002012, 1190021002013, 1190021002014, 1190021002015; VTD: 013: 1190005001028, 1190005001029, 1190006002000, 1190006002001, 1190007001015, 1190007001021, 1190007001022, 1190007001023, 1190007001024, 1190007001025, 1190007001029, 1190007001030, 1190007001031, 1190007001033, 1190007001034, 1190007001035, 1190007001036, 1190007001037, 1190007001038, 1190007001039, 1190007001040, 1190007001041, 1190007001042, 1190008001020, 1190008001033, 1190052003048, 1190052003049, 1190052003050; VTD: 014: 1190007001006, 1190007001009, 1190007001012, 1190007001013, 1190007001014, 1190007001016, 1190007001017, 1190007001018, 1190007001019, 1190007001020, 1190007001026, 1190007001027, 1190007001028, 1190007001032, 1190007001043, 1190007001044, 1190008001000, 1190008001001, 1190008001002, 1190008001003, 1190008001004, 1190008001005, 1190008001006, 1190008001007, 1190008001008, 1190008001009, 1190008001010, 1190008001011, 1190008001012, 1190008001013, 1190008001014, 1190008001015, 1190008001016, 1190008001017, 1190008001018, 1190008001019, 1190008001021, 1190008001022, 1190008001023, 1190008001024, 1190008001025, 1190008001026, 1190008001027, 1190008001028, 1190008001029, 1190008001030, 1190008001031, 1190008001032, 1190008001034, 1190008001035, 1190008001036, 1190008001037, 1190008001038, 1190008001039, 1190008001040, 1190008001041, 1190008001042, 1190009001003, 1190009001004, 1190009001005, 1190009001006, 1190009001007, 1190009001008, 1190009001009, 1190009001010, 1190009001011, 1190009001012, 1190009001013, 1190009001014, 1190009001015, 1190009001016, 1190009002002, 1190009002003, 1190009002004, 1190009002005, 1190009002006, 1190009002007, 1190009002008, 1190009002009, 1190009002010, 1190009002011, 1190009002012, 1190009002013, 1190009002014, 1190009002015, 1190009002016, 1190009002017, 1190009002018, 1190009002019, 1190009002020, 1190009002021, 1190009002022, 1190009002023, 1190052003010, 1190052003015, 1190052003016, 1190052003017; VTD: 017: 1190018011002, 1190018011003, 1190018011004, 1190018011005, 1190018011006, 1190018011007, 1190018011008, 1190018011009, 1190018011010, 1190018011011, 1190018011012, 1190018011013, 1190018011014, 1190018011015, 1190018012005, 1190018012006, 1190018012007, 1190018012008, 1190018012009, 1190018021001, 1190023001000, 1190023001001, 1190023001002, 1190023001003, 1190023001004, 1190023001005, 1190023001006, 1190023002000, 1190023002001, 1190023002002, 1190023002003, 1190023002004, 1190023002005, 1190023002006, 1190023002007, 1190023002008, 1190023002009, 1190023002010, 1190023002011; VTD: 026, VTD: 027, VTD: 028, VTD: 034: Block(s) 1190018021004, 1190018021009, 1190018021010, 1190018021011, 1190018021012, 1190018021013, 1190018021014, 1190018022023, 1190019141000, 1190019141001, 1190019141002, 1190019141003, 1190019141004, 1190019141005, 1190019141006, 1190019141007, 1190019141008; VTD: 035: 1190022001000, 1190022001002, 1190022001003, 1190022001004, 1190022002000, 1190022002001, 1190022002002, 1190022002003, 1190022002009; VTD: 042, VTD: 043, VTD: 054, VTD: 055, VTD: 056, VTD: 060, VTD: 062, VTD: 063, VTD: 064: Block(s) 1190019141009, 1190019141010; VTD: 082, VTD: 083, VTD: 085: Block(s) 1190020035000, 1190020035001, 1190020035002; VTD: 094,

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District 41: **MECKLENBURG:** VTD: 096: Block(s) 1190058112000, 1190058112001, 1190058112004, 1190058112005, 1190058121000, 1190058121001, 1190058121014, 1190058121015; VTD: 113: 1190058233000, 1190058233001, 1190058233008, 1190058472000, 1190058472001, 1190058472002, 1190058472003, 1190058472005, 1190058472006, 1190058472009, 1190058472010, 1190058472011, 1190058472012, 1190058472013, 1190058482007; VTD: 127, VTD: 133, VTD: 134, VTD: 136, VTD: 142, VTD: 143, VTD: 145, VTD: 150: Block(s) 1190061032024; VTD: 151: 1190055081009, 1190055081010, 1190055091001, 1190055091005, 1190055091011, 1190055091015; VTD: 201: 1190056202000, 1190056203000, 1190056203001, 1190056211000, 1190056211001, 1190056211002, 1190056211003, 1190056211004, 1190056211005, 1190056211006, 1190056211007, 1190056211008, 1190056211009, 1190056211010, 1190056211011, 1190056211012, 1190056211013, 1190056211014, 1190056211015, 1190056212000, 1190056212001, 1190056212002, 1190056212003, 1190056212004, 1190056212005, 1190056212006, 1190056212007, 1190056213000, 1190056213001, 1190056213002, 1190056213003, 1190056213004, 1190056213005, 1190056213006, 1190056213007, 1190056213008, 1190056213010, 1190056213012, 1190056213013, 1190056213014; VTD: 202, VTD: 203: Block(s) 1190056191000, 1190056191001, 1190056191002, 1190056191003, 1190056191004, 1190056191005, 1190056191006, 1190056191007, 1190056191008, 1190056191009, 1190056191010, 1190056191011, 1190056191028, 1190056191029, 1190056191030, 1190056192000, 1190056192001, 1190056192002, 1190056192003, 1190056192004, 1190056192005, 1190056192006, 1190056192007, 1190056192008, 1190056192009, 1190056192010, 1190056192011, 1190056192012, 1190056192013, 1190056192014, 1190056192015, 1190056192016, 1190056192017; VTD: 204.1: 1190056141000, 1190056141001, 1190056141002, 1190056141003, 1190056141004, 1190056141005, 1190056141006, 1190056141007, 1190056141008, 1190056141009, 1190056141010, 1190056141011, 1190056141012, 1190056141013, 1190056141014, 1190056141015, 1190056141016, 1190056141017, 1190056141018, 1190056141019, 1190056141020, 1190056141021, 1190056141022, 1190056141023, 1190056141024, 1190056141025, 1190056141026, 1190056141027, 1190056141028, 1190056141029, 1190056142000, 1190056142001, 1190056142002, 1190056142003, 1190056142004, 1190056142005, 1190056142012, 1190056143000, 1190056143016, 1190056143017; VTD: 205: 1190056151000, 1190056151001, 1190056151002, 1190056151003, 1190056151004, 1190056151005, 1190056151006, 1190056151007, 1190056151008, 1190056151009, 1190056151010, 1190056151011, 1190056151020, 1190056151021, 1190056151022, 1190056151023, 1190056151024, 1190056151025, 1190056151026, 1190056151027, 1190056151028, 1190056151029, 1190056151031, 1190056151032, 1190056151033, 1190056181000, 1190056181001, 1190056181002, 1190056181003, 1190056181004, 1190056181005, 1190056181006, 1190056181007, 1190056181008, 1190056181009, 1190056181010, 1190056181011, 1190056181012, 1190056181013, 1190056181014, 1190056181015, 1190056181016, 1190056181017, 1190056181018, 1190056181019, 1190056181020, 1190056181021; VTD: 206, VTD: 207, VTD: 208, VTD: 209, VTD: 211: Block(s) 1190055081000, 1190055081001, 1190055081002, 1190055081003, 1190055081004, 1190055081005, 1190055081006, 1190055081007, 1190055081008, 1190055081011,

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District 42: **ALEXANDER, CATAWBA.**

District 43: **GASTON:** VTD: 01, VTD: 02, VTD: 03, VTD: 04, VTD: 05, VTD: 06, VTD: 07, VTD: 08, VTD: 09, VTD: 10, VTD: 11, VTD: 12, VTD: 13, VTD: 14, VTD: 15, VTD: 16, VTD: 17, VTD: 18, VTD: 19, VTD: 20, VTD: 21, VTD: 22, VTD: 23, VTD: 24, VTD: 25, VTD: 26, VTD: 27, VTD: 28, VTD: 29, VTD: 30, VTD: 31, VTD: 32, VTD: 33, VTD: 34, VTD: 35, VTD: 36, VTD: 37, VTD: 38, VTD: 39, VTD: 40, VTD: 41, VTD: 44, VTD: 45, VTD: 46.

District 44: **GASTON:** VTD: 42, VTD: 43; **IREDELL:** VTD: CC1, VTD: CC2, VTD: CC3, VTD: CC4, VTD: DV1-A, VTD: DV1-B, VTD: DV2-A, VTD: DV2-B, VTD: FT, VTD: SH-A, VTD: SH-B, VTD: ST1, VTD: ST2, VTD: ST3, VTD: ST4, VTD: ST5, VTD: ST6; **LINCOLN.**

District 45: **ALLEGHANY, ASHE, AVERY, CALDWELL, WATAUGA.**

District 46: **BURKE, CLEVELAND.**

District 47: **MADISON, MCDOWELL, MITCHELL, POLK, RUTHERFORD, YANCEY.**

District 48: **BUNCOMBE:** VTD: 101.1, VTD: 102.1, VTD: 19.1, VTD: 30.1, VTD: 38.2, VTD: 38.3, VTD: 46.1, VTD: 47.1, VTD: 55.1, VTD: 57.1; **HENDERSON, TRANSYLVANIA.**

District 49: **BUNCOMBE:** VTD: 01.1, VTD: 02.1, VTD: 03.1, VTD: 04.1, VTD: 05.1, VTD: 06.1, VTD: 07.1, VTD: 09.1, VTD: 10.1, VTD: 100.1, VTD: 103.1, VTD: 104.1, VTD: 105.1, VTD: 106.1, VTD: 107.1, VTD: 11.1, VTD: 12.1, VTD: 13.1, VTD: 14.2, VTD: 15.1, VTD: 17.1, VTD: 20.1, VTD: 24.1, VTD: 25.1, VTD: 26.1, VTD: 28.1, VTD: 31.1, VTD: 32.1, VTD: 33.2, VTD: 33.3, VTD: 34.1, VTD: 35.1, VTD: 36.1, VTD: 37.1, VTD: 39.1, VTD: 41.1, VTD: 44.1, VTD: 45.1, VTD: 48.1, VTD: 49.1, VTD: 50.1, VTD: 52.1, VTD: 53.1, VTD: 58.1, VTD: 59.1, VTD: 60.2, VTD: 61.1, VTD: 62.1, VTD: 63.1, VTD: 64.1, VTD: 65.1, VTD: 66.1, VTD: 67.1, VTD: 68.1, VTD: 69.1, VTD: 70.1, VTD: 71.1.

District 50: **CHEROKEE, CLAY, GRAHAM, HAYWOOD, JACKSON, MACON, SWAIN.**

SENATE RESOLUTIONS

2014 SESSION

Adopted May 21, 2014 (See pg. 49)

S.R. 809, A SENATE RESOLUTION EXPRESSING GRATITUDE AND APPRECIATION TO OUR VETERANS.

Whereas, throughout our country's history, generations of men and women have worn the uniform of the United States of America and have valiantly defended our nation and our inalienable rights; and

Whereas, our veterans have personally sacrificed so much for the greater good of our nation; some of these brave men and women made the ultimate sacrifice in protecting our country and the freedoms enjoyed by our citizens and all Americans; and

Whereas, six major Department of Defense (DOD)/Department of Homeland Security (DHS) installations are located in North Carolina: Coast Guard Station, Elizabeth City; Fort Bragg; Marine Corps Air Station Cherry Point; Marine Corps Air Station New River; Marine Corps Base Camp Lejeune; and Seymour Johnson Air Force Base, as well as the North Carolina National Guard and other DOD/DHS activities and organizations; and

Whereas, nearly 800,000 veterans of our nation's Armed Forces live in North Carolina and about 147,000 active-duty guard and reserve military personnel reside in the State, making North Carolina one of the largest active-duty military populations in our entire country; and

Whereas, the people of North Carolina are grateful and appreciative to all of our veterans for their selfless service to this State and the United States; Now, therefore,

Be it resolved by the Senate:

SECTION 1. The Senate expresses its profound gratitude and appreciation to all the men and women who served in the United States Armed Forces.

SECTION 2. The Senate wishes to honor the memory of all the North Carolinians who gave their lives while serving in the United States Armed Forces.

SECTION 3. This resolution is effective upon adoption.

Adopted July 29, 2014 (See pg. 396)

S.R. 885, A SENATE RESOLUTION ELECTING ANNA SPANGLER NELSON TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

Whereas, Fred Eshelman of New Hanover County was elected by the Senate in 2011 to serve as a member of the Board of Governors of The University of North Carolina for a term of four years; and

Whereas, Fred Eshelman has resigned from the Board of Governors of The University of North Carolina effective June 30, 2014; and

Whereas, G.S. 116-7(c) directs the chamber that originally elected a vacating member of the Board of Governors of The University of North Carolina to elect a person to fill that vacancy for the remainder of the unexpired term; and

Whereas, the Senate may determine its own procedure and the Chair of the Senate Select Committee on UNC Board of Governors has confirmed that Anna Spangler Nelson has no disqualifying statutory disabilities; Now, therefore,

Be it resolved by the Senate:

SECTION 1. The following person is elected to the Board of Governors of The University of North Carolina for a term commencing August 1, 2014, and ending June 30, 2015:

(1) Anna Spangler Nelson of Mecklenburg County.

SECTION 2. This resolution is effective upon adoption.

EXECUTIVE ORDERS of the GOVERNOR OF THE STATE OF NORTH CAROLINA

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 during the 2014 Legislative Session. The full text of Executive Orders 24 through 63, issued by Governor Pat McCrory, can be found in the printed Session Laws of the 2013 General Assembly.

Executive Order	Title	Date of Issuance
24	Governor's Advisory Council on Small and Historically Underutilized Businesses	September 3, 2013
25	Governor's Task Force on Safer Schools	September 3, 2013
26	Governor's Teacher Advisory Committee	September 3, 2013
27	Declaration of a State of Emergency by the Governor of the State of North Carolina	September 12, 2013
28	Disaster Declaration for the City of Albemarle	October 31, 2013
29	Designation of Certain Gubernatorial Appointees as Covered Public Servants Under the State Government Ethics Act	November 6, 2013
30	Fix and Modernize Information Technology Governance in Cabinet Agencies by Collaborating as One IT	November 7, 2013
31	Extending the Food Safety and Defense Task Force	November 22, 2013
32	Reestablishing the North Carolina Commission on Volunteerism and Community Service	November 22, 2013

33	North Carolina Emergency Response Commission	November 22, 2013
34	Commitment to Protecting North Carolina Military Installations	November 22, 2013
35	North Carolina Governor's Council on Homelessness	November 22, 2013
36	Declaration of a State of Emergency by the Governor of the State of North Carolina	December 5, 2013
37	Reestablishing the North Carolina Early Childhood Advisory Council	January 9, 2014
38	Temporary Suspension of Motor Vehicle Regulations to Provide Humanitarian Relief to West Virginia	January 10, 2014
39	Temporary Suspension of Motor Vehicle Regulations to Ensure Adequate Fuel Supplies Throughout the State	January 15, 2014
40	Declaration of a State of Emergency by the Governor of the State of North Carolina	January 28, 2014
41	Temporary Suspension of Motor Vehicle Regulations to Ensure Restoration of Utility Services, Transporting Essentials and Removing Debris Throughout the State	January 28, 2014
42	Notice of Termination of the State of Emergency Declared by Executive Order 40 and the Temporary Suspension of Transportation Regulations in Executive Order 41	February 7, 2014
43	Declaration of a State of Emergency by the Governor of the State of North Carolina	February 11, 2014
44	Temporary Suspension of Motor Vehicle Regulations to Ensure Restoration of Utility Services and Transporting Essentials	February 11, 2014

45	Notice of Termination of Executive Orders 43 and 44	February 26, 2014
46	Reauthorizing the State Health Coordinating Council	March 4, 2014
47	Temporary Suspension of Motor Vehicle Regulations to Ensure Restoration of Utility Services	March 7, 2014
48	Amending Executive Order No. 70: Rules Modification and Improvement Program	April 9, 2014
49	Governor's Working Group on Veterans, Service Member and Their Families	April 17, 2014
50	Declaration of a State of Emergency by the Governor of the State of North Carolina	April 28, 2014
51	Disaster Declaration for February 2014 Winter Storm for Ten Municipalities in Southeastern North Carolina	April 29, 2014
52	Establishment of North Carolina Governor's Substance Abuse and Underage Drinking Prevention and Treatment Task Force	May 13, 2014
53	Disaster Declaration for April 25, 2014 Tornadoes	May 14, 2014
54	Aviation Development Task Force	May 19, 2014
55	Equal Employment Opportunity (EEO)	June 30, 2014
56	Disaster Declaration for the Town of Woodfin	July 1, 2014
57	Declaration of a State of Emergency by the Governor of the State of North Carolina	July 2, 2014
58	Temporary Suspension of Motor Vehicle Regulations to Ensure Restoration of Utility Services and Transporting Essentials	July 2, 2014

59	Amendment to Executive Order 58: Temporary Suspension of Motor Vehicle Regulations Related to Agricultural Vehicles	July 2, 2014
60	Notice of Termination of Executive Orders 57, 58, and 59	July 8, 2014
61	Notice of Termination of Executive Order No. 50	July 28, 2014
62	Addressing Coal Ash in North Carolina	August 1, 2014
63	Amending the Aviation Development Task Force	August 18, 2014

SENATE COMMITTEE ASSIGNMENTS 2014

COMMITTEE STANDING MEETING TIME/ROOM

AGRICULTURE/ENVIRONMENT/NATURAL RESOURCES
Tues at 11:00 a.m./Thurs at 9:00 a.m. (544 LOB)

Co-Chairman	Senator Brock
Co-Chairman	Senator Bingham
Vice Chairman	Senator Cook
Members	Senators Allran, Barefoot, Bryant, Foushee, Ford, Hartsell, B. Jackson, J. Jackson, McLaurin, Rabin, Rabon, Randleman, Tucker, Wade, Walters

APPROPRIATIONS/BASE BUDGET
Tues/Wed/Thurs at 8:30 a.m. (643 LOB)

Co-Chairman	Senator Brown
Co-Chairman	Senator Harrington
Co-Chairman	Senator Hunt
Co-Chairman	Senator B. Jackson
Members	Senators Apodaca, Blue, Brock, Bryant, D. Davis, Ford, Foushee, Goolsby, Hise, Parmon, Pate, Rabon, Robinson, Rucho, Tillman, Tucker

APPROPRIATIONS ON DEPARTMENT OF TRANSPORTATION
Tues/Wed/Thurs at 8:30 a.m. (1027 LB)

Co-Chairman	Senator Meredith
Co-Chairman	Senator Rabon
Vice Chairman	Senator Daniel
Members	Senators Blue, D. Davis, Ford, Gunn, Krawiec

APPROPRIATIONS ON EDUCATION/HIGHER EDUCATION
Tues/Wed/Thurs at 8:30 a.m. (421 LOB)

Co-Chairman	Senator Apodaca
Co-Chairman	Senator Soucek
Co-Chairman	Senator Tillman
Members	Senators Barefoot, Curtis, Graham, Hartsell, Jenkins, Parmon, Rucho, Wade

APPROPRIATIONS ON GENERAL GOVERNMENT AND INFORMATION TECHNOLOGY
Tues/Wed/Thurs at 8:30 a.m. (1425 LB)

Co-Chairman	Senator J. Davis
Co-Chairman	Senator Tucker

APPROPRIATIONS ON GENERAL GOVERNMENT AND INFORMATION TECHNOLOGY (continued)

Members	Senators Clark, Sanderson, Tarte, Woodard

APPROPRIATIONS ON HEALTH AND HUMAN SERVICES

Tues/Wed/Thurs at 8:30 a.m. (422 LOB)

Co-Chairman	Senator Pate
Co-Chairman	Senator Hise
Members	Senators Allran, Barringer, McKissick, Robinson, Rucho, Van Duyn

APPROPRIATIONS ON JUSTICE AND PUBLIC SAFETY

Tues/Wed/Thurs at 8:30 a.m. (415 LOB)

Co-Chairman	Senator Goolsby
Co-Chairman	Senator Newton
Co-Chairman	Senator Randleman
Vice Chairman	Senator Apodaca
Members	Senators Daniel, Foushee, Hartsell, J. Jackson

APPROPRIATIONS ON NATURAL AND ECONOMIC RESOURCES

Tues/Wed/Thurs at 8:30 a.m. (423 LOB)

Co-Chairman	Senator Brock
Co-Chairman	Senator Bingham
Members	Senators Bryant, Cook, McLaurin, Rabin, Tarte, Wade, Walters

COMMERCE

Tues/Thurs at 11:00 a.m. (1027 LB)

Co-Chairman	Senator Gunn
Co-Chairman	Senator Meredith
Vice Chairman	Senator Barringer
Vice Chairman	Senator Brown
Members	Senators Apodaca, Blue, Bryant, Clark, Curtis, D. Davis, J. Davis, Goolsby, Graham, Harrington, Hunt, Jenkins, Krawiec, McLaurin, McKissick, Newton, Robinson, Rucho, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Woodard

EDUCATION/HIGHER EDUCATION

Wed at 10:00 a.m. (544 LOB)

Co-Chairman	Senator Soucek

EDUCATION/HIGHER EDUCATION (continued)

Co-Chairman	Senator Tillman
Vice Chairman	Senator Barefoot
Members	Senators Allran, Apodaca, Barringer, Brown, Bryant, Cook, Curtis, Daniel, D. Davis, Foushee, Graham, Hartsell, Jenkins, Krawiec, Newton, Parmon, Pate, Rabin, Robinson, Rucho, Stein, Tarte, Wade, Woodard

FINANCE

Tues/Wed at 1:00 p.m. (544 LOB)

Co-Chairman	Senator Rabon
Co-Chairman	Senator Rucho
Vice Chairman	Senator Curtis
Vice Chairman	Senator Rabin
Members	Senators Allran, Apodaca, Barefoot, Barringer, Blue, Brock, Brown, Clark, Cook, Daniel, Ford, Goolsby, Harrington, Hartsell, Hise, Hunt, B. Jackson, J. Jackson, Jenkins, Krawiec, McLaurin, McKissick, Meredith, Newton, Sanderson, Soucek, Stein, Tarte, Tillman, Tucker, Van Duyn, Wade, Walters, Woodard

HEALTH CARE

Wed at 11:00 a.m. (544 LOB)

Co-Chairman	Senator Hise
Co-Chairman	Senator Pate
Vice Chairman	Senator Tarte
Members	Senators Allran, Barefoot, Bingham, Curtis, D. Davis, J. Davis, Hartsell, Hunt, McKissick, Parmon, Rabin, Randleman, Robinson, Rucho, Stein, Tucker, Van Duyn, Wade, Woodard

INSURANCE

Wed at 10:00 a.m. (1027 LB)

Co-Chairman	Senator Apodaca
Co-Chairman	Senator Meredith
Vice Chairman	Senator Sanderson
Members	Senators Allran, J. Davis, Ford, Gunn, Hise, McKissick, McLaurin, Rucho, Walters

JUDICIARY I

Tues/Thurs at 10:00 a.m. (1027 LB)

Co-Chairman	Senator Goolsby
Co-Chairman	Senator Newton
Members	Senators Apodaca, Barringer, Blue, Brown, Foushee, Harrington, Hartsell, Jenkins, Parmon, Rucho, Sanderson, Soucek, Stein, Tillman, Van Duyn, Wade

JUDICIARY II

Tues/Thurs at 10:00 a.m. (1124 LB)

Co-Chairman	Senator Allran
Co-Chairman	Senator Daniel
Vice Chairman	Senator Randleman
Members	Senators Bingham, Bryant, Clark, Cook, J. Davis, Graham, J. Jackson, Krawiec, McKissick, Tucker

PENSIONS & RETIREMENT AND AGING

Upon Call of Chairman

Co-Chairman	Senator Apodaca
Co-Chairman	Senator Hise
Members	Senators Curtis, Graham, Gunn, McLaurin, Pate, Rabin, Randleman, Walters

PROGRAM EVALUATION

Tues at 12:00 p.m. (421 LOB)

Chairman	Senator Hartsell
Members	Senators Bingham, Brock, Clark, Cook, Gunn, Hunt, J. Jackson, Krawiec, McKissick, Randleman, Robinson, Sanderson, Woodard

REDISTRICTING

Upon Call of Chairman

Chairman	Senator Rucho
Vice Chairman	Senator Brock
Vice Chairman	Senator Brown
Members	Senators Apodaca, Clark, Graham, Harrington, Hise, Hunt, McKissick, Soucek, Walters

RULES AND OPERATIONS OF THE SENATE

Upon Call of Chairman

Chairman	Senator Apodaca
Members	Senators Barefoot, Blue, Brock, Brown, Clark, Harrington, Hise, B. Jackson, J. Jackson, Jenkins, Meredith, Newton, Rabon, Stein, Wade

STATE AND LOCAL GOVERNMENT

Tues at 12:00 p.m. (1124 LB)

Co-Chairman	Senator J. Davis
Co-Chairman	Senator Tucker
Vice Chairman	Senator Wade
Members	Senators Barringer, Bingham, D. Davis, Foushee, Goolsby, Hartsell, B. Jackson, McLaurin, Pate, Tarte, Van Duyn, Walters

TRANSPORTATION

Wed at 11:00 a.m. (1027 LB)

Co-Chairman	Senator Daniel
Co-Chairman	Senator Rabon
Vice Chairman	Senator Meredith
Members	Senators Ford, Graham, Gunn, Harrington, Hise, Hunt, McKissick, Robinson, Soucek, Walters

WAYS & MEANS

Upon Call of Chairman

Chairman	Senator Apodaca
Members	Senators Brock, Van Duyn

SELECT COMMITTEE

SELECT COMMITTEE ON UNC BOARD OF GOVERNORS

Upon Call of Chairman

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Members	Senators Blue, Brown, Soucek, Tillman, Walters

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Senior Policy Advisor, Science and Energy	Jeff Warren
Senior Policy Advisor, Transportation	Beau Memory
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*(See Wednesday, May 14, 2014, pg. 5)

PROPOSED CONFERENCE COMMITTEE SUBSTITUTES

The following proposed Conference Committee Substitutes were submitted to the Senate for adoption during the 2014 Session, but they did not become law:

S.B. 163

The proposed Conference Committee Substitute S163-PCCS35587-SB-3 was submitted to the Senate on July 24, 2014, (see pg. 376) but was withdrawn on July 31, 2014, (see pg. 417). The full text reads as follows:

A BILL TO BE ENTITLED

AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER CERTAIN CONDITIONS.

The General Assembly of North Carolina enacts:

SECTION 1. The General Assembly finds that the use of reclaimed water to supplement source waters for potable water treatment is an appropriate and prudent measure in regions of the State with limited water resources under limited conditions.

SECTION 2. G.S. 143-350 is amended by adding a new subdivision to read:

"(4a) "Pretreatment mixing basin" means a basin created from lands that do not include waters of the State and in which raw water is mixed with reclaimed water before it is treated to the standards to make it suitable for potable water supply."

SECTION 3. G.S. 143-355.5 reads as rewritten:

"**§ 143-355.5. Water reuse; policy; rule making.**

(a) Water Reuse Policy. – It is the public policy of the State that the reuse of treated wastewater or reclaimed water and the use of gray water or captured rain water is critical to meeting the existing and future water supply needs of the State.

(a1) The General Assembly finds that reclaimed water systems permitted and operated under ~~G.S. 143-215.1(d2)~~G.S. 143-215.1 in an approved ~~wastewater~~ reuse program can provide water for many beneficial purposes in a way that is both environmentally acceptable and protective of public health. This finding includes and applies to conjunctive facilities that require the relocation of a discharge from one receiving stream to another under all of the following conditions:

(1) The relocation is necessary to create an approved comprehensive wastewater reuse program.

(2) The reuse program provides significant reuse benefits.

(3) The relocated discharge will comply with all applicable water quality standards; will not result in degradation of water quality in the receiving waters; and will not contribute to water quality impairment in the receiving ~~watershed; and will result in net benefits to water quality, such as the elimination of a wastewater discharge in a nutrient sensitive river basin.~~watershed.

(a2) The General Assembly finds that reclaimed water systems permitted and operated under G.S. 143-215.1 in an approved wastewater reuse program can provide water for the beneficial purpose of supplementing the water supply source for potable water in a way that is both environmentally acceptable and protective of public health. Notwithstanding any other provision of law, a local water supply system may combine

reclaimed water with the source water treated to provide potable water supply if all of the following conditions are satisfied:

(1) The reclaimed water use is not permitted for compliance with flow limitations imposed by a permit issued pursuant to G.S. 143-215.1(a4)(1).

(2) The reclaimed water and source water are combined in a pretreatment mixing basin owned and controlled by the drinking water supplier from which water is pumped to the water treatment plant.

(3) The pretreatment mixing basin is sized to hold a minimum volume corresponding to five days storage at the authorized operating capacity of the water treatment plant under normal operating conditions.

(4) The pretreatment mixing basin design and pumping infrastructure incorporate features to ensure mixing of reclaimed water and source water.

(5) The reclaimed water is treated to comply with the highest reclaimed water effluent standards established by the Commission.

(6) The average daily flow of reclaimed water into the pretreatment mixing basin, as measured over a 24-hour period, is no more than twenty percent (20%) of the sum of the average daily flow of source water and reclaimed water, as measured over the same 24-hour period, into the pretreatment mixing basin.

(7) The local water system has implemented conservation and efficiency measures designed to achieve water use reductions.

(8) Unbilled leakage from the local water system is maintained below fifteen percent (15%) of annual average potable water consumption of the local water system.

(9) The local water system has a master plan that evaluates alternatives for reclaimed water use.

(10) The local water system provides public notice to potable water recipients with opportunity for public participation.

(11) The potable water supply provided pursuant to this subsection shall comply with all State and federal laws for the provision of safe drinking water.

(12) Any discharge into the waters of the State must be pursuant to a permit issued under G.S. 143-215.1.

(b) Water Reuse Rule Making. – The Commission shall encourage and promote safe and beneficial reuse of treated wastewater as an alternative to surface water discharge. The Commission shall adopt rules to:

(1) Identify acceptable uses of reclaimed water, including toilet flushing, fire protection, decorative water features, and landscape irrigation.

(2) Facilitate the permitting of reclaimed water systems.

(3) Establish standards for reclaimed water systems that are adequate to prevent the direct distribution of reclaimed water as potable water. Standards adopted pursuant to this subdivision

shall not prohibit the direct distribution of reclaimed water as potable water pursuant to subsection (a2) of this section.

(c) Gray Water Rule Making. – The Commission shall encourage and promote the safe and beneficial use of gray water. The Commission shall adopt rules to:

(1) Identify acceptable uses of gray water, including toilet flushing, fire protection, decorative water features, and landscape irrigation.

(2) Facilitate the permitting of gray water systems.

(3) Establish standards, in coordination with the Commission for Public Health, for gray water systems that protect public health and safety and the environment and reduce the use of potable water within individual structures.

(d) The Department shall develop policies and procedures to promote the voluntary adoption and installation of gray water systems."

SECTION 4. This act is effective when it becomes law.

H.B. 1224

The proposed Conference Committee Substitute S127-PCCS85273-TDx-3 was submitted to the Senate on July 31, 2014, (see pg. 447). The full text reads as follows:

A BILL TO BE ENTITLED

AN ACT TO LIMIT THE TOTAL LOCAL GOVERNMENT SALES AND USE TAX RATE TO TWO AND ONE-HALF PERCENT; TO ALLOW DURHAM, ORANGE, FORSYTH, GUILFORD, MECKLENBURG, AND WAKE COUNTIES TO RETAIN A LOCAL SALES AND USE TAX CAP OF TWO AND THREE-QUARTERS PERCENT IF A MAJORITY OF VOTERS IN THOSE COUNTIES APPROVE THE LEVY OF A ONE-QUARTER PERCENT TAX IN A SPECIAL ELECTION HELD IN 2014; TO GIVE COUNTIES THE FLEXIBILITY TO USE UP TO ONE-HALF PERCENT OF THE LOCAL SALES AND USE TAX FOR PUBLIC TRANSPORTATION, FOR PUBLIC EDUCATION, FOR GENERAL PURPOSES, OR FOR A COMBINATION THEREOF; TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY HISTORIC REHABILITATION INCENTIVES; TO MAKE VARIOUS CHANGES TO TAX AND ECONOMIC DEVELOPMENT LAWS; TO CLARIFY THE CONFIDENTIALITY OF UNEMPLOYMENT COMPENSATION RECORDS; AND TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE REVENUE LAWS.

The General Assembly of North Carolina enacts:

PART I. LOCAL OPTION SALES TAX OPTIONS

SECTION 1.1. Subchapter VIII of Chapter 105 of the General Statutes is amended by adding a new Article to read:

"Article 43A.

"County Sales and Use Tax for Public Education.

"**§ 105-513.1. Short title; purpose.**

This Article is the County Sales and Use Tax for Public Education. Article 43 of this Chapter, Article 46 of this Chapter, and this Article give the counties of this State an

opportunity to obtain an additional source of revenue with which to meet their needs. A county may choose to use this source of revenue to finance local public transportation systems, as provided in Article 43 of this Chapter, for public education needs, as provided in this Article, or for general purposes, as provided in Article 46 of this Chapter.

"**§ 105-513.2. Levy.**

(a) Referendum. – A tax levied under this Article must be approved in a referendum. The board of commissioners of a county may direct the county board of elections to conduct an advisory referendum on the question of whether to levy a local sales and use tax in the county at a rate of up to one-half percent (1/2%). The applicable rate must meet all of the conditions listed in this subsection. The election shall be held in accordance with the procedures of G.S. 163-287. The conditions are:

(1) It must be in an increment of one-quarter percent (1/4%).

(2) It must be at a rate that, if levied, would not result in a total local sales and use tax rate in the county in excess of two and one-half percent (2 1/2%).

(b) Ballot Question. – The form of the question to be presented on a ballot for a special election concerning the levy of the tax authorized by this Article shall be:

"[ ] FOR [ ] AGAINST

Local sales and use tax at [the applicable rate stated in both words and as a percentage] in addition to the current local sales and use taxes, to be used only for public education."

(c) Authority. – If the majority of those voting in a referendum held pursuant to this Article vote for the levy of the tax, the board of commissioners of the county may, by resolution and after 10 days' public notice, levy a local sales and use tax at the rate specified in the ballot.

"**§ 105-513.3. Administration.**

Except as provided in this Article, the adoption, levy, collection, administration, and repeal of these additional taxes must be in accordance with Article 39 of this Chapter. In applying the provisions of Article 39 of this Chapter to this Article, references to "this Article" mean "Article 43A of Chapter 105 of the General Statutes." G.S. 105-468.1 is an administrative provision that applies to this Article. A tax levied under this Article does not apply to the sales price of food that is exempt from tax pursuant to G.S. 105-164.13B or to the sales price of a bundled transaction taxable pursuant to G.S. 105-467(a)(5a). The Secretary shall not divide the amount allocated to a county between the county and the municipalities within the county.

"**§ 105-513.4. Use.**

A county may use the proceeds of a tax levied under this Article only for the following purposes:

(1) Public school capital outlay purposes, as defined in G.S. 115C-426(f), or to retire any indebtedness incurred by the county for these purposes.

(2) Salaries of classroom teachers, salaries of classroom teacher assistants, and supplements of classroom teacher salaries. For the purposes of this section, a classroom teacher is an employee of a local board of education employed as a teacher who spends at least seventy percent (70%) of his or her work time in classroom instruction, and a classroom teacher assistant is an employee of a local board of education employed as a teacher assistant who spends at least seventy percent (70%) of his or her work time assisting in a classroom.

(3) Financial support of community colleges, including funds to supplement State financial support of community colleges."

SECTION 1.2.(a) G.S. 115C-429(b) reads as rewritten:

"(b) The board of county commissioners shall complete its action on the school budget on or before July 1, or such later date as may be agreeable to the board of education. The commissioners shall determine the amount of county revenues to be appropriated in the county budget ordinance to the local school administrative unit for the budget year. The board of county commissioners may, in its discretion, allocate part or all of its appropriation by purpose, function, or project as defined in the uniform budget format. For allocations made by the board of county commissioners for the purpose of or for a function related to instructional services, the board of county commissioners may direct the amount of funds to be used for salaries of classroom teachers, salaries of classroom teacher assistants, and supplements of classroom teacher salaries. For the purposes of this section, a classroom teacher is an employee of a local board of education employed as a teacher who spends at least seventy percent (70%) of his or her work time in classroom instruction, and a classroom teacher assistant is an employee of a local board of education employed as a teacher assistant who spends at least seventy percent (70%) of his or her work time assisting in a classroom."

SECTION 1.2.(b) G.S. 115C-433(b) reads as rewritten:

"(b) If the board of county commissioners allocates part or all of its appropriations pursuant to G.S. 115C-429(b), the board of education must obtain the approval of the board of county commissioners for an amendment to the budget that does any of the following:

(1)~~(i)~~ ~~increases~~ Increases or decreases expenditures from the capital outlay fund for projects listed in G.S. 115C-426(f)(1) or ~~(2), or (ii)~~(2).

(2) ~~increases~~ Increases or decreases the amount of county appropriation allocated to a purpose or function by twenty-five percent (25%) or more from the amount contained in the budget ordinance adopted by the board of county commissioners: ~~Provided,~~ provided, that at its discretion, the board may in its budget ordinance specify a lesser percentage, so long as such percentage is not less than ten ~~percent.~~percent (10%).

(3) Decreases the amount of funds allocated for salaries of classroom teachers, salaries of classroom teacher assistants, and supplements of classroom teacher salaries. For the purposes of this section, a classroom teacher is an employee of a local board of education employed as a teacher who spends at least seventy percent (70%) of his or her work time in classroom instruction, and a classroom teacher assistant is an employee of a local board of education employed as a teacher assistant who spends at least seventy percent (70%) of his or her work time assisting in a classroom."

SECTION 1.3.(a) G.S. 115D-55(a) reads as rewritten:

"(a) Approval of Budget by Local Tax-Levying Authority. – By a date fixed by the local tax-levying authority, the budget shall be submitted to the local tax-levying authority for approval of that portion within its authority as stated in G.S. 115D-54(b). On or before July 1, or such later date as may be agreeable to the board of trustees, but in no instance later than September 1, the local tax-levying authority shall determine the amount of county revenue to be appropriated to an institution for the budget year. The

local tax-levying authority may allocate part or all of an appropriation by purpose, function, or project as defined in the budget manual as adopted by the State Board of Community Colleges. The local tax-levying authority may direct the use of funds appropriated to the institution derived from a tax levied under Article 43A of Chapter 105 of the General Statutes.

The local tax-levying authority shall have full authority to call for all books, records, audit reports, and other information bearing on the financial operation of the institution except records dealing with specific persons for which the persons' rights of privacy are protected by either federal or State law.

Nothing in this Article shall be construed to place a duty on the local tax-levying authority to fund a deficit incurred by an institution through failure of the institution to comply with the provisions of this Article or rules and regulations issued pursuant hereto."

SECTION 1.3.(b) G.S. 115D-58(b) reads as rewritten:

"(b) If the local tax-levying authority allocates part or all of an appropriation pursuant to G.S. 115D-55, the board of trustees must obtain approval of the local tax-levying authority for an amendment to the budget which does any of the following:

(1) ~~increases~~ Increases or decreases the amount of that appropriation allocated to a purpose, function, or project by twenty-five percent (25%) or more from the amount contained in the budget ordinance adopted by the local tax-levying authority or such lesser percentage as specified by the local tax-levying authority in the original budget ordinance, so long as such percentage is not less than ten percent (10%).

(2) Decreases the amount of the appropriation directed by the tax-levying authority for a specific use from funds appropriated to the institution derived from a tax levied under Article 43A of Chapter 105 of the General Statutes."

SECTION 1.4.(a) G.S. 105-506 reads as rewritten:

"**§ 105-506. Short title; purpose.**

This Article is the Local Government Public Transportation Sales Tax Act and may be cited by that name. This ~~Article gives~~ Article, Article 43A of this Chapter, and Article 46 of this Chapter give the counties ~~and transportation authorities~~ of this State an opportunity to obtain an additional source of revenue with which to meet their ~~needs for financing~~ needs. Counties and transportation authorities may choose to use this source of revenue to finance local public transportation ~~systems. It provides them with authority to levy sales and use taxes. All such taxes~~ systems under this Article, counties may choose to use this source of revenue to finance public education needs, as provided in Article 43A of this Chapter, or counties may choose to use this source of revenue for general purposes, as provided in Article 46 of this Chapter. A tax levied under this Article must be approved in a referendum."

SECTION 1.4.(b) Part 1 of Article 43 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"**§ 105-506.4. Tax rate.**

(a) Rate. – The applicable rate of local sales and use tax that may be levied under this Article must meet all of the following conditions:

(1) It must be in an increment of one-quarter percent (1/4%).

(2) It must be at a rate that, if levied, would not result in a total local sales and use tax rate in the county in excess of two and one-half percent (2 1/2%).

(b) One-Half Cent (1/2%) Transit-Authorized Counties. – Notwithstanding subsection (a) of this section, the local sales and use tax rate of a county may exceed two and one-half percent (2 1/2%) if all of the conditions listed in this subsection are met. In no event may a county's local sales and use tax rate exceed two and three-quarters percent (2 3/4%). The conditions are:

(1) The county is Durham, Forsyth, Guilford, Orange, Mecklenburg or Wake County.

(2) The county levies a tax authorized under Part 2 of Article 43 of this Chapter, the county levies a tax at the rate of one-half percent (1/2%) under Part 5 of Article 43 of this Chapter, or the county is part of a special district authorized to levy a tax under Part 4 of Article 43 of this Chapter.

(3) The county conducted one or more advisory referendums on or before December 31, 2014, in which a majority of the voters approved the levy of a local sales and use tax at the rate of one-quarter percent (1/4%) under Article 46 of this Chapter.

(c) Reinstatement of Cap. – If the levy of a tax under this Article or Article 46 of this Chapter is repealed and the repeal results in the local sales and use tax rate falling below two and three-quarters percent (2 3/4%) in a county listed in subdivision (b)(1) of this section, the county may not enact a local sales and use tax under this Subchapter that results in a county local sales and use tax rate that exceeds two and one-half percent (2 1/2%)."

SECTION 1.4.(c) G.S. 105-507.1 reads as rewritten:

"**§ 105-507.1. Local election on adoption of sales and use tax.**

(a) Resolution. – The board of commissioners of a county may direct the county board of elections to conduct an advisory referendum within the county on the question of whether a local sales and use tax at the rate of up to one-half percent (1/2%) may be levied in accordance with this Part. The applicable rate must be in accordance with G.S. 105-506.4. The election shall be held in accordance with the procedures of G.S. 163-287. The board of commissioners shall hold a public hearing on the question at least 30 days before the date the election is to be held.

(b) Ballot Question. – The form of the question to be presented on a ballot for a special election concerning the levy of a tax authorized by this Article shall be:

"[ ] FOR [ ] AGAINST

~~One-half percent (1/2%)~~ [The applicable rate stated in both words and as a percentage] local sales and use taxes, in addition to the current local sales and use taxes, to be used only for public transportation systems.""

SECTION 1.4.(d) G.S. 105-507.2 reads as rewritten:

"**§ 105-507.2. Levy and collection of sales and use tax.**

If the majority of those voting in a referendum held pursuant to G.S. 105-507.1 vote for the levy of the tax, the board of commissioners of the county may, by resolution, levy ~~one-half percent (1/2%) local sales and use taxes~~ a local sales and use tax at the rate specified in the ballot in addition to any other State and local sales and use taxes levied pursuant to law. Except as provided in this Part, the adoption, levy, collection, administration, and repeal of these additional taxes shall be in accordance with Article 39 of this Chapter. In applying the provisions of Article 39 of this Chapter to this Part, references to "this Article" mean "Part 1 of Article 43 of Chapter 105 of the General Statutes"."

SECTION 1.4.(e) G.S. 105-509 reads as rewritten:

"**§ 105-509. Local election on adoption of sales and use tax – regional public transportation authority.**

…

(b) Resolution. – The board of trustees of the regional public transportation authority may, if all of the conditions listed in this subsection have been met, direct the respective county board or boards of elections to conduct an advisory referendum within the special district on the question of whether a local sales and use tax at the rate of up to one-half percent (1/2%) may be levied within the district in accordance with this Part. The applicable rate must be in accordance with G.S. 105-506.4. The tax may not be levied without voter approval. The election shall be held on a date jointly agreed upon by the authority, the county board or boards of commissioners, and the county board or boards of elections and shall be held on a date permitted by and in accordance with the procedures of G.S. 163-287. The conditions are as follows:

(1) The board of trustees has obtained approval to conduct a referendum by a vote of the following:

a. A majority vote of each of the county boards of commissioners within the special district, if it is a multicounty special district.

b. A majority of the county board of commissioners within the special district, if it is a single-county special district.

(2) A public hearing is held on the question by the board or boards of commissioners at least 30 days before the date the election is to be held.

(c) Ballot Question. – The form of the question to be presented on a ballot for a special election concerning the levy of a tax authorized by this Article shall be:

"[ ] FOR [ ] AGAINST

~~One-half percent (1/2%)~~ [The applicable rate stated in both words and as a percentage] local sales and use taxes, in addition to the current local sales and use taxes, to be used only for public transportation systems."

…."

SECTION 1.4.(f) G.S. 105-509.1 reads as rewritten:

"**§ 105-509.1. Levy and collection of sales and use tax – regional public transportation authority.**

If the majority of those voting in a referendum held pursuant to G.S. 105-509 vote for the levy of the tax, the transportation authority may, by resolution, levy ~~one-half percent (1/2%) local sales and use taxes~~ a local sales and use tax at the rate specified in the ballot within the special district, in addition to any other State and local sales and use taxes levied pursuant to law. In determining the results of the election in a multicounty district, all the counties of the district shall be considered to be one unit but also must receive a majority vote in each county, except that if the referendum is passed in one or more but not all of the counties, the counties in which the referendum was not approved are removed from the special district upon certification of the election result and the county or counties that approved the referendum shall remain in the special district. Except as provided in this Part, the adoption, levy, collection, administration, and repeal of these additional taxes shall be in accordance with Article 39 of this Chapter. In applying the provisions of Article 39 of this Chapter to this Article, references to "this Article" mean "Part 4 of Article 43 of Chapter 105 of the General Statutes." Any repeal of the tax shall be done by the same procedure as its enactment under this section, and in a multicounty district a petition for repeal under G.S. 105-473 shall be judged by the total votes in all the counties in the district."

SECTION 1.4.(g) G.S. 105-510 reads as rewritten:

"**§ 105-510. Local election on adoption of sales and use tax – regional transportation authority.**

…

(b) Resolution. – The board of trustees of the regional transportation authority may, if all of the conditions listed in this subsection have been met, direct the respective county board or boards of elections to conduct an advisory referendum within the special district on the question of whether a local sales and use tax at the rate of up to one-half percent (1/2%) may be levied within the district in accordance with this Part. The applicable rate must be in accordance with G.S. 105-506.4. The tax may not be levied without voter approval. The election shall be held on a date jointly agreed upon by the authority, the county board or boards of commissioners, and the county board or boards of elections and shall be held on a date permitted by and in accordance with the procedures of G.S. 163-287. The conditions are as follows:

(1) The board of trustees has obtained approval to conduct a referendum by a vote of the following:

a. A majority vote of both of the county boards of commissioners within the special district, if it is a multicounty special district.

b. A majority of the county board of commissioners within the special district, if it is a single-county special district.

(2) A public hearing is held on the question by the board or boards of commissioners at least 30 days before the date the election is to be held.

(c) Ballot Question. – The form of the question to be presented on a ballot for a special election concerning the levy of a tax authorized by this Article shall be:

"[ ] FOR [ ] AGAINST

~~One-half percent (1/2%)~~ [The applicable rate stated in both words and as a percentage] local sales and use taxes, in addition to the current local sales and use taxes, to be used only for public transportation systems."

…."

SECTION 1.4.(h) G.S. 105-510.1 reads as rewritten:

"**§ 105-510.1. Levy and collection of sales and use tax – regional transportation authority.**

If the majority of those voting in a referendum held pursuant to G.S. 105-510 vote for the levy of the tax, the transportation authority may, by resolution, levy ~~one-half percent (1/2%) local sales and use taxes~~ a local sales and use tax at the rate specified in the ballot within the special district, in addition to any other State and local sales and use taxes levied pursuant to law. In determining the results of the election in a multicounty district, all the counties of the district shall be considered to be one unit but also must receive a majority vote in each county, except that if the referendum is passed in one but not both of the counties, the county in which the referendum was not approved is removed from the special district upon certification of the election result and the county that approved the referendum shall remain in the special district. Except as provided in this Part, the adoption, levy, collection, administration, and repeal of these additional taxes shall be in accordance with Article 39 of this Chapter. In applying the provisions of Article 39 of this Chapter to this Article, references to "this Article" mean "Part 5 of Article 43 of Chapter 105 of the General Statutes." Any repeal of the tax shall be done by the same procedure as its enactment under this section, and in a multicounty district a petition for repeal under G.S. 105-473 shall be judged by the total votes in all the counties in the district."

SECTION 1.4.(i) G.S. 105-511.2 reads as rewritten:

"**§ 105-511.2. Local election on adoption of sales and use tax.**

(a) Resolution. – The board of commissioners of a county may direct the county board of elections to conduct an advisory referendum within the county on the question of whether a local sales and use tax at ~~the rate of one-quarter percent (1/4%)~~ a rate of up to one-half percent (1/2%) may be levied in accordance with this Part. The applicable rate must be in accordance with G.S. 105-506.4. The election shall be held on a date jointly agreed upon by the boards and shall be held on a date permitted by and in accordance with the procedures of G.S. 163-287. The board of commissioners shall hold a public hearing on the question at least 30 days before the date the election is to be held.

(b) Ballot Question. – The form of the question to be presented on a ballot for a special election concerning the levy of a tax authorized by this Article shall be:

"[ ] FOR [ ] AGAINST

~~One-quarter percent (1/4%)~~ [The applicable rate stated in both words and as a percentage] local sales and use taxes, in addition to the current local sales and use taxes, to be used only for public transportation systems.""

SECTION 1.4.(j) G.S. 105-511.3 reads as rewritten:

"**§ 105-511.3. Levy and collection of sales and use tax.**

(a) Authority to Levy. – If the majority of those voting in a referendum held pursuant to this Part vote for the levy of the tax, the board of commissioners of the county may, by resolution, levy ~~one-quarter percent (1/4%) local sales and use taxes~~ a local sales and use tax at the rate specified in the ballot in addition to any other State and local sales and use taxes levied pursuant to law.

(b) Administration. – Except as provided in this Part, the adoption, levy, collection, administration, and repeal of these additional taxes shall be in accordance with Article 39 of this Chapter. In applying the provisions of Article 39 of this Chapter to this Part, references to "this Article" mean "Part 6 of Article 43 of Chapter 105 of the General Statutes.""

SECTION 1.4.(k) This section is effective when it becomes law.

SECTION 1.5.(a) Part 1 of Article 43 of Chapter 105 of the General Statutes, as amended by Section 1.4 of this act, is amended by adding a new section to read:

"**§ 105-506.3. Applicability.**

A tax levied under Part 4 of this Article may not be in effect in a county at the same time as a tax levied by that county under Part 6 of this Article."

SECTION 1.5.(b) G.S. 105-511 reads as rewritten:

"**§ 105-511. Applicability.**

This Part applies only in counties other than Durham, Forsyth, Guilford, Mecklenburg, ~~Orange, or Wake.~~ or Orange."

SECTION 1.5.(c) This section is effective when it becomes law.

SECTION 1.6.(a) Article 46 of Chapter 105 of the General Statutes reads as rewritten:

"Article 46.

"One-Quarter Cent (1/4¢) or One-Half Cent (1/2¢) County Sales and Use Tax.

"**§ 105-535. Short title.**

This Article is the One-Quarter Cent (1/4¢) or One-Half Cent (1/2¢) County Sales and Use Tax Act.

"**§ 105-536. Limitations.**

This Article applies only to counties that levy the first one-cent (1¢) sales and use tax under Article 39 of this Chapter or under Chapter 1096 of the 1967 Session Laws, the first one-half cent (1/2¢) local sales and use tax under Article 40 of this Chapter, and the second one-half cent (1/2¢) local sales and use tax under Article 42 of this Chapter.

"**§ 105-537. Levy.**

(a) Authority. – A tax levied under this Article must be approved in a referendum. If the majority of those voting in a referendum held pursuant to this Article vote for the levy of the tax, the board of county commissioners may, by resolution and

after 10 days' public notice, levy a local sales and use tax at ~~a rate of one-quarter percent (0.25%).~~ the applicable rate. The applicable rate must meet all of the following conditions:

(1) It must be in an increment of one-quarter percent (1/4%).

(2) It must be at a rate that, if levied, would not result in a total local sales and use tax rate in the county in excess of two and one-half percent (2 1/2%).

(b) Vote. – The board of county commissioners may direct the county board of elections to conduct an advisory referendum on the question of whether to levy a local sales and use tax in the county as provided in this Article. The election shall be held in accordance with the procedures of G.S. 163-287.

(c) Ballot Question. – The form of the question to be presented on a ballot for a special election concerning the levy of the tax authorized by this Article shall be:

"[ ] FOR [ ] AGAINST

Local sales and use tax at the rate of ~~one-quarter percent (0.25%)~~ [The applicable rate stated in both words and as a percentage] in addition to all other State and local sales and use taxes."

…

(e) One-Half Cent (1/2%) Transit-Authorized Counties. – As of April 1, 2013, Durham County and Orange County levy a local sales and use tax at the rate of two and three-quarters percent (2 3/4%). As of August 1, 2014, Forsyth, Guilford, Mecklenburg, and Wake Counties levy a local sales and use tax at the rate of two and one-half percent (2 1/2%) or less but are authorized to levy a local sales and use tax at the rate of up to two and three-quarters percent (2 3/4%). Notwithstanding subsection (a) of this section, the local sales and use tax rate in these counties may exceed two and one-half percent (2 1/2%) if all of the conditions listed in this subsection are met. In no event may the local sales and use tax rate in these counties exceed two and three-quarters percent (2 3/4%). The conditions are:

(1) The county levies a tax authorized under Part 2 of Article 43 of this Chapter, the county levies a tax at the rate of one-half percent (1/2%) under Part 5 of Article 43 of this Chapter, or the county is part of a special district authorized to levy a tax under Part 4 of Article 43 of this Chapter.

(2) The county conducted one or more advisory referendums on or before December 31, 2014, in which a majority of the voters approved the levy of a local sales and use tax at the rate of one-quarter percent (1/4%) under this Article.

(f) Reinstatement of Cap. – If the levy of a tax under this Article or Article 43 of this Chapter is repealed and the repeal results in the local sales and use tax rate falling below two and three-quarters percent (2 3/4%) in a county named in subsection (e) of this section, the county may not enact a local sales and use tax under this Subchapter that results in a county local sales and use tax rate that exceeds two and one-half percent (2 1/2%).

"§ 105-538. Administration of taxes.

Except as provided in this Article, the adoption, levy, collection, administration, and repeal of these additional taxes must be in accordance with Article 39 of this Chapter. G.S. 105-468.1 is an administrative provision that applies to this Article. A tax levied under this Article does not apply to the sales price of food that is exempt from tax pursuant to G.S. 105-164.13B or to the sales price of a bundled transaction taxable pursuant to G.S. 105-467(a)(5a). The Secretary shall not divide the amount allocated to a county between the county and the municipalities within the county.

"**§ 105-539. Use.**

(a) Referenda Held On or Before January 1, 2015. – A county that approves the levy of a tax under this Article in a referendum held on or before January 1, 2015, must use the proceeds of the tax levied under this Article for any lawful public purpose.

(b) Referenda Held After January 1, 2015. – A county that approves the levy of a tax under this Article in a referendum held after January 1, 2015, must use the proceeds of a tax levied under this Article for any lawful public purpose, except that the proceeds may not be used for a purpose for which a tax levied under Article 43 of this Chapter must be used."

SECTION 1.6.(b) G.S. 105-164.3(4a) reads as rewritten:

"(4a) Combined general rate. – The sum of all of the following:

a.The State's general rate of tax set in ~~G.S. 105-164.4(a)~~ G.S. 105-164.4(a).

b. ~~plus the~~ The sum of the rates of the local sales and use taxes authorized for every county in this State by ~~Subchapter VIII~~ Article 39 of this Chapter or Chapter 1096 of the 1967 Session Laws, Article 40 of this Chapter, and Article 42 of this ~~Chapter for every county in this State.~~Chapter.

c.One-half of the maximum rate of tax authorized by Article 46 of this Chapter."

SECTION 1.7.(a) G.S. 158-7.1(b) reads as rewritten:

"(b) A county or city may undertake the following specific economic development activities. (This listing is not intended to limit by implication or otherwise the grant of authority set out in subsection (a) of this section). The activities listed in this subsection may be funded by the levy of property taxes pursuant to G.S. 153A-149 and G.S. 160A-209 and by the allocation of other revenues whose use is not otherwise restricted by law.

…

(8) A county or city may provide grants or loans for the rehabilitation of underutilized mills, other industrial structures, or historic structures."

SECTION 1.7.(b) The Revenue Laws Study Committee is directed to conduct an economic analysis of rehabilitating both income-producing and nonincome-producing historic structures, including historic mill property. The Committee shall report its findings, along with any legislative recommendations, to the 2015 Regular Session of the 2015 General Assembly upon its convening. The study may include an examination of the following:

(1) The geographic distribution of historic properties in the State.

(2) The return on investment to the State of providing tax credits or grant subsidies to encourage and enable historic rehabilitation.

(3) The short-term and long-term benefits of historic rehabilitation projects, including job creation and income generated.

(4) The impact on property values.

(5) The role of historic preservation with regard to downtown, commercial revitalization.

SECTION 1.8. Except as otherwise provided, this Part is effective when it becomes law.

PART II. JMAC MODIFICATIONS

SECTION 2.(a) G.S. 143B-437.012 reads as rewritten:

"**§ 143B-437.012. Job Maintenance and Capital Development Fund.**

…

(d) Eligibility. – A business is eligible for consideration for a grant under this section if it satisfies the conditions of either subdivision (1) or (2) of this subsection and satisfies ~~the conditions of both subdivisions (3) and~~subdivision (4) of this subsection:

(1) The business is a major employer. A business is a major employer if the business meets the following requirements:

a. The Department certifies that the business has invested or intends to invest at least two hundred million dollars ($200,000,000) of private funds in improvements to real property and additions to tangible personal property in the project within a six-year period beginning with the time the investment commences.

b. The business employs at least 2,000 full-time employees or equivalent full-time contract employees at the project that is the subject of the grant at the time the application is made, and the business agrees to maintain at least 2,000 full-time employees or equivalent full-time contract employees at the project for the full term of the grant agreement.

c. The project is located in a development tier one area at the time the business applies for a grant.

(2) The business is a large manufacturing employer. A business is a large manufacturing employer if the business meets the following requirements:

a. The business is in manufacturing, as defined in G.S. 143B-437.01, and is converting its manufacturing process to change the product it ~~manufactures.~~manufactures or is investing in its manufacturing process by enhancing pollution controls or transitioning the manufacturing process from using coal to using natural gas for the purpose of becoming more energy efficient or reducing emissions.

b. The Department certifies that the business has invested or intends to invest at least ~~sixty-five~~fifty million dollars ~~($65,000,000)~~($50,000,000) of private funds in improvements to real property and additions to tangible personal property in the project within a ~~three-year~~five-year period beginning with the time the investment commences.

c. The business meets one of the following employment requirements:

1. If in a development tier one area, the business employs at least 320 full-time employees at the project that is the subject of the grant at the time the application is made, and the business agrees to maintain at

least 320 full-time employees at the project for the full term of the grant.

2. If in a development tier two area with a population of less than 60,000 as of July 1, 2013, the business employs at least 800 full-time employees or equivalent full-time contract employees at the project that is the subject of the grant at the time the application is made, and the business agrees to maintain at least 800 full-time employees or equivalent full-time contract employees at the project for the full term of the grant.

~~(3) The project is located in a development tier one area at the time the business applies for a grant.~~

(4) All newly hired employees of the business must be citizens of the United ~~States,~~States or have proper identification and documentation of their authorization to reside and work in the United States.

…

(n) Limitations. – The Department may enter into no more than five agreements under this section. The total aggregate cost of all agreements entered into under this section may not exceed ~~sixty-nine million dollars ($69,000,000).~~seventy-nine million dollars ($79,000,000). The total annual cost of an agreement entered into under this section may not exceed six million dollars ($6,000,000)."

SECTION 2.(b) This section becomes effective July 1, 2014.

PART III. JOB CATALYST FUND

SECTION 3.(a) The title of Part 2G of Article 10 of Chapter 143B of the General Statutes reads as rewritten:

"Part 2G. Job ~~Development Investment Grant Program.~~Development."

SECTION 3.(b) G.S. 143B-437.51 reads as rewritten:

"**§ 143B-437.51. Definitions.**

The following definitions apply in this Part:

…

(6) Full-time employee. – A person who is employed for consideration for at least 35 hours a week, whose wages are subject to withholding under Article 4A of Chapter 105 of the General Statutes, and who is determined by the Committee to be employed in a permanent position according to criteria it develops in consultation with the Attorney General. The term does not include any person who works as an independent contractor or on a consulting basis for the business.

(6a) Full-time worker. – A person who is employed for consideration for at least 35 hours a week, whose wages are subject to withholding under Article 4A of Chapter 105 of the General Statutes, and who is determined by the Department to be employed in a permanent position. The term does not include any person who works as an independent contractor or on a consulting basis for the business.

(7) New employee. – A full-time employee or a full-time worker who represents a net increase in the number of the business's employees or workers statewide.

…."

SECTION 3.(c) G.S. 143B-437.52 reads as rewritten:

"Subpart A. Job Development Investment Grant Program.

"**§ 143B-437.52. Job Development Investment Grant Program.**

(a) Program. – There is established the Job Development Investment Grant Program to be administered by the Economic Investment Committee. In order to foster job creation and investment in the economy of this State, the Committee may enter into agreements with businesses to provide grants in accordance with the provisions of this Part. The Committee, in consultation with the Attorney General, shall develop criteria to be used in determining whether the conditions of this section are satisfied and whether the project described in the application is otherwise consistent with the purposes of this Part. Before entering into an agreement, the Committee must find that all the following conditions are met:

…."

SECTION 3.(d) The Revisor of Statutes is authorized to change references of "this Part" in Subpart A of Part 2G of Article 10 of Chapter 143B of the General Statutes to "this Subpart" as appropriate.

SECTION 3.(e) Part 2G of Article 10 of Chapter 143B of the General Statutes is amended by adding a new Subpart to read:

"Subpart B. Job Catalyst Fund.

"**§ 143B-437.67. Job Catalyst Fund.**

(a) Creation and Purpose of Fund. – There is created in the Department of Commerce a special, nonreverting account to be known as the Job Catalyst Fund to provide funds to a local governmental unit for projects that result in the creation of jobs. The Secretary of Commerce is solely responsible for the administration of the program and shall adopt guidelines applicable to program administration. The guidelines shall include the following provisions, which shall apply to each grant from the account:

(1) The funds are reserved for a project for which a business agrees to create and maintain, for the greater of 10 years or a time period not less than the sum of the full term of the grant plus five years, the number of new worker positions at the project as follows:

a. For development tier one areas, 500 full-time workers.

b. For development tier two areas, 800 full-time workers.

c. For development tier three areas, 1,200 full-time workers.

(2) The funds are reserved for a project for which a business agrees to make an investment at the project as provided in this subdivision. The investment required by this subdivision must be private funds in improvements to real property and additions to tangible personal property located at the project for the greater of 10 years or a time period not less than the sum of the full term of the grant plus five years. The investment must be commenced no later than the time when the first disbursement is made to the business and must be completed no later than five years from the time the first disbursement is made to the business. Tangible personal property transferred by the business or from a related member of the business from one area in the State to the project is not considered an investment in tangible personal property located at the project for purposes of this

section. The Department shall certify the amount of the investment made by the business at the project. The minimum investment at the project the business agrees to make is as follows:

a.For development tier one areas, twenty million dollars ($20,000,000).

b. For development tier two areas, thirty-five million dollars ($35,000,000).

c.For development tier three areas, fifty million dollars ($50,000,000).

(3) The funds are (i) used to acquire or improve land or infrastructure, for facility development, or for capital investment and (ii) used for manufacturing projects. For purposes of this subdivision, "manufacturing" is defined in G.S. 143B-437.01.

(4) The funds are provided to a local governmental unit, and the local governmental unit matches a portion of the funds allocated by the Department as provided in this subdivision. A local match may include cash, fee waivers, in-kind services, the donation of assets, the provision of infrastructure, or a combination. The local match requirement is as follows:

a.For development tier one areas, a local match of at least three dollars ($3.00) for every one hundred dollars ($100.00) from the State is required.

b. For development tier two areas, a local match of at least six dollars ($6.00) for every one hundred dollars ($100.00) from the State is required.

c.For development tier three areas, a local match of at least nine dollars ($9.00) for every one hundred dollars ($100.00) from the State is required.

(5) The funds are reserved for a project for which a business agrees to meet, for the greater of 10 years or a time period not less than the sum of the full term of the grant plus five years, the wage standard provided in this subdivision for all full-time workers at the project. In making the wage calculation, all full-time position jobs filled during the year for at least 1,600 hours are included. The required wage standard is as follows:

a.For development tier one and two areas, an average weekly wage that is at least equal to one hundred percent (100%) of the average wage for all insured private employers in the county.

b. For development tier three areas, an average weekly wage that is at least equal to one hundred ten percent (110%) of the average wage for all insured private employers in the county.

(6) The funds are reserved for projects for which a business agrees to meet, for the greater of 10 years or a time period not less than the sum of the full term of the grant plus five years, a requirement to provide health insurance for all full-time workers at the project. For purposes of this subdivision, a business provides health insurance if it pays at least fifty percent (50%) of the premiums for health care coverage that equals or exceeds the minimum provisions of the

basic health care plan of coverage recommended by the Small Employer Carrier Committee pursuant to G.S. 58-50-125. A business shall provide a certification that it continues to provide health insurance as required by this subdivision.

(7) The funds are not used for a project at which is located, during the greater of 10 years or a time period not less than the sum of the full term of the grant plus five years, a business that has received a notice of an overdue tax debt and that overdue tax debt has not been satisfied or otherwise resolved.

(8) The funds are not used in favor of jobs created or property investments made for which a business receives a tax credit under Article 3J of Chapter 105 of the General Statutes.

(9) The funds are reserved for projects for a business that has no citations under the Occupational Safety and Health Act that have become a final order within the past three years for willful serious violations or for failing to abate serious violations. In addition, the business must, for the greater of 10 years or a time period not less than the sum of the full term of the grant plus five years, have no citations under the Occupational Safety and Health Act that have become a final order within the past three years for willful serious violations or for failing to abate serious violations with respect to the project. For purposes of this subsection, "serious violation" has the same meaning as in G.S. 95-127.

(10) The funds are not used for a project that consists of a professional or semiprofessional sports team or club or a project that consists solely of retail facilities. If a project consists of both retail facilities and nonretail facilities, only the portion of the project consisting of nonretail facilities is eligible for a grant, and only full-time workers employed exclusively in the portion of the project that represents nonretail facilities may be counted for purposes of fulfilling the new worker position requirement. If a warehouse facility is part of a retail facility and supplies only that retail facility, the warehouse facility investment and full-time workers are not counted for purposes of the requirements of this section. For the purposes of this Subpart, catalog distribution centers are not retail facilities.

(b) Forfeiture. – If the business at the project fails to timely create and maintain the required new jobs, to timely make the required level of investment, or to otherwise meet the requirements of this section, the local governmental unit shall provide a means to recapture from the business at the project an amount equal to the amount disbursed from the Fund for the project, and the local governmental unit must reimburse the Fund for that disbursement.

(c) Records. – A business located at a project for which a grant was made from the Fund shall maintain records and make available for inspection by the Secretary of Commerce any records the Secretary considers necessary to determine and verify the business has met the requirements of this section.

(d) Report. – The Department shall publish a report on the Job Catalyst Fund on or before April 30 of each year. The Department shall submit the report electronically to the House of Representatives Finance Committee, the Senate Finance Committee, the House of Representatives Appropriations Subcommittee on Natural and Economic

Resources, the Senate Appropriations Committee on Natural and Economic Resources, and the Fiscal Research Division. The report shall include the following:

(1) A listing of each grant awarded during the preceding calendar year, including the name of the business locating at the project, a description of the project, the term of the grant, and the liability under the grant.

(2) An update on the status of projects under grants awarded before the preceding calendar year.

(3) The number and development tier area of new worker positions to be created by projects with respect to which grants have been awarded.

(4) A listing of the employment level for all businesses located at projects with respect to which grants have been awarded and any changes in those levels from the level of the next preceding year.

(5) The wage levels of all new worker positions to be created at projects with respect to which grants have been awarded, aggregated, and listed in increments of ten thousand dollars ($10,000) or other appropriate increments.

(6) The number of awards made for projects for new businesses and the number of awards made for projects for existing, expanding businesses in the preceding calendar year.

(7) The environmental impact of businesses at projects with respect to which grants have been awarded.

(8) The geographic distribution of grants, by number and amount, awarded under the program.

(9) For the first annual report after adoption of the guidelines developed by the Department to implement this Subpart, a copy of such guidelines, and, for subsequent reports, identification of any changes in those guidelines from the previous calendar year."

SECTION 3.(f) The Secretary of Commerce shall develop guidelines related to the administration of the Jobs Catalyst Fund, as authorized by this section, and to the selection of projects. At least 20 days before the effective date of any guidelines or nontechnical amendments to guidelines, the proposed guidelines must be published on the Department's Web site and provide notice to persons who have requested notice of proposed guidelines. In addition, the Department of Commerce shall accept oral and written comments on the proposed guidelines during the 15 business days beginning on the first day the notice requirement of this subsection have been completed. For purposes of this subsection, a technical amendment is one that corrects a spelling or grammatical error or that makes a clarification based on public comment and could have been anticipated by the public notice that immediately preceded the public comment.

SECTION 3.(g) G.S. 150B-1(d) reads as rewritten:

"(d) Exemptions from Rule Making. – Article 2A of this Chapter does not apply to the following:

…

(10) The Economic Investment Committee in developing criteria for the Job Development Investment Grant Program under ~~Part 2F~~Subpart A of Part 2G of Article 10 of Chapter 143B of the General Statutes.

(10a) The Secretary of Commerce in developing criteria for the Job Catalyst Fund under Subpart B of Part 2G of Article 10 of Chapter 143B of the General Statutes.

…."

SECTION 3.(h) G.S. 143B-437.07(c) reads as rewritten:

"(c) Economic Development Incentive. – An economic development incentive includes any grant from the following programs: Job Development Investment Grant Program; the Job Catalyst Fund; the Job Maintenance and Capital Development Fund; One North Carolina Fund; and the Utility Account. The State also incents economic development through the use of tax expenditures in the form of tax credits and refunds. The Department of Revenue must report annually on these statutory economic development incentives, as required under G.S. 105-256."

SECTION 3.(i) This section is effective when it becomes law.

PART IV. JDIG MODIFICATIONS

SECTION 4.(a) Section 15.19(a1) of S.L. 2013-360 reads as rewritten:

"**SECTION 15.19.(a1)** Notwithstanding G.S. 143B-437.52(c), for the 2013-2015 fiscal biennium, the maximum total liability for grants awarded, including amounts transferred to the Utility Account pursuant to G.S. 143B-437.61, is ~~twenty-two million five hundred thousand dollars ($22,500,000)~~thirty-six million five hundred thousand dollars ($36,500,000) and, for the period from July 1, 2015, to December 31, 2015, the maximum total liability for grants awarded, including amounts transferred to the Utility Account pursuant to G.S. 143B-437.61, is seven million five hundred thousand dollars ($7,500,000). No agreement may be entered into that, when considered together with other existing agreements governing grants awarded during an applicable time period provided in this subsection, could cause the State's potential total ~~annual~~ liability for grants awarded in that time period to exceed the designated maximum amount."

SECTION 4.(b) G.S. 143B-437.52 reads as rewritten:

"**§ 143B-437.52. Job Development Investment Grant Program.**

(a) Program. – There is established the Job Development Investment Grant Program to be administered by the Economic Investment Committee. In order to foster job creation and investment in the economy of this State, the Committee may enter into agreements with businesses to provide grants in accordance with the provisions of this ~~Part.~~Subpart. The Committee, in consultation with the Attorney General, shall develop criteria to be used in determining whether the conditions of this section are satisfied and whether the project described in the application is otherwise consistent with the purposes of this ~~Part.~~Subpart. Before entering into an agreement, the Committee must find that all the following conditions are met:

…

(5) The total benefits of the project to the State outweigh its costs and render the grant appropriate for the project. If the total costs of the project to the State outweigh the benefits as a result of an award from the Job Catalyst Fund under Subpart B of this Part, the Committee may disregard the Job Catalyst Fund award in determining whether a grant is appropriate for the project.

…."

SECTION 4.(c) G.S. 143B-437.55 is amended by adding a new subsection to read:

"(c1) Monthly Reports. – The Committee shall, on the last day of each month other than the month of April, report electronically on the Job Development Investment Grant Program. The Committee shall submit the report, for months that, on the due date, the General Assembly is not in session, to the Revenue Laws Study Committee and the

Fiscal Research Division and shall submit the report, for months that, on the due date, the General Assembly is in session, to the House of Representatives Finance Committee, the Senate Finance Committee, and the Fiscal Research Division. The report shall include each of the following:

(1) The total liability for grants awarded in a period, the remaining amount of liability for grants that may be awarded in that period, and the maximum amount of total liability for which grants may be awarded in that period.

(2) A listing of each grant awarded during the period, including, for each grant, the name of the business, the term of the grant, the percentage of withholdings used to determine the amount of the grant, the annual maximum State liability under the grant, and the maximum total lifetime State liability under the grant, jobs anticipated to be created at the project, average wage anticipated for jobs at the project, amount of money anticipated to be invested by the business at the project, and the total amount anticipated to be annually transferred to the Utility Account under this Subpart."

SECTION 4.(d) G.S. 143B-437.52(a), as rewritten by Section 4(b) of this act, reads as rewritten:

"(a) Program. – There is established the Job Development Investment Grant Program to be administered by the Economic Investment Committee. In order to foster job creation and investment in the economy of this State, the Committee may enter into agreements with businesses to provide grants in accordance with the provisions of this Subpart. The Committee, in consultation with the Attorney General, shall develop criteria to be used in determining whether the conditions of this section are satisfied and whether the project described in the application is otherwise consistent with the purposes of this Subpart. Before entering into an agreement, the Committee must find that all the following conditions are met:

…

(5) The total benefits of the project to the State outweigh its costs and render the grant appropriate for the project. ~~If the total costs of the project to the State outweigh the benefits as a result of an award from the Job Catalyst Fund under Subpart B of this Part, the Committee may disregard the Job Catalyst Fund award in determining whether a grant is appropriate for the project.~~"

SECTION 4.(e) Section 4(d) of this act becomes effective July 1, 2015.

PART V. CROWD FUNDING

SECTION 5.(a) G.S. 78A-17 is amended by adding a new subdivision to read:

"(20) Any offer or sale of a security by an issuer if the offer or sale is conducted in accordance with G.S. 78A-17.1."

SECTION 5.(b) Article 3 of Chapter 78A of the General Statutes is amended by adding a new section to read:

"**§ 78A-17.1. Invest NC exemption.**

(a) Exemption. – Except as otherwise provided in this Chapter, an offer or sale of a security by an issuer is exempt from G.S. 78A-24 and G.S. 78A-49(d) if the offer or sale is conducted in accordance with each of the following requirements:

(1) The issuer of the security is a business entity formed under the laws of the State and registered with the Secretary of State.

(2) The transaction meets the requirements of the federal exemption for intrastate offerings in section 3(a)(11) of the Securities Act of 1933, 15 U.S.C. § 77c(a)(11), and SEC rule 147, 17 C.F.R. § 230.147.

(3) The sum of all cash and other consideration to be received for all sales of the security in reliance upon this exemption does not exceed the cap provided in this subdivision.

a.One million dollars ($1,000,000), less the aggregate amount received for all sales of securities by the issuer within the 12 months before the first offer or sale made in reliance upon this exemption, if the issuer has not undergone and made available to each prospective investor and the Administrator the documentation resulting from a financial audit with respect to its most recently completed fiscal year and meeting generally accepted accounting principles.

b. Two million dollars ($2,000,000), less the aggregate amount received for all sales of securities by the issuer within the 12 months before the first offer or sale made in reliance upon this exemption, if the issuer has undergone and made available to each prospective investor and the Administrator the documentation resulting from a financial audit with respect to its most recently completed fiscal year and meeting generally accepted accounting principles.

(4) The issuer has not accepted more than two thousand dollars ($2,000) from any single purchaser unless the purchaser is an accredited investor as defined by rule 501 of SEC regulation D, 17 C.F.R. § 230.501.

(5) Not less than 10 days prior to the commencement of an offering of securities in reliance on this exemption or the use of any publicly available Web site in connection with any such offering, the issuer shall file a notice with the Administrator, in writing or in electronic form as specified by the Administrator, containing the following:

a.A notice of claim of exemption from registration, specifying that the issuer will be conducting an offering in reliance upon this exemption, accompanied by the filing fee as specified in this section.

b. A copy of the disclosure statement to be provided to prospective investors in connection with the offering, containing the following:

1. A description of the company, its type of entity, the address and telephone number of its principal office, its history, its business plan, and the intended use of the offering proceeds, including any amounts to be paid, as compensation or otherwise, to any owner, executive officer, director, managing member, or other person occupying a similar status or performing similar functions on behalf of the issuer.

2. The identity of all persons owning more than ten percent (10%) of the ownership interests of any class of securities of the company.

3. The identity of the executive officers, directors, managing members, and other persons occupying a similar status or performing similar functions in the name of and on behalf of the issuer, including their titles and their prior experience.

4. The terms and conditions of the securities being offered and of any outstanding securities of the company, the minimum and maximum amount of securities being offered, if any, and either the percentage ownership of the company represented by the offered securities or the valuation of the company implied by the price of the offered securities.

5. The identity of any person who has been or will be retained by the issuer to assist the issuer in conducting the offering and sale of the securities, including any Web sites, but excluding persons acting solely as accountants or attorneys and employees whose primary job responsibilities involve the operating business of the issuer rather than assisting the issuer in raising capital, and for each person identified in response to this paragraph, a description of the consideration being paid to such person for such assistance.

6. A description of any litigation or legal proceedings involving the company or its management.

7. The names and addresses, including URL, of any Web sites that will be used in connection with the offering.

c.An escrow agreement with a bank or other depository institution located within this State in which the investor funds will be deposited, providing that all offering proceeds will be released to the issuer only when the aggregate capital raised from all investors is equal to or greater than the minimum target offering amount specified in the business plan as necessary to implement the business plan and that all investors may cancel their commitments to invest if that target offering amount is not raised by the time stated in the disclosure document.

(6) The issuer is not, either before or as a result of the offering, an investment company, as defined in section 3 of the Investment Company Act of 1940, 15 U.S.C. § 8a-3, or an entity

that would be an investment company but for the exclusions provided in section 3(c) of the act, or subject to the reporting requirements of section 13 or 15(d) of the Securities Exchange Act of 1934, 15 U.S.C. § 78m and 78o(d).

(7) The issuer shall inform all prospective purchasers under this section that the securities have not been registered under federal or State securities law and that the securities are subject to limitations on resale. The issuer shall display the following legend conspicuously on the cover page of the disclosure document:

"IN MAKING AN INVESTMENT DECISION, INVESTORS MUST RELY ON THEIR OWN EXAMINATION OF THE ISSUER AND THE TERMS OF THE OFFERING, INCLUDING THE MERITS AND RISKS INVOLVED. THESE SECURITIES HAVE NOT BEEN RECOMMENDED BY ANY FEDERAL OR STATE SECURITIES COMMISSION OR REGULATORY AUTHORITY. FURTHERMORE, THE FOREGOING AUTHORITIES HAVE NOT CONFIRMED THE ACCURACY OR DETERMINED THE ADEQUACY OF THIS DOCUMENT. ANY REPRESENTATION TO THE CONTRARY IS A CRIMINAL OFFENSE. THESE SECURITIES ARE SUBJECT TO RESTRICTIONS ON TRANSFERABILITY AND RESALE AND MAY NOT BE TRANSFERRED OR RESOLD EXCEPT AS PERMITTED BY SUBSECTION (E) OF SEC RULE 147, 17 C.F.R. § 230.147(E) AS PROMULGATED UNDER THE SECURITIES ACT OF 1933, AS AMENDED, AND THE APPLICABLE STATE SECURITIES LAWS, PURSUANT TO REGISTRATION OR EXEMPTION THEREFROM. INVESTORS SHOULD BE AWARE THAT THEY WILL BE REQUIRED TO BEAR THE FINANCIAL RISKS OF THIS INVESTMENT FOR AN INDEFINITE PERIOD OF TIME."

(8) The issuer shall require each purchaser to certify in writing "I understand and acknowledge that:

a.I am investing in a high-risk, speculative business venture. I may lose all of my investment, and I can afford the loss of my investment.

b. This offering has not been reviewed or approved by any state or federal securities commission or other regulatory authority and that no such person or authority has confirmed the accuracy or determined the adequacy of any disclosure made to me relating to this offering.

c.The securities I am acquiring in this offering are illiquid, that there is no ready market for the sale of such securities, that it may be difficult or impossible for me to sell or otherwise dispose of this investment,

and that, accordingly, I may be required to hold this investment indefinitely.

d. I may be subject to tax on my share of the taxable income and losses of the company, whether or not I have sold or otherwise disposed of my investment or received any dividends or other distributions from the company."

(9) If the offer and sale of securities is made through an Internet Web site, the following requirements apply:

a.Prior to the offer of an investment opportunity to residents of this State through a Web site, the issuer shall provide to the Web site and to the Administrator evidence that the issuer is organized under North Carolina law and that it is authorized to do business within the State.

b. The issuer shall obtain from each purchaser of a security under this section evidence that the purchaser is a resident of North Carolina and, if applicable, an accredited investor.

c.The Web site operator shall register with the Administrator by filing a statement that it is a business entity that is organized under North Carolina law and that it is authorized to do business within the State and that it is being utilized to offer and sell securities pursuant to this exemption. As part of the registration, the Web site shall notify the Administrator of its and the issuer's identity, location, and contact information.

d. The issuer and the Web site must keep and maintain records of the offers and sales of securities effected through the Web site and must provide ready access to the records to the Administrator, upon request. The Administrator may access, inspect, and review any Web site and its records.

(10) All payments for purchase of securities must be directed to and held by the bank or depository institution subject to the provisions of sub-subdivision (a)(5)c. of this section. The bank or depository institution shall notify the Administrator of the receipt of payments for securities and the identity and residence of the investors. The information shall be confidential and considered trade secrets within the scope of G.S. 132-1.2 while in the possession of the Administrator.

(11) No offers or sales of a security shall be made through an Internet Web site unless the Web site is registered with the Administrator pursuant to sub-subdivision (a)(9)c. of this section. The Web site shall not be subject to the registration provisions of G.S. 78A-36, provided that all of the following apply:

a.It does not offer investment advice or recommendations.

b. It does not solicit purchases, sales, or offers to buy the securities offered or displayed on the Web site.

c.It does not compensate employees, agents, or other persons for the solicitation or based on the sale of securities displayed or referenced on the Web site.

d. It is not compensated based on the amount of securities sold, and it does not hold, manage, possess, or otherwise handle investor funds or securities.

e.It does not engage in such other activities as the Administrator, by rule, determines appropriate.

(12) An executive officer, director, managing member, or person occupying a similar status or performing similar functions in the name of and on behalf of the issuer shall be exempt from the registration provisions of G.S. 78A-36, provided that the person does not receive, directly or indirectly, any commission or remuneration for offering and selling securities of the issuer pursuant to this exemption.

(13) The issuer must provide a copy of the disclosure document provided to the Administrator pursuant to sub-subdivision (a)(5)b. of this section to each prospective investor at the time the offer of securities is made to the prospective investor. In addition to the information described in sub-subdivision (a)(5)b. of this section, the disclosure document provided to the Administrator and to prospective investors should include additional information material to the offering, including, where appropriate, a discussion of significant factors that make the offering speculative or risky. This discussion must be concise and organized logically and should not present risks that could apply to any issuer or any offering.

(b) Indexing. – The dollar limitations provided in subdivision (a)(3) of this section shall be cumulatively adjusted every fifth year by the Administrator to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics, setting each dollar limitation to the nearest fifty thousand dollars ($50,000).

(c) Report. – An issuer of a security, the offer and sale of which is exempt under this section, shall provide a quarterly report to the issuer's investors until no securities issued under this section are outstanding. The report required by this subsection shall be free of charge. An issuer may satisfy the reporting requirement of this subsection by making the information available on an Internet Web site address if the information is made available within 45 days of the end of each fiscal quarter and remains available until the succeeding quarterly report is issued. An issuer shall file each such quarterly report with the Administrator and must provide a written copy of the report to any investor upon request. The report must contain each of the following:

(1) Compensation received by each director and executive officer, including cash compensation earned since the previous report and on an annual basis and any bonuses, stock options, other rights to receive securities of the issuer or any affiliate of the issuer, or other compensation received.

(2) An analysis by management of the issuer of the business operations and financial condition of the issuer.

(d) Offers and Sales to Controlling Persons. – The exemption provided in this section shall not be used in conjunction with any other exemption under this Chapter, except offers and sales to controlling persons shall not count toward the limitation in subdivision (3) of subsection (a) of this section. A controlling person is an officer,

director, partner, trustee, or individual occupying similar status or performing similar functions with respect to the issuer or to a person owning ten percent (10%) or more of the outstanding shares of any class or classes of securities of the issuer.

(e) Disqualification. – The exemption allowed by this section shall not apply if an issuer or person affiliated with the issuer or offering is subject to any disqualification contained in 18 NCAC 06A .1207(a)(1) through (a)(6) or contained in Rule 262 as promulgated under the Securities Act of 1933 (17 C.F.R. § 230.262). The provisions of this subsection shall not apply if (i) upon a showing of good cause and without prejudice to any other action by the Administrator, the Administrator determines that it is not necessary under the circumstances that an exemption be denied and (ii) the issuer establishes that it made factual inquiry into whether any disqualification existed under this subsection but did not know, and in the exercise of reasonable care could not have known, that a disqualification existed under this subsection. The nature and scope of the requisite inquiry will vary based on the circumstances of the issuer and the other offering participants.

(f) Rules. – The Administrator may adopt rules to implement the provisions of this section and to protect investors who purchase securities under this section.

(g) Fee. – The Administrator shall charge a nonrefundable filing fee of one hundred fifty dollars ($150.00) for filing an exemption notice required by subsection (a) of this section. The fees paid to the Administrator pursuant to this subsection shall be used to pay the costs incurred in administering and enforcing this Chapter. The revenue derived from the fee shall be credited to a nonreverting agency revenue account."

SECTION 5.(c) G.S. 78A-49(d) reads as rewritten:

"(d) The Administrator may by rule or order require the filing of any prospectus, pamphlet, circular, form letter, advertisement, or other sales literature or advertising communication addressed or intended for distribution to prospective investors, unless the security or transaction is exempted by ~~G.S. 78A-16 or 78A-17 (except 78A-17(9), (17), and (19))~~G.S. 78A-16 and G.S. 78A-17 (except G.S. 78A-17(9), (17), (19), and (20)) and such exemption has not been denied or revoked under G.S. 78A-18 or the security is a security covered under federal law or the transaction is with respect to a security covered under federal law."

SECTION 5.(d) Notwithstanding any provision of Article 2A of Chapter 150B of the General Statutes, within 12 months of the effective date of this act, the Secretary of State shall adopt rules to implement the provisions of this act in accordance with the following procedure:

(1) At least 15 business days prior to adopting a rule, submit the rule and a notice of public hearing to the Codifier of Rules. The Codifier of Rules shall publish the proposed rule and the notice of public hearing on the Internet within five business days.

(2) At least 15 business days prior to adopting a rule, notify persons on the mailing list maintained pursuant to G.S. 150B-21.2(d) and any other interested parties of the Secretary's intent to adopt a rule and of the public hearing.

(3) Accept written comments on the proposed rule for at least 15 business days prior to adoption of the rule.

(4) Hold at least one public hearing on the proposed rule no less than five days after the rule and notice have been published.

A rule adopted in accordance with this section becomes effective on the first day of the month following the month the Secretary adopts the rule and submits the rule to the Codifier of Rules for entry into the North Carolina Administrative Code. Any rule

adopted more than 12 months after the effective date of this act shall comply with the requirement of Article 2A of Chapter 150B of the General Statutes.

SECTION 5.(e) Subsection (d) of this section is effective when it becomes law and expires 12 months after the effective date of this act. The remainder of this section is effective when it becomes law and expires on July 1, 2017.

PART. VI. CONFIDENTIALITY OF UC INFORMATION

SECTION 6.(a) G.S. 96-4(x) reads as rewritten:

"(x) Confidentiality of Records, Reports, and Information Obtained from Claimants, Employers, and Units of Government. – ~~Disclosure~~ For purposes of this Chapter, the term "confidential information" means any unemployment compensation information in the records of the Division of Employment Security that pertains to the administration of the Employment Security Law that is required to be kept confidential under 20 C.F.R. Part 603, including claim information and any information that reveals the name or any identifying particular about any individual or any past or present employer or employing unit, or that could foreseeably be combined with other publicly available information to reveal any such particulars.

Confidential information is exempt from the public records disclosure requirements of Chapter 132 of the General Statutes. Confidential information may be disclosed only as permitted in this subsection. Any disclosure and redisclosure of confidential information ~~shall~~ must be consistent with 20 C.F.R. Part 603 and any written guidance promulgated and issued by the U.S. Department of Labor consistent with this regulation and any successor regulation. To the extent a disclosure or redisclosure of confidential information is permitted or required by this federal regulation, the Department's authority to disclose or redisclosure the information includes the following:

(1) Confidentiality of Information Contained in Records and Reports. – (i) Except as hereinafter otherwise provided, it shall be unlawful for any person to obtain, disclose, or use, or to authorize or permit the use of any information which is obtained from an employer, individual, or unit of government pursuant to the administration of this Chapter or G.S. 108A-29. (ii) Any claimant or employer or their legal representatives shall be supplied with information from the records of the Division to the extent necessary for the proper presentation of claims or defenses in any proceeding under this Chapter. Notwithstanding any other provision of law, any claimant may be supplied, subject to restrictions as the Division may by regulation prescribe, with any information contained in his payment record or on his most recent monetary determination, and any individual, as well as any interested employer, may be supplied with information as to the individual's potential benefit rights from claim records. (iii) Subject to restrictions as the Secretary may by regulation provide, information from the records of the Division may be made available to any agency or public official for any purpose for which disclosure is required by statute or regulation. (iv) The Division may, in its sole discretion, permit the use of information in its possession by public officials in the performance of their public duties. (v) The Division shall release the payment and the amount of unemployment compensation benefits upon receipt of a subpoena in a proceeding involving child support. (vi) The Division shall furnish to the State Controller any information the State Controller needs to prepare

and publish a comprehensive annual financial report of the State or to track debtors of the State. (vii) The Secretary may disclose or authorize redisclosure of any confidential information to an individual, agency, or entity, public or private, consistent with the requirements enumerated in 20 C.F.R. Part 603 or any successor regulation and any written guidance promulgated and issued by the U.S. Department of Labor consistent with 20 C.F.R. Part 603. (viii) The Division may disclose final decisions and the records of the hearings that led to those decisions only after the expiration of the appeal rights as provided under G.S. 96-15.

…."

SECTION 6.(b) G.S. 132-1.1 is amended by adding a new subsection to read:

"(h) Employment Security Information. – Confidential information obtained, compiled, or maintained by the Division of Employment Security may not be disclosed except as provided in G.S. 96-4. As used in this subsection, the term "confidential information" has the same meaning as in G.S. 96-4(x)."

SECTION 6.(c) The Department of Commerce, Division of Employment Security, shall immediately take any action necessary to implement this section. On or before September 1, 2014, the Division of Employment Security shall report to the Joint Legislative Oversight Committee on Unemployment Insurance on the status of the implementation of this act.

SECTION 6.(d) This section is effective when it becomes law.

PART VII. REVENUE LAWS TECHNICAL CHANGES

SECTION 7.1.(a) Section 7.2(a) of S.L. 2014-3 reads as rewritten:

"**SECTION 7.2.(a)** This act shall not be construed to affect the interpretation of any statute that is the subject of a State tax audit ~~pending as of the effective date of this act~~ for taxable years beginning before January 1, 2015, or litigation that is a direct result of such audit."

SECTION 7.1.(b) Section 7.3 of S.L. 2014-3 reads as rewritten:

"**SECTION 7.3.** This Part becomes effective January 1, 2015, and applies to withdrawals of items from inventory for contracts entered into on or after that date, sales on or after that ~~date~~ date, and contracts entered into on or after that date."

SECTION 7.2.(a) Section 8.1(c) of S.L. 2014-3 reads as rewritten:

"**SECTION 8.1.(c)** With respect to the change in this section regarding the rental of a private residence, cottage, or similar accommodation that is rented for fewer than 15 days in a calendar year and that is listed with a real estate broker or agent, the following provisions apply:

(1) A retailer is ~~not~~ liable for an overcollection ~~or undercollection~~ of sales tax or occupancy tax for the rental of such an accommodation that is occupied or available to be occupied for nights beginning June 14, 2012, and ending June 30, 2014, and must remit the tax collected.

(2) A retailer is not liable for an undercollection of sales tax or occupancy tax for the rental of such an accommodation that is occupied or available to be occupied for nights beginning June 1, 2014, and ending June 30, 2014, if the retailer ~~has~~ made a good-faith effort to comply with the law and collect the proper amount of ~~tax and has, due to the change under this section, overcollected or undercollected the amount of sales tax or~~

~~occupancy tax that is due. This subsection applies only to the period beginning June 14, 2012, and ending July 1, 2014.~~tax."

SECTION 7.2.(b) This section becomes effective June 1, 2014.

SECTION 7.3. Section 14.26 of S.L. 2014-3 is repealed.

SECTION 7.4.(a) G.S. 105-113.35(d) reads as rewritten:

"(d) Manufacturer's Option. – A manufacturer who is not a retail dealer and who ships tobacco products other than cigarettes to either a wholesale dealer or retail dealer licensed under this Part may apply to the Secretary to be relieved of paying the tax imposed by this section on the tobacco products. A manufacturer who ships vapor products to either a wholesale dealer or retail dealer licensed under this Part may apply to the Secretary to be relieved of paying the tax imposed by this section on the vapor products shipped to either a wholesale dealer or retail dealer. Once granted permission, a manufacturer may choose not to pay the tax until otherwise notified by the Secretary. To be relieved of payment of the tax imposed by this section, a manufacturer must comply with the requirements set by the Secretary.

Permission granted under this subsection to a manufacturer to be relieved of paying the tax imposed by this section applies to an integrated wholesale dealer with whom the manufacturer is an affiliate. A manufacturer must notify the Secretary of any integrated wholesale dealer with whom it is an affiliate when the manufacturer applies to the Secretary for permission to be relieved of paying the tax and when an integrated wholesale dealer becomes an affiliate of the manufacturer after the Secretary has given the manufacturer permission to be relieved of paying the tax.

If a person is both a manufacturer of cigarettes and a wholesale dealer of tobacco products other than cigarettes and the person is granted permission under G.S. 105-113.10 to be relieved of paying the cigarette excise tax, the permission applies to the tax imposed by this section on tobacco products other than cigarettes. A cigarette manufacturer who becomes a wholesale dealer after receiving permission to be relieved of the cigarette excise tax must notify the Secretary of the permission received under G.S. 105-113.10 when applying for a license as a wholesale dealer."

SECTION 7.4.(b) This section becomes effective June 1, 2015.

SECTION 7.5. G.S. 105-129.16A reads as rewritten:

"**§ 105-129.16A. Credit for investing in renewable energy property.**

(a) Credit. – ~~If a taxpayer that has constructed, purchased, or leased renewable energy property places it in service in this State during the taxable year, the taxpayer is allowed a credit equal to thirty-five percent (35%) of the cost of the property.~~ A taxpayer that has constructed, purchased, or leased renewable energy property is allowed a credit equal to thirty-five percent (35%) of the cost of the property if the property is placed in service in this State during the taxable year. In the case of renewable energy property that serves a nonbusiness purpose, the credit must be taken for the taxable year in which the property is placed in service. For all other renewable energy property, the entire credit may not be taken for the taxable year in which the property is placed in service but must be taken in five equal installments beginning with the taxable year in which the property is placed in service. Upon request of a taxpayer that leases renewable energy property, the lessor of the property must give the taxpayer a statement that describes the renewable energy property and states the cost of the property. No credit is allowed under this section to the extent the cost of the renewable energy property was provided by public funds. For the purposes of this section, "public funds" does not include grants made under section 1603 of the American Recovery and Reinvestment Tax Act of 2009.

…."

SECTION 7.6. Section 1.1(a) of S.L. 2014-3 is rewritten to read:

"**SECTION 1.1.(a)** G.S. 105-130.5(b), as amended by Section 14.3 of this act, reads as rewritten:

"(b) The following deductions from federal taxable income shall be made in determining State net income:

…

(4) ~~Losses in the nature~~ Any unused portion of a net economic loss as allowed under G.S. 105-130.8A(e).~~losses sustained by the corporation in any or all of the 15 preceding years pursuant to the provisions of G.S. 105-130.8. A corporation required to allocate and apportion its net income under the provisions of G.S. 105-130.4 shall deduct its allocable and apportionable net economic loss only from total income allocable and apportionable to this State pursuant to the provisions of G.S. 105-130.8~~ This subdivision expires for taxable years beginning on or after January 1, 2030.

(4a) A State net loss as allowed under G.S. 105-130.8A. A corporation may deduct its allocable and apportionable State net loss only from total income allocable and apportionable to this State.

…."

SECTION 7.7.(a) G.S. 105-134.6A, as amended by S.L. 2014-3, reads as rewritten:

"(h) Definitions. – ~~For purposes of this section, a "transferor" is an~~ The following definitions apply in this section:

(1) Transferor. – An individual, partnership, corporation, S Corporation, limited liability company, or an estate or trust that does not fully distribute income to its ~~beneficiaries, and an "owner in a transferor" is a~~ beneficiaries.

(2) Owner in a transferor. – One or more of the following of a transferor:

a. A partner, shareholder, ~~member, or beneficiary~~ or member.

b. A beneficiary subject to tax under Part 2 or 3 of Article 4 of this ~~Chapter of a transferor.~~ Chapter."

SECTION 7.7.(b) G.S. 105-153.6, as amended by S.L. 2014-3, reads as rewritten:

"(h) Definitions. – ~~For purposes of this section, a "transferor" is an~~ The following definitions apply in this section:

(1) Transferor. – An individual, partnership, corporation, S Corporation, limited liability company, or an estate or trust that does not fully distribute income to its ~~beneficiaries, and an "owner in a transferor" is a~~ beneficiaries.

(2) Owner in a transferor. – One or more of the following of a transferor:

a. A partner, shareholder, ~~member, or beneficiary~~ or member.

b. A beneficiary subject to tax under Part 2 or 3 of Article 4 of this ~~Chapter of a transferor.~~ Chapter."

SECTION 7.7.(c) Subsection (a) of this section is effective for taxable years beginning on or after January 1, 2013. Subsection (b) of this section is effective for taxable years beginning on or after January 1, 2014. The remainder of this section is effective when it becomes law.

SECTION 7.8.(a) Notwithstanding G.S. 105-163.15, the Secretary of Revenue may not impose interest with respect to an underpayment of income tax to the extent the underpayment was created or increased by the changes made in Section 2.2 of S.L. 2014-3. Notwithstanding G.S. 105-163.8, a withholding agent is not liable for the amount

of tax the agent fails to withhold to the extent the amount of tax not withheld was created or increased by the changes made in Section 2.2 of S.L. 2014-3.

SECTION 7.8.(b) This section is effective when it becomes law and applies to taxable years beginning on or after January 1, 2014, and before January 1, 2015, and to payroll periods beginning on or after January 1, 2014, and before January 1, 2015.

SECTION 7.9. G.S. 105-164.3(35), as amended by Section 14.7 of S.L. 2014-3, reads as rewritten:

"**§ 105-164.3. Definitions.**

The following definitions apply in this Article:

…

(35) Retailer. – ~~A person engaged in business of any of the following:~~Any of the following persons:

a.~~Making~~ A person engaged in business of making sales at retail, offering to make sales at retail, or soliciting sales at retail of tangible personal property, digital property, or services for storage, use, or consumption in this State. When the Secretary finds it necessary for the efficient administration of this Article to regard any sales representatives, solicitors, representatives, consignees, peddlers, or truckers as agents of the dealers, distributors, consignors, supervisors, employers, or persons under whom they operate or from whom they obtain the items sold by them regardless of whether they are making sales on their own behalf or on behalf of these dealers, distributors, consignors, supervisors, employers, or persons, the Secretary may so regard them and may regard the dealers, distributors, consignors, supervisors, employers, or persons as "retailers" for the purpose of this Article.

b. ~~Delivering,~~ A person engaged in business of delivering, erecting, installing, or applying tangible personal property for use in this State, regardless of whether the property is permanently affixed to real property or other tangible personal property.

c.~~Making~~ A person engaged in business of making a remote sale, if one of the conditions listed in G.S. 105-164.8(b) is met.

d. A person, other than a facilitator, required to collect the tax levied under G.S. 105-164.4(a)."

SECTION 7.10. G.S. 105-164.4G, as enacted by S.L. 2014-3, reads as rewritten:

"**§ 105-164.4G. Entertainment activity.**

…

(f) Exemptions. – The sale at retail and the use, storage, or consumption in this State of the following gross receipts derived from an admission charge to an entertainment activity are specifically exempt from the tax imposed by this Article:

…

(g) Sourcing. – ~~Admission~~ An admission charge to an entertainment activity is sourced to the location where admission to the entertainment activity may be gained by a person. When the location where admission may be gained is not known at the time of the receipt of the gross receipts for an admission charge, the sourcing principles in G.S. 105-164.4B(a) apply."

SECTION 7.11. G.S. 105-164.13, as amended by Section 6.1(f) of S.L. 2014-3, reads rewritten:

"**§ 105-164.13. Retail sales and use tax.**

The sale at retail and the use, storage, or consumption in this State of the following tangible personal property, digital property, and services are specifically exempted from the tax imposed by this Article:

…

(8a) Sales to a small power production facility, as defined in 16 U.S.C. § 796(17)(A), of fuel and piped natural gas used by the facility to generate electricity.

…

(10) Sales of the following to commercial laundries or to pressing and dry cleaning establishments:

a. Articles or materials used for the identification of garments being laundered or dry cleaned, wrapping paper, bags, hangers, starch, soaps, detergents, cleaning fluids and other compounds or chemicals applied directly to the garments in the direct performance of the laundering or the pressing and cleaning service.

b. Laundry and dry-cleaning machinery, parts and accessories attached to the machinery, and lubricants applied to the machinery.

c. ~~Fuel, other than electricity,~~ Fuel and piped natural gas used in the direct performance of the laundering or the pressing and cleaning service. The exemption does not apply to electricity.

…

(57) ~~Fuel and~~Fuel, piped natural gas, and electricity sold to a manufacturer for use in connection with the operation of a manufacturing facility. The exemption does not apply to electricity used at a facility at which the primary activity is not manufacturing.

…."

SECTION 7.12.(a) G.S. 105-164.13E, as amended by S.L. 2014-3, reads as rewritten:

"**§ 105-164.13E. Exemption for farmers.**

(a) Exemption. – A qualifying farmer is a person who has an annual gross income for the preceding taxable year of ten thousand dollars ($10,000) or more from farming operations or who has an average annual gross income for the three preceding taxable years of ten thousand dollars ($10,000) or more from farming operations. A qualifying farmer includes a dairy operator, a poultry farmer, an egg producer, a livestock farmer, a farmer of crops, and a farmer of an aquatic species, as defined in G.S. 106-758. A qualifying farmer may apply to the Secretary for an exemption certificate number under G.S. 105-164.28A. The exemption certificate expires when a person fails to meet the income threshold for three consecutive taxable years or ceases to engage in farming operations.

The following tangible personal property, digital property, and services are exempt from sales and use tax if purchased by a qualifying farmer and for use by the farmer in farming operations. For purposes of this section, an item is used by a farmer for farming operations if it is used for the planting, cultivating, harvesting, or curing of farm crops or in the production of dairy products, eggs, or animals:

(1) ~~Fuel and~~Fuel, piped natural gas, and electricity that ~~is~~ are measured by a separate meter or another separate device and used for a purpose other than preparing food, heating dwellings, and other household purposes.

…

(c) Definition. – For purposes of this section, the term "taxable year" has the same meaning as defined in G.S. 105-153.3."

SECTION 7.12.(b) Section 3.1(d) of S.L. 2014-3 reads as rewritten:

"**SECTION 3.1.(d)** A person who has an agricultural exemption certificate number issued prior to July 1, 2014, that meets the requirements of G.S. 105-164.13E for a qualifying farmer should apply for a new agricultural exemption certificate number before July 1, 2014, for use for qualifying purchases made on or after ~~October 1, 2014.~~ January 1, 2015. A person that meets the requirements of G.S. 105-164.13E for a qualifying farmer and who has an agricultural exemption certificate number issued prior to July 1, 2014, may continue to use that agricultural exemption certificate number for qualifying purchases made prior to ~~October 1, 2014.~~January 1, 2015."

SECTION 7.13. G.S. 105-164.16A, as enacted by S.L. 2014-3, reads as rewritten:

"**§ 105-164.16A. Reporting ~~option~~ for prepaid meal plans.**

(a) Reporting Option. – This ~~section~~ subsection provides a ~~taxpayer~~ retailer that offers ~~to sell~~ a prepaid meal ~~plan~~ plan subject to the tax imposed by G.S. 105-164.4 with an option concerning the method by which the sales tax will be remitted to the Secretary and a return filed under G.S. 105-164.16. When the retailer enters into an agreement with a food service contractor by which the food service contractor agrees to provide food or prepared food under a prepaid meal plan, and the food service contractor with whom the retailer contracts is also a retailer under this Article, the retailer may include in the agreement that the food service contractor is liable for ~~collecting~~ reporting and remitting the sales tax due on the gross receipts derived from the prepaid meal plan on behalf of the retailer. The agreement must provide that the tax applies to the allocated sales price of the prepaid meal plan paid by or on behalf of the person entitled to the food or prepaid food under the plan and not the amount charged by the food service contractor to the retailer under the agreement for the food and prepared food for the person.

A retailer who elects this option must report to the food service contractor with whom it has an agreement the gross receipts a person pays to the retailer for a prepaid meal plan. The retailer must send the food service contractor the tax due on the gross receipts derived from a prepaid meal plan. Tax payments received by a food service contractor from a retailer are held in trust by the food service contractor for remittance to the Secretary. A food service contractor that receives a tax payment from a retailer must remit the amount received to the Secretary. A food service contractor is not liable for tax due but not received from a retailer. A retailer that does not send the food service contractor the tax due on the gross receipts derived from a prepaid meal plan is liable for the amount of tax the retailer fails to send to the food service contractor.

(b) Basis of Reporting. – A retailer must report gross receipts derived from a prepaid meal plan on an accrual basis of accounting for purposes of this Article, notwithstanding that the retailer reports tax on the cash basis for other sales at retail and notwithstanding that the revenue has not been recognized for accounting purposes."

SECTION 7.14. G.S. 105-164.20 reads as rewritten:

"**§ 105-164.20. Cash or accrual basis of reporting.**

~~Any retailer, except a retailer who sells electricity or telecommunications service,~~ Except as otherwise provided in this section, a retailer may report sales for purposes of this Article on either the cash or accrual basis of accounting upon making application to the Secretary for permission to use the basis selected. Permission granted by the Secretary to report on a selected basis continues in effect until revoked by the Secretary or the

taxpayer receives permission from the Secretary to change the basis selected. ~~A retailer who sells electricity or telecommunications service~~ A retailer of the following must report its sales on an accrual ~~basis. A sale of electricity or telecommunications service~~ basis for purposes of this Article and the tax on the sales price or gross receipts derived from the sale is considered to accrue when the retailer bills its customer for the ~~sale.~~sale or gross receipts:

(1) Electricity.
(2) Telecommunications service.
(3) Piped natural gas.
(4) Prepaid meal plans."

SECTION 7.15. G.S. 105-164.29(a), as amended by Section 14.9(b) of S.L. 2014-3, reads as rewritten:

"(a) Requirement and Application. – Before a person may engage in business as a retailer or a wholesale merchant or when a facilitator is liable for tax under G.S. 105-164.4F, the person must obtain a certificate of registration. To obtain a certificate of registration, a person must register with the Department. A person who has more than one business is required to obtain only one certificate of registration for each legal entity to cover all operations of each business throughout the State. An application for registration must be signed as follows:

(1) By the owner, if the owner is an individual.
(2) By a manager, member, or company official, ~~partner,~~ if the owner is ~~an association, a partnership,~~ a limited liability company.
(2a) By a manager, member, or partner, if the owner is a partnership.
(3) By an executive officer or some other person specifically authorized by the corporation to sign the application, if the owner is a corporation. If the application is signed by a person authorized to do so by the corporation, written evidence of the person's authority must be attached to the application."

SECTION 7.16. G.S. 105-241.6(b)(5) reads as rewritten:

"(b) Exceptions. – The exceptions to the general statute of limitations for obtaining a refund of an overpayment are as follows:

…

(5) Contingent Event. – The period to request a refund of an overpayment may be extended as provided in this subdivision if an event or condition prevents the taxpayer from possessing the information necessary to file an accurate and definite request for a refund of an overpayment under this Chapter:

a.If a taxpayer is subject to a contingent event and files written notice with the Secretary, the period to request a refund of an overpayment is six months after the contingent event concludes.

~~b. For purposes of this subdivision,~~ For purposes of this subdivision, a "contingent event" means litigation or a ~~State~~ state tax audit initiated prior to the expiration of the statute of limitations under subsection (a) of this section, the pendency of which prevents the taxpayer from possessing the information

necessary to file an accurate and definite request for a refund of an overpayment under this Chapter.

~~c.For purposes of this subdivision, "notice to the Secretary" means written notice~~ The written notice to the Secretary must be filed ~~with the Secretary~~ prior to expiration of the statute of limitations under subsection (a) of this section for a return or payment in which a contingent event prevents a taxpayer from filing a definite request for a refund of an overpayment. The notice must identify and describe the contingent event, identify the type of tax, list the return or payment affected by the contingent event, and state in clear terms the basis for and an estimated amount of the overpayment.

~~d.~~b. ~~A~~ If a taxpayer ~~who~~ contends that an event or condition other than ~~litigation or a State tax audit~~ a contingent event, as defined in this subdivision, has occurred that prevents the taxpayer from filing an accurate and definite request for a refund of an overpayment within the period under subsection (a) of this ~~section~~section, the taxpayer may submit a written request to the Secretary seeking an extension of the statute of limitations allowed under this subdivision. The request must establish by clear, convincing proof that the event or condition is beyond the taxpayer's control and that it prevents the taxpayer's timely filing of an accurate and definite request for a refund of an overpayment. The request must be filed within the period under subsection (a) of this section. The Secretary's decision on the request is final and is not subject to administrative or judicial review.

SECTION 7.17.(a) G.S. 105-338(c), as amended by Section 11.1(e) of S.L. 2014-3, reads as rewritten:

"(c) Certain Property of Bus Line, Motor Freight Carrier, ~~Airline, and Mobile Telecommunications~~ and Airline Companies. –

…

~~(4) The appraised valuation of the tangible personal property of a mobile telecommunications company (excluding towers) that is appraised in accordance with the provisions of G.S. 105-336(c) is allocated among the local taxing units in which the property of the company is situated on January 1 in the proportion that the original cost of the property in the taxing unit bears to the original cost of all such property in this State.~~"

SECTION 7.17.(b) G.S. 105-339, as amended by Section 11.1(f) of S.L. 2014-3, reads as rewritten:

"**§ 105-339. Certification of appraised valuations of nonsystem property and locally assigned rolling stock, tangible personal property of tower aggregator companies, and ~~certain~~ tangible personal property of mobile telecommunications companies.**

Having determined the appraised valuations of the nonsystem properties of public service companies in accordance with subdivisions (b)(2) and (b)(3) of G.S. 105-335 and the appraised valuations of locally assigned rolling stock in accordance with subdivision

(c)(1) of G.S. 105-335, the appraised valuations of the tangible personal property of tower aggregator companies in accordance with G.S. 105-336(d) and the appraised valuations of ~~towers of~~ the tangible personal property of mobile telecommunications companies in accordance with ~~G.S. 105-336(d),~~G.S. 105-336(c) and (d), the Department of Revenue shall assign those appraised valuations to the taxing units in which such properties are situated by certifying the valuations to the appropriate counties and municipalities. Each local taxing unit receiving such certified valuations shall assess them at the figures certified and shall tax the assessed valuations at the rate of tax levied against other property subject to taxation therein."

SECTION 7.17.(c) Section 11.1(g) of S.L. 2014-3 is repealed.

SECTION 7.17.(d) Subsection (c) of this section is effective when it becomes law. The remainder of this section is effective for taxes imposed for taxable years beginning on or after July 1, 2015.

SECTION 7.18.(a) G.S. 160A-206 reads as rewritten:

"**§ 160A-206. General power to impose taxes.**

(a) Authority. – A city shall have power to impose taxes only as specifically authorized by act of the General Assembly. Except when the statute authorizing a tax provides for penalties and interest, the power to impose a tax shall include the power to impose reasonable penalties for failure to declare tax liability, if required, or to impose penalties or interest for failure to pay taxes lawfully due within the time prescribed by law or ordinance. In determining the liability of any taxpayer for a tax, a city may not employ an agent who is compensated in whole or in part by the city for services rendered on a contingent basis or any other basis related to the amount of tax, interest, or penalty assessed against or collected from the taxpayer. The power to impose a tax shall also include the power to provide for its administration in a manner not inconsistent with the statute authorizing the tax.

(b) Prohibition. – A city may not impose a license, franchise, or privilege tax on a person engaged in any of the businesses listed in this subsection. These businesses are subject to sales tax at the combined general rate for which the city receives a share of the tax revenue or they are subject to the local sales tax:

(1) Supplying piped natural gas.

(2) Providing telecommunications service taxed under G.S. 105-164.4(a)(4c).

(3) Providing video programming taxed under G.S. 105-164.4(a)(6).

(4) Providing electricity."

SECTION 7.18.(b) G.S. 153A-146 reads as rewritten:

"**§ 153A-146. General power to impose taxes.**

(a) Authority. – A county may impose taxes only as specifically authorized by act of the General Assembly. Except when the statute authorizing a tax provides for penalties and interest, the power to impose a tax includes the power to impose reasonable penalties for failure to declare tax liability, if required, and to impose penalties or interest for failure to pay taxes lawfully due within the time prescribed by law or ordinance. In determining the liability of any taxpayer for a tax, a county may not employ an agent who is compensated in whole or in part by the county for services rendered on a contingent basis or any other basis related to the amount of tax, interest, or penalty assessed against or collected from the taxpayer. The power to impose a tax also includes the power to provide for its administration in a manner not inconsistent with the statute authorizing the tax.

(b) Prohibition. – A county may not impose a license, franchise, or privilege tax on a person engaged in any of the businesses listed in this subsection:

(1) Supplying piped natural gas.

(2) Providing telecommunications service taxed under G.S. 105-164.4(a)(4c).

(3) Providing video programming taxed under G.S. 105-164.4(a)(6).

(4) Providing electricity."

SECTION 7.19. The Department of Revenue may draw the funds needed to make the following distributions from the sales and use tax collections under Article 5 of Chapter 105 of the General Statutes:

(1) The September 15, 2014, distribution of the franchise tax to cities under G.S. 105-116.1 for the calendar quarter than begins April 1, 2014.

(2) The September 15, 2014, distribution of the excise tax to cities under G.S. 105-187.44 for the calendar quarter than begins April 1, 2014.

SECTION 7.20.(a) G.S. 105-153.3 reads as rewritten:

"**§ 105-153.3. Definitions.**

The following definitions apply in this Part:

…

(18) Surviving spouse. – Defined in section 2(a) of the Code.

~~(18)~~(19) Taxable year. – Defined in section 441(b) of the Code.

~~(19)~~(20) Taxpayer. – An individual subject to the tax imposed by this Part.

~~(20)~~(21) This State. – The State of North Carolina."

SECTION 7.20.(b) G.S. 105-153.5(a)(1) reads as rewritten:

"(a) Deduction Amount. – In calculating North Carolina taxable income, a taxpayer may deduct from adjusted gross income either the standard deduction amount provided in subdivision (1) of this subsection or the itemized deduction amount provided in subdivision (2) of this subsection that the taxpayer claimed under the Code. In the case of a married couple filing separate returns, a taxpayer may not deduct the standard deduction amount if the taxpayer or the taxpayer's spouse claims the itemized deductions amount:

(1) Standard deduction amount. – An amount equal to the amount listed in the table below based on the taxpayer's filing status:

Filing Status	**Standard Deduction**
Married, filing ~~jointly~~jointly/surviving spouse	$15,000
Head of Household	12,000
Single 7,500	
Married, filing separately	7,500."

SECTION 7.20.(c) G.S. 105-134.1 reads as rewritten:

"**§ 105-134.1. Definitions.**

The following definitions apply in this Part:

…

(15a) Surviving spouse. – Defined in section 2(a) of the Code.

…."

SECTION 7.20.(d) G.S. 105-134.6(a2) reads as rewritten:

"(a2) Deduction Amount. – In calculating North Carolina taxable income, a taxpayer may deduct either the North Carolina standard deduction amount for that taxpayer's filing status or the itemized deductions amount claimed under the Code. The

North Carolina standard deduction amount is the lesser of the amount shown in the table below or the amount allowed under the Code. In the case of a married couple filing separate returns, a taxpayer may not deduct the standard deduction amount if the taxpayer or the taxpayer's spouse claims itemized deductions for State purposes.

A taxpayer that deducts the standard deduction amount under this subsection and is entitled to an additional deduction amount under section 63(f) of the Code for the aged or blind may deduct an additional amount under this subsection. The additional amount the taxpayer may deduct is six hundred dollars ($600.00) in the case of an individual who is married and seven hundred fifty dollars ($750.00) in the case of an individual who is not married and is not a surviving spouse. The taxpayer is allowed the same number of additional amounts that the taxpayer claimed under the Code for the taxable year.

Filing Status	**Standard Deduction**
Married, filing ~~jointly~~jointly/ surviving spouse	$6,000
Head of Household	4,400
Single	3,000
Married, filing separately	3,000."

SECTION 7.20.(e) Subsections (a) and (b) of this section are effective for taxable years beginning on or after January 1, 2014. Subsections (c) and (d) of this section are effective retroactively for taxable years beginning on or after January 1, 2012, and before January 1, 2014. The remainder of this section is effective when it becomes law.

SECTION 7.21. G.S. 105-164.13B(a)(4) reads as rewritten:

"(a) State Exemption. – Food is exempt from the taxes imposed by this Article unless the food is included in one of the subdivisions in this subsection. The following food items are subject to tax:

…

(4) Prepared food, other than bakery items sold without eating utensils by an artisan bakery. The term "bakery item" includes bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies, and tortillas. An artisan bakery is a bakery that meets all of the following requirements:

a. It derives over eighty percent (80%) of its gross receipts from bakery items.

b. Its annual gross receipts, combined with the gross receipts of all related ~~persons as defined in G.S. 105-163.010,~~ persons, do not exceed one million eight hundred thousand dollars ($1,800,000). For purposes of this subdivision, the term "related person" means a person described in one of the relationships set forth in section 267(b) or 707(b) of the Code."

SECTION 7.22. Except as otherwise provided, this Part is effective when it becomes law. If any provision of this Part or its application is held invalid, the invalidity does not affect other provisions or applications of this Part that can be given effect without the invalid provisions or application, and to this end the provisions of this Part are severable.

PART VIII. EFFECTIVE DATE

SECTION 8. Except as otherwise provided, this act is effective when it becomes law.

H.B. 189

The proposed Conference Committee Substitute H189-PCCS30817-RBx-4 was submitted to the Senate on August 15, 2014, (see pg. 494) but was withdrawn on August 18, 2014, (see pg. 497). The full text reads as follows:

A BILL TO BE ENTITLED

AN ACT TO ALLOW DURHAM, ORANGE, FORSYTH, GUILFORD, MECKLENBURG, AND WAKE COUNTIES TO RETAIN A LOCAL SALES AND USE TAX CAP OF TWO AND THREE-QUARTERS PERCENT IF A MAJORITY OF VOTERS IN THOSE COUNTIES APPROVE THE LEVY OF A ONE-QUARTER PERCENT TAX IN A SPECIAL ELECTION HELD BY THE END OF 2016; TO CLARIFY THAT A FARMER'S INCOME FROM FARMING OPERATIONS FOR THE PURPOSE OF THE SALES AND USE TAX EXEMPTION IS GROSS SALES AND ALL OTHER INCOME FROM FARMING OPERATIONS; AND TO MAKE OTHER TECHNICAL CHANGES TO THE REVENUE LAWS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) If House Bill 1224 becomes law, then G.S. 105-506.4(b)(3), as enacted by House Bill 1224, reads as rewritten:

"(3) The county conducted one or more advisory referendums on or before December 31, ~~2014,~~ 2016, in which a majority of the voters approved the levy of a local sales and use tax at the rate of one-quarter percent (1/4%) under Article 46 of this Chapter."

SECTION 1.(b) If House Bill 1224 becomes law, then G.S. 105-537(e)(2), as enacted by House Bill 1224, reads as rewritten:

"(2) The county conducted one or more advisory referendums on or before December 31, ~~2014,~~ 2016, in which a majority of the voters approved the levy of a local sales and use tax at the rate of one-quarter percent (1/4%) under this Article."

SECTION 2. G.S. 105-164.13E, as amended by S.L. 2014-3, reads as rewritten:

"**§ 105-164.13E. Exemption for farmers.**

(a) Exemption. – A qualifying farmer is a person who has an annual ~~gross~~ income from farming operations for the preceding taxable year of ten thousand dollars ($10,000) or more ~~from farming operations~~ or who has an average annual ~~gross~~ income from farming operations for the three preceding taxable years of ten thousand dollars ($10,000) or ~~more from farming operations.~~ more. For purposes of this section, the term "income from farming operations" means sales plus any other amounts treated as gross income under the Code pursuant to Schedule F of Form 1040. A qualifying farmer includes a dairy operator, a poultry farmer, an egg producer, a livestock farmer, a farmer of crops, and a farmer of an aquatic species, as defined in G.S. 106-758. A qualifying farmer may apply to the Secretary for an exemption certificate number under G.S. 105-164.28A. The exemption certificate expires when a person fails to meet the income threshold for three consecutive taxable years or ceases to engage in farming ~~operations.~~operations, whichever comes first.

The following tangible personal property, digital property, and services are exempt from sales and use tax if purchased by a qualifying farmer and for use by the farmer in farming operations. For purposes of this section, an item is used by a farmer for farming operations if it is used for the planting, cultivating, harvesting, or curing of farm crops or in the production of dairy products, eggs, or animals:

…

(b) Conditional Exemption. – A person who does not meet the definition of a qualifying farmer in subsection (a) of this section may apply to the Department for a conditional exemption certificate under G.S. 105-164.28A. A person with a conditional exemption certificate is allowed to purchase items exempt from sales and use tax to the same extent as a qualifying farmer under subsection (a) of this section. To receive a conditional exemption certificate under this subsection, the person must certify that the person intends to engage in farming operations, as that term is described in subsection (a) of this section, and that the person will timely file State and federal income tax returns that reflect income and expenses incurred from farming operations during the taxable years that the conditional exemption certificate applies.

A conditional exemption certificate issued under this subsection is valid for the taxable year in which the certificate is issued and the following two taxable years, provided the person to whom the certificate is issued provides copies of applicable State and federal income tax returns to the Department within 90 days following the end of each taxable year covered by the conditional exemption ~~certificate.~~ certificate and provided the person is engaged in farming operations. A conditional exemption certificate issued under this subsection may not be extended or renewed beyond the original three-year period. The Department may not issue a conditional exemption certificate to a person who has had a conditional exemption certificate issued under this subsection during the prior 15 taxable years.

A person who purchases items with a conditional exemption certificate must maintain documentation of the items purchased and copies of State and federal income tax returns that reflect activities from farming operations for the period of time covered by the conditional exemption certificate for three years following the expiration of the conditional exemption certificate. The Secretary may require a person who has a conditional exemption certificate to provide any other information requested by the Secretary to verify the person met the conditions of this subsection. A person who fails to provide the information requested by the Secretary in a timely manner or who fails to meet the requirements of this subsection becomes liable for any taxes for which an exemption under this subsection was claimed. The taxes become due and payable at the expiration of the conditional exemption certificate, and interest accrues from the date of the original purchase. Additionally, where the person does not timely provide the information requested by the Secretary, the misuse of exemption certificate penalty in G.S. 105-236(a)(5a) applies to each seller identified by the Department from which the person made a purchase."

SECTION 3.(a) G.S. 105-153.4 reads as rewritten:

"**§ 105-153.4. North Carolina taxable income defined.**

(a) Residents. – For an individual who is a resident of this State, the term "North Carolina taxable income" means the taxpayer's adjusted gross income as modified in G.S. 105-153.5 and ~~G.S. 105-153.6 and G.S. 105-134.6A.~~G.S. 105-153.6.

(b) Nonresidents. – For a nonresident individual, the term "North Carolina taxable income" means the taxpayer's adjusted gross income as modified in G.S. 105-153.5 and ~~G.S. 105-153.6 and G.S. 105-134.6A,~~ G.S. 105-153.6, multiplied by a fraction the denominator of which is the taxpayer's gross income as modified in G.S. 105-153.5 and ~~G.S. 105-153.6 and G.S. 105-134.6A,~~ G.S. 105-153.6, and the numerator of which is the amount of that gross income, as modified, that is derived from North Carolina sources and is attributable to the ownership of any interest in real or tangible personal property in this State, is derived from a business, trade, profession, or occupation carried on in this State, or is derived from gambling activities in this State.

(c) Part-year Residents. – If an individual was a resident of this State for only part of the taxable year, having moved into or removed from the State during the year, the

term "North Carolina taxable income" has the same meaning as in subsection (b) of this section except that the numerator includes gross income, as modified under G.S. 105-153.5 and ~~G.S. 105-153.6 and G.S. 105-134.6A,~~ G.S. 105-153.6, derived from all sources during the period the individual was a resident.

(d) S Corporations and Partnerships. – In order to calculate the numerator of the fraction provided in subsection (b) of this section, the amount of a shareholder's pro rata share of S Corporation ~~income~~ income, as modified in G.S. 105-153.5 and G.S. 105-153.6, that is includable in the numerator is the shareholder's pro rata share of the S Corporation's income attributable to the State, as defined in G.S. 105-131(b)(4). In order to calculate the numerator of the fraction provided in subsection (b) of this section for a member of a partnership or other unincorporated business that has one or more nonresident members and operates in one or more other states, the amount of the member's distributive share of the total net income of the ~~business~~ business, as modified in G.S. 105-153.5 and G.S. 105-153.6, that is includable in the numerator is determined ~~by multiplying the total net income of the business by the ratio ascertained under the~~ in accordance with the provisions of G.S. 105-130.4. As used in this subsection, total net income means the entire gross income of the business less all expenses, taxes, interest, and other deductions allowable under the Code that were incurred in the operation of the business.

(e) Tax Year. – A taxpayer must compute North Carolina taxable income on the basis of the taxable year used in computing the taxpayer's income tax liability under the Code."

SECTION 3.(b) G.S. 105-153.5 is amended by adding a new subsection to read:

"(c1) Other Additions. – S Corporations subject to the provisions of Part 1A of this Article, partnerships subject to the provisions of this Part, and estates and trusts subject to the provisions of Part 3 of this Article must add any amount deducted under section 164 of the Code as state, local, or foreign income tax."

SECTION 3.(c) This section is effective for taxable years beginning on or after January 1, 2014.

SECTION 4. G.S. 105-164.13, as amended by Section 6.1(f) of S.L. 2014-3, reads as rewritten:

"**§ 105-164.13. Retail sales and use tax.**

The sale at retail and the use, storage, or consumption in this State of the following tangible personal property, digital property, and services are specifically exempted from the tax imposed by this Article:

…

(62) An item used to maintain or repair tangible personal property or a motor vehicle pursuant to a service contract taxable under this Article if the purchaser of the contract is not charged for the item. ~~This exemption does not apply to an item used to maintain or repair tangible personal property pursuant to a service contract exempt from tax under G.S. 105-164.4I(b).~~ For purposes of this exemption, the term "item" does not include a tool, equipment, supply, or similar tangible personal property used to complete the maintenance or repair and that is not deemed to be a component or repair part of the tangible personal property or motor vehicle for which a service contract is sold to a purchaser."

SECTION 5.(a) G.S. 105-187.52(c) reads as rewritten:

"(c) Exemption. – State agencies are exempted from the privilege taxes imposed by this Article. The exemption in G.S. 105-164.13(62) does not apply to an item

used to maintain or repair tangible personal property pursuant to a service contract exempt from tax under G.S. 105-164.4I(b)(4)."

SECTION 5.(b) Notwithstanding G.S. 105-164.13(62), as amended by S.L. 2014-3 and by subsection (a) of this section, the sales and use tax exemption in G.S. 105-164.13(62) applies to an item used pursuant to a service contract that meets the definition of a "service contract" as defined in G.S. 105-164.3(38b), notwithstanding that the service contract was sold before January 1, 2014, and effective on, before, or after January 1, 2014.

SECTION 5.(c) Subsection (a) of this section becomes effective October 1, 2014. The remainder of this section is effective when it becomes law.

SECTION 6. Section 4.1(g) of S.L. 2014-3 reads as rewritten:

"**SECTION 4.1.(g)** This Part is effective when it becomes law and applies to the following:

(1) ~~gross~~ Gross receipts derived from a prepaid meal plan sold or billed on or after July 1, 2014.

(2) Gross receipts derived from a prepaid meal plan sold or billed before July 1, 2014, if the prepaid meal plan is not authorized for use or available to the person until August 1, 2014."

SECTION 7. Except as otherwise provided, this act is effective when it becomes law.

H.B. 189

The proposed Conference Committee Substitute H189-PCCS10610-RBx-7 was submitted to the Senate on August 18, 2014, (see pg. 499). The full text reads as follows:

A BILL TO BE ENTITLED

AN ACT TO ALLOW DURHAM, ORANGE, FORSYTH, GUILFORD, MECKLENBURG, AND WAKE COUNTIES TO RETAIN A LOCAL SALES AND USE TAX CAP OF TWO AND THREE-QUARTERS PERCENT IF A MAJORITY OF VOTERS IN THOSE COUNTIES APPROVE THE LEVY OF A ONE-QUARTER PERCENT TAX IN A REFERENDUM HELD BY THE END OF 2016; TO EXPAND THE MAXIMUM GRANT ALLOWED FOR A TELEVISION OR VIDEO SERIES; TO CLARIFY THAT A FARMER'S INCOME FROM FARMING OPERATIONS FOR THE PURPOSE OF THE SALES AND USE TAX EXEMPTION IS GROSS SALES AND ALL OTHER INCOME FROM FARMING OPERATIONS; AND TO MAKE OTHER TECHNICAL CHANGES TO THE REVENUE LAWS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) If House Bill 1224 becomes law, then G.S. 105-506.4(b)(3), as enacted by House Bill 1224, reads as rewritten:

"(3) The county conducted one or more advisory referendums on or before December 31, ~~2014,~~ 2016, in which a majority of the voters approved the levy of a local sales and use tax at the rate of one-quarter percent (1/4%) under Article 46 of this Chapter."

SECTION 1.(b) If House Bill 1224 becomes law, then G.S. 105-537(e)(2), as enacted by House Bill 1224, reads as rewritten:

"(2) The county conducted one or more advisory referendums on or before December 31, ~~2014,~~ 2016, in which a majority of the voters approved the levy of a local sales and use tax at the rate of one-quarter percent (1/4%) under this Article."

SECTION 2.(a) G.S. 143B-437.02A(a)(2), as enacted by S.L. 2014-100, reads as rewritten:

"**§ 143B-437.02A. The Film and Entertainment Grant Fund.**

(a) Creation and Purpose of Fund. – There is created in the Department of Commerce a special, nonreverting account to be known as the Film and Entertainment Grant Fund to provide funds to encourage the production of motion pictures, television shows, and commercials and to develop the filmmaking industry within the State. The Department of Commerce shall adopt guidelines providing for the administration of the program. Those guidelines may provide for the Secretary to award the grant proceeds over a period of time, not to exceed three years. Those guidelines shall include the following provisions, which shall apply to each grant from the account:

…

(2) The funds are not used to provide a grant in excess of any of the following:

a. An amount more than twenty-five percent (25%) of the qualifying expenses for the production.

b. An amount more than five million dollars ($5,000,000) for a feature-length film, more than five million dollars ($5,000,000) for a single episode of a television or video series, or two hundred fifty thousand dollars ($250,000) for a commercial for theatrical or television viewing."

SECTION 2.(b) This section becomes effective January 1, 2015.

SECTION 3. G.S. 105-164.13E, as amended by S.L. 2014-3, reads as rewritten:

"**§ 105-164.13E. Exemption for farmers.**

(a) Exemption. – A qualifying farmer is a person who has an annual ~~gross~~ income from farming operations for the preceding taxable year of ten thousand dollars ($10,000) or more ~~from farming operations~~ or who has an average annual ~~gross~~ income from farming operations for the three preceding taxable years of ten thousand dollars ($10,000) or ~~more from farming operations.~~ more. For purposes of this section, the term "income from farming operations" means sales plus any other amounts treated as gross income under the Code from farming operations. A qualifying farmer includes a dairy operator, a poultry farmer, an egg producer, a livestock farmer, a farmer of crops, and a farmer of an aquatic species, as defined in G.S. 106-758. A qualifying farmer may apply to the Secretary for an exemption certificate number under G.S. 105-164.28A. The exemption certificate expires when a person fails to meet the income threshold for three consecutive taxable years or ceases to engage in farming ~~operations.~~operations, whichever comes first.

The following tangible personal property, digital property, and services are exempt from sales and use tax if purchased by a qualifying farmer and for use by the farmer in farming operations. For purposes of this section, an item is used by a farmer for farming operations if it is used for the planting, cultivating, harvesting, or curing of farm crops or in the production of dairy products, eggs, or animals:

…

(b) Conditional Exemption. – A person who does not meet the definition of a qualifying farmer in subsection (a) of this section may apply to the Department for a conditional exemption certificate under G.S. 105-164.28A. A person with a conditional exemption certificate is allowed to purchase items exempt from sales and use tax to the

same extent as a qualifying farmer under subsection (a) of this section. To receive a conditional exemption certificate under this subsection, the person must certify that the person intends to engage in farming operations, as that term is described in subsection (a) of this section, and that the person will timely file State and federal income tax returns that reflect income and expenses incurred from farming operations during the taxable years that the conditional exemption certificate applies.

A conditional exemption certificate issued under this subsection is valid for the taxable year in which the certificate is issued and the following two taxable years, provided the person to whom the certificate is issued provides copies of applicable State and federal income tax returns to the Department within 90 days following the end of each taxable year covered by the conditional exemption ~~certificate.~~ certificate and provided the person is engaged in farming operations. A conditional exemption certificate issued under this subsection may not be extended or renewed beyond the original three-year period. The Department may not issue a conditional exemption certificate to a person who has had a conditional exemption certificate issued under this subsection during the prior 15 taxable years.

A person who purchases items with a conditional exemption certificate must maintain documentation of the items purchased and copies of State and federal income tax returns that reflect activities from farming operations for the period of time covered by the conditional exemption certificate for three years following the expiration of the conditional exemption certificate. The Secretary may require a person who has a conditional exemption certificate to provide any other information requested by the Secretary to verify the person met the conditions of this subsection. A person who fails to provide the information requested by the Secretary in a timely manner or who fails to meet the requirements of this subsection becomes liable for any taxes for which an exemption under this subsection was claimed. The taxes become due and payable at the expiration of the conditional exemption certificate, and interest accrues from the date of the original purchase. Additionally, where the person does not timely provide the information requested by the Secretary, the misuse of exemption certificate penalty in G.S. 105-236(a)(5a) applies to each seller identified by the Department from which the person made a purchase."

SECTION 4.(a) G.S. 105-153.4 reads as rewritten:

"**§ 105-153.4. North Carolina taxable income defined.**

(a) Residents. – For an individual who is a resident of this State, the term "North Carolina taxable income" means the taxpayer's adjusted gross income as modified in G.S. 105-153.5 and ~~G.S. 105-153.6 and G.S. 105-134.6A.~~G.S. 105-153.6.

(b) Nonresidents. – For a nonresident individual, the term "North Carolina taxable income" means the taxpayer's adjusted gross income as modified in G.S. 105-153.5 and ~~G.S. 105-153.6 and G.S. 105-134.6A,~~ G.S. 105-153.6, multiplied by a fraction the denominator of which is the taxpayer's gross income as modified in G.S. 105-153.5 and ~~G.S. 105-153.6 and G.S. 105-134.6A,~~ G.S. 105-153.6, and the numerator of which is the amount of that gross income, as modified, that is derived from North Carolina sources and is attributable to the ownership of any interest in real or tangible personal property in this State, is derived from a business, trade, profession, or occupation carried on in this State, or is derived from gambling activities in this State.

(c) Part-year Residents. – If an individual was a resident of this State for only part of the taxable year, having moved into or removed from the State during the year, the term "North Carolina taxable income" has the same meaning as in subsection (b) of this section except that the numerator includes gross income, as modified under G.S. 105-153.5 and ~~G.S. 105-153.6 and G.S. 105-134.6A,~~ G.S. 105-153.6, derived from all sources during the period the individual was a resident.

(d) S Corporations and Partnerships. – In order to calculate the numerator of the fraction provided in subsection (b) of this section, the amount of a shareholder's pro rata share of S Corporation ~~income~~ income, as modified in G.S. 105-153.5 and G.S. 105-153.6, that is includable in the numerator is the shareholder's pro rata share of the S Corporation's income attributable to the State, as defined in G.S. 105-131(b)(4). In order to calculate the numerator of the fraction provided in subsection (b) of this section for a member of a partnership or other unincorporated business that has one or more nonresident members and operates in one or more other states, the amount of the member's distributive share of the total net income of the ~~business~~ business, as modified in G.S. 105-153.5 and G.S. 105-153.6, that is includable in the numerator is determined ~~by multiplying the total net income of the business by the ratio ascertained under the~~ in accordance with the provisions of G.S. 105-130.4. As used in this subsection, total net income means the entire gross income of the business less all expenses, taxes, interest, and other deductions allowable under the Code that were incurred in the operation of the business.

(e) Tax Year. – A taxpayer must compute North Carolina taxable income on the basis of the taxable year used in computing the taxpayer's income tax liability under the Code."

SECTION 4.(b) G.S. 105-153.5 is amended by adding a new subsection to read:

"(c1) Other Additions. – S Corporations subject to the provisions of Part 1A of this Article, partnerships subject to the provisions of this Part, and estates and trusts subject to the provisions of Part 3 of this Article must add any amount deducted under section 164 of the Code as state, local, or foreign income tax."

SECTION 4.(c) This section is effective for taxable years beginning on or after January 1, 2014.

SECTION 5.(a) G.S. 105-164.13, as amended by Section 6.1(f) of S.L. 2014-3, reads as rewritten:

"**§ 105-164.13. Retail sales and use tax.**

The sale at retail and the use, storage, or consumption in this State of the following tangible personal property, digital property, and services are specifically exempted from the tax imposed by this Article:

…

(62) An item used to maintain or repair tangible personal property or a motor vehicle pursuant to a service contract taxable under this Article if the purchaser of the contract is not charged for the item. ~~This exemption does not apply to an item used to maintain or repair tangible personal property pursuant to a service contract exempt from tax under G.S. 105-164.4I(b).~~ For purposes of this exemption, the term "item" does not include a tool, equipment, supply, or similar tangible personal property used to complete the maintenance or repair and that is not deemed to be a component or repair part of the tangible personal property or motor vehicle for which a service contract is sold to a purchaser."

SECTION 5.(b) G.S. 105-187.52(c) reads as rewritten:

"(c) Exemption. – State agencies are exempted from the privilege taxes imposed by this Article. The exemption in G.S. 105-164.13(62) does not apply to an item used to maintain or repair tangible personal property pursuant to a service contract exempt from tax under G.S. 105-164.4I(b)(4)."

SECTION 5.(c) Notwithstanding G.S. 105-164.13(62), as amended by S.L. 2014-3 and by subsection (a) of this section, the sales and use tax exemption in G.S. 105-164.13(62) applies to an item used pursuant to a service contract that meets the definition of a

"service contract" as defined in G.S. 105-164.3(38b), notwithstanding that the service contract was sold before January 1, 2014, and effective on, before, or after January 1, 2014.

SECTION 5.(d) Subsections (a) and (b) of this section become effective October 1, 2014. The remainder of this section is effective when it becomes law.

SECTION 6. Section 4.1(g) of S.L. 2014-3 reads as rewritten:

"**SECTION 4.1.(g)** This Part is effective when it becomes law and applies to the following:

(1) ~~gross~~ Gross receipts derived from a prepaid meal plan sold or billed on or after July 1, 2014.

(2) Gross receipts derived from a prepaid meal plan sold or billed before July 1, 2014, if the prepaid meal plan is not authorized for use or available to the person until August 1, 2014."

SECTION 7. Except as otherwise provided, this act is effective when it becomes law.

SENATE PRESIDENT PRO TEMPORE APPOINTMENTS

The following appointments and recommendations to Boards and Commissions were made during 2014 by the Honorable Phil Berger, President *Pro Tempore*.

President *Pro Tempore* Appointments	Appointed	Expires
911 BOARD, NORTH CAROLINA		
G.S. 62A-41 (a) (3) (d)		
Mr. Jeffrey A. Shipp	02/21/2014	12/31/2014
ACADEMIC STANDARDS REVIEW COMMISSION		
S.L. 2014-78 sec. 2.(b) (1)		
Ms. Ann B. Clark	08/20/2014	12/31/2015
Dr. Laurie E. McCollum	08/20/2014	12/31/2015
Ms. Jeannie A. Metcalf	08/20/2014	12/31/2015
Dr. John T. Scheik	08/20/2014	12/31/2015
ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, JOINT LEGISLATIVE		
G.S. 120-70.100 (a) (1)		
Sen. Jeff Jackson	09/12/2014	01/15/2015
Sen. Michael Lee	09/12/2014	01/15/2015
AFFORDABLE CARE ACT AND IMPLEMENTATION ISSUES, JOINT STUDY COMMITTEE ON		
G.S. 120-19.6 (a1)		
Sen. Chad Barefoot	01/28/2014	at the pleasure
Sen. Tamara Barringer	01/28/2014	at the pleasure
Sen. Andrew Brock	01/28/2014	at the pleasure
Sen. Angela Bryant	01/28/2014	at the pleasure
Sen. David Curtis (CC)	01/28/2014	at the pleasure
Sen. Malcolm Graham	01/28/2014	at the pleasure
Sen. Kathy Harrington	01/28/2014	at the pleasure
Sen. Fletcher Hartsell (CC)	01/28/2014	at the pleasure
Sen. Clark Jenkins	01/28/2014	at the pleasure
Sen. Floyd McKissick	01/28/2014	at the pleasure
Sen. Gene McLaurin	01/28/2014	at the pleasure
Sen. Martin Nesbitt	01/28/2014	at the pleasure
Sen. Earline Parmon	01/28/2014	at the pleasure
Sen. Louis Pate	01/28/2014	at the pleasure
Sen. Ron Rabin	01/28/2014	at the pleasure
Sen. Shirley Randleman	01/28/2014	at the pleasure
Sen. Gladys Robinson	01/28/2014	at the pleasure
Sen. Norman Sanderson	01/28/2014	at the pleasure
Sen. Josh Stein	01/28/2014	at the pleasure
Sen. Jeff Tarte	01/28/2014	at the pleasure
Sen. Jerry Tillman	01/28/2014	at the pleasure
Sen. Trudy Wade	01/28/2014	at the pleasure
Sen. Mike Woodard	01/28/2014	at the pleasure

President *Pro Tempore* Appointments	Appointed	Expires
AFRICAN-AMERICAN HERITAGE COMMISSION, NORTH CAROLINA		
G.S. 143B-135 (b) (2)		
Rev. Dr. Pierre Crawford (RA)	10/01/2014	09/30/2017
ALARM SYSTEMS LICENSING BOARD		
G.S. 74D-4 (b)		
Mr. Ralph C. Brown, Jr.	08/19/2014	06/30/2017
Mr. Jack Ingle (RA)	08/19/2014	06/30/2017
ARBORETUM, NORTH CAROLINA, BOARD OF DIRECTORS		
G.S. 116-243 (2)		
Dr. Charles B. Williams	08/19/2014	06/30/2018
ATHLETIC TRAINER EXAMINERS, NORTH CAROLINA BOARD OF		
G.S. 90-524 (b) (1)		
Dr. Milan DiGiulio (RA)	08/19/2014	07/30/2017
BLOUNT STREET HISTORIC DISTRICT OVERSIGHT COMMITTEE		
S.L. 2003-404 sec. 3.(b) (3)		
Sen. Chad Barefoot	01/27/2014	06/30/2015
Ms. Linda Edmisten (RA)	01/27/2014	06/30/2015
BUILDING COMMISSION, NORTH CAROLINA STATE		
G.S. 143-135.25 (c) (8)		
Mr. Roger M. Woods, Jr.	08/19/2014	06/30/2017
BUSINESS COURT MODERNIZATION, SUBCOMMITTEE OF THE JOINT LEGISLATIVE ECONOMIC DEVELOPMENT AND GLOBAL ENGAGEMENT OVERSIGHT COMMITTEE		
S.L. 2014-102 sec. 8.(b)		
Sen. Tamara Barringer (CC)	09/12/2014	01/09/2015
Sen. Angela Bryant	09/12/2014	01/09/2015
Sen. Neal Hunt	09/12/2014	01/09/2015
Sen. Michael Lee (advisory member)	09/12/2014	01/09/2015
Sen. Bob Rucho	09/12/2014	01/09/2015
CATAWBA/WATEREE RIVER BASIN ADVISORY COMMISSION		
G.S. 77-113 (a) (2)		
Sen. David L. Curtis	07/14/2014	at the pleasure
CEMETERY COMMISSION, NORTH CAROLINA		
G.S. 65-50 (a) (1)		
Mr. John A. Graham	08/19/2014	06/30/2017
CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT OVERSIGHT COMMITTEE		
S.L. 2013-358		
Mr. Kenneth D. Walker	01/02/2014	07/01/2015

President *Pro Tempore* Appointments	Appointed	Expires
CHARTER SCHOOL ADVISORY BOARD, NORTH CAROLINA		
G.S. 115C-238.29A (b) (2) (b)		
Ms. Phyllis P. Gibbs	08/19/2014	06/30/2017
Ms. Sherry T. Reeves	08/19/2014	06/30/2015
CLEAN WATER MANAGEMENT TRUST FUND BOARD OF TRUSTEES, NORTH CAROLINA		
G.S. 113A-255 (b) (4)		
Ms. Robin S. Hackney (RA)	08/19/2014	07/01/2017
COAL ASH MANAGEMENT COMMISSION		
G.S. 130A-309.202 (b); S.L. 2014-122		
Mr. Harrell Auten III	09/22/2014	06/30/2020
Mr. Scott Flanagan	09/22/2014	06/30/2018
Dr. D. Allen Hayes	09/22/2014	06/30/2016
COASTAL RESOURCES COMMISSION		
G.S. 113A-104 (b1) (12)		
Capt. Jerry M. Hairston (RA)	08/19/2014	06/30/2018
CORRECTIONS ADVISORY BOARD, STATE COMMUNITY		
G.S. 143B-1157 (b) (4)		
Mr. Dean Tolson	09/23/2014	06/30/2017
CODE OFFICIALS QUALIFICATION BOARD, NORTH CAROLINA		
G.S. 143-151.9 (a) (4), G.S. 143-151.9 (a) (6)		
Mr. Chris Nuckolls	08/19/2014	06/30/2018
Mr. Harlen M. Summey, Jr.	08/19/2014	06/30/2018
DIETETICS/NUTRITION, NORTH CAROLINA BOARD OF		
G.S. 90-354 (a) (3)		
Ms. Christie Nicholson (RA)	08/19/2014	06/30/2017
DISPUTE RESOLUTION COMMISSION, NORTH CAROLINA		
G.S. 7A-38.2 (c)		
Mr. Thomas M. Clare	10/01/2014	09/30/2017
DOMESTIC VIOLENCE COMMISSION		
G.S. 143B-394.15 (c) (2)		
The Honorable Susan Bray (RA)	09/01/2014	08/31/2016
Ms. Shaina L. Goldberg	08/19/2014	08/31/2015
Ms. Angela L. Harris	09/01/2014	08/31/2016
Mr. Armor R. Pyrtle (RA)	09/01/2014	08/31/2016
Mr. Robert A. Womble	09/01/2014	08/31/2016
ECONOMIC DEVELOPMENT ACCOUNTABILITY AND STANDARDS COMMITTEE		
S.L. 2014-18		
Mr. Jonathan D. Bell	10/06/2014	06/30/2018

President *Pro Tempore* Appointments	Appointed	Expires
ECONOMIC DEVELOPMENT AND GLOBAL ENGAGEMENT OVERSIGHT COMMITTEE, JOINT LEGISLATIVE		
G.S. 120-70.130 (1)		
Sen. Michael Lee (advisory member)	09/12/2014	01/09/2015
ECONOMIC DEVELOPMENT PARTNERSHIP OF NORTH CAROLINA, INC., BOARD OF DIRECTORS		
S.L. 2014-18		
Mr. Michael Hawkins	10/06/2014	10/05/2016
Mr. John Kane	10/06/2014	10/05/2018
Mr. Pleas McMichael	10/06/2014	10/05/2017
Ms. Shelia Pierce	10/06/2014	10/05/2017
EDUCATOR EFFECTIVENESS AND COMPENSATION TASK FORCE, NORTH CAROLINA		
S.L. 2013-360 sec. 8.31.(b) (2)		
Ms. Leah Carper	01/09/2014	04/15/2014
Sen. Ben Clark	01/09/2014	04/15/2014
Ms. Rebecca Fagge	01/09/2014	04/15/2014
Sen. Clark Jenkins	01/09/2014	04/15/2014
Ms. Judy B. Kidd	01/09/2014	04/15/2014
Ms. Kim Robertson	01/09/2014	04/15/2014
Mr. Bryan Shoemaker	01/09/2014	04/15/2014
Sen. Dan Soucek	01/09/2014	04/15/2014
Sen. Jerry Tillman (CC)	01/09/2014	04/15/2014
ELECTIONS OVERSIGHT COMMITTEE, JOINT LEGISLATIVE		
G.S. 120-70.140 (1)		
Sen. Joyce Krawiec	09/12/2014	01/15/2015
Sen. Mike Woodard	09/12/2014	01/15/2015
ELECTROLYSIS EXAMINERS, NORTH CAROLINA BOARD OF		
G.S. 88a-5 (a) (1)		
Ms. Melissa K. Brown	09/01/2014	08/31/2017
EMERGENCY MANAGEMENT OVERSIGHT COMMITTEE, JOINT LEGISLATIVE		
G.S. 120-70.150 (1)		
Sen. Terry Van Duyn	09/12/2014	01/09/2015
ENVIRONMENTAL MANAGEMENT COMMISSION		
G.S. 143B-283 (a1)		
Mr. Charles M. Elam	08/19/2014	06/30/2015
ENVIRONMENTAL REVIEW COMMISSION		
G.S. 120-70.42 (a)		
Sen. Bill Rabon (advisory member)	09/12/2014	01/09/2015
Sen. Trudy Wade (advisory member)	09/12/2014	01/09/2015

President *Pro Tempore* Appointments	Appointed	Expires
GENERAL GOVERNMENT, JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON		
G.S. 120-305		
Sen. Ben Clark	09/12/2014	01/14/2015
Sen. Jim Davis	09/12/2014	01/14/2015
Sen. Valerie Foushee	09/12/2014	01/14/2015
Sen. Joyce Krawiec	09/12/2014	01/14/2015
Sen. Norman Sanderson	09/12/2014	01/14/2015
Sen. Tommy Tucker (CC)	09/12/2014	01/14/2015
GOVERNMENTAL OPERATIONS, JOINT LEGISLATIVE COMMISSION ON		
G.S. 120-74		
Sen. Jim Davis	09/12/2014	01/15/2015
Sen. Joel Ford	09/12/2014	01/15/2015
Sen. Michael Walters	09/12/2014	01/15/2015
HEALTH AND HUMAN SERVICES, JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON		
G.S. 120-208 (a) (1)		
Sen. Ben Clark (advisory member)	09/12/2014	01/09/2015
HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, BOARD OF TRUSTEES FOR THE STATE		
G.S. 135-48.20 (h)		
Mr. Charles T. Johnson (RA)	08/19/2014	06/30/2016
HOME INSPECTOR LICENSURE BOARD, NORTH CAROLINA		
G.S. 143-151.46 (a) (2)		
Mr. D. Arthur Hall	08/19/2014	06/30/2018
HOUSING PARTNERSHIP, NORTH CAROLINA		
G.S. 122E-4 (b) (4)		
Mr. Roy J. Helm, Jr.	09/01/2014	08/31/2017
Mr. Michael Lazzara	09/01/2014	08/31/2017
Mr. Tom Smith (RA)	09/01/2014	08/31/2017
Ms. Sallie Surface (RA)	09/01/2014	08/31/2017
Ms. Rita Thuot (RA)	09/01/2014	08/31/2017
HUMAN RELATIONS COMMISSION, NORTH CAROLINA		
G.S. 143B-392 (a)		
Mr. Guy Anglade	04/10/2014	06/30/2016
Mr. Immanuel C. Jarvis	02/20/2014	06/30/2016
JUSTICE AND PUBLIC SAFETY, JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON		
G.S. 120-70.93 (1), G.S. 120-70.95 (a)		
Sen. Jeff Jackson	09/12/2014	01/09/2015
Sen. Michael Lee	09/12/2014	01/09/2015
Sen. Buck Newton (CC)	09/12/2014	01/09/2015

President *Pro Tempore* Appointments	Appointed	Expires
LEGISLATIVE RESEARCH COMMISSION		
G.S. 120-30.10 (a)		
Sen. Kathy Harrington	04/24/2014	01/15/2015
Sen. Michael Walters	04/24/2014	01/15/2015
LEGISLATIVE SERVICES COMMISSION		
G.S. 120-31 (a)		
Sen. Michael Walters	05/14/2014	01/09/2015
LOTTERY, JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON THE NORTH CAROLINA STATE		
G.S. 120-295 (a) (1)		
Sen. Tom Apodaca (CC)	09/12/2014	01/14/2015
Sen. Harry Brown	09/12/2014	01/14/2015
Sen. Rick Gunn	09/12/2014	01/14/2015
Sen. Jeff Jackson	09/12/2014	01/14/2015
Sen. Shirley Randleman	09/12/2014	01/14/2015
Sen. Gladys Robinson	09/12/2014	01/14/2015
Sen. Dan Soucek	09/12/2014	01/14/2015
MASSAGE AND BODYWORK THERAPY, NORTH CAROLINA BOARD OF		
G.S. 90-625 (a) (1)		
Ms. Darinda Davis (RA)	08/19/2014	06/30/2017
Ms. Nancy S. Harrell	08/19/2014	06/30/2017
MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, COMMISSION ON		
G.S. 143B-148 (a) (1)		
Dr. Roger B. Moore, Jr. (RA)	08/19/2014	06/30/2017
MINING AND ENERGY COMMISSION, NORTH CAROLINA		
G.S. 143B-293.2 (a) (10)		
Mr. Ivan K. Gilmore (RA)	08/19/2014	06/30/2016
MUSEUM OF ART BOARD OF TRUSTEES, NORTH CAROLINA		
G.S. 140-5.13 (b) (5)		
Ms. Cindy L. Marrelli	08/19/2014	06/30/2015
ON-SITE WASTEWATER CONTRACTORS AND INSPECTORS CERTIFICATION BOARD, NORTH CAROLINA		
G.S. 90A-73 (a) (4)		
Mr. Walter H. James (RA)	08/19/2014	06/30/2017
PARKS AND RECREATION AUTHORITY, NORTH CAROLINA		
G.S. 143B-313.2 (a)		
Mr. Westin Bordeaux (RA)	08/19/2014	06/30/2017
PARTNERSHIP FOR CHILDREN BOARD OF DIRECTORS, NORTH CAROLINA		
G.S. 143B-168.12 (a) (1) (j)		
Ms. Cheryl Cavanaugh	08/19/2014	12/31/2016

President *Pro Tempore* Appointments	Appointed	Expires
PERMANENCY INNOVATION INITIATIVE OVERSIGHT COMMITTEE		
G.S. 131D-10.9A (a) (2), G.S. 131D-10.9A (e)		
Sen. Tamara Barringer (CC) (RA)	08/19/2014	06/30/2017
Ms. Susan R. Whitehead	08/19/2014	06/30/2017
PORTS AUTHORITY, NORTH CAROLINA STATE		
G.S. 136-260 (a)		
Mr. J. Jerome Cook (at-large member)	08/19/2014	06/30/2016
PRIVATE PROTECTIVE SERVICES BOARD		
G.S. 74C-4 (b)		
Mr. Hayden R. Church	08/19/2014	06/30/2017
Mr. Edward Cobbler (RA)	08/19/2014	06/30/2017
PROGRAM EVALUATION OVERSIGHT COMMITTEE, JOINT LEGISLATIVE		
G.S. 120-36.15 (a) (1)		
Sen. Don Davis	09/12/2014	01/15/2015
Sen. Valerie Foushee	09/12/2014	01/15/2015
Sen. Louis Pate	09/03/2014	01/15/2015
REAL ESTATE COMMISSION		
G.S. 93A-3 (a)		
Ms. Cindy Chandler (RA)	08/19/2014	07/31/2017
RECREATIONAL THERAPY LICENSURE BOARD, NORTH CAROLINA		
G.S. 90C-23 (b) (1)		
Ms. Elizabeth Ann Bailey (RA)	08/19/2014	06/30/2017
REVENUE LAWS STUDY COMMITTEE		
G.S. 120-70.105		
Sen. Joel Ford	05/06/2014	01/15/2015
Sen. Jerry Tillman	09/12/2014	01/15/2015
ROANOKE ISLAND COMMISSION		
G.S. 143B-131.6 (a) (2)		
Mr. Zenas Fearing, Jr. (RA)	08/19/2014	06/30/2016
Mr. Edward B. Lane (RA)	08/19/2014	06/30/2016
Mr. Clark S. Twiddy	08/19/2014	06/30/2016
RURAL INFRASTRUCTURE AUTHORITY		
G.S. 143B-472.128 (b) (2)		
Mr. Jeff D. Etheridge (RA)	08/19/2014	06/30/2017
The Honorable Theodore Westmoreland (RA)	08/19/2014	06/30/2017
SOIL SCIENTISTS, NORTH CAROLINA BOARD FOR LICENSING OF		
G.S. 89F-4 (a) (6)		
Mr. Reid Hobbs (RA)	08/19/2014	06/30/2017
Mr. Edwin Stott	08/19/2014	06/30/2017

President *Pro Tempore* Appointments	Appointed	Expires
STRUCTURAL PEST CONTROL COMMITTEE		
G.S. 106-65.23 (c)		
Mr. Simon D. Shaw	08/19/2014	06/30/2018
SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES		
G.S. 135-96 (b) (3)		
Ms. Melinda Baran (RA)	08/19/2014	06/30/2016
SUBSTANCE ABUSE PROFESSIONAL PRACTICE BOARD, NORTH CAROLINA		
G.S. 90-113.32 (c) (5)		
Dr. Alfonso J. Mooney	08/19/2014	06/30/2018
TOBACCO TRUST FUND COMMISSION		
G.S. 143-717 (b) (2) (c), G.S. 143-717 (b) (2) (d)		
Mr. Steve E. Smith (at-large member) (RA)	07/31/2014	06/30/2018
Mr. Kevin W. Wilson	07/31/2014	06/30/2018
TRANSPORTATION OVERSIGHT COMMITTEE, JOINT LEGISLATIVE		
G.S. 120-70.50 (1)		
Sen. Bill Cook (advisory member)	09/12/2014	01/15/2015
VOCATIONAL REHABILITATION COUNCIL		
G.S. 143-548 (a) (1)		
Mr. Stephen M. Baker	07/01/2014	06/30/2017
Dr. Quintin Boston (RA)	07/01/2014	06/30/2017
Ms. Trish Hussey (RA)	07/01/2014	06/30/2017
WELL CONTRACTORS CERTIFICATION COMMISSION, NORTH CAROLINA		
G.S. 143B-301.12 (a) (3), G.S. 143B-301.12 (a) (4)		
Mr. Thomas Whitehead (RA)	08/19/2014	06/30/2017
Mr. William A. Yow	08/19/2014	06/30/2017

(C) Chairman
(CC) Co-Chair
(RA) Re-appointment
(VC) Vice Chair

NUMERICAL INDEX

SENATE JOURNAL

2013 SESSION

SECOND SESSION

2014

NUMERICAL INDEX
SENATE BILLS

The last action on each bill is noted in parenthesis following the title. The abbreviated term refers to the standing committee to which the bill was last referred. If the bill became law, the 2014 Session Law or Resolution number is reflected.

S 3 JMAC Modifications
(S.L. 2014-118) .....101, 102, 258, 519.
S 38 Amend Environmental Laws 2014
(Held in Senate Clerk's Office) .....207.
S 42 Confidentiality of UC Information
(S.L. 2014-117) .....300, 302, 513, 518, 519.
S 58 Clarify Statute of Repose
(S.L. 2014-44) .....244, 251, 252, 271.
S 78 Law Enforcement Privacy/Public Web Sites
(Rules and Operations of the Senate Com) .....300, 306.
S 85 UNC/Med Student Clinical Rotation Slots
(Ways & Means Com).....276.
S 105 Add Towns to SHP
(S.L. 2014-75) .....288, 307, 322, 323, 324, 335, 364.
S 144 Nonprofit Grants/Increase Accountability
(Appropriations/Base Budget Com) .....21, 30.
S 163 Reclaimed Water as a Source Water
(S.L. 2014-113) .....192, 216, 318, 320, 376, 383, 391, 405, 409, 417, 428, 437, 438, 458, 473.
S 193 Modify P3 Ethics Reporting Requirements
(S.L. 2014-109) .....440, 446, 458, 473.
S 201 Stanly Comm. Coll. Capital Project
(S.L. 2014-82) .....285, 358, 367, 373, 381, 386.
S 204 21st Senatorial District Local Act-1
(Finance Com).....94.
S 226 Repeal 1935 Durham Co. Firearm Act
(S.L. 2014-11) .....174.
S 261 Sales Tax on Private Res. Rented by Broker
(Rules and Operations of the Senate Com) .....75.
S 294 Allow Use of DOT Stormwater BMPs
(S.L. 2014-1) .....66, 86.
S 355 Tech Correction/Gaston, Nash, Union Local Act
(S.L. 2014-9) .....147, 152, 155.
S 370 Respect for Student Prayer/Religious Activity
(S.L. 2014-13) .....107, 152, 154, 189.

S 376 Montgomery Co. Employees in State Health Plan
(S.L. 2014-105) .....388, 397, 402, 472.
S 403 Omnibus Election Clarifications
(S.L. 2014-111) .....226, 350, 353, 354, 361, 411, 426, 440, 455, 458, 473.
S 463 Jail Dormitory Minimum Standards
(S.L. 2014-22) .....147, 162, 168, 223.
S 477 No Set Fee/Noncovered Vision Services
(S.L. 2014-43) .....96, 164, 179, 189, 271.
S 483 DOJ Leases/Setoff Debt
(Rules and Operations of the Senate Com) .....14.
S 493 Health and Safety Regulatory Reform
(Ways & Means Com).....268.
S 523 Wrightsville Beach Deannex/Wilmington Annex
(S.L. 2014-45) .....241, 245, 251, 261, 265, 271.
S 556 Wind Up High Risk Health Insurance Pool
(Appropriations/Base Budget Com) .....21, 30.
S 574 Groundwater Contamination/Modify Response.
(S.L. 2014-17) .....147, 155, 169, 170, 173, 190.
S 594 Omnibus Justice Amendments
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....276.
S 614 Military Lands Protection Act
(S.L. 2014-79) .....266, 274, 279, 289, 327, 330, 334, 335, 365.
S 648 NC Commerce Protection Act of 2014
(S.L. 2014-110) .....21, 31, 119, 120, 123, 131, 132, 259, 263, 275, 280, 425, 427, 429, 436, 458, 473.
S 719 Student Organizations/Rights & Recognition
(S.L. 2014-28) .....173, 244.
S 729 Coal Ash Management Act of 2014
(S.L. 2014-122) .....22, 157, 166, 175, 180, 210, 212, 232, 234, 236, 292, 295, 304, 314, 345, 347, 354, 441, 448, 453, 455, 477, 482, 485, 487, 501, 504, 508, 514, 516, 518, 519.
S 730 Expand Medicaid to Include All Below 133% FPL
(Appropriations/Base Budget Com) .....23, 42.
S 731 Southport Occupancy Tax Modification
(H Finance Com).....23, 153, 169, 175, 190.

S 732 Add Bladen Cty-Tax Cert Before Recordation
(State and Local Government Com).....23.
S 733 Watha Deannexation
(State and Local Government Com).....23.
S 734 Regulatory Reform Act of 2014.
(S.L. 2014-120).....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
S 735 Honor NASCAR Hall of Fame Inductees
(Rules and Operations of the Senate Com).....24.
S 736 Murphy Deannexation
(State and Local Government Com).....24.
S 737 Amend Isolated Wetland Regulation
(Agriculture/Environment/Natural Resources Com).....24.
S 738 Clarify Gravel Under Stormwater Laws
(Agriculture/Environment/Natural Resources Com).....24.
S 739 Amend Hotel Carbon Monoxide Alarm Requirement
(Commerce Com).....24.
S 740 DPS Study Commercial Vehicle Safety Alliance
(Judiciary II Com).....24, 105, 153.
S 741 Bladen, Columbus, Franklin, Hoke/Tax Cert.
(S.L. 2014-29).....24, 115, 124, 133, 141, 192, 210, 222, 244.
S 742 Adjust the Utility Regulatory Fee
(Finance Com).....25, 133, 177, 187.
S 743 NC Econ. Dev. Partnership Modifications
(H Finance Com) (Inc. S.L. 2014-100).....25, 92, 94, 101, 102, 103, 104.
S 744 Appropriations Act of 2014
(S.L. 2014-100).....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 745 2014 Technical Corrections
(Judiciary I Com).....25.
S 746 Conform Pledge of Joint Account Laws
(Judiciary I Com).....25.
S 747 Volunteer Fire and Rescue Finances (PED)
(Finance Com).....25.
S 748 NCVPS courses/Nonpublic School Students
(Education/Higher Education Com).....26.
S 749 Strengthen Controlled Substances Monitoring
(Appropriations/Base Budget Com).....26, 134.
S 750 Funds to Non-State Entities/Amend Laws
(Appropriations/Base Budget Com).....26.

S 751 Driver Ed Performance Indicators (PED)
(Education/Higher Education Com) .....26.
S 752 Clarify Charter School Application Process
(Education/Higher Education Com) .....27.
S 753 Improve Admin Prog Monitoring at DPI
(Education/Higher Education Com) (Inc. S.L. 2014-100).....27.
S 754 Charter School Preliminary Approval Process
(Education/Higher Education Com) .....27.
S 755 No Revolving Door Employment (PED)
(State and Local Government Com).....27.
S 756 PED Study of Water and Sewer Systems
(Agriculture/Environment/Natural Resources Com).....27.
S 757 DENR Study of IBT Laws.
(Agriculture/Environment/Natural Resources Com).....28.
S 758 Western School of Science & Math/Funds
(Education/Higher Education Com) .....28.
S 759 Unemployment Insurance Law Changes
(Finance Com).....28.
S 760 AG Selection Criteria/Amendments
(Judiciary I Com) (Inc. S.L. 2014-100).....28.
S 761 Credit for Military Training
(S.L. 2014-67) .....28, 33, 165, 178, 269, 311.
S 762 Farm GPS Coordinates/Photos/Public Records
(Agriculture/Environment/Natural Resources Com).....29.
S 763 Revenue Laws Tech. Changes and Other Changes
(Rules and Operations of the Senate Com) .....29, 361, 366, 373, 467.
S 764 Motor Vehicle Civil Penalty/District Court
(Judiciary II Com) .....29.
S 765 Reform Agency Review of Engineering Work
(Agriculture/Environment/Natural Resources Com).....29.
S 766 Authorize Fee for Repairs of Dam-Richmond
(State and Local Government Com).....33.
S 767 Rockingham Deannexation
(S.L. 2014-48) .....34, 116, 123, 133, 140, 148, 277, 287.
S 768 Appropriations Act of 2014
(Appropriations/Base Budget Com) .....34.
S 769 Boost State Nature/Heritage Tourism Industry
(Rules and Operations of the Senate Com) .....34, 164.
S 770 Schematic Diagrams and Keys of Schools
(Education/Higher Education Com) (Inc. S.L. 2014-100).....34.
S 771 Military Student Identifier
(Education/Higher Education Com) .....34.

S 772 State Nat. & Hist. Preserve Deletions
(Agriculture/Environment/Natural Resources Com).....35.
S 773 Implement GSC Recommendations
(S.L. 2014-107).....35, 253, 254, 262, 274, 388, 397, 402, 472.
S 774 Burden of Proof in Certain Contested Cases
(Judiciary I Com).....35.
S 775 OAH Electronic Filing
(Judiciary I Com).....35.
S 776 Streamline Rule-making Process
(Judiciary I Com).....35.
S 777 Eliminate Obsolete Boards and Commissions
(Education/Higher Education Com).....36.
S 778 Licensing Boards Rules for Prof. Corps.
(Judiciary I Com).....36.
S 779 Clarify Existing Rule Readoption Process
(Judiciary I Com).....36.
S 780 Amend OLB Reporting Requirements
(Judiciary I Com).....36.
S 781 SBOE Rulemaking Clarification
(Education/Higher Education Com).....36.
S 782 State Plan Amendments/Submission and Notice
(Health Care Com).....37.
S 783 Establish Chiropractor Co-Pay Parity
(Insurance Com).....37.
S 784 Study Expansion of Health Care Transparency
(Health Care Com) (Inc. S.L. 2014-100).....37.
S 785 2 Co. Comm./Durham Tech. Bd.
(Education/Higher Education Com).....37.
S 786 Energy Modernization Act
(S.L. 2014-4).....37, 46, 47, 49, 54, 83, 84, 85, 94.
S 787 Teacher Funds Must Be 51% of School Budget
(Education/Higher Education Com).....38.
S 788 Town of Duck/Eminent Domain
(S.L. 2014-86).....38, 210, 230, 320, 323, 324, 385, 403.
S 789 Funds for Geographically Sparse LEAs
(Education/Higher Education Com).....38.
S 790 Cape Hatteras/Gas Cities/Infrastructure Land
(S.L. 2014-39).....38, 104, 116, 128, 192, 216, 239, 242, 270.
S 791 Outer Banks Land Management Act
(Agriculture/Environment/Natural Resources Com).....39.
S 792 Ferry Tolling/Replacement Funds
(Transportation Com).....42.

S 793 Charter School Modifications.
(S.L. 2014-101) .....43, 125, 150, 161, 165, 259, 263, 275, 281, 371, 376, 387, 389, 471.
S 794 Disapprove Industrial Commission Rules
(S.L. 2014-77) .....43, 171, 178, 288, 298, 306, 316, 323, 364.
S 795 Local Option Sales Tax
(State and Local Government Com).....43.
S 796 Military Appreciation Day
(Res. 2014-2).....32, 39, 40, 49.
S 797 911 Board/Back-up PSAP
(S.L. 2014-66) .....43, 118, 122, 161, 286, 310.
S 798 State CIO/Mobile Communications Devices
(Commerce Com) (Inc. S.L. 2014-100) .....43.
S 799 Carrboro Building Codes
(State and Local Government Com).....43.
S 800 Appropriations Act of 2014
(Appropriations/Base Budget Com) .....44.
S 801 Morganton Charter Amendment
(State and Local Government Com).....44.
S 802 Appropriations Act of 2014
(Appropriations/Base Budget Com) .....44.
S 803 Status Reports Filed by Guardians
(Health Care Com) (Inc. S.L. 2014-100).....44.
S 804 Strategies for Improving MH-DD-SAS
(Health Care Com) (Inc. S.L. 2014-100).....44.
S 805 Study Establishment of New Optometry Schools
(Education/Higher Education Com) (Inc. S.L. 2014-100).....44.
S 806 Education Longitudinal Data System Changes
(Education/Higher Education Com) .....45.
S 807 Honor Leo Mercer, Former Member
(Rules and Operations of the Senate Com) .....51.
S 808 Oyster Industry Restoration Act
(Agriculture/Environment/Natural Resources Com)
(Inc. S.L. 2014-100) .....51.
S 809 Zeb Alley Veteran's Appreciation Day
(Adopted) .....42, 45, 48, 49.
S 810 Fayetteville Red Light Changes
(Finance Com).....51, 114, 116.
S 811 North Carolina Angus Weekend
(Held As Filed).....52.

S 812 Replace CCSS w/NC's Higher Academ. Standards
(S.L. 2014-78) .....51, 92, 93, 100, 101, 102, 225, 239, 255, 265, 298, 307, 327, 335, 364.
S 813 Improve Oversight of Public Guardianship
(Health Care Com) (Inc. S.L. 2014-100).....51.
S 814 Prequalification Update
(Judiciary I Com) .....51.
S 815 Ensuring Privacy of Student Records
(S.L. 2014-50) .....52, 62, 92, 93, 126, 150, 222, 287.
S 816 Extend Low-Income Housing Tax Credit
(Rules and Operations of the Senate Com) .....52.
S 817 4-Year Terms for GA/Limit Consecutive Terms
(Rules and Operations of the Senate Com) .....52.
S 818 Establish Education Endowment Fund
(Appropriations/Base Budget Com)
(Inc. S.L. 2014-100) .....52, 70, 165.
S 819 Update/Modernize Midwifery Practice Act
(Health Care Com) .....57, 64.
S 820 Study Oversight/Conflicts of Int./Foster Care
(Health Care Com) .....57.
S 821 Verification/Jurisdiction in Juvenile Cases
(Judiciary II Com) .....57.
S 822 DMV Inspection Station Case Continuances
(Transportation Com).....57.
S 823 Alt. Criteria under STI for Emergency Repair
(Transportation Com).....57.
S 824 Agritourism Sign Location/DOT Standards
(Transportation Com).....58.
S 825 DMV DL Medical Review Program Changes
(Transportation Com).....58.
S 826 MAP-21 Update/Rail Safety
(Transportation Com).....58.
S 827 DOT Partnerships with Private Developers
(Transportation Com).....58.
S 828 Single License Plate Renewal Sticker
(Transportation Com).....58.
S 829 Turnpike Authority Annual Audit Date Change
(Transportation Com).....58.
S 830 DWI Interlock Violation/DMV Hearing Site
(Transportation Com).....59.
S 831 Exclude Federal Lands Access Funds from STI
(Transportation Com).....59.

S 832 Drivers License Material Technical Standard
(Transportation Com) .....59.
S 833 SBE Study of Educator Comp
(Education/Higher Education Com) .....59.
S 834 DMV Conversion of Paper Titles
(Transportation Com) (Inc. S.L. 2014-100) .....59.
S 835 Service of Hearing Order/MV Dealer Licensee
(Transportation Com) .....59.
S 836 DOT Minority/Women Business Program
(Appropriations/Base Budget Com) .....60, 126, 151.
S 837 Criminal Background Check for Notaries Public
(Judiciary II Com) .....60.
S 838 Up Minimum Wage
(Rules and Operations of the Senate Com) .....66.
S 839 Winston-Salem/Parking Meters
(Rules, Calendar, and Operations of the House Com).....67, 208, 227.
S 840 W-S/Meetings By Simultaneous Communication
(State and Local Government Com).....67.
S 841 City of Greenville/Private Sale
(State and Local Government Com).....67.
S 842 Governor's Budget
(Appropriations/Base Budget Com)
(Inc. S.L. 2014-100) .....67.
S 843 North Carolina Master Gardener Special Plate
(Finance Com).....67.
S 844 City of Monroe/Supervision of Attorney
(State and Local Government Com).....67.
S 845 Bald Head Island/Contract Post Office
(S.L. 2014-23) .....70, 116, 127, 194, 223.
S 846 Shallotte Deannexations/Southport Occ Tax
(S.L. 2014-68) .....70, 160, 175, 190, 209, 300, 307, 308, 336.
S 847 Future Use of Broughton Hospital/Funds
(Health Care Com) .....71.
S 848 Infrastructure Reimbursement Agmts.
(S.L. 2014-31) .....71, 117, 127, 242, 257.
S 849 Clarify Regional School CIHS Applications
(Education/Higher Education Com)
(Inc. S.L. 2014-100) .....71.
S 850 Permanent License Plates/Charter Schools
(Transportation Com).....71.
S 851 Allow Absentee Voting/1st Craven Sanitary Dis.
(S.L. 2014-54) .....71, 208, 227, 287, 308.

S 852 NBPTS Bonus for Teachers in Title I Schools
(Education/Higher Education Com)
(Inc. S.L. 2014-100) .....70, 72.
S 853 Business Court Modernization
(S.L. 2014-102) .....72, 105, 114, 131, 132, 142, 143, 152, 300, 303, 313, 331, 390, 392, 400, 430, 434, 446, 459, 460, 464, 471.
S 854 Establish Urban Search & Rescue Program
(Judiciary II Com) .....72, 85.
S 855 No Emp. Disc. for Repro. Health Decisions
(Rules and Operations of the Senate Com) .....72.
S 856 Coal Ash Management Act of 2014
(Rules and Operations of the Senate Com) .....72.
S 857 Task Force/Erin's law
(Judiciary I Com) .....74.
S 858 Amend Expunction Laws
(Judiciary II Com) .....74.
S 859 Cities/Regulation of Vacation Rentals
(S.L. 2014-91) .....74, 332, 368, 373, 428, 459.
S 860 Public School Changes
(Education/Higher Education Com) .....74.
S 861 Burlington Charter/Revision and Consolidation
(State and Local Government Com).....74.
S 862 Wayne Regional Research & Ed. Ag. Ctr Funds
(Agriculture/Environment/Natural Resources Com).....74.
S 863 Modify Exemptions from Motor Fuels Excise Tax
(Finance Com).....75.
S 864 Yanceyville ATV Use
(S.L. 2014-32) .....78, 161, 169, 243, 257.
S 865 Town of Boone/Extraterritorial Jurisdiction
(S.L. 2014-33) .....78, 116, 127, 141, 243, 257.
S 866 Sampson County Local Option Sales Tax
(State and Local Government Com).....78.
S 867 Town of McDonald/Terms of Office
(S.L. 2014-24) .....78, 117, 127, 194, 224.
S 868 Town of Proctorville/Terms of Office
(S.L. 2014-25) .....79, 117, 127, 195, 224.
S 869 Wilson County Occupancy Tax Increase
(State and Local Government Com).....79.
S 870 Durham/Payments for On-Street Parking
(S.L. 2014-34) .....79, 160, 169, 243, 257.

S 871 Raleigh/Durham/Deannexation/Annexation
(S.L. 2014-47) .....79, 124, 133, 140, 148, 259, 264, 265, 271.
S 872 UI/Non-Employees/Direct Sellers
(Rules and Operations of the Senate Com) .....79.
S 873 Exempt Henderson Co./Sale & Disposal Stat.
(Rules and Operations of the Senate Com) .....79.
S 874 Spruce Pine Deannexation
(S.L. 2014-55) .....80, 123, 133, 141, 149, 290, 308.
S 875 Bakersville/Stagger Terms of Town Council
(S.L. 2014-56) .....80, 208, 227, 287, 308.
S 876 Brevard Meals Tax
(Finance Com).....80, 129, 145, 164.
S 877 Exempt Time Shares/Rule Against Perpetuities
(S.L. 2014-99) .....80, 197, 240, 252, 253, 260, 272, 385, 470.
S 878 Retirement Investment Accountability
(Pensions & Retirement and Aging Com).....80.
S 879 Honor Zeb Alley
(Res. 2014-4).....99, 111, 119, 122.
S 880 Education Simplification Amendment
(Education/Higher Education Com) .....121.
S 881 Adjournment.
(Rules and Operations of the Senate Com) .....139, 421, 426, 434, 441, 448, 452, 458, 469.
S 882 Honor Senator Martin Nesbitt
(Res. 2014-5).....191, 197, 223.
S 883 Mitigation Buffer Rule/Wastewater Treatment
(S.L. 2014-95) .....267, 322, 339, 351, 352, 408, 410, 416, 466.
S 884 2014 Appointments Bill
(S.L. 2014-116) .....345, 421, 425, 428, 469, 477, 484, 488, 497.
S 885 UNC BOG Vacancy Election
(Adopted) .....395, 396.

NUMERICAL INDEX
HOUSE BILLS

The last action on each bill is noted in parenthesis following the title. The abbreviated term refers to the standing committee to which the bill was last referred. If the bill became law, the 2014 Session Law or Resolution number is reflected.

H 27 Escheat Savings Bond Trust Fund/Scholarships
(S.L. 2014-93) .....156, 361, 366, 385, 466.

H 101 Special License Plate Development Process
(S.L. 2014-96) .....336, 342, 343, 385, 467.

H 109 Motorcycle Helmet Law/Study
(Transportation Com) .....156.

H 133 Charlotte Airport Commission Clarifications
(S.L. 2014-10) .....106, 114, 127, 168.

H 150 Zoning/Design & Aesthetic Controls
(Rules and Operations of the Senate Com) .....21, 31.

H 182 Adjournment Resolution
(Rules, Calendar, and Operations of the House Com).....480, 481, 482.

H 183 Delay Transfer/Cleveland County Corr. Fac.
(S.L. 2014-19) .....109, 129, 168, 223.

H 189 Amend Info./Child Supp. Orders
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....105, 178, 182, 215, 228, 229, 282, 491, 493, 494, 496, 497, 498, 499, 513.

H 201 Building Reutilization for Economic Dev. Act
(S.L. 2014-90) .....344, 352, 359, 368, 381, 459.

H 230 Clarify Read to Achieve/Sch. Perform. Grades
(S.L. 2014-5) .....69, 75, 81, 83, 104, 122.

H 267 Captive Insurance Amendments
(S.L. 2014-65) .....157, 230, 250, 256, 310.

H 272 DOT/DMV Changes #2
(S.L. 2014-108) .....392, 395, 399, 422, 424, 440, 444, 446, 460, 465, 473.

H 292 Moratorium/Lawsuits for Sch. Funds
(S.L. 2014-8) .....63, 118, 128, 141, 143, 144.

H 330 Planned Community Act/Declarant Rights
(S.L. 2014-57) .....153, 254, 263, 278, 308.
H 346 Governing Bodies/Collect Unpaid Judgments
(S.L. 2014-40) .....118, 175, 191, 242, 270.
H 348 Public Safety Technology/State ROW
(Rules and Operations of the Senate Com) .....125, 146, 151, 325, 333, 334, 343, 350.
H 366 NC Farm Act of 2014
(S.L. 2014-103) (Inc. S.L. 2014-100).....156, 187, 219, 220, 224, 250, 291, 317, 377, 390, 397, 404, 461, 465, 471.
H 369 Criminal Law Changes
(S.L. 2014-119) .....253, 260, 271, 297, 330, 331, 342, 349, 367, 374, 423, 492, 494.
H 375 Increase Allowed Size of Passenger Buses
(S.L. 2014-71) .....327, 331, 333, 338, 349.
H 379 Amend Veterinary Practice Act/Fees
(S.L. 2014-63) .....195, 219, 225, 251, 256, 310.
H 458 Public Hospital Conveyances
(Judiciary II Com) .....246, 255.
H 531 Weaverville, Buncombe & Henderson
(S.L. 2014-26) .....116, 117, 126, 140, 195, 224.
H 558 Soil & Water/Regional Jails Refunds
(S.L. 2014-20) .....124, 133, 142, 173, 223.
H 569 Foxfire/Satellite Annexations
(S.L. 2014-30) .....22, 119, 123, 149, 161, 223, 244.
H 573 Stormwater Management Fee Uses
(S.L. 2014-14) .....114, 129, 138, 189.
H 618 Amend Firearm Restoration Law
(Judiciary II Com) .....94, 107, 110, 123, 147.
H 625 Zoning/Health Care Structure
(S.L. 2014-94) .....359, 367, 381, 466.
H 644 Prevent Hazardous Drug Exposure
(S.L. 2014-76) .....306, 319, 322, 324, 335, 364.
H 663 Define Practice of Law
(Rules and Operations of the Senate Com) .....258, 271, 297.
H 677 Consolidation of Certain Fire Districts
(Finance Com).....221.
H 680 Start-Ups Act/New Markets Tax Credit Act
(Finance Com).....341.

H 688 Amend Continuing Ed Req's/Cert. Well K'ors.
(S.L. 2014-2) .....32, 41, 64, 66, 86.
H 691 Limit Soldiers CC Tuition
(Appropriations/Base Budget Com) .....22, 31.
H 698 Background Checks for Firefighters
(S.L. 2014-27) .....115, 130, 142, 144, 173, 243.
H 712 Clarifying Changes/Special Ed Scholarships
(S.L. 2014-49) .....104, 171, 179, 242, 287.
H 718 Ensure Adequate Funds for TAs/Rev Allocation
(Rules, Calendar, and Operations of the House Com).....474, 476, 481.
H 725 Young Offenders Rehabilitation Act
(Held in Senate Clerk's Office) .....67.
H 761 Regulatory Reform Act of 2014
(Rules and Operations of the Senate Com) .....407, 409, 411.
H 769 Zoning/Limit Manufactured Home Restrictions
(Commerce Com).....160.
H 777 Sex Offender/Expand Residential Restrictions
(S.L. 2014-21) .....115, 130, 143, 174, 223.
H 831 Ed. Services for Children in PRTFs
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100) .....122.
H 884 Dropout Prev./Recovery Pilot Charter School
(S.L. 2014-104) .....400, 406, 410, 411, 412, 428, 472.
H 894 Source Water Protection Planning
(S.L. 2014-41) .....172, 179, 242, 270.
H 901 Adjournment Resolution
(Rules, Calendar, and Operations of the House Com).....480, 482.
H 1025 DOT/DMV Changes
(S.L. 2014-58) .....107, 134, 135, 146, 195, 244, 272, 286, 309.
H 1026 Update State Rail Safety Oversight
(Transportation Com).....108.
H 1027 DWI Interlock Violation/DMV Hearing Site
(Rules and Operations of the Senate Com) .....89, 125, 186, 196, 245, 273.
H 1028 Single License Plate Renewal Sticker
(Transportation Com).....108.
H 1030 Honor NASCAR Hall of Fame Inductees
(Res. 2014-1).....11, 12, 20.
H 1031 NC Econ. Dev. Partnership Modifications
(S.L. 2014-18) (Inc. S.L. 2014-100).....144, 160, 166, 170, 174, 223.

H 1032 Patent Abuse Bill
(Rules and Operations of the Senate Com) .....96.
H 1033 Special Assessment/Dam Repair
(S.L. 2014-89) .....276, 321, 329, 332, 334, 341, 343, 348, 416.
H 1034 Volunteer Fire and Rescue Finances (PED)
(S.L. 2014-64) .....162, 177, 229, 251, 256, 310.
H 1043 Prequalification Update
(S.L. 2014-42) .....120, 172, 179, 242, 270.
H 1044 Averasboro Township TDA Changes
(S.L. 2014-83) .....182, 219, 359, 365, 381, 386.
H 1045 Town of Elkin/Reg. Municipal Elections Sched.
(S.L. 2014-35) .....96, 157, 207, 227, 243, 257.
H 1048 AG Selection Criteria/NCNG Amendments
(S.L. 2014-106) (Inc. S.L. 2014-100).....96, 231, 254, 260, 273, 279, 288, 317, 318, 329, 383, 387, 392, 403, 472.
H 1050 Omnibus Tax Law Changes
(S.L. 2014-3) .....60, 65, 68, 77, 81, 86.
H 1051 Authorize DHHS/Cooperative Extension Contract
(Health Care Com) .....266.
H 1052 Adjust the Utility Regulatory Fee
(S.L. 2014-59) .....206, 225, 249, 261, 269, 309.
H 1054 Spindale/Cape Fear Sewer Fee Collection
(S.L. 2014-98) .....266, 359, 365, 368, 369, 380, 420, 434, 438, 444, 462, 466, 468.
H 1056 Lake Lure Official Map
(S.L. 2014-81) .....283, 326, 338, 351, 358, 364, 371.
H 1057 DENR Study IBT/EMC Eco Flow Study
(Agriculture/Environment/Natural Resources Com).....266.
H 1059 New Hanover Occup. Tax Use
(S.L. 2014-87) .....192, 247, 360, 365, 385, 403.
H 1060 Military Student Identifier
(S.L. 2014-15) .....80, 124, 151, 155, 189.
H 1061 Replace CCSS w/NC's Higher Academ. Standards
(Education/Higher Education Com) .....108.
H 1062 Schematic Diagrams/Emergency Access to Schs.
(Education/Higher Education Com) (Inc. S.L. 2014-100).....108.

H 1067 Murphy Deannexation
(S.L. 2014-46) .....163, 221, 225, 248, 261, 265, 271.
H 1069 Unemployment Insurance Law Changes
(Vetoed 6/24/2014, Rules, Calendar, and Operations of the House Com) .....120, 129, 135, 142, 149, 189.
H 1070 Town of Duck/Eminent Domain
(State and Local Government Com) .....192.
H 1074 Confirm Linda Combs as State Controller
(Res. 2014-6) .....75, 133, 151, 155.
H 1076 Reduce Hard Copies/Appellate Div. Reports
(Judiciary II Com) .....108.
H 1080 Watha Deannexation
(H Finance Com) .....120, 160, 175, 190, 209, 226, 248.
H 1081 Reform Agency Review of Engineering Work
(Commerce Com) .....97, 182.
H 1086 NC and SC Rail Compact
(S.L. 2014-121) .....108, 413, 421, 425, 429, 494.
H 1087 Preserve Biological Evidence/Study
(Judiciary II Com) .....109.
H 1088 Highway Patrol Routine Maintenance
(Transportation Com) .....183.
H 1089 AOC Civil Case Management System
(Judiciary I Com) .....183.
H 1090 AOC Information Technology Policy
(Judiciary II Com) .....183.
H 1091 Study Supervision of Magistrates
(Judiciary II Com) .....183.
H 1092 Enforce Payment of Criminal Mediation Fee
(Judiciary II Com) .....120.
H 1094 Mediated Settlements/District Ct.
(Judiciary I Com) .....183.
H 1096 Union County/Contracted Ambulance Service
(S.L. 2014-72) .....97, 231, 325, 327, 331, 333, 338, 349.
H 1097 Service of Hearing Order/MV Dealer Licensee
(Transportation Com) .....267.
H 1099 Unmanned Aircraft Regulation
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....267.
H 1101 Mech. Liens/Amend Info./Child Supp. Orders
(Rules and Operations of the Senate Com) .....97, 188, 253, 260.

H 1102 Mechanics Liens - Clarify Lien Agent Notice
(Rules and Operations of the Senate Com) .....97, 188, 252, 260.
H 1103 Verification/Jurisdiction in Juvenile Cases
(S.L. 2014-16) .....89, 109, 130, 138, 189.
H 1104 Study Oversight/Conflicts of Int./Foster Care
(Rules and Operations of the Senate Com) .....97.
H 1105 Local Erosion Prgrms/Takeover Existing Plans
(Agriculture/Environment/Natural Resources Com).....183.
H 1106 Erosion Control Designer Certification
(Agriculture/Environment/Natural Resources Com).....184.
H 1108 Duplin BCC Elections/Harnett Vacancies
(S.L. 2014-6) .....89, 115, 128, 139.
H 1109 Clarify Existing Rule Readoption Process
(Rules and Operations of the Senate Com) .....97.
H 1110 Improve Oversight of Public Guardianship
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....97.
H 1112 Confirm Charlton L. Allen to Industrial Comm.
(Res. 2014-7).....81, 133, 151, 155.
H 1113 Bent Creek Property Sullivan Act Exemption
(S.L. 2014-51) 98, 188, 208, 209,
227, 278, 287.
H 1114 Elk Park/Deed Transferring Property
(S.L. 2014-69) 184, 207, 319, 323,
324, 335, 338.
H 1117 Conform Pledge of Joint Account Laws
(S.L. 2014-61) .....89, 252, 263, 270, 310.
H 1120 2 Co. Comm./Durham Tech. Bd.
(S.L. 2014-73) .....207, 325, 333, 338, 349.
H 1121 Honor Leo Mercer, Former Member
(Res. 2014-3).....63, 66.
H 1131 Clay County Opossum Exclusion/Wildlife Laws
(S.L. 2014-7) .....75, 116, 128, 139.
H 1133 Technical and Other Corrections
(S.L. 2014-115) 388, 395, 398, 404, 423,
462, 465, 474.
H 1134 Cleveland County/Road Assessment Criteria
(S.L. 2014-36) .....121, 207, 227, 243, 258.
H 1139 State Nat. & Hist. Pres. Adds and Dels.
(S.L. 2014-62) 193, 195, 239, 249,
257, 310.
H 1140 Amend Hotel Carbon Monoxide Alarm Requirement
(Rules and Operations of the Senate Com) .....98.
H 1144 Study 1%/$80 Rate for Mill Machinery
(Finance Com).....299.

H 1145 Registration for Mopeds
(S.L. 2014-114) .....193, 231, 246, 320, 333, 382, 389, 408, 428, 437, 459, 473.
H 1149 State CIO/Mobile Communications Devices
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....184.
H 1151 Fayetteville Red Light Changes
(S.L. 2014-84) .....266, 367, 373, 381, 386.
H 1152 Eliminate Obsolete Boards and Commissions
(Rules and Operations of the Senate Com) .....98.
H 1153 OAH Electronic Filing
(Judiciary I Com) .....89.
H 1154 Moore Co. Schools Transfer of Property
(S.L. 2014-70) .....193, 313, 319, 322, 324, 335, 338.
H 1155 Pinehurst Annexation
(S.L. 2014-85) .....276, 313, 320, 331, 340, 344, 350, 382, 386.
H 1157 Electronic Drivers License Amendment
(Transportation Com) (Inc. S.L. 2014-100) .....267.
H 1158 Morganton Charter Amendment
(S.L. 2014-12) .....90, 160, 169, 174.
H 1159 City of Greenville/Private Sale
(S.L. 2014-37) .....184, 208, 228, 243, 258.
H 1165 Amend OLB Reporting Requirements
(Rules and Operations of the Senate Com) .....98.
H 1166 Clarify Gravel Under Stormwater Laws
(Rules and Operations of the Senate Com) .....98.
H 1168 Yancey Right-of-Way Safety
(Rules and Operations of the Senate Com) .....184, 188.
H 1170 Disapprove Funeral Board Rule
(Commerce Com).....90.
H 1173 Licensing Boards Rules for Prof. Corps.
(Rules and Operations of the Senate Com) .....98.
H 1181 North Carolina Medicaid Modernization
(Failed Concur In S Com Sub).....288, 339, 349, 358, 368, 375, 391, 404.
H 1182 UNC Nonappropriated Capital Projects
(S.L. 2014-60) .....207, 219, 225, 249, 262, 270, 309.
H 1190 DPS Study Commercial Vehicle Safety Alliance
(Transportation Com).....268.
H 1193 Retirement Technical Corrections Act of 2014
(S.L. 2014-97) .....109, 339, 381, 391, 394, 467.

H 1194 Retirement Admin. Changes Act of 2014
(S.L. 2014-112) .....109, 340, 381, 391, 416, 473.
H 1195 Fiscal Integrity/Pension-Spiking Prevention
(S.L. 2014-88) .....184, 339, 353, 360, 363, 416.

H 1207 High Point Charter/Council Hire City Attorney
(S.L. 2014-38) .....185, 208, 228, 243, 258.
H 1211 Mount Gilead Charter Revision & Consolidation
(State and Local Government Com).....193.
H 1212 Burlington Charter/Revision and Consolidation
(S.L. 2014-74) .....226, 313, 320, 322, 323, 332, 338, 349.
H 1218 Monroe Attorney/Cabarrus Comm.
(S.L. 2014-92) .....185, 208, 231, 248, 283, 284, 418, 428, 436, 459, 466.
H 1220 Hope 4 Haley and Friends
(S.L. 2014-53) .....193, 230, 246, 247, 252, 308.
H 1224 Local Sales Tax Options/Econ. Devpt. Changes
(S Adopted Conf Report,
H Failed to Adopt Conf Report).....266, 312, 336, 340, 343, 345, 362, 366, 373, 420, 439, 447, 451, 452.
H 1232 Sales Tax Exemption for Certain Coins
(Rules and Operations of the Senate Com) .....268.
H 1234 Ferry Tolling/Replacement Funds
(Transportation Com).....299.
H 1244 Wilson County Occupancy Tax Increase
(Finance Com).....193.
H 1245 Pleasant Garden Annex/Watha Deannex
(S.L. 2014-80) .....276, 306, 319, 329, 341, 343, 351, 358, 365.
H 1246 Armed Detention Officers/Forsyth County
(Judiciary II Com) .....185.
H 1247 Asheville Regional Airport.
(S.L. 2014-52) .....185, 221, 228, 278, 287.
H 1248 Authority to Remove Abandoned Vessels
(State and Local Government Com).....207.
H 1250 Amend Definition of Dangerous Firearm
(Judiciary II Com) .....163.
H 1252 Unneeded Ambulance/Bladen & Columbus
(Judiciary II Com) .....163.

H 1253 Exempt Time Shares/Rule Against Perpetuities
(Commerce Com) ....266.
H 1262 Suicide Prevention Resolution
(Health Care Com) ....299.
H 1267 Absentee Ballot/Everette Harris Act
(Rules and Operations of the Senate Com) ....226.
H 1268 Honor Jim Gulley
(Rules and Operations of the Senate Com) ....266.
H 1276 Adjournment
(Res. 2014-8) ....469, 476, 477, 481, 482, 506, 519.

ALPHABETICAL INDEX

SENATE JOURNAL

2013 SESSION

SECOND SESSION

2014

ALPHABETICAL INDEX

ABC – (see ALCOHOLIC BEVERAGES)

ABORTION
S 855 No Emp. Disc. for Repro. Health Decisions
(Rules and Operations of the Senate Com).....72.

ABSENCES, EXCUSED – (see individual senators)

ADJOURNMENT
S 881 Adjournment
(Rules and Operations of the Senate Com).....139, 421, 426, 434, 441, 448, 452, 458, 469.
H 1276 Adjournment
(Res. 2014-8).....469, 476, 477, 481, 482, 506, 519.

ADJOURNMENT HONOREES
In memory of the late Senator Martin Luther Nesbitt, Jr. of Buncombe County .....13.
In honor of the late former Representative Jim Gulley .....50.
In memory of Dr. Maya Angelou.....89.
In honor of all the remaining veterans of WWII .....103.
In memory of Senator Harris Blake .....106, 144.
In honor of those individuals who worked to pass the Civil Rights Act and those who continue to work for civil rights in our state.....239.
In honor of Paul R. Hallman, Sr. .....276.
In honor of the 238th Anniversary of the Declaration of Independence .....287.
In memory of Mr. Albert Parmon, husband of Senator Earline Parmon.....318.
In memory of Representative Jim Fulghum .....377.

ADMINISTRATIVE CODE
S 737 Amend Isolated Wetland Regulation
(Agriculture/Environment/Natural Resources Com) .....24.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 793 Charter School Modifications
(S.L. 2014-101) .....43, 125, 150, 161, 165, 259, 263, 275, 281, 371, 376, 387, 389, 471.
S 752 Clarify Charter School Application Process
(Education/Higher Education Com) .....27.
S 779 Clarify Existing Rule Readoption Process
(Judiciary I Com).....36.

ADMINISTRATIVE CODE (continued)
H 1109 Clarify Existing Rule Readoption Process
(Rules and Operations of the Senate Com).....97.
H 1057 DENR Study IBT/EMC Eco Flow Study
(Agriculture/Environment/Natural Resources Com).....266.
S 757 DENR Study of IBT Laws
(Agriculture/Environment/Natural Resources Com).....28.
S 786 Energy Modernization Act
(S.L. 2014-4).....37, 46, 47, 49, 54, 83, 84, 85, 94.
H 1056 Lake Lure Official Map
(S.L. 2014-81).....283, 326, 338, 351, 358, 364, 371.
S 778 Licensing Boards Rules for Prof. Corps.
(Judiciary I Com).....36.
H 1173 Licensing Boards Rules for Prof. Corps.
(Rules and Operations of the Senate Com).....98.
S 826 MAP-21 Update/Rail Safety
(Transportation Com).....58.
H 1059 New Hanover Occup. Tax Use
(S.L. 2014-87).....192, 247, 360, 365, 385, 403.
S 775 OAH Electronic Filing
(Judiciary I Com).....35.
H 644 Prevent Hazardous Drug Exposure
(S.L. 2014-76).....306, 319, 322, 324, 335, 364.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120).....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
S 781 SBOE Rulemaking Clarification
(Education/Higher Education Com).....36.
S 776 Streamline Rule-making Process
(Judiciary I Com).....35.
H 1133 Technical and Other Corrections
(S.L. 2014-115).....388, 395, 398, 404, 423, 462, 465, 474.
H 1026 Update State Rail Safety Oversight
(Transportation Com).....108.

ADOPTION
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.

AGRICULTURE
S 884 2014 Appointments Bill
(S.L. 2014-116).....345, 421, 425, 428, 469, 477, 484, 488, 497.
S 824 Agritourism Sign Location/DOT Standards
(Transportation Com).....58.

AGRICULTURE (continued)

S 38 Amend Environmental Laws 2014
(Held in Senate Clerk's Office).....207.
H 379 Amend Veterinary Practice Act/Fees
(S.L. 2014-63) .....195, 219, 225, 251, 256, 310.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
H 1051 Authorize DHHS/Cooperative Extension Contract
(Health Care Com) .....266.
S 769 Boost State Nature/Heritage Tourism Industry
(Rules and Operations of the Senate Com).....34, 164.
S 849 Clarify Regional School CIHS Applications
(Education/Higher Education Com) (Inc. S.L. 2014-100).....71.
H 369 Criminal Law Changes
(S.L. 2014-119) .....253, 260, 271, 297, 330, 331, 342, 349, 367, 374, 423, 492, 494.
H 663 Define Practice of Law
(Rules and Operations of the Senate Com).....258, 271, 297.
H 1025 DOT/DMV Changes
(S.L. 2014-58) .....107, 134, 135, 146, 195, 244, 272, 286, 309.
S 762 Farm GPS Coordinates/Photos/Public Records
(Agriculture/Environment/Natural Resources Com) .....29.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
H 1031 NC Econ. Dev. Partnership Modifications
(S.L. 2014-18) (Inc. S.L. 2014-100).....144, 160, 166, 170, 174, 223.
H 366 NC Farm Act of 2014
(S.L. 2014-103) (Inc. S.L. 2014-100).....156, 187, 219, 220, 224, 250, 291, 317, 377, 390, 397, 404, 461, 465, 471.
S 811 North Carolina Angus Weekend
(Held As Filed).....52.
H 1050 Omnibus Tax Law Changes
(S.L. 2014-3) .....60, 65, 68, 77, 81, 86.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
S 763 Revenue Laws Tech. Changes and Other Changes
(Rules and Operations of the Senate Com).....29, 361, 366, 373, 467.
S 355 Tech Correction/Gaston, Nash, Union Local Act
(S.L. 2014-9) .....147, 152, 155.

AGRICULTURE (continued)
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.
S 862 Wayne Regional Research & Ed. Ag. Ctr Funds
(Agriculture/Environment/Natural Resources Com) .....74.

AIRPORTS
H 1247 Asheville Regional Airport
(S.L. 2014-52) .....185, 221, 228, 278, 287.

ALAMANCE COUNTY—District 24—Senator Rick Gunn
S 861 Burlington Charter/Revision and Consolidation
(State and Local Government Com) .....74.
H 1212 Burlington Charter/Revision and Consolidation
(S.L. 2014-74) .....226, 313, 320, 322, 323, 332, 338, 349.

ALCOHOLIC BEVERAGES
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
H 1050 Omnibus Tax Law Changes
(S.L. 2014-3) .....60, 65, 68, 77, 81, 86.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
S 763 Revenue Laws Tech. Changes and Other Changes
(Rules and Operations of the Senate Com).....29, 361, 366, 373, 467.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.

ALEXANDER COUNTY—District 42—Senator Austin M. Allran

ALLEGHANY COUNTY—District 45—Senator Dan Soucek

ALLRAN, SENATOR AUSTIN M. .....**42nd District—**Alexander, **Catawba.**
Absences, Excused.....102 (portion), 303, 348, 357, 488.
Adjournment Motion—Second .....325, 335, 345.

ALLRAN, SENATOR AUSTIN M. (continued)
Presides—
Daily Session .....475.
Remarks Spread—
S 882 Honor Senator Martin Nesbitt .....202.
Bills and Resolutions—(Senate Bills)
Co-Sponsor .....729, 787, 852.

ALTERNATIVE ENERGY
S 786 Energy Modernization Act
(S.L. 2014-4) .....37, 46, 47, 49, 54, 83, 84, 85, 94.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
S 763 Revenue Laws Tech. Changes and Other Changes
(Rules and Operations of the Senate Com).....29, 361, 366, 373, 467.

ANNEXATION
H 569 Foxfire/Satellite Annexations
(S.L. 2014-30) .....22, 119, 123, 149, 161, 223, 244.
H 1056 Lake Lure Official Map
(S.L. 2014-81) .....283, 326, 338, 351, 358, 364, 371.
S 736 Murphy Deannexation
(State and Local Government Com).....24.
H 1067 Murphy Deannexation
(S.L. 2014-46) .....163, 221, 225, 248, 261, 265, 271.
H 1155 Pinehurst Annexation
(S.L. 2014-85) .....276, 313, 320, 331, 340, 344, 350, 382, 386.
H 1245 Pleasant Garden Annex/Watha Deannex
(S.L. 2014-80) .....276, 306, 319, 329, 341, 343, 351, 358, 365.
S 871 Raleigh/Durham/Deannexation/Annexation
(S.L. 2014-47) .....79, 124, 133, 140, 148, 259, 264, 265, 271.
S 767 Rockingham Deannexation
(S.L. 2014-48) .....34, 116, 123, 133, 140, 148, 277, 287.
S 846 Shallotte Deannexations/Southport Occ Tax
(S.L. 2014-68) .....70, 160, 175, 190, 209, 300, 307, 308, 336.
S 874 Spruce Pine Deannexation
(S.L. 2014-55) .....80, 123, 133, 141, 149, 290, 308.

ANNEXATION (continued)
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.
S 733 Watha Deannexation
(State and Local Government Com) .....23.
H 1080 Watha Deannexation
(H Finance Com) .....120, 160, 175, 190, 209, 226, 248.

ANSON COUNTY—District 25—Senator Gene McLaurin
H 1250 Amend Definition of Dangerous Firearm
(Judiciary II Com) .....163.
H 369 Criminal Law Changes
(S.L. 2014-119) .....253, 260, 271, 297, 330, 331, 342, 349, 367, 374, 423, 492, 494.

APODACA, SENATOR TOM ..... **48th District—**Buncombe (part), **Henderson,** Transylvania.
Absences, Excused .....92, 99.
Adjournment Motion.....22, 279, 299, 345, 451.
Adjournment Motion—Second .....42, 264, 487.
Committee Assignments—
Conference..... 172, 275, 347, 354, 389, 412, 420, 426, 487, 491, 497.
Journal Approval .....76, 154, 295, 337, 488.
Presides—
Daily Session .....88, 131, 301, 318, 321, 374, 375, 380, 386, 389, 415, 424, 427.
Remarks Spread—
S 879 Honor Zeb Alley.....111.
S 882 Honor Senator Martin Nesbitt .....201.
Bills and Resolutions—(Senate Bills)
Primary Sponsor ..... 729, 735, 787, 873, 876, 881, 882, 884, 885.

APPROPRIATIONS
S 858 Amend Expunction Laws
(Judiciary II Com) .....74.
S 768 Appropriations Act of 2014
(Appropriations/Base Budget Com) .....34.
S 800 Appropriations Act of 2014
(Appropriations/Base Budget Com) .....44.
S 802 Appropriations Act of 2014
(Appropriations/Base Budget Com) .....44.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.

APPROPRIATIONS (continued)

S 769 Boost State Nature/Heritage Tourism Industry
(Rules and Operations of the Senate Com).....34, 164.
S 856 Coal Ash Management Act of 2014
(Rules and Operations of the Senate Com).....72.
S 729 Coal Ash Management Act of 2014
(S.L. 2014-122) .....22, 157, 166, 175, 180, 210, 212, 232, 234, 236, 292, 295, 304, 314, 345, 347, 354, 441, 448, 453, 455, 477, 482, 485, 487, 501, 504, 508, 514, 516, 518, 519.
H 884 Dropout Prev./Recovery Pilot Charter School
(S.L. 2014-104) .....400, 406, 410, 411, 412, 428, 472.
S 854 Establish Urban Search & Rescue Program
(Judiciary II Com) .....72, 85.
S 730 Expand Medicaid to Include All Below 133% FPL
(Appropriations/Base Budget Com) .....23, 42.
S 792 Ferry Tolling/Replacement Funds
(Transportation Com) .....42.
H 1234 Ferry Tolling/Replacement Funds
(Transportation Com) .....299.
S 789 Funds for Geographically Sparse LEAs
(Education/Higher Education Com) .....38.
S 750 Funds to Non-State Entities/Amend Laws
(Appropriations/Base Budget Com) .....26.
S 847 Future Use of Broughton Hospital/Funds
(Health Care Com) .....71.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 3 JMAC Modifications
(S.L. 2014-118) .....101, 102, 258, 519.
S 193 Modify P3 Ethics Reporting Requirements
(S.L. 2014-109) .....440, 446, 458, 473.
S 852 NBPTS Bonus for Teachers in Title I Schools
(Education/Higher Education Com)
(Inc. S.L. 2014-100) .....70, 72.
S 748 NCVPS courses/Nonpublic School Students
(Education/Higher Education Com) .....26.
S 855 No Emp. Disc. for Repro. Health Decisions
(Rules and Operations of the Senate Com).....72.
S 791 Outer Banks Land Management Act
(Agriculture/Environment/Natural Resources Com) .....39.
H 1061 Replace CCSS w/NC's Higher Academ. Standards
(Education/Higher Education Com) .....108.
S 812 Replace CCSS w/NC's Higher Academ. Standards
(S.L. 2014-78) .....51, 92, 93, 100, 101, 102, 225, 239, 255, 265, 298, 307, 327, 335, 364.

APPROPRIATIONS (continued)
S 862 Wayne Regional Research & Ed. Ag. Ctr Funds
(Agriculture/Environment/Natural Resources Com) .....74.
S 758 Western School of Science & Math/Funds
(Education/Higher Education Com) .....28.

ARMED FORCES
S 760 AG Selection Criteria/Amendments
(Judiciary I Com) (Inc. S.L. 2014-100) .....28.
H 1048 AG Selection Criteria/NCNG Amendments
(S.L. 2014-106)
(Inc. S.L. 2014-100) .....96, 231, 254, 260, 273, 279, 288, 317, 318, 329, 383, 387, 392, 403, 472.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 761 Credit for Military Training
(S.L. 2014-67) .....28, 33, 165, 178, 269, 311.
H 691 Limit Soldiers CC Tuition
(Appropriations/Base Budget Com) .....22, 31.
S 796 Military Appreciation Day
(Res. 2014-2) .....32, 39, 40, 49.
S 771 Military Student Identifier
(Education/Higher Education Com) .....34.
H 1060 Military Student Identifier
(S.L. 2014-15) .....80, 124, 151, 155, 189.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
H 1262 Suicide Prevention Resolution
(Health Care Com) .....299.
S 809 Zeb Alley Veteran's Appreciation Day
(Adopted) .....42, 45, 48, 49.

ASHE COUNTY—District 45—Senator Dan Soucek

ATTORNEYS
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 844 City of Monroe/Supervision of Attorney
(State and Local Government Com) .....67.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.

ATTORNEYS (continued)
H 1207 High Point Charter/Council Hire City Attorney
(S.L. 2014-38) .....185, 208, 228, 243, 258.
S 773 Implement GSC Recommendations
(S.L. 2014-107) .....35, 253, 254, 262, 274, 388, 397, 402, 472.
H 1218 Monroe Attorney/Cabarrus Comm.
(S.L. 2014-92) .....185, 208, 231, 248, 283, 284, 418, 428, 436, 459, 466.
S 648 NC Commerce Protection Act of 2014
(S.L. 2014-110) .....21, 31, 119, 120, 123, 131, 132, 259, 263, 275, 280, 425, 427, 429, 436, 458, 473.

AVERY COUNTY—District 45—Senator Dan Soucek
H 1114 Elk Park/Deed Transferring Property
(S.L. 2014-69) .....184, 207, 319, 323, 324, 335, 338.

BAREFOOT, SENATOR CHAD .....**18th District—**Franklin, **Wake (part).**
Absences, Excused.....102 (portion), 104.
Adjournment Motion.....497.
Adjournment Motion—Second.....62, 287, 290, 463.
Committee Assignments—
Conference.....498.
Journal Approval.....285.
Presides—
Daily Session.....463.
Bills and Resolutions—(Senate Bills)
Primary Sponsor.....741, 815.
Co-Sponsor.....852.

BARRINGER, SENATOR TAMARA ..... **17th District—Wake (part).**
Adjournment Motion—Second.....171.
Committee Assignments—
Conference.....275, 400.
Senatorial Statement.....240, 394.
Remarks Spread—
Brent Barringer.....170.
Bills and Resolutions—(Senate Bills)
Primary Sponsor.....803, 813, 820, 821, 852, 853.
Co-Sponsor.....854.

BEAUFORT COUNTY—District 1—Senator Bill Cook

BERGER, SENATOR PHILIP E. *(*President *Pro Tempore)* ..... **26th District—** Guilford (part), **Rockingham.**
Absences, Excused .....30, 48, 374 (portion).
Adjournment Motion..... 13, 42, 64, 70, 85, 89, 91, 95, 103, 106, 154, 162, 182, 191, 216, 239, 264, 276, 308, 487, 521.
Adjournment Motion—Second .....392.
Committee Assignments—
Conference.....172, 347, 487.
Journal Approval..... 5, 40, 62, 65, 87, 91, 92, 99, 104, 145, 173, 186, 194, 222, 256, 269, 303, 476, 507.
Presides—
Daily Session ..... 54, 76, 88, 110, 121, 131, 138, 163, 241, 277, 294, 312, 321, 326, 330, 337, 343, 348, 357, 363, 370, 375, 393, 396, 402, 408, 410, 425, 440, 447, 448, 451, 493.
Remarks Spread—
S 882 Honor Senator Martin Nesbitt.....205.
Senatorial Statement .....60.
Bills and Resolutions—(Senate Bills)
Primary Sponsor.....729, 885.

BERTIE COUNTY—District 3—Senator Clark Jenkins

BINGHAM, SENATOR STAN ..... **33rd District—Davidson,** Montgomery.
Absences, Excused.....76 (portion), 87, 90, 476, 488.
Adjournment Motion—Second .....162.
Committee Assignments—
Conference.....317.
Standing/Select .....12.
Bills and Resolutions—(Senate Bills)
Primary Sponsor ..... 740, 747, 762, 764, 765, 811, 837, 843.
Co-Sponsor .....852, 854.

BLADEN COUNTY—District 8—Senator Bill Rabon
S 732 Add Bladen Cty-Tax Cert Before Recordation
(State and Local Government Com) .....23.
S 105 Add Towns to SHP
(S.L. 2014-75) .....288, 307, 322, 323, 324, 335, 364.
S 741 Bladen, Columbus, Franklin, Hoke/Tax Cert
(S.L. 2014-29) .....24, 115, 124, 133, 141, 192, 210, 222, 244.
H 1252 Unneeded Ambulance/Bladen & Columbus
(Judiciary II Com) .....163.

BLUE, SENATOR DANIEL T. ..... **14th District—Wake (part).**
Absences, Excused.....40, 104, 215 (portion), 241, 393, 507.
Adjournment Motion.....287.
Adjournment Motion—Second.....114, 360, 451, 470, 474, 493.
Democratic Caucus Nomination-Minority Leader.....6.
Escorts—
The Honorable Valerie P. Foushee.....7.
The Honorable Jeffrey Neale Jackson.....7.
The Honorable Joyce R. Krawiec.....7.
The Honorable Terry Van Duyn.....7.
Excused Votes—
S 729 Coal Ash Management Act of 2014.....212, 234, 316, 484.
Journal Approval.....61, 380.
Remarks Spread—
S 879 Honor Zeb Alley.....112.
S 882 Honor Senator Martin Nesbitt.....197.
Bills and Resolutions—(Senate Bills)
Primary Sponsor.....882.

BROCK, SENATOR ANDREW C. .....**34th District—Davie,** Iredell (part), Rowan (part).
Adjournment Motion.....470.
Adjournment Motion—Second.....106.
Committee Assignments—
Conference.....172, 317, 318.
Escorts—
The Honorable Valerie P. Foushee.....7.
The Honorable Jeffrey Neale Jackson.....7.
The Honorable Joyce R. Krawiec.....7.
The Honorable Terry Van Duyn.....7.
Presides—
Daily Session.....285.
Bills and Resolutions—(Senate Bills)
Primary Sponsor.....734, 740, 762, 764, 769, 772, 786, 797, 798, 806, 811, 815, 883.
Co-Sponsor.....735, 787, 809, 812, 818, 843, 852, 854, 879, 881, 882, 885.

BROWN, SENATOR HARRY ..... **6th District—**Jones, **Onslow.**
Adjournment Motion—Second.....91, 299, 377.
Committee Assignments—
Conference.....172, 279, 412.

BROWN, SENATOR HARRY (continued)
Remarks Spread—
S 879 Honor Zeb Alley.....112.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....742, 743, 744, 794, 795, 796, 800, 802, 808, 842, 849.
Co-Sponsor.....768.

BRUNSWICK COUNTY—District 8—Senator Bill Rabon
S 845 Bald Head Island/Contract Post Office
(S.L. 2014-23) .....70, 116, 127, 194, 223.
S 846 Shallotte Deannexations/Southport Occ Tax
(S.L. 2014-68) .....70, 160, 175, 190, 209, 300, 307, 308, 336.
S 731 Southport Occupancy Tax Modification
(H Finance Com).....23, 153, 169, 175, 190.

BRYANT, SENATOR ANGELA R. ..... **4th District—**Halifax, **Nash (part)**, Vance, Warren, Wilson (part).
Absences, Excused.....69 (portion), 90, 186, 214 (portion), 222, 241, 507.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....838, 869.
Co-Sponsor.....730, 816, 852, 855, 856, 858.

BUNCOMBE COUNTY— District 48— Senator Tom Apodaca
District 49— Senator Martin L. Nesbitt, Jr. (Deceased 03/06/2014)
District 49— Senator Terry Van Duyn (Appointed 04/15/2014)
H 1247 Asheville Regional Airport
(S.L. 2014-52) .....185, 221, 228, 278, 287.
H 1113 Bent Creek Property Sullivan Act Exemption
(S.L. 2014-51) .....98, 188, 208, 209, 227, 278, 287.
S 873 Exempt Henderson Co./Sale & Disposal Stat.
(Rules and Operations of the Senate Com).....79.
H 531 Weaverville, Buncombe & Henderson
(S.L. 2014-26) .....116, 117, 126, 140, 195, 224.

BURKE COUNTY—District 46—Senator Warren Daniel
S 801 Morganton Charter Amendment
(State and Local Government Com).....44.
H 1158 Morganton Charter Amendment
(S.L. 2014-12) .....90, 160, 169, 174.

CABARRUS COUNTY—District 36—Senator Fletcher L. Hartsell, Jr.
H 1246 Armed Detention Officers/Forsyth County
(Judiciary II Com) .....185.
H 569 Foxfire/Satellite Annexations
(S.L. 2014-30) .....22, 119, 123, 149, 161, 223, 244.
H 1218 Monroe Attorney/Cabarrus Comm.
(S.L. 2014-92) .....185, 208, 231, 248, 283, 284, 418, 428, 436, 459, 466.

CALDWELL COUNTY—District 45—Senator Dan Soucek

CAMDEN COUNTY—District 1—Senator Bill Cook

CARTERET COUNTY—District 2—Senator Norman W. Sanderson

CASWELL COUNTY—District 22—Senator Mike Woodard
H 369 Criminal Law Changes
(S.L. 2014-119) .....253, 260, 271, 297, 330, 331, 342, 349, 367, 374, 423, 492, 494.
S 864 Yanceyville ATV Use
(S.L. 2014-32) .....78, 161, 169, 243, 257.

CATAWBA COUNTY—District 42—Senator Austin M. Allran

CHARTER SCHOOLS
S 884 2014 Appointments Bill
(S.L. 2014-116) .....345, 421, 425, 428, 469, 477, 484, 488, 497.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 793 Charter School Modifications
(S.L. 2014-101) .....43, 125, 150, 161, 165, 259, 263, 275, 281, 371, 376, 387, 389, 471.
S 754 Charter School Preliminary Approval Process
(Education/Higher Education Com) .....27.
S 752 Clarify Charter School Application Process
(Education/Higher Education Com) .....27.
S 42 Confidentiality of UC Information
(S.L. 2014-117) .....300, 302, 513, 518, 519.
H 884 Dropout Prev./Recovery Pilot Charter School
(S.L. 2014-104) .....400, 406, 410, 411, 412, 428, 472.
S 748 NCVPS courses/Nonpublic School Students
(Education/Higher Education Com) .....26.

CHARTER SCHOOLS (continued)
S 850 Permanent License Plates/Charter Schools
(Transportation Com) .....71.
H 1133 Technical and Other Corrections
(S.L. 2014-115) 388, 395, 398,
404, 423, 462, 465, 474.

CHATHAM COUNTY—District 23—Senator Valerie P. Foushee

CHEROKEE COUNTY—District 50—Senator Jim Davis
S 736 Murphy Deannexation
(State and Local Government Com) .....24.
H 1067 Murphy Deannexation
(S.L. 2014-46) .....163, 221, 225, 248, 261, 265, 271.

CHOWAN COUNTY—District 3—Senator Clark Jenkins
H 369 Criminal Law Changes
(S.L. 2014-119) 253, 260, 271, 297, 330, 331,
342, 349, 367, 374, 423, 492, 494.

CIVIL PROCEDURE
S 853 Business Court Modernization
(S.L. 2014-102) 72, 105, 114, 131, 132, 142, 143,
152, 300, 303, 313, 331, 390, 392,
400, 430, 434, 446, 459, 460, 464, 471.
H 272 DOT/DMV Changes #2
(S.L. 2014-108) 392, 395, 399, 422, 424,
440, 444, 446, 460, 465, 473.
H 346 Governing Bodies/Collect Unpaid Judgments
(S.L. 2014-40) .....118, 175, 191, 242, 270.
S 773 Implement GSC Recommendations
(S.L. 2014-107) 35, 253, 254, 262,
274, 388, 397, 402, 472.
H 1094 Mediated Settlements/District Ct
(Judiciary I Com).....183.
S 764 Motor Vehicle Civil Penalty/District Court
(Judiciary II Com) .....29.
S 835 Service of Hearing Order/MV Dealer Licensee
(Transportation Com) .....59.
H 1097 Service of Hearing Order/MV Dealer Licensee
(Transportation Com) .....267.
H 1133 Technical and Other Corrections
(S.L. 2014-115) 388, 395, 398,
404, 423, 462, 465, 474.

CLARK, SENATOR BEN .....**21st District—**Cumberland (part), **Hoke.**
Adjournment Motion.....473.
Committee Assignments—
Conference.....279.
Journal Approval.....318.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....730, 748, 749, 759, 806, 810, 816.
Co-Sponsor .....761, 852.

CLAY COUNTY—District 50—Senator Jim Davis
H 1131 Clay County Opossum Exclusion/Wildlife Laws
(S.L. 2014-7) .....75, 116, 128, 139.

CLEVELAND COUNTY—District 46—Senator Warren Daniel
H 1250 Amend Definition of Dangerous Firearm
(Judiciary II Com) .....163.
H 1134 Cleveland County/Road Assessment Criteria
(S.L. 2014-36) .....121, 207, 227, 243, 258.
H 369 Criminal Law Changes
(S.L. 2014-119) .....253, 260, 271, 297, 330, 331, 342, 349, 367, 374, 423, 492, 494.
H 183 Delay Transfer/Cleveland County Corr. Fac.
(S.L. 2014-19) .....109, 129, 168, 223.

CLODFELTER, SENATOR DANIEL G.
(Resigned 04/08/2014)..... **37th District—Mecklenburg (part).**
Democratic Caucus Nomination–Caucus Co-Chair .....6.

COAL ASH
S 884 2014 Appointments Bill
(S.L. 2014-116) .....345, 421, 425, 428, 469, 477, 484, 488, 497.
S 729 Coal Ash Management Act of 2014
(S.L. 2014-122) .....22, 157, 166, 175, 180, 210, 212, 232, 234, 236, 292, 295, 304, 314, 345, 347, 354, 441, 448, 453, 455, 477, 482, 485, 487, 501, 504, 508, 514, 516, 518, 519.

COASTAL RESOURCES
S 884 2014 Appointments Bill
(S.L. 2014-116) .....345, 421, 425, 428, 469, 477, 484, 488, 497.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.

COASTAL RESOURCES (continued)
S 58 Clarify Statute of Repose
(S.L. 2014-44) .....244, 251, 252, 271.
H 1025 DOT/DMV Changes
(S.L. 2014-58) .....107, 134, 135, 146, 195, 244, 272, 286, 309.
S 792 Ferry Tolling/Replacement Funds
(Transportation Com) .....42.
H 1234 Ferry Tolling/Replacement Funds
(Transportation Com) .....299.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 808 Oyster Industry Restoration Act
(Agriculture/Environment/Natural Resources Com)
(Inc. S.L. 2014-100) .....51.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
H 1144 Study 1%/$80 Rate for Mill Machinery
(Finance Com) .....299.

COLLEGES & UNIVERSITIES
H 1048 AG Selection Criteria/NCNG Amendments
(S.L. 2014-106)
(Inc. S.L. 2014-100) .....96, 231, 254, 260, 273, 279, 288, 317, 318, 329, 383, 387, 392, 403, 472.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
H 1051 Authorize DHHS/Cooperative Extension Contract
(Health Care Com) .....266.
S 738 Clarify Gravel Under Stormwater Laws
(Agriculture/Environment/Natural Resources Com) .....24.
H 1166 Clarify Gravel Under Stormwater Laws
(Rules and Operations of the Senate Com).....98.
S 849 Clarify Regional School CIHS Applications
(Education/Higher Education Com) (Inc. S.L. 2014-100).....71.
S 761 Credit for Military Training
(S.L. 2014-67) .....28, 33, 165, 178, 269, 311.
S 786 Energy Modernization Act
(S.L. 2014-4) .....37, 46, 47, 49, 54, 83, 84, 85, 94.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
H 1220 Hope 4 Haley and Friends
(S.L. 2014-53) .....193, 230, 246, 247, 252, 308.

COLLEGES & UNIVERSITIES (continued)
S 78 Law Enforcement Privacy/Public Web Sites
(Rules and Operations of the Senate Com).....300, 306.
H 691 Limit Soldiers CC Tuition
(Appropriations/Base Budget Com) .....22, 31.
H 1224 Local Sales Tax Options/Econ. Devpt. Changes
(S Adopted Conf Report,
H Failed to Adopt Conf Report).....266, 312, 336, 340, 343, 345, 362, 366, 373, 420, 439, 447, 451, 452.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
S 719 Student Organizations/Rights & Recognition
(S.L. 2014-28) .....173, 244.
S 805 Study Establishment of New Optometry Schools
(Education/Higher Education Com) (Inc. S.L. 2014-100).....44.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.
S 885 UNC BOG Vacancy Election
(Adopted) .....395, 396.
H 1182 UNC Nonappropriated Capital Projects
(S.L. 2014-60) .....207, 219, 225, 249, 262, 270, 309.
S 758 Western School of Science & Math/Funds
(Education/Higher Education Com) .....28.

COLUMBUS COUNTY—District 13—Senator Michael P. Walters
S 741 Bladen, Columbus, Franklin, Hoke/Tax Cert
(S.L. 2014-29) .....24, 115, 124, 133, 141, 192, 210, 222, 244.

COMMUNITY COLLEGES
S 785 2 Co. Comm./Durham Tech. Bd
(Education/Higher Education Com) .....37.
H 1120 2 Co. Comm./Durham Tech. Bd
(S.L. 2014-73) .....207, 325, 333, 338, 349.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 761 Credit for Military Training
(S.L. 2014-67) .....28, 33, 165, 178, 269, 311.
S 806 Education Longitudinal Data System Changes
(Education/Higher Education Com) .....45.
S 786 Energy Modernization Act
(S.L. 2014-4) .....37, 46, 47, 49, 54, 83, 84, 85, 94.

COMMUNITY COLLEGES (continued)
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
H 691 Limit Soldiers CC Tuition
(Appropriations/Base Budget Com) .....22, 31.
H 1224 Local Sales Tax Options/Econ. Devpt. Changes
(S Adopted Conf Report,
H Failed to Adopt Conf Report).....266, 312, 336, 340, 343, 345, 362, 366, 373, 420, 439, 447, 451, 452.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.

CONFIRMATIONS/ELECTIONS/CONSENTS
Confirmations
Charlton L. Allen, North Carolina Industrial Commission.....152.
Linda Combs, State Controller .....151.

CONSTITUTION, N.C.
S 817 4-Year Terms for GA/Limit Consecutive Terms
(Rules and Operations of the Senate Com).....52.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 853 Business Court Modernization
(S.L. 2014-102) .....72, 105, 114, 131, 132, 142, 143, 152, 300, 303, 313, 331, 390, 392, 400, 430, 434, 446, 459, 460, 464, 471.
S 880 Education Simplification Amendment
(Education/Higher Education Com) .....121.

CONTROLLED SUBSTANCES
H 183 Delay Transfer/Cleveland County Corr. Fac.
(S.L. 2014-19) .....109, 129, 168, 223.
H 1220 Hope 4 Haley and Friends
(S.L. 2014-53) .....193, 230, 246, 247, 252, 308.
H 644 Prevent Hazardous Drug Exposure
(S.L. 2014-76) .....306, 319, 322, 324, 335, 364.
S 749 Strengthen Controlled Substances Monitoring
(Appropriations/Base Budget Com) .....26, 134.

COOK, SENATOR BILL .....**1st District—Beaufort**, Camden, Currituck, Dare, Gates, Hyde, Pasquotank, Perquimans.
Absences, Excused.....374 (portion), 488, 507.
Senatorial Statement.....137.
Bills and Resolutions—(Senate Bills)
Primary Sponsor ..... 770, 788, 789, 790, 791, 792, 793, 808, 877.
Co-Sponsor .....812, 815, 843, 850, 852, 857.

COUNTY COMMISSIONERS
S 785 2 Co. Comm./Durham Tech. Bd
(Education/Higher Education Com) .....37.
H 1120 2 Co. Comm./Durham Tech. Bd
(S.L. 2014-73) .....207, 325, 333, 338, 349.
H 1108 Duplin BCC Elections/Harnett Vacancies
(S.L. 2014-6) .....89, 115, 128, 139.
H 1218 Monroe Attorney/Cabarrus Comm.
(S.L. 2014-92) .....185, 208, 231, 248, 283, 284, 418, 428, 436, 459, 466.
H 458 Public Hospital Conveyances
(Judiciary II Com) .....246, 255.
H 1033 Special Assessment/Dam Repair
(S.L. 2014-89) .....276, 321, 329, 332, 334, 341, 343, 348, 416.
S 85 UNC/Med Student Clinical Rotation Slots
(Ways & Means Com).....276.
S 869 Wilson County Occupancy Tax Increase
(State and Local Government Com).....79.

COURTS
S 745 2014 Technical Corrections
(Judiciary I Com).....25.
S 858 Amend Expunction Laws
(Judiciary II Com) .....74.
H 618 Amend Firearm Restoration Law
(Judiciary II Com) .....94, 107, 110, 123, 147.
H 1089 AOC Civil Case Management System
(Judiciary I Com).....183.
H 1090 AOC Information Technology Policy
(Judiciary II Com) .....183.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.

COURTS (continued)

S 853 Business Court Modernization
(S.L. 2014-102) .....72, 105, 114, 131, 132, 142, 143, 152, 300, 303, 313, 331, 390, 392, 400, 430, 434, 446, 459, 460, 464, 471.
S 58 Clarify Statute of Repose
(S.L. 2014-44) .....244, 251, 252, 271.
H 712 Clarifying Changes/Special Ed Scholarships
(S.L. 2014-49) .....104, 171, 179, 242, 287.
H 369 Criminal Law Changes
(S.L. 2014-119) .....253, 260, 271, 297, 330, 331, 342, 349, 367, 374, 423, 492, 494.
H 272 DOT/DMV Changes #2
(S.L. 2014-108) .....392, 395, 399, 422, 424, 440, 444, 446, 460, 465, 473.
S 830 DWI Interlock Violation/DMV Hearing Site
(Transportation Com) .....59.
H 1027 DWI Interlock Violation/DMV Hearing Site
(Rules and Operations of the Senate Com).....89, 125, 186, 196, 245, 273.
S 777 Eliminate Obsolete Boards and Commissions
(Education/Higher Education Com) .....36.
H 1152 Eliminate Obsolete Boards and Commissions
(Rules and Operations of the Senate Com).....98.
H 1092 Enforce Payment of Criminal Mediation Fee
(Judiciary II Com) .....120.
H 346 Governing Bodies/Collect Unpaid Judgments
(S.L. 2014-40) .....118, 175, 191, 242, 270.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 574 Groundwater Contamination/Modify Response
(S.L. 2014-17) .....147, 155, 169, 170, 173, 190.
S 493 Health and Safety Regulatory Reform
(Ways & Means Com).....268.
S 773 Implement GSC Recommendations
(S.L. 2014-107) .....35, 253, 254, 262, 274, 388, 397, 402, 472.
S 813 Improve Oversight of Public Guardianship
(Health Care Com) (Inc. S.L. 2014-100).....51.
H 1110 Improve Oversight of Public Guardianship
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....97.
S 3 JMAC Modifications
(S.L. 2014-118) .....101, 102, 258, 519.
S 78 Law Enforcement Privacy/Public Web Sites
(Rules and Operations of the Senate Com).....300, 306.

COURTS (continued)

H 1094 Mediated Settlements/District Ct
(Judiciary I Com).....183.
H 292 Moratorium/Lawsuits for Sch. Funds
(S.L. 2014-8) .....63, 118, 128, 141, 143, 144.
S 764 Motor Vehicle Civil Penalty/District Court
(Judiciary II Com) .....29.
H 109 Motorcycle Helmet Law/Study
(Transportation Com) .....156.
S 648 NC Commerce Protection Act of 2014
(S.L. 2014-110) .....21, 31, 119, 120, 123, 131, 132, 259, 263, 275, 280, 425, 427, 429, 436, 458, 473.
S 594 Omnibus Justice Amendments
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....276.
H 1032 Patent Abuse Bill
(Rules and Operations of the Senate Com).....96.
H 1076 Reduce Hard Copies/Appellate Div. Reports
(Judiciary II Com) .....108.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
H 761 Regulatory Reform Act of 2014
(Rules and Operations of the Senate Com).....407, 409, 411.
S 835 Service of Hearing Order/MV Dealer Licensee
(Transportation Com) .....59.
H 1097 Service of Hearing Order/MV Dealer Licensee
(Transportation Com) .....267.
S 803 Status Reports Filed by Guardians
(Health Care Com) (Inc. S.L. 2014-100).....44.
H 1091 Study Supervision of Magistrates
(Judiciary II Com) .....183.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.
H 1099 Unmanned Aircraft Regulation
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....267.
S 821 Verification/Jurisdiction in Juvenile Cases
(Judiciary II Com) .....57.
H 1103 Verification/Jurisdiction in Juvenile Cases
(S.L. 2014-16) .....89, 109, 130, 138, 189.
H 725 Young Offenders Rehabilitation Act
(Held in Senate Clerk's Office).....67.

CRAVEN COUNTY—District 2—Senator Norman W. Sanderson
S 851 Allow Absentee Voting/1st Craven Sanitary Dis
(S.L. 2014-54) .....71, 208, 227, 287, 308.

CULTURAL RESOURCES
S 884 2014 Appointments Bill
(S.L. 2014-116) .....345, 421, 425, 428, 469, 477, 484, 488, 497.
S 745 2014 Technical Corrections
(Judiciary I Com).....25.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 769 Boost State Nature/Heritage Tourism Industry
(Rules and Operations of the Senate Com).....34, 164.
S 777 Eliminate Obsolete Boards and Commissions
(Education/Higher Education Com) .....36.
H 1152 Eliminate Obsolete Boards and Commissions
(Rules and Operations of the Senate Com).....98.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
H 292 Moratorium/Lawsuits for Sch. Funds
(S.L. 2014-8) .....63, 118, 128, 141, 143, 144.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
S 763 Revenue Laws Tech. Changes and Other Changes
(Rules and Operations of the Senate Com).....29, 361, 366, 373, 467.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.

CUMBERLAND COUNTY— District 19—Senator Wesley Meredith
District 21—Senator Ben Clark
S 204 21st Senatorial District Local Act-1
(Finance Com).....94.
H 369 Criminal Law Changes
(S.L. 2014-119) .....253, 260, 271, 297, 330, 331, 342, 349, 367, 374, 423, 492, 494.
S 810 Fayetteville Red Light Changes
(Finance Com).....51, 114, 116.
H 1151 Fayetteville Red Light Changes
(S.L. 2014-84) .....266, 367, 373, 381, 386.
H 1252 Unneeded Ambulance/Bladen & Columbus
(Judiciary II Com) .....163.

CURRICULUM
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
H 230 Clarify Read to Achieve/Sch. Perform. Grades
(S.L. 2014-5) .....69, 75, 81, 83, 104, 122.
S 849 Clarify Regional School CIHS Applications
(Education/Higher Education Com) (Inc. S.L. 2014-100).....71.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
H 761 Regulatory Reform Act of 2014
(Rules and Operations of the Senate Com).....407, 409, 411.
H 1061 Replace CCSS w/NC's Higher Academ. Standards
(Education/Higher Education Com) .....108.
S 812 Replace CCSS w/NC's Higher Academ. Standards
(S.L. 2014-78) .....51, 92, 93, 100, 101, 102, 225, 239, 255, 265, 298, 307, 327, 335, 364.

CURRITUCK COUNTY—District 1—Senator Bill Cook
H 1253 Exempt Time Shares/Rule Against Perpetuities
(Commerce Com) .....266.

CURTIS, SENATOR DAVID L. ..... **44th District—**Gaston (part), Iredell (part), **Lincoln**.
Absences, Excused.....69 (portion), 389, 393, 402, 415, 452, 507.
Adjournment Motion—Second.....302.
Committee Assignments—
Conference.....389.
Excused Votes—
S 477 No Set Fee/Noncovered Vision Services.....179.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....787, 805.
Co-Sponsor .....786, 812, 815, 852.

DANIEL, SENATOR WARREN T. .....**46th District—Burke**, Cleveland.
Absences, Excused.....138, 476, 488.
Adjournment Motion—Second.....64, 95.
Committee Assignments—
Conference.....275.
Bills and Resolutions—(Senate Bills)
Primary Sponsor ..... 758, 801, 817, 825, 827, 830, 834, 835, 836, 847.
Co-Sponsor ..... 729, 735, 761, 805, 807, 812, 815, 818, 852.

DARE COUNTY—District 1—Senator Bill Cook
H 1253 Exempt Time Shares/Rule Against Perpetuities
(Commerce Com) .....266.
S 788 Town of Duck/Eminent Domain
(S.L. 2014-86) .....38, 210, 230, 320, 323, 324, 385, 403.
H 1070 Town of Duck/Eminent Domain
(State and Local Government Com) .....192.

DAVIDSON COUNTY—District 33—Senator Stan Bingham
H 1207 High Point Charter/Council Hire City Attorney
(S.L. 2014-38) .....185, 208, 228, 243, 258.

DAVIE COUNTY—District 34—Senator Andrew C. Brock

DAVIS, SENATOR DON .....**5th District—Greene**, Lenoir (part), Pitt (part), Wayne (part)
Absences, Excused .....90.
Adjournment Motion—Second .....369.
Remarks Spread—
S 882 Honor Senator Martin Nesbitt .....205.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....838, 841, 862.
Co-Sponsor .....819, 854.

DAVIS, SENATOR JAMES W. ..... **50th District—** Cherokee, Clay, Graham, Haywood, Jackson, **Macon**, Swain.
Absences, Excused .....476, 488, 507.
Committee Assignments—
Conference .....318.
Remarks Spread—
S 879 Honor Zeb Alley .....111.
Senatorial Statement .....419.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....736, 879.
Co-Sponsor .....786, 809.

DIVORCE
H 189 Amend Info./Child Supp. Orders
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....105, 178, 182, 215, 228, 229, 282, 491, 493, 494, 496, 497, 498, 499, 513.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.

DOCTOR/NURSE OF THE DAY

Doctors:

Dr. Ward Adcock, Gastonia....48.
Dr. Rich Adelman, Raleigh....30.
Dr. John Burkard, Raleigh....40.
Dr. Wesley Early, Greenville....66.
Dr. John Ebert, Charlotte....54.
Dr. Joy Kieffer, Winterville....62.
Dr. John Williford, Charlotte....77.

Nurses:

Dr. Allison Abernathy, Cherryville....194.
Julie Alexander, Apex....30, 186.
Cheryl Blake, Durham....154.
Marion S. Braden, Pfafftown....415.
Denise Brigham, Greenville....66.
Amanda Cannon, Wilson....77.
Elizabeth H. Carver, Graham....145.
Kelly Cobb, Yanceyville....122.
Jean A. Davison, Chapel Hill....348.
Elizabeth (Lisa) Elliott, Sanford....92.
Septina Florimonte, Raleigh....303.
Janice Garner, Clayton....313.
Ernie Glover, Tarboro....40.
Dr. Annette Greer, Fountain....20.
Wendi Gwaltney, Greensboro....242, 370.
Alice M. Hill, Goldsboro....99.
Jennifer Lamm, Rocky Mount....48.
B.J. Lee, Holly Springs....104.
Karen Lemmons, Asheboro....164, 363.
Jasmine M. Locklear, Maxton....222.
Brian Lupo, Raleigh....321.
Margaret Markie, Durham....389.
Richard D. McGowan, Clayton....173, 285.
Lucirene McZeak, Raleigh....269.
Ann Marie Patterson-Powell, Cary....48, 256.
Dr. Janis Puglisi, Lewisville....278.
Susan Roberts, Greensboro....402.
Tina Schoen, Waxhaw....301.
Mary E. Schuler, Chapel Hill....330.
Michelle Voitik, Raleigh....54.
Kristin Wainwright, Durham....357.
Ayanna Whitfield, Winterville....393.
Diamond Williams, Harrisburg....337.
Megan Williams, Chapel Hill....6.
Sharon Ying, Morrisville....295.

DRIVERS LICENSES
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 825 DMV DL Medical Review Program Changes
(Transportation Com) .....58.
S 751 Driver Ed Performance Indicators (PED)
(Education/Higher Education Com) .....26.
S 832 Drivers License Material Technical Standard
(Transportation Com) .....59.
S 830 DWI Interlock Violation/DMV Hearing Site
(Transportation Com) .....59.
H 1027 DWI Interlock Violation/DMV Hearing Site
(Rules and Operations of the Senate Com).....89, 125, 186, 196, 245, 273.
H 1157 Electronic Drivers License Amendment
(Transportation Com) (Inc. S.L. 2014-100).....267.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.

DUPLIN COUNTY—District 10—Senator Brent Jackson
H 1108 Duplin BCC Elections/Harnett Vacancies
(S.L. 2014-6) .....89, 115, 128, 139.

DURHAM COUNTY— District 20—Senator Floyd B. McKissick, Jr.
District 22—Senator Mike Woodard
S 785 2 Co. Comm./Durham Tech. Bd
(Education/Higher Education Com) .....37.
H 1120 2 Co. Comm./Durham Tech. Bd
(S.L. 2014-73) .....207, 325, 333, 338, 349.
H 189 Amend Info./Child Supp. Orders
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....105, 178, 182, 215, 228, 229, 282, 491, 493, 494, 496, 497, 498, 499, 513.
S 870 Durham/Payments for On-Street Parking
(S.L. 2014-34) .....79, 160, 169, 243, 257.
H 1224 Local Sales Tax Options/Econ. Devpt. Changes
(S Adopted Conf Report,
H Failed to Adopt Conf Report).....266, 312, 336, 340, 343, 345, 362, 366, 373, 420, 439, 447, 451, 452.

DURHAM COUNTY (continued)
S 871 Raleigh/Durham/Deannexation/Annexation
(S.L. 2014-47) .....79, 124, 133, 140, 148, 259, 264, 265, 271.
S 226 Repeal 1935 Durham Co. Firearm Act
(S.L. 2014-11) .....174.

ECONOMIC DEVELOPMENT
S 884 2014 Appointments Bill
(S.L. 2014-116) .....345, 421, 425, 428, 469, 477, 484, 488, 497.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
H 1224 Local Sales Tax Options/Econ. Devpt. Changes
(S Adopted Conf Report,
H Failed to Adopt Conf Report).....266, 312, 336, 340, 343, 345, 362, 366, 373, 420, 439, 447, 451, 452.
S 743 NC Econ. Dev. Partnership Modifications
(H Finance Com) (Inc. S.L. 2014-100).....25, 92, 94, 101, 102, 103, 104.
H 1031 NC Econ. Dev. Partnership Modifications
(S.L. 2014-18) (Inc. S.L. 2014-100).....144, 160, 166, 170, 174, 223.
H 894 Source Water Protection Planning
(S.L. 2014-41) .....172, 179, 242, 270.
H 680 Start-Ups Act/New Markets Tax Credit Act
(Finance Com).....341.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.

EDGECOMBE COUNTY—District 3—Senator Clark Jenkins

ELECTIONS
S 817 4-Year Terms for GA/Limit Consecutive Terms
(Rules and Operations of the Senate Com).....52.
H 1267 Absentee Ballot/Everette Harris Act
(Rules and Operations of the Senate Com).....226.
S 105 Add Towns to SHP
(S.L. 2014-75) .....288, 307, 322, 323, 324, 335, 364.
S 851 Allow Absentee Voting/1st Craven Sanitary Dis
(S.L. 2014-54) .....71, 208, 227, 287, 308.

ELECTIONS (continued)
S 861 Burlington Charter/Revision and Consolidation
(State and Local Government Com) .....74.
H 1108 Duplin BCC Elections/Harnett Vacancies
(S.L. 2014-6) .....89, 115, 128, 139.
S 880 Education Simplification Amendment
(Education/Higher Education Com) .....121.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 795 Local Option Sales Tax
(State and Local Government Com) .....43.
H 1218 Monroe Attorney/Cabarrus Comm.
(S.L. 2014-92) .....185, 208, 231, 248, 283, 284, 418, 428, 436, 459, 466.
S 801 Morganton Charter Amendment
(State and Local Government Com) .....44.
H 1158 Morganton Charter Amendment
(S.L. 2014-12) .....90, 160, 169, 174.
H 1211 Mount Gilead Charter Revision & Consolidation
(State and Local Government Com) .....193.
S 866 Sampson County Local Option Sales Tax
(State and Local Government Com) .....78.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.
H 1045 Town of Elkin/Reg. Municipal Elections Sched.
(S.L. 2014-35) .....96, 157, 207, 227, 243, 257.

ELEMENTARY EDUCATION
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 793 Charter School Modifications
(S.L. 2014-101) .....43, 125, 150, 161, 165, 259, 263, 275, 281, 371, 376, 387, 389, 471.
S 754 Charter School Preliminary Approval Process
(Education/Higher Education Com) .....27.
S 752 Clarify Charter School Application Process
(Education/Higher Education Com) .....27.
S 42 Confidentiality of UC Information
(S.L. 2014-117) .....300, 302, 513, 518, 519.
S 751 Driver Ed Performance Indicators (PED)
(Education/Higher Education Com) .....26.
H 884 Dropout Prev./Recovery Pilot Charter School
(S.L. 2014-104) .....400, 406, 410, 411, 412, 428, 472.

ELEMENTARY EDUCATION (continued)

H 1108 Duplin BCC Elections/Harnett Vacancies
(S.L. 2014-6) .....89, 115, 128, 139.
H 831 Ed. Services for Children in PRTFs
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....122.
S 880 Education Simplification Amendment
(Education/Higher Education Com) .....121.
S 786 Energy Modernization Act
(S.L. 2014-4) .....37, 46, 47, 49, 54, 83, 84, 85, 94.
S 815 Ensuring Privacy of Student Records
(S.L. 2014-50) .....52, 62, 92, 93, 126, 150, 222, 287.
S 818 Establish Education Endowment Fund
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....52, 70, 165.
S 789 Funds for Geographically Sparse LEAs
(Education/Higher Education Com) .....38.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 193 Modify P3 Ethics Reporting Requirements
(S.L. 2014-109) .....440, 446, 458, 473.
H 1154 Moore Co. Schools Transfer of Property
(S.L. 2014-70) .....193, 313, 319, 322, 324, 335, 338.
S 852 NBPTS Bonus for Teachers in Title I Schools
(Education/Higher Education Com)
(Inc. S.L. 2014-100) .....70, 72.
S 748 NCVPS courses/Nonpublic School Students
(Education/Higher Education Com) .....26.
S 850 Permanent License Plates/Charter Schools
(Transportation Com) .....71.
S 860 Public School Changes
(Education/Higher Education Com) .....74.
H 1061 Replace CCSS w/NC's Higher Academ. Standards
(Education/Higher Education Com) .....108.
S 812 Replace CCSS w/NC's Higher Academ. Standards
(S.L. 2014-78) .....51, 92, 93, 100, 101, 102, 225, 239, 255, 265, 298, 307, 327, 335, 364.
S 770 Schematic Diagrams and Keys of Schools
(Education/Higher Education Com) (Inc. S.L. 2014-100).....34.
H 1062 Schematic Diagrams/Emergency Access to Schs.
(Education/Higher Education Com) (Inc. S.L. 2014-100).....108.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.
S 758 Western School of Science & Math/Funds
(Education/Higher Education Com) .....28.

EMERGENCY SERVICES

S 884 2014 Appointments Bill
(S.L. 2014-116) .....345, 421, 425, 428, 469, 477, 484, 488, 497.
S 745 2014 Technical Corrections
(Judiciary I Com).....25.
S 797 911 Board/Back-up PSAP
(S.L. 2014-66) .....43, 118, 122, 161, 286, 310.
S 38 Amend Environmental Laws 2014
(Held in Senate Clerk's Office).....207.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
H 1246 Armed Detention Officers/Forsyth County
(Judiciary II Com) .....185.
H 698 Background Checks for Firefighters
(S.L. 2014-27) .....115, 130, 142, 144, 173, 243.
S 729 Coal Ash Management Act of 2014
(S.L. 2014-122) .....22, 157, 166, 175, 180, 210, 212, 232, 234, 236, 292, 295, 304, 314, 345, 347, 354, 441, 448, 453, 455, 477, 482, 485, 487, 501, 504, 508, 514, 516, 518, 519.
S 740 DPS Study Commercial Vehicle Safety Alliance
(Judiciary II Com) .....24, 105, 153.
H 1190 DPS Study Commercial Vehicle Safety Alliance
(Transportation Com) .....268.
H 27 Escheat Savings Bond Trust Fund/Scholarships
(S.L. 2014-93) .....156, 361, 366, 385, 466.
S 854 Establish Urban Search & Rescue Program
(Judiciary II Com) .....72, 85.
H 1195 Fiscal Integrity/Pension-Spiking Prevention
(S.L. 2014-88) .....184, 339, 353, 360, 363, 416.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 3 JMAC Modifications
(S.L. 2014-118) .....101, 102, 258, 519.
S 764 Motor Vehicle Civil Penalty/District Court
(Judiciary II Com) .....29.
H 1043 Prequalification Update
(S.L. 2014-42) .....120, 172, 179, 242, 270.
H 1087 Preserve Biological Evidence/Study
(Judiciary II Com) .....109.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.

EMERGENCY SERVICES (continued)
S 770 Schematic Diagrams and Keys of Schools
(Education/Higher Education Com) (Inc. S.L. 2014-100).....34.
H 1062 Schematic Diagrams/Emergency Access to Schs.
(Education/Higher Education Com) (Inc. S.L. 2014-100).....108.
S 749 Strengthen Controlled Substances Monitoring
(Appropriations/Base Budget Com) .....26, 134.
H 1096 Union County/Contracted Ambulance Service
(S.L. 2014-72) .....97, 231, 325, 327, 331, 333, 338, 349.
H 1099 Unmanned Aircraft Regulation
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....267.
H 1252 Unneeded Ambulance/Bladen & Columbus
(Judiciary II Com) .....163.
S 747 Volunteer Fire and Rescue Finances (PED)
(Finance Com).....25.
H 1034 Volunteer Fire and Rescue Finances (PED)
(S.L. 2014-64) .....162, 177, 229, 251, 256, 310.
S 758 Western School of Science & Math/Funds
(Education/Higher Education Com) .....28.

EMINENT DOMAIN
H 1247 Asheville Regional Airport
(S.L. 2014-52) .....185, 221, 228, 278, 287.
H 272 DOT/DMV Changes #2
(S.L. 2014-108) .....392, 395, 399, 422, 424, 440, 444, 446, 460, 465, 473.
S 788 Town of Duck/Eminent Domain
(S.L. 2014-86) .....38, 210, 230, 320, 323, 324, 385, 403.
H 1070 Town of Duck/Eminent Domain
(State and Local Government Com).....192.

ENVIRONMENT
S 884 2014 Appointments Bill
(S.L. 2014-116) .....345, 421, 425, 428, 469, 477, 484, 488, 497.
S 294 Allow Use of DOT Stormwater BMPs
(S.L. 2014-1) .....66, 86.
S 38 Amend Environmental Laws 2014
(Held in Senate Clerk's Office).....207.
S 737 Amend Isolated Wetland Regulation
(Agriculture/Environment/Natural Resources Com) .....24.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.

ENVIRONMENT (continued)

S 769 Boost State Nature/Heritage Tourism Industry
(Rules and Operations of the Senate Com).....34, 164.
H 201 Building Reutilization for Economic Dev. Act
(S.L. 2014-90) .....344, 352, 359, 368, 381, 459.
S 799 Carrboro Building Codes
(State and Local Government Com).....43.
S 738 Clarify Gravel Under Stormwater Laws
(Agriculture/Environment/Natural Resources Com).....24.
H 1166 Clarify Gravel Under Stormwater Laws
(Rules and Operations of the Senate Com).....98.
S 58 Clarify Statute of Repose
(S.L. 2014-44) .....244, 251, 252, 271.
H 1131 Clay County Opossum Exclusion/Wildlife Laws
(S.L. 2014-7) .....75, 116, 128, 139.
S 856 Coal Ash Management Act of 2014
(Rules and Operations of the Senate Com).....72.
S 729 Coal Ash Management Act of 2014
(S.L. 2014-122) 22, 157, 166, 175, 180, 210, 212,
232, 234, 236, 292, 295, 304, 314, 345,
347, 354, 441, 448, 453, 455, 477, 482,
485, 487, 501, 504, 508, 514, 516, 518, 519.
H 677 Consolidation of Certain Fire Districts
(Finance Com).....221.
H 1057 DENR Study IBT/EMC Eco Flow Study
(Agriculture/Environment/Natural Resources Com).....266.
S 757 DENR Study of IBT Laws
(Agriculture/Environment/Natural Resources Com).....28.
S 786 Energy Modernization Act
(S.L. 2014-4) .....37, 46, 47, 49, 54, 83, 84, 85, 94.
H 1106 Erosion Control Designer Certification
(Agriculture/Environment/Natural Resources Com).....184.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
H 1105 Local Erosion Prgrms/Takeover Existing Plans
(Agriculture/Environment/Natural Resources Com).....183.
S 883 Mitigation Buffer Rule/Wastewater Treatment
(S.L. 2014-95) 267, 322, 339, 351,
352, 408, 410, 416, 466.
H 366 NC Farm Act of 2014
(S.L. 2014-103) (Inc. S.L. 2014-100).....156, 187, 219, 220, 224,
250, 291, 317, 377, 390,
397, 404, 461, 465, 471.
H 1059 New Hanover Occup. Tax Use
(S.L. 2014-87) .....192, 247, 360, 365, 385, 403.

ENVIRONMENT (continued)
S 791 Outer Banks Land Management Act
(Agriculture/Environment/Natural Resources Com) .....39.
S 808 Oyster Industry Restoration Act
(Agriculture/Environment/Natural Resources Com)
(Inc. S.L. 2014-100) .....51.
H 458 Public Hospital Conveyances
(Judiciary II Com) .....246, 255.
S 163 Reclaimed Water as a Source Water
(S.L. 2014-113) .....192, 216, 318, 320, 376, 383, 391, 405, 409, 417, 428, 437, 438, 458, 473.
S 765 Reform Agency Review of Engineering Work
(Agriculture/Environment/Natural Resources Com) .....29.
H 1081 Reform Agency Review of Engineering Work
(Commerce Com) .....97, 182.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
H 558 Soil & Water/Regional Jails Refunds
(S.L. 2014-20) .....124, 133, 142, 173, 223.
S 201 Stanly Comm. Coll. Capital Project
(S.L. 2014-82) .....285, 358, 367, 373, 381, 386.
H 1139 State Nat. & Hist. Pres. Adds & Dels.
(S.L. 2014-62) .....193, 195, 239, 249, 257, 310.
H 1144 Study 1%/$80 Rate for Mill Machinery
(Finance Com) .....299.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.

ETHICS
S 884 2014 Appointments Bill
(S.L. 2014-116) .....345, 421, 425, 428, 469, 477, 484, 488, 497.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 755 No Revolving Door Employment (PED)
(State and Local Government Com) .....27.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.

EXECUTIVE ORDERS
No. 24, No. 25, No. 26, No. 27, No. 28,
No. 29, No. 30, No. 31, No. 32,
No. 33, No. 34, No. 35 .....14.
No. 36, No. 37, No. 38, No. 39, No. 40,
No. 41, No. 42, No. 43, No. 44,
No. 45, No. 46, No. 47,
No. 48, No. 49, No. 50 .....15.
No. 51.....86.
No. 52, No. 53 .....39.
No. 54.....64.
No. 55, No. 56, No. 57, No. 58 .....280.
No. 59.....291.
No. 60.....301.
No. 61.....419.
No. 62.....467.

FERRIES
H 1025 DOT/DMV Changes
(S.L. 2014-58) 107, 134, 135, 146,
195, 244, 272, 286, 309.
S 792 Ferry Tolling/Replacement Funds
(Transportation Com) .....42.
H 1234 Ferry Tolling/Replacement Funds
(Transportation Com) .....299.

FILM INDUSTRY
H 189 Amend Info./Child Supp. Orders
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) 105, 178, 182, 215, 228, 229, 282,
491, 493, 494, 496, 497, 498, 499, 513.
S 743 NC Econ. Dev. Partnership Modifications
(H Finance Com) (Inc. S.L. 2014-100).....25, 92, 94, 101,
102, 103, 104.
S 763 Revenue Laws Tech. Changes and Other Changes
(Rules and Operations of the Senate Com).....29, 361,
366, 373, 467.

FISH & WILDLIFE
S 38 Amend Environmental Laws 2014
(Held in Senate Clerk's Office).....207.
S 744 Appropriations Act of 2014
(S.L. 2014-100) 25, 69, 78, 81, 86, 87, 91,
148, 152, 172, 217, 218, 302,
413, 426, 429, 455, 464, 470.

FISH & WILDLIFE (continued)
S 769 Boost State Nature/Heritage Tourism Industry
(Rules and Operations of the Senate Com).....34, 164.
S 58 Clarify Statute of Repose
(S.L. 2014-44) .....244, 251, 252, 271.
H 1131 Clay County Opossum Exclusion/Wildlife Laws
(S.L. 2014-7) .....75, 116, 128, 139.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 376 Montgomery Co. Employees in State Health Plan
(S.L. 2014-105) .....388, 397, 402, 472.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
S 201 Stanly Comm. Coll. Capital Project
(S.L. 2014-82) .....285, 358, 367, 373, 381, 386.
H 1139 State Nat. and Hist. Pres. Adds & Dels.
(S.L. 2014-62) .....193, 195, 239, 249, 257, 310.
H 1168 Yancey Right-of-Way Safety
(Rules and Operations of the Senate Com).....184, 188.

FORD, SENATOR JOEL D. M. ..... **38th District—Mecklenburg (part)**
Absences, Excused.....303, 507.
Committee Assignments—
Conference.....424.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....816, 824, 826, 827, 834, 835, 836.
Co-Sponsor .....818.

FORSYTH COUNTY—District 31—Senator Joyce Krawiec
(Appointed 01/10/2014)
District 32—Senator Earline W. Parmon
H 189 Amend Info./Child Supp. Orders
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....105, 178, 182, 215, 228, 229, 282, 491, 493, 494, 496, 497, 498, 499, 513.
H 1246 Armed Detention Officers/Forsyth County
(Judiciary II Com) .....185.
H 1207 High Point Charter/Council Hire City Attorney
(S.L. 2014-38) .....185, 208, 228, 243, 258.
H 1224 Local Sales Tax Options/Econ. Devpt. Changes
(S Adopted Conf Report,
H Failed to Adopt Conf Report).....266, 312, 336, 340, 343, 345, 362, 366, 373, 420, 439, 447, 451, 452.

FORSYTH COUNTY (continued)
S 839 Winston-Salem/Parking Meters
(Rules, Calendar, and Operations of the House Com).....67, 208, 227.
S 840 W-S/Meetings By Simultaneous Communication
(State and Local Government Com).....67.

FOUSHEE, SENATOR VALERIE P. .....**23rd District—**Chatham, **Orange.**
Absences, Excused.....488.
Appointment by the Governor, Proclamation of.....7.
Committee Assignments—
Standing/Select.....13.
Journal Approval.....474.
Oath of Office .....11.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....785, 799.
Co-Sponsor ..... 730, 819, 820, 821, 833, 852, 856, 858.

FRANKLIN COUNTY—District 18—Senator Chad Barefoot
S 741 Bladen, Columbus, Franklin, Hoke/Tax Cert
(S.L. 2014-29) .....24, 115, 124, 133, 141, 192, 210, 222, 244.

GASTON COUNTY—District 43—Senator Kathy Harrington
District 44—Senator David L. Curtis
H 292 Moratorium/Lawsuits for Sch. Funds
(S.L. 2014-8) .....63, 118, 128, 141, 143, 144.
S 355 Tech Correction/Gaston, Nash, Union Local Act
(S.L. 2014-9) .....147, 152, 155.

GATES COUNTY—District 1—Senator Bill Cook

GOOLSBY, SENATOR THOM
(Resigned 08/04/2014)..... **9th District—New Hanover (part).**
Absences, Excused.....122, 138, 256.
Adjournment Motion—Second .....89, 308.
Committee Assignments—
Conference.....354, 420, 426.
Senatorial Statement.....406.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....857.

GOVERNOR (The Honorable Pat McCrory)
Appointments (see also CONFIRMATIONS/ELECTIONS/CONSENTS)
Charlton L. Allen, North Carolina Industrial Commission .....16.
Linda Combs, State Controller .....17.
Valerie P. Foushee, member-elect of Senate District 23 .....7.
Jeffrey Neale Jackson, member-elect of Senate District 37.....10.
Joyce R. Krawiec, member-elect of Senate District 31 .....8.
Michael Vincent Lee, member-elect of Senate District 9.....507.
Terry Van Duyn, member-elect of Senate District 49.....9.

GRAHAM COUNTY—District 50—Senator Jim Davis

GRAHAM, SENATOR MALCOLM..... **40th District—Mecklenburg (part).**
Absences, Excused.....90, 173, 348, 450 (portion), 452, 476, 488, 507.
Remarks Spread—
S 882 Honor Senator Martin Nesbitt .....204.

GRANVILLE COUNTY—District 20—Senator Floyd B. McKissick, Jr.

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
H 189 Amend Info./Child Supp. Orders
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....105, 178, 182, 215, 228, 229, 282, 491, 493, 494, 496, 497, 498, 499, 513.
H 1207 High Point Charter/Council Hire City Attorney
(S.L. 2014-38) .....185, 208, 228, 243, 258.
H 1224 Local Sales Tax Options/Econ. Devpt. Changes
(S Adopted Conf Report,
H Failed to Adopt Conf Report).....266, 312, 336, 340, 343, 345, 362, 366, 373, 420, 439, 447, 451, 452.
H 1245 Pleasant Garden Annex/Watha Deannex
(S.L. 2014-80) .....276, 306, 319, 329, 341, 343, 351, 358, 365.

GUNN, SENATOR RICHARD W. ..... **24th District—Alamance,** Randolph (part).
Absences, Excused.....366 (portion), 370, 415 (portion), 491 (portion).
Committee Assignments—
Conference.....317, 439.
Senatorial Statement.....283.

GUNN, SENATOR RICHARD W. (continued)
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....826, 861.
Co-Sponsor .....786.

HALIFAX COUNTY—District 4—Senator Angela R. Bryant

HARNETT COUNTY—District 12—Senator Ronald J. Rabin
H 1250 Amend Definition of Dangerous Firearm
(Judiciary II Com) .....163.
H 1044 Averasboro Township TDA Changes
(S.L. 2014-83) .....182, 219, 359, 365, 381, 386.
H 369 Criminal Law Changes
(S.L. 2014-119) .....253, 260, 271, 297, 330, 331, 342, 349, 367, 374, 423, 492, 494.
H 1108 Duplin BCC Elections/Harnett Vacancies
(S.L. 2014-6) .....89, 115, 128, 139.

HARRINGTON, SENATOR KATHY .....**43rd District—Gaston (part).**
Absences, Excused ..... 69 (portion).
Adjournment Motion .....474.
Adjournment Motion—Second .....50.
Committee Assignments—
Conference .....172, 424.
Standing/Select .....12.
Escorts—
The Honorable Valerie P. Foushee .....7.
The Honorable Jeffrey Neale Jackson .....7.
The Honorable Joyce R. Krawiec .....7.
The Honorable Terry Van Duyn .....7.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....744, 768, 802, 822, 823, 828, 829, 830, 831, 832, 842.
Co-Sponsor .....800, 826.

HARTSELL, SENATOR FLETCHER L., JR. ..... **36th District—Cabarrus,** Union (part).
Absences, Excused ..... 49 (portion), 54, 88 (portion), 90, 440 (portion), 452.
Adjournment Motion—Second .....144.
Committee Assignments—
Conference .....284, 318.
Standing/Select .....13.

HARTSELL, SENATOR FLETCHER L., JR. (continued)
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 773, 774, 775, 776, 777, 778, 779, 780, 781, 804, 848.

HAYWOOD COUNTY—District 50—Senator Jim Davis
H 1080 Watha Deannexation
(H Finance Com) .....120, 160, 175, 190, 209, 226, 248.

HEALTH SERVICES
S 884 2014 Appointments Bill
(S.L. 2014-116) .....345, 421, 425, 428, 469, 477, 484, 488, 497.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
H 698 Background Checks for Firefighters
(S.L. 2014-27) .....115, 130, 142, 144, 173, 243.
H 183 Delay Transfer/Cleveland County Corr. Fac.
(S.L. 2014-19) .....109, 129, 168, 223.
S 794 Disapprove Industrial Commission Rules
(S.L. 2014-77) .....43, 171, 178, 288, 298, 306, 316, 323, 364.
S 825 DMV DL Medical Review Program Changes
(Transportation Com) .....58.
H 831 Ed. Services for Children in PRTFs
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....122.
S 783 Establish Chiropractor Co-Pay Parity
(Insurance Com) .....37.
S 730 Expand Medicaid to Include All Below 133% FPL
(Appropriations/Base Budget Com) .....23, 42.
S 847 Future Use of Broughton Hospital/Funds
(Health Care Com) .....71.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
H 1220 Hope 4 Haley and Friends
(S.L. 2014-53) .....193, 230, 246, 247, 252, 308.
S 193 Modify P3 Ethics Reporting Requirements
(S.L. 2014-109) .....440, 446, 458, 473.
H 292 Moratorium/Lawsuits for Sch. Funds
(S.L. 2014-8) .....63, 118, 128, 141, 143, 144.
S 855 No Emp. Disc. for Repro. Health Decisions
(Rules and Operations of the Senate Com).....72.
S 477 No Set Fee/Noncovered Vision Services
(S.L. 2014-43) .....96, 164, 179, 189, 271.

HEALTH SERVICES (continued)
H 1181 North Carolina Medicaid Modernization
(Failed Concur In S Com Sub) .....288, 339, 349, 358, 368, 375, 391, 404.
H 1050 Omnibus Tax Law Changes
(S.L. 2014-3) .....60, 65, 68, 77, 81, 86.
H 644 Prevent Hazardous Drug Exposure
(S.L. 2014-76) .....306, 319, 322, 324, 335, 364.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
S 782 State Plan Amendments/Submission and Notice
(Health Care Com) .....37.
S 803 Status Reports Filed by Guardians
(Health Care Com) (Inc. S.L. 2014-100).....44.
S 804 Strategies for Improving MH-DD-SAS
(Health Care Com) (Inc. S.L. 2014-100).....44.
S 749 Strengthen Controlled Substances Monitoring
(Appropriations/Base Budget Com) .....26, 134.
S 805 Study Establishment of New Optometry Schools
(Education/Higher Education Com) (Inc. S.L. 2014-100).....44.
S 784 Study Expansion of Health Care Transparency
(Health Care Com) (Inc. S.L. 2014-100).....37.
H 1262 Suicide Prevention Resolution
(Health Care Com) .....299.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.
S 819 Update/Modernize Midwifery Practice Act
(Health Care Com) .....57, 64.
H 625 Zoning/Health Care Structure
(S.L. 2014-94) .....359, 367, 381, 466.

HENDERSON COUNTY—District 48—Senator Tom Apodaca
H 1113 Bent Creek Property Sullivan Act Exemption
(S.L. 2014-51) .....98, 188, 208, 209, 227, 278, 287.
S 873 Exempt Henderson Co./Sale & Disposal Stat.
(Rules and Operations of the Senate Com).....79.
H 531 Weaverville, Buncombe & Henderson
(S.L. 2014-26) .....116, 117, 126, 140, 195, 224.

HERTFORD COUNTY—District 3—Senator Clark Jenkins

HIGHER EDUCATION
H 1048 AG Selection Criteria/NCNG Amendments
(S.L. 2014-106)
(Inc. S.L. 2014-100) .....96, 231, 254, 260, 273, 279, 288, 317, 318, 329, 383, 387, 392, 403, 472.

HIGHER EDUCATION (continued)

S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
H 1051 Authorize DHHS/Cooperative Extension Contract
(Health Care Com) .....266.
S 738 Clarify Gravel Under Stormwater Laws
(Agriculture/Environment/Natural Resources Com) .....24.
H 1166 Clarify Gravel Under Stormwater Laws
(Rules and Operations of the Senate Com).....98.
S 849 Clarify Regional School CIHS Applications
(Education/Higher Education Com) (Inc. S.L. 2014-100).....71.
S 761 Credit for Military Training
(S.L. 2014-67) .....28, 33, 165, 178, 269, 311.
S 806 Education Longitudinal Data System Changes
(Education/Higher Education Com) .....45.
S 786 Energy Modernization Act
(S.L. 2014-4) .....37, 46, 47, 49, 54, 83, 84, 85, 94.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
H 1220 Hope 4 Haley and Friends
(S.L. 2014-53) .....193, 230, 246, 247, 252, 308.
S 78 Law Enforcement Privacy/Public Web Sites
(Rules and Operations of the Senate Com).....300, 306.
H 691 Limit Soldiers CC Tuition
(Appropriations/Base Budget Com) .....22, 31.
H 1224 Local Sales Tax Options/Econ. Devpt. Changes
(S Adopted Conf Report,
H Failed to Adopt Conf Report).....266, 312, 336, 340, 343, 345, 362, 366, 373, 420, 439, 447, 451, 452.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
S 719 Student Organizations/Rights & Recognition
(S.L. 2014-28) .....173, 244.
S 805 Study Establishment of New Optometry Schools
(Education/Higher Education Com) (Inc. S.L. 2014-100).....44.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.
S 885 UNC BOG Vacancy Election
(Adopted) .....395, 396.
H 1182 UNC Nonappropriated Capital Projects
(S.L. 2014-60).....207, 219, 225, 249, 262, 270, 309.

HIGHER EDUCATION (continued)
S 758 Western School of Science & Math/Funds
(Education/Higher Education Com) .....28.

HISE, SENATOR RALPH E. ..... **47th District—**Madison, McDowell, **Mitchell**, Polk, Rutherford, Yancey.
Adjournment Motion.....62.
Adjournment Motion—Second .....33, 56, 182, 473.
Committee Assignments—
Conference.....172, 420, 498.
Journal Approval.....469.
Presides—
Daily Session .....290, 473, 496.
Senatorial Statement.....216.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....758, 782, 783, 784, 798, 803, 804, 805, 806, 813, 874, 875, 878.
Co-Sponsor .....852, 854.

HOKE COUNTY—District 21—Senator Ben Clark
S 204 21st Senatorial District Local Act-1
(Finance Com).....94.
S 741 Bladen, Columbus, Franklin, Hoke/Tax Cert
(S.L. 2014-29) .....24, 115, 124, 133, 141, 192, 210, 222, 244.

HOME SCHOOLING
H 230 Clarify Read to Achieve/Sch. Perform. Grades
(S.L. 2014-5) .....69, 75, 81, 83, 104, 122.

HOSPITALS
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
H 183 Delay Transfer/Cleveland County Corr. Fac.
(S.L. 2014-19) .....109, 129, 168, 223.
H 831 Ed. Services for Children in PRTFs
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....122.
S 847 Future Use of Broughton Hospital/Funds
(Health Care Com) .....71.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
H 1050 Omnibus Tax Law Changes
(S.L. 2014-3) .....60, 65, 68, 77, 81, 86.

HUNT, SENATOR NEAL ..... **15th District—Wake (part).**
Absences, Excused ..... 102 (portion), 366 (portion), 375 (portion).
Adjournment Motion .....468.
Adjournment Motion—Second .....13, 191.
Committee Assignments—
Conference .....172, 498.
Presides—
Daily Session .....61.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....744, 768, 800, 814, 842.
Co-Sponsor .....802, 812, 817, 818.

HYDE COUNTY—District 1—Senator Bill Cook

INDUSTRIAL COMMISSION
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
H 1112 Confirm Charlton L. Allen to Industrial Comm.
(Res. 2014-7) .....81, 133, 151, 155.
S 794 Disapprove Industrial Commission Rules
(S.L. 2014-77) .....43, 171, 178, 288, 298, 306, 316, 323, 364.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.

INFORMATION TECHNOLOGY
H 1090 AOC Information Technology Policy
(Judiciary II Com) .....183.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 751 Driver Ed Performance Indicators (PED)
(Education/Higher Education Com) .....26.
H 1157 Electronic Drivers License Amendment
(Transportation Com) (Inc. S.L. 2014-100).....267.
S 815 Ensuring Privacy of Student Records
(S.L. 2014-50) .....52, 62, 92, 93, 126, 150, 222, 287.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 648 NC Commerce Protection Act of 2014
(S.L. 2014-110) .....21, 31, 119, 120, 123, 131, 132, 259, 263, 275, 280, 425, 427, 429, 436, 458, 473.

INFORMATION TECHNOLOGY (continued)
S 775 OAH Electronic Filing
(Judiciary I Com).....35.
H 1153 OAH Electronic Filing
(Judiciary I Com).....89.
S 798 State CIO/Mobile Communications Devices
(Commerce Com) (Inc. S.L. 2014-100).....43.
H 1149 State CIO/Mobile Communications Devices
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....184.
S 749 Strengthen Controlled Substances Monitoring
(Appropriations/Base Budget Com) .....26, 134.
H 1133 Technical and Other Corrections
(S.L. 2014-115) 388, 395, 398,
404, 423, 462, 465, 474.
S 840 W-S/Meetings By Simultaneous Communication
(State and Local Government Com).....67.

INSURANCE
S 884 2014 Appointments Bill
(S.L. 2014-116) 345, 421, 425, 428,
469, 477, 484, 488, 497.
S 744 Appropriations Act of 2014
(S.L. 2014-100) 25, 69, 78, 81, 86, 87, 91,
148, 152, 172, 217, 218, 302,
413, 426, 429, 455, 464, 470.
H 27 Escheat Savings Bond Trust Fund/Scholarships
(S.L. 2014-93) .....156, 361, 366, 385, 466.
S 783 Establish Chiropractor Co-Pay Parity
(Insurance Com) .....37.
S 750 Funds to Non-State Entities/Amend Laws
(Appropriations/Base Budget Com) .....26.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 753 Improve Admin Prog Monitoring at DPI
(Education/Higher Education Com) (Inc. S.L. 2014-100).....27.
S 614 Military Lands Protection Act
(S.L. 2014-79) ..... 266, 274, 279, 289, 327, 330, 334, 335, 365.
H 1031 NC Econ. Dev. Partnership Modifications
(S.L. 2014-18) (Inc. S.L. 2014-100).....144, 160, 166,
170, 174, 223.
S 477 No Set Fee/Noncovered Vision Services
(S.L. 2014-43) .....96, 164, 179, 189, 271.
H 1181 North Carolina Medicaid Modernization
(Failed Concur In S Com Sub) 288, 339, 349,
358, 368, 375, 391, 404.

INSURANCE (continued)
H 1145 Registration for Mopeds
(S.L. 2014-114) .....193, 231, 246, 320, 333, 382, 389, 408, 428, 437, 459, 473.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
H 1194 Retirement Admin. Changes Act of 2014
(S.L. 2014-112) .....109, 340, 381, 391, 416, 473.
H 1193 Retirement Technical Corrections Act of 2014
(S.L. 2014-97) .....109, 339, 381, 391, 394, 467.
S 759 Unemployment Insurance Law Changes
(Finance Com).....28.
H 1069 Unemployment Insurance Law Changes
(Vetoed 6/24/2014, Rules, Calendar, and Operations of the House Com).....120, 129, 135, 142, 149, 189.
S 747 Volunteer Fire and Rescue Finances (PED)
(Finance Com).....25.
H 1034 Volunteer Fire and Rescue Finances (PED)
(S.L. 2014-64) .....162, 177, 229, 251, 256, 310.
S 556 Wind Up High Risk Health Insurance Pool
(Appropriations/Base Budget Com) .....21, 30.

IREDELL COUNTY— District 34—Senator Andrew C. Brock
District 44—Senator David L. Curtis

JACKSON COUNTY—District 50—Senator Jim Davis

JACKSON, SENATOR BRENT ..... **10th District—**Duplin, Johnston (part), **Sampson.**
Adjournment Motion—Second.....458.
Committee Assignments—
Conference .....172, 275, 317, 318.
Standing/Select.....12.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....734, 735, 737, 738, 739, 740, 762, 764, 768, 772, 800, 802, 811, 866.
Co-Sponsor.....744, 786, 787, 842.

JACKSON, SENATOR JEFF
(Appointed 05/06/2014 to replace Senator Clodfelter) ..... **37th District—Mecklenburg (part).**
Absences, Excused.....337, 375 (portion), 507.
Appointment by the Governor, Proclamation of.....10.
Committee Assignments—
Standing/Select.....13.

JACKSON, SENATOR JEFF (continued)
Oath of Office .....11.
Bills and Resolutions—(Senate Bills)
Co-Sponsor .....730.

JENKINS, SENATOR S. CLARK ..... **3rd District—**Bertie, Chowan, **Edgecombe,** Hertford, Martin, Northampton, Tyrell, Washington.
Absences, Excused .....30, 62, 82 (portion), 90, 92, 102 (portion), 104, 247 (portion), 278, 303, 375 (portion), 389, 411 (portion), 425 (portion), 452, 476, 488, 507.
Committee Assignments—
Conference .....318.
Democratic Caucus Nomination-Deputy Minority Leader .....6.

JOHNSTON COUNTY—District 10—Senator Brent Jackson
District 11—Senator E. S. (Buck) Newton
District 12—Senator Ronald J. Rabin

JONES COUNTY—District 6—Senator Harry Brown

JORDAN LAKE
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.

JUVENILE CODE
S 821 Verification/Jurisdiction in Juvenile Cases
(Judiciary II Com) .....57.
H 1103 Verification/Jurisdiction in Juvenile Cases
(S.L. 2014-16) .....89, 109, 130, 138, 189.
H 725 Young Offenders Rehabilitation Act
(Held in Senate Clerk's Office).....67.

KRAWIEC, SENATOR JOYCE
(Appointed 01/10/2014 to replace Senator Brunstetter)..... **31st District—Forsyth (part)**, Yadkin.
Adjournment Motion—Second .....70, 318.
Appointment by the Governor, Proclamation of .....8.
Committee Assignments—
Standing/Select .....13.
Journal Approval .....326.
Oath of Office .....11.
Presides—
Daily Session .....470.

KRAWIEC, SENATOR JOYCE (continued)
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....839, 840.
Co-Sponsor .....770, 771, 786, 812, 815.

LAW ENFORCEMENT
S 745 2014 Technical Corrections
(Judiciary I Com).....25.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
H 1246 Armed Detention Officers/Forsyth County
(Judiciary II Com) .....185.
H 1195 Fiscal Integrity/Pension-Spiking Prevention
(S.L. 2014-88) .....184, 339, 353, 360, 363, 416.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
H 1088 Highway Patrol Routine Maintenance
(Transportation Com) .....183.
S 3 JMAC Modifications
(S.L. 2014-118) .....101, 102, 258, 519.
H 1087 Preserve Biological Evidence/Study
(Judiciary II Com) .....109.
S 770 Schematic Diagrams and Keys of Schools
(Education/Higher Education Com) (Inc. S.L. 2014-100).....34.
H 1062 Schematic Diagrams/Emergency Access to Schs.
(Education/Higher Education Com) (Inc. S.L. 2014-100).....108.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.
H 1099 Unmanned Aircraft Regulation
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....267.

LEE COUNTY—District 12—Senator Ronald J. Rabin

LEE, SENATOR MICHAEL V.
(Appointed 08/18/2014 to replace Senator Goolsby) ..... **9th District—New Hanover (part)**.
Adjournment Motion—Second .....521.
Appointment by the Governor, Proclamation of .....507.
Oath of Office .....508.

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

LICENSE PLATES
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 818 Establish Education Endowment Fund
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....52, 70, 165.
S 843 North Carolina Master Gardener Special Plate
(Finance Com).....67.
H 1050 Omnibus Tax Law Changes
(S.L. 2014-3) .....60, 65, 68, 77, 81, 86.
S 850 Permanent License Plates/Charter Schools
(Transportation Com) .....71.
H 1145 Registration for Mopeds
(S.L. 2014-114) .....193, 231, 246, 320, 333, 382, 389, 408, 428, 437, 459, 473.
S 763 Revenue Laws Tech. Changes and Other Changes
(Rules and Operations of the Senate Com).....29, 361, 366, 373, 467.
S 828 Single License Plate Renewal Sticker
(Transportation Com) .....58.
H 1028 Single License Plate Renewal Sticker
(Transportation Com) .....108.

LICENSING & CERTIFICATION
S 884 2014 Appointments Bill
(S.L. 2014-116) .....345, 421, 425, 428, 469, 477, 484, 488, 497.
S 745 2014 Technical Corrections
(Judiciary I Com).....25.
H 688 Amend Continuing Ed Req's/Cert. Well K'ors.
(S.L. 2014-2) .....32, 41, 64, 66, 86.
S 780 Amend OLB Reporting Requirements
(Judiciary I Com).....36.
H 1165 Amend OLB Reporting Requirements
(Rules and Operations of the Senate Com).....98.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 761 Credit for Military Training
(S.L. 2014-67) .....28, 33, 165, 178, 269, 311.
H 1170 Disapprove Funeral Board Rule
(Commerce Com) .....90.

LICENSING & CERTIFICATION (continued)
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 778 Licensing Boards Rules for Prof. Corps.
(Judiciary I Com).....36.
H 1173 Licensing Boards Rules for Prof. Corps.
(Rules and Operations of the Senate Com).....98.
H 292 Moratorium/Lawsuits for Sch. Funds
(S.L. 2014-8) .....63, 118, 128, 141, 143, 144.
S 765 Reform Agency Review of Engineering Work
(Agriculture/Environment/Natural Resources Com) .....29.
H 1081 Reform Agency Review of Engineering Work
(Commerce Com) .....97, 182.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
H 761 Regulatory Reform Act of 2014
(Rules and Operations of the Senate Com).....407, 409, 411.
S 749 Strengthen Controlled Substances Monitoring
(Appropriations/Base Budget Com) .....26, 134.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.
S 819 Update/Modernize Midwifery Practice Act
(Health Care Com) .....57, 64.

LINCOLN COUNTY—District 44—Senator David L. Curtis

LOTTERY
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.

MACON COUNTY—District 50—Senator Jim Davis

MADISON COUNTY—District 47—Senator Ralph Hise

MARIJUANA & HEMP
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
H 369 Criminal Law Changes
(S.L. 2014-119) .....253, 260, 271, 297, 330, 331, 342, 349, 367, 374, 423, 492, 494.
H 1220 Hope 4 Haley and Friends
(S.L. 2014-53) .....193, 230, 246, 247, 252, 308.
H 761 Regulatory Reform Act of 2014
(Rules and Operations of the Senate Com).....407, 409, 411.

MARTIN COUNTY—District 3—Senator Clark Jenkins

MCDOWELL COUNTY—District 47—Senator Ralph Hise

MCKISSICK, SENATOR FLOYD B., JR. ..... **20th District—Durham (part),** Granville.
Absences, Excused.....194, 491 (portion).
Adjournment Motion—Second.....136, 239, 401.
Democratic Caucus Nomination-Deputy Minority Leader .....6.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....855, 870, 871.

MCLAURIN, SENATOR GENE ..... **25th District—**Anson, **Richmond**, Rowan (part), Scotland, Stanly.
Committee Assignments—
Conference.....318.
Senatorial Statement.....311.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....766, 767.
Co-Sponsor .....770, 805.

MECKLENBURG COUNTY—District 37—Senator Daniel G. Clodfelter (Resigned 04/08/2014)
District 37—Senator Jeff Jackson (Appointed 05/06/2014)
District 38—Senator Joel D. M. Ford
District 39—Senator Bob Rucho
District 40—Senator Malcolm Graham
District 41—Senator Jeff Tarte
S 105 Add Towns to SHP
(S.L. 2014-75) .....288, 307, 322, 323, 324, 335, 364.

MECKLENBURG COUNTY (continued)
H 189 Amend Info./Child Supp. Orders
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) ..... 105, 178, 182, 215, 228, 229, 282, 491, 493, 494, 496, 497, 498, 499, 513.
H 133 Charlotte Airport Commission Clarifications
(S.L. 2014-10) ..... 106, 114, 127, 168.
S 859 Cities/Regulation of Vacation Rentals
(S.L. 2014-91) ..... 74, 332, 368, 373, 428, 459.
H 375 Increase Allowed Size of Passenger Buses
(S.L. 2014-71) ..... 327, 331, 333, 338, 349.
S 848 Infrastructure Reimbursement Agmts.
(S.L. 2014-31) ..... 71, 117, 127, 242, 257.
H 1224 Local Sales Tax Options/Econ. Devpt. Changes
(S Adopted Conf Report,
H Failed to Adopt Conf Report) ..... 266, 312, 336, 340, 343, 345, 362, 366, 373, 420, 439, 447, 451, 452.

MEDICAID
S 744 Appropriations Act of 2014
(S.L. 2014-100) ..... 25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 730 Expand Medicaid to Include All Below 133% FPL
(Appropriations/Base Budget Com) ..... 23, 42.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100) ..... 67.
H 1181 North Carolina Medicaid Modernization
(Failed Concur In S Com Sub) ..... 288, 339, 349, 358, 368, 375, 391, 404.
S 782 State Plan Amendments/Submission and Notice
(Health Care Com) ..... 37.
S 749 Strengthen Controlled Substances Monitoring
(Appropriations/Base Budget Com) ..... 26, 134.

MENTAL HEALTH
S 884 2014 Appointments Bill
(S.L. 2014-116) ..... 345, 421, 425, 428, 469, 477, 484, 488, 497.
S 744 Appropriations Act of 2014
(S.L. 2014-100) ..... 25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
H 831 Ed. Services for Children in PRTFs
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100) ..... 122.

MENTAL HEALTH (continued)
S 847 Future Use of Broughton Hospital/Funds
(Health Care Com) .....71.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
H 292 Moratorium/Lawsuits for Sch. Funds
(S.L. 2014-8) .....63, 118, 128, 141, 143, 144.
H 1181 North Carolina Medicaid Modernization
(Failed Concur In S Com Sub) .....288, 339, 349, 358, 368, 375, 391, 404.
S 803 Status Reports Filed by Guardians
(Health Care Com) (Inc. S.L. 2014-100).....44.
S 804 Strategies for Improving MH-DD-SAS
(Health Care Com) (Inc. S.L. 2014-100).....44.
H 1262 Suicide Prevention Resolution
(Health Care Com) .....299.
H 625 Zoning/Health Care Structure
(S.L. 2014-94) .....359, 367, 381, 466.

MEREDITH, SENATOR WESLEY ..... **19th District—Cumberland (part).**
Absences, Excused..... 69 (portion), 82 (portion), 92, 99, 321, 330, 410 (portion).
Adjournment Motion—Second .....154.
Committee Assignments—
Conference.....172, 279, 318.
Standing/Select .....12, 13.
Excused Votes—
H 366 NC Farm Act of 2014 .....250, 398, 405.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....760, 761, 809, 810, 822, 823, 824, 825, 826, 827, 828, 831, 832, 854.
Co-Sponsor .....852.

MINING & MINERAL EXTRACTION
S 884 2014 Appointments Bill
(S.L. 2014-116) .....345, 421, 425, 428, 469, 477, 484, 488, 497.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 786 Energy Modernization Act
(S.L. 2014-4) .....37, 46, 47, 49, 54, 83, 84, 85, 94.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.

MITCHELL COUNTY—District 47—Senator Ralph Hise
S 875 Bakersville/Stagger Terms of Town Council
(S.L. 2014-56) .....80, 208, 227, 287, 308.
S 874 Spruce Pine Deannexation
(S.L. 2014-55) .....80, 123, 133, 141, 149, 290, 308.

MONTGOMERY COUNTY—District 33—Senator Stan Bingham
S 376 Montgomery Co. Employees in State Health Plan
(S.L. 2014-105) .....388, 397, 402, 472.
H 1211 Mount Gilead Charter Revision & Consolidation
(State and Local Government Com).....193.

MOORE COUNTY—District 29—Senator Jerry W. Tillman
H 569 Foxfire/Satellite Annexations
(S.L. 2014-30) .....22, 119, 123, 149, 161, 223, 244.
H 1154 Moore Co. Schools Transfer of Property
(S.L. 2014-70) .....193, 313, 319, 322, 324, 335, 338.
H 1155 Pinehurst Annexation
(S.L. 2014-85) 276, 313, 320, 331,
340, 344, 350, 382, 386.

MORTGAGES
S 745 2014 Technical Corrections
(Judiciary I Com).....25.
H 1133 Technical and Other Corrections
(S.L. 2014-115) 388, 395, 398,
404, 423, 462, 465, 474.

MOTOR VEHICLES
S 38 Amend Environmental Laws 2014
(Held in Senate Clerk's Office).....207.
S 744 Appropriations Act of 2014
(S.L. 2014-100) 25, 69, 78, 81, 86, 87, 91,
148, 152, 172, 217, 218, 302,
413, 426, 429, 455, 464, 470.
H 183 Delay Transfer/Cleveland County Corr. Fac.
(S.L. 2014-19) .....109, 129, 168, 223.
S 834 DMV Conversion of Paper Titles
(Transportation Com) (Inc. S.L. 2014-100).....59.
S 825 DMV DL Medical Review Program Changes
(Transportation Com) .....58.
S 822 DMV Inspection Station Case Continuances
(Transportation Com) .....57.
H 1025 DOT/DMV Changes
(S.L. 2014-58) 107, 134, 135, 146,
195, 244, 272, 286, 309.

MOTOR VEHICLES (continued)
S 740 DPS Study Commercial Vehicle Safety Alliance
(Judiciary II Com) .....24, 105, 153.
H 1190 DPS Study Commercial Vehicle Safety Alliance
(Transportation Com) .....268.
S 751 Driver Ed Performance Indicators (PED)
(Education/Higher Education Com) .....26.
S 832 Drivers License Material Technical Standard
(Transportation Com) .....59.
S 870 Durham/Payments for On-Street Parking
(S.L. 2014-34) .....79, 160, 169, 243, 257.
S 830 DWI Interlock Violation/DMV Hearing Site
(Transportation Com) .....59.
H 1027 DWI Interlock Violation/DMV Hearing Site
(Rules and Operations of the Senate Com).....89, 125, 186, 196, 245, 273.
H 1157 Electronic Drivers License Amendment
(Transportation Com) (Inc. S.L. 2014-100).....267.
S 818 Establish Education Endowment Fund
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....52, 70, 165.
S 810 Fayetteville Red Light Changes
(Finance Com).....51, 114, 116.
H 1151 Fayetteville Red Light Changes
(S.L. 2014-84) .....266, 367, 373, 381, 386.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 493 Health and Safety Regulatory Reform
(Ways & Means Com).....268.
H 1088 Highway Patrol Routine Maintenance
(Transportation Com) .....183.
S 735 Honor NASCAR Hall of Fame Inductees
(Rules and Operations of the Senate Com).....24.
H 1030 Honor NASCAR Hall of Fame Inductees
(Res. 2014-1).....11, 12, 20.
S 863 Modify Exemptions from Motor Fuels Excise Tax
(Finance Com).....75.
S 764 Motor Vehicle Civil Penalty/District Court
(Judiciary II Com) .....29.
H 109 Motorcycle Helmet Law/Study
(Transportation Com) .....156.
S 843 North Carolina Master Gardener Special Plate
(Finance Com).....67.
H 1050 Omnibus Tax Law Changes
(S.L. 2014-3) .....60, 65, 68, 77, 81, 86.

MOTOR VEHICLES (continued)
S 850 Permanent License Plates/Charter Schools
(Transportation Com) .....71.
H 1145 Registration for Mopeds
(S.L. 2014-114) .....193, 231, 246, 320, 333, 382, 389, 408, 428, 437, 459, 473.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
S 763 Revenue Laws Tech. Changes and Other Changes
(Rules and Operations of the Senate Com).....29, 361, 366, 373, 467.
S 835 Service of Hearing Order/MV Dealer Licensee
(Transportation Com) .....59.
H 1097 Service of Hearing Order/MV Dealer Licensee
(Transportation Com) .....267.
S 828 Single License Plate Renewal Sticker
(Transportation Com) .....58.
H 1028 Single License Plate Renewal Sticker
(Transportation Com) .....108.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.
S 759 Unemployment Insurance Law Changes
(Finance Com).....28.
S 839 Winston-Salem/Parking Meters
(Rules, Calendar, and Operations of the House Com).....67, 208, 227.
S 864 Yanceyville ATV Use
(S.L. 2014-32) .....78, 161, 169, 243, 257.

NASH COUNTY— District 4—Senator Angela R. Bryant
District 11—Senator E. S. (Buck) Newton
H 292 Moratorium/Lawsuits for Sch. Funds
(S.L. 2014-8) .....63, 118, 128, 141, 143, 144.
S 355 Tech Correction/Gaston, Nash, Union Local Act
(S.L. 2014-9) .....147, 152, 155.

NESBITT, SENATOR MARTIN L., JR.
(Deceased 03/06/2014)..... **49th District—Buncombe (part)**.

NEW HANOVER COUNTY— District 8— Senator Bill Rabon
District 9— Senator Thom Goolsby
(Resigned 08/04/2014)
District 9— Senator Michael V. Lee
(Appointed 08/18/2014)

NEW HANOVER COUNTY (continued)
H 1059 New Hanover Occup. Tax Use
(S.L. 2014-87) .....192, 247, 360, 365, 385, 403.
H 1054 Spindale/Cape Fear Sewer Fee Collection
(S.L. 2014-98) .....266, 359, 365, 368, 369, 380, 420, 434, 438, 444, 462, 466, 468.
S 523 Wrightsville Beach Deannex/Wilmington Annex
(S.L. 2014-45) .....241, 245, 251, 261, 265, 271.

NEWTON, SENATOR E.S. (BUCK)..... **11th District—**Johnston (part), Nash (part), **Wilson (part).**
Absences, Excused.....69 (portion), 138 (portion), 215 (portion), 312, 321, 330, 337, 370 (portion), 402 (portion), 410 (portion), 415, 452.
Senatorial Statement.....136, 369.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....786.
Co-Sponsor .....793, 798, 808.

NORTHAMPTON COUNTY—District 3—Senator Clark Jenkins

ONSLOW COUNTY—District 6—Senator Harry Brown
S 795 Local Option Sales Tax
(State and Local Government Com).....43.

ORANGE COUNTY—District 23—Senator Valerie P. Foushee
H 189 Amend Info./Child Supp. Orders
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....105, 178, 182, 215, 228, 229, 282, 491, 493, 494, 496, 497, 498, 499, 513.
S 799 Carrboro Building Codes
(State and Local Government Com).....43.
H 1224 Local Sales Tax Options/Econ. Devpt. Changes
(S Adopted Conf Report,
H Failed to Adopt Conf Report).....266, 312, 336, 340, 343, 345, 362, 366, 373, 420, 439, 447, 451, 452.

PAGES, SENATE .....11, 32, 63, 93, 105, 153, 191, 264, 316, 354, 392.

PAMLICO COUNTY—District 2—Senator Norman W. Sanderson

PARMON, SENATOR EARLINE W. ..... **32nd District—Forsyth (part).**
Absences, Excused.....30, 40, 48, 54, 62, 76, 87, 90, 104, 138, 154, 163, 173, 222, 241, 269,

PARMON, SENATOR EARLINE W. (continued)
Absences, Excused (continued).....278, 303, 312, 321, 330, 337, 389, 393, 410 (portion), 415 (portion), 440 (portion), 452, 476, 488.
Escorts—
The Honorable Valerie P. Foushee.....7.
The Honorable Jeffrey Neale Jackson.....7.
The Honorable Joyce R. Krawiec.....7.
The Honorable Terry Van Duyn.....7.
Bills and Resolutions—(Senate Bills)
Primary Sponsor.....838, 839, 840.

PASQUOTANK COUNTY—District 1—Senator Bill Cook

PATE, SENATOR LOUIS M. .....**7th District—**Lenoir (part), Pitt (part), **Wayne (part).**
Absences, Excused..... 238 (portion), 337 (portion), 476, 488.
Adjournment Motion.....33, 50, 56, 114, 136, 144, 171, 252, 302, 318, 325, 335, 354, 360, 369, 377, 382, 392, 401, 413, 458.
Committee Assignments—
Conference.....172, 279.
Journal Approval.....20, 30, 48, 54, 121, 138, 164, 242, 278, 301, 312, 348, 357, 363, 370, 389, 393, 402, 415, 452.
Presides—
Daily Session.....102, 106, 119.
Senatorial Statement.....52.
Bills and Resolutions—(Senate Bills)
Primary Sponsor.....770, 771, 809, 819, 841, 862.
Co-Sponsor.....729, 735, 761, 762, 879.

PENDER COUNTY—District 8—Senator Bill Rabon
H 1245 Pleasant Garden Annex/Watha Deannex
(S.L. 2014-80).....276, 306, 319, 329, 341, 343, 351, 358, 365.
S 733 Watha Deannexation
(State and Local Government Com).....23.

PENSION & RETIREMENT FUNDS
S 884 2014 Appointments Bill
(S.L. 2014-116).....345, 421, 425, 428, 469, 477, 484, 488, 497.

PENSION & RETIREMENT FUNDS (continued)
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
H 1043 Prequalification Update
(S.L. 2014-42) .....120, 172, 179, 242, 270.
S 878 Retirement Investment Accountability
(Pensions & Retirement and Aging Com) .....80.
S 747 Volunteer Fire and Rescue Finances (PED)
(Finance Com).....25.
H 1034 Volunteer Fire and Rescue Finances (PED)
(S.L. 2014-64) .....162, 177, 229, 251, 256, 310.

PERQUIMANS COUNTY—District 1—Senator Bill Cook

PERSON COUNTY—District 22—Senator Mike Woodard

PERSONNEL
S 105 Add Towns to SHP
(S.L. 2014-75) .....288, 307, 322, 323, 324, 335, 364.
S 760 AG Selection Criteria/Amendments
(Judiciary I Com) (Inc. S.L. 2014-100) .....28.
H 1048 AG Selection Criteria/NCNG Amendments
(S.L. 2014-106)
(Inc. S.L. 2014-100) .....96, 231, 254, 260, 273, 279, 288, 317, 318, 329, 383, 387, 392, 403, 472.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
H 698 Background Checks for Firefighters
(S.L. 2014-27) .....115, 130, 142, 144, 173, 243.
S 774 Burden of Proof in Certain Contested Cases
(Judiciary I Com).....35.
S 844 City of Monroe/Supervision of Attorney
(State and Local Government Com).....67.
S 856 Coal Ash Management Act of 2014
(Rules and Operations of the Senate Com).....72.
H 677 Consolidation of Certain Fire Districts
(Finance Com).....221.
S 761 Credit for Military Training
(S.L. 2014-67) .....28, 33, 165, 178, 269, 311.
H 27 Escheat Savings Bond Trust Fund/Scholarships
(S.L. 2014-93) .....156, 361, 366, 385, 466.

PERSONNEL (continued)
S 818 Establish Education Endowment Fund
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....52, 70, 165.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
H 1207 High Point Charter/Council Hire City Attorney
(S.L. 2014-38) .....185, 208, 228, 243, 258.
S 753 Improve Admin Prog Monitoring at DPI
(Education/Higher Education Com) (Inc. S.L. 2014-100).....27.
S 3 JMAC Modifications
(S.L. 2014-118) .....101, 102, 258, 519.
H 691 Limit Soldiers CC Tuition
(Appropriations/Base Budget Com) .....22, 31.
S 614 Military Lands Protection Act
(S.L. 2014-79) ..... 266, 274, 279, 289, 327, 330, 334, 335, 365.
H 1218 Monroe Attorney/Cabarrus Comm.
(S.L. 2014-92) .....185, 208, 231, 248, 283, 284, 418, 428, 436, 459, 466.
S 376 Montgomery Co. Employees in State Health Plan
(S.L. 2014-105) .....388, 397, 402, 472.
S 852 NBPTS Bonus for Teachers in Title I Schools
(Education/Higher Education Com)
(Inc. S.L. 2014-100) .....70, 72.
H 1031 NC Econ. Dev. Partnership Modifications
(S.L. 2014-18) (Inc. S.L. 2014-100).....144, 160, 166, 170, 174, 223.
S 755 No Revolving Door Employment (PED)
(State and Local Government Com).....27.
H 1043 Prequalification Update
(S.L. 2014-42) .....120, 172, 179, 242, 270.
S 860 Public School Changes
(Education/Higher Education Com) .....74.
H 1145 Registration for Mopeds
(S.L. 2014-114) .....193, 231, 246, 320, 333, 382, 389, 408, 428, 437, 459, 473.
S 833 SBE Study of Educator Comp
(Education/Higher Education Com) .....59.
H 1262 Suicide Prevention Resolution
(Health Care Com) .....299.
S 787 Teacher Funds Must Be 51% of School Budget
(Education/Higher Education Com) .....38.
H 1034 Volunteer Fire and Rescue Finances (PED)
(S.L. 2014-64) .....162, 177, 229, 251, 256, 310.
S 864 Yanceyville ATV Use
(S.L. 2014-32) .....78, 161, 169, 243, 257.

PITT COUNTY— District 5—Senator Don Davis
District 7—Senator Louis Pate
S 841 City of Greenville/Private Sale
(State and Local Government Com) .....67.
H 1159 City of Greenville/Private Sale
(S.L. 2014-37) .....184, 208, 228, 243, 258.

PLEDGE OF ALLEGIANCE.....5, 278.

POLK COUNTY—District 47—Senator Ralph Hise

PRAYERS OFFERED TO OPEN SESSION
Senate Chaplain
The Reverend Peter Milner..... 5, 20, 30, 40, 48, 62, 65, 87, 91, 103, 110, 121, 145, 154, 163, 186, 194, 222, 256, 269, 277, 303, 321, 330, 337, 348, 357, 363, 370, 380, 389, 393, 402, 415, 451, 470, 488, 506.
Guests
The Honorable Austin M. Allran, Senator from Catawba County .....475.
The Honorable Chad Barefoot, Senator from Wake County .....61, 285, 290, 463, 468.
Chaplain Colonel Ron Benzing, Associated Gospel Churches in Greenville, South Carolina.....99.
The Honorable Dan Blue, Senator from Wake County .....468, 474.
The Honorable Don Davis, Senator from Greene County .....54.
The Honorable Joel D. M. Ford, Senator from Mecklenburg County .....138.
The Reverend John Futterer, First Lutheran Church in Albemarle .....294.
The Honorable Ralph Hise, Senator from Mitchell County .....496.
The Honorable Jeff Jackson, Senator from Mecklenburg County .....241.
The Honorable Joyce Krawiec, Senator from Forsyth County .....76.
The Honorable Jerry W. Tillman, Senator from Randolph County ....90, 301.
The Honorable Tommy Tucker, Senator from Union County .....312.
Tribal Elder Jerry Wolfe of the Eastern Band of the Cherokee Indians ...173.

PRESENTATION OF COLORS
Color Guard from Tarheel Challenge Academy .....5.

PRESIDENT OF THE SENATE (Daniel J. Forest, Lieutenant Governor)
Presides—
Daily Session ..... 5, 11, 20, 21, 29, 40, 48, 62, 65, 68, 76, 81, 83, 87, 90, 91, 99, 100, 101, 103, 145, 154, 172, 186, 194, 209, 222, 236, 256, 268, 303, 467, 468, 475, 480, 481, 488, 490, 491, 501, 506.

PRESIDENT PRO TEMPORE (Senator Philip E. Berger)
Appointments (See Appendix) .....702.

PUBLIC RECORDS
S 732 Add Bladen Cty-Tax Cert Before Recordation
(State and Local Government Com) .....23.
S 741 Bladen, Columbus, Franklin, Hoke/Tax Cert
(S.L. 2014-29) .....24, 115, 124, 133, 141, 192, 210, 222, 244.
S 793 Charter School Modifications
(S.L. 2014-101) .....43, 125, 150, 161, 165, 259, 263, 275, 281, 371, 376, 387, 389, 471.
H 1114 Elk Park/Deed Transferring Property
(S.L. 2014-69) .....184, 207, 319, 323, 324, 335, 338.
S 786 Energy Modernization Act
(S.L. 2014-4) .....37, 46, 47, 49, 54, 83, 84, 85, 94.
S 762 Farm GPS Coordinates/Photos/Public Records
(Agriculture/Environment/Natural Resources Com) .....29.
S 878 Retirement Investment Accountability
(Pensions & Retirement and Aging Com) .....80.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.

PUBLIC-PRIVATE PARTNERSHIPS
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 848 Infrastructure Reimbursement Agmts.
(S.L. 2014-31) .....71, 117, 127, 242, 257.

RABIN, SENATOR RONALD J. .....**12th District—Harnett,** Johnston (part), Lee.
Absences, Excused.....62, 209 (portion), 343.
Adjournment Motion—Second.....103.
Committee Assignments—
Conference.....279, 318.
Journal Approval.....106, 470.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....760, 761, 817.

RABON, SENATOR WILLIAM P. .....**8th District—**Bladen, **Brunswick,** New Hanover (part), Pender.
Absences, Excused.....145.
Committee Assignments—
Conference.....172, 275, 424, 439, 491, 497, 498.
Standing/Select.....13.
Escorts—
The Honorable Michael Vincent Lee.....507.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....731, 732, 733, 763, 769, 787, 822, 823, 825, 828, 831, 832, 845, 846.

RANDLEMAN, SENATOR SHIRLEY B. .....**30th District—**Stokes, Surry, **Wilkes.**
Adjournment Motion—Second .....276, 382.
Committee Assignments—
Conference.....172.
Standing/Select .....12.
Escorts—
The Honorable Michael Vincent Lee.....507.
Senatorial Statement.....95.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....747, 750, 803, 813, 820, 821.
Co-Sponsor .....812, 815, 881.

RANDOLPH COUNTY—District 24—Senator Rick Gunn
District 29—Senator Jerry W. Tillman
H 1207 High Point Charter/Council Hire City Attorney
(S.L. 2014-38) .....185, 208, 228, 243, 258.

REFERENDUMS & INITIATIVES
S 817 4-Year Terms for GA/Limit Consecutive Terms
(Rules and Operations of the Senate Com).....52.
S 880 Education Simplification Amendment
(Education/Higher Education Com) .....121.
S 795 Local Option Sales Tax
(State and Local Government Com).....43.
S 801 Morganton Charter Amendment
(State and Local Government Com).....44.
H 1158 Morganton Charter Amendment
(S.L. 2014-12) .....90, 160, 169, 174.
H 1211 Mount Gilead Charter Revision & Consolidation
(State and Local Government Com).....193.
S 866 Sampson County Local Option Sales Tax
(State and Local Government Com).....78.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.

RELIGION
S 370 Respect for Student Prayer/Religious Activity
(S.L. 2014-13) .....107, 152, 154, 189.

RICHMOND COUNTY—District 25—Senator Gene McLaurin
S 766 Authorize Fee for Repairs of Dam-Richmond
(State and Local Government Com).....33.
S 767 Rockingham Deannexation
(S.L. 2014-48) .....34, 116, 123, 133, 140, 148, 277, 287.

ROBESON COUNTY—District 13—Senator Michael P. Walters
S 867 Town of McDonald/Terms of Office
(S.L. 2014-24) .....78, 117, 127, 194, 224.
S 868 Town of Proctorville/Terms of Office
(S.L. 2014-25) .....79, 117, 127, 195, 224.

ROBINSON, SENATOR GLADYS A. ..... **28th District—Guilford (part).**
Absences, Excused.....303, 476, 488, 507.
Committee Assignments—
Standing/Select.....13.
Democratic Caucus Nomination-Deputy Minority Leader .....6.
Remarks Spread—
S 882 Honor Senator Martin Nesbitt .....203.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....730, 857, 858.
Co-Sponsor ..... 766, 785, 816, 820, 821, 833, 836, 852, 856.

ROCKINGHAM COUNTY—District 26—Senator Philip E. Berger

ROWAN COUNTY—District 25—Senator Gene McLaurin
District 34—Senator Andrew C. Brock

RUCHO, SENATOR ROBERT ..... **39th District—Mecklenburg (part).**
Absences, Excused..... 102 (portion).
Adjournment Motion.....493.
Adjournment Motion—Second.....354.
Committee Assignments—
Conference..... 172, 275, 354, 400, 426, 439, 491, 497.
Escorts—
The Honorable Valerie P. Foushee.....7.
The Honorable Jeffrey Neale Jackson .....7.
The Honorable Joyce R. Krawiec.....7.
The Honorable Terry Van Duyn.....7.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....759, 763, 786, 853.
Co-Sponsor.....735, 744.

RUTHERFORD COUNTY—District 47—Senator Ralph Hise
H 1056 Lake Lure Official Map
(S.L. 2014-81) .....283, 326, 338, 351, 358, 364, 371.
H 1054 Spindale/Cape Fear Sewer Fee Collection
(S.L. 2014-98) .....266, 359, 365, 368, 369, 380, 420, 434, 438, 444, 462, 466, 468.

SAMPSON COUNTY—District 10—Senator Brent Jackson
S 866 Sampson County Local Option Sales Tax
(State and Local Government Com) .....78.

SANDERSON, SENATOR NORMAN W. .....**2nd District—**Carteret, Craven, **Pamlico.**
Absences, Excused .....30, 343.
Adjournment Motion—Second .....85, 468.
Committee Assignments—
Conference.....318, 389.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....808, 850, 851, 863.
Co-Sponsor .....768, 770, 771, 792, 807, 812, 813, 815, 817, 818, 820, 821, 824.

SCOTLAND COUNTY—District 25—Senator Gene McLaurin

SECONDARY EDUCATION
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 793 Charter School Modifications
(S.L. 2014-101) .....43, 125, 150, 161, 165, 259, 263, 275, 281, 371, 376, 387, 389, 471.
S 754 Charter School Preliminary Approval Process
(Education/Higher Education Com) .....27.
S 752 Clarify Charter School Application Process
(Education/Higher Education Com) .....27.
H 230 Clarify Read to Achieve/Sch. Perform. Grades
(S.L. 2014-5) .....69, 75, 81, 83, 104, 122.
S 849 Clarify Regional School CIHS Applications
(Education/Higher Education Com) (Inc. S.L. 2014-100).....71.
S 42 Confidentiality of UC Information
(S.L. 2014-117) .....300, 302, 513, 518, 519.
S 751 Driver Ed Performance Indicators (PED)
(Education/Higher Education Com) .....26.
H 884 Dropout Prev./Recovery Pilot Charter School
(S.L. 2014-104) .....400, 406, 410, 411, 412, 428, 472.
H 1108 Duplin BCC Elections/Harnett Vacancies
(S.L. 2014-6) .....89, 115, 128, 139.
H 831 Ed. Services for Children in PRTFs
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....122.
S 880 Education Simplification Amendment
(Education/Higher Education Com) .....121.
H 1152 Eliminate Obsolete Boards and Commissions
(Rules and Operations of the Senate Com).....98.

SECONDARY EDUCATION (continued)

S 786 Energy Modernization Act
(S.L. 2014-4) .....37, 46, 47, 49, 54, 83, 84, 85, 94.
H 718 Ensure Adequate Funds for TAs/Rev Allocation
(Rules, Calendar, and Operations of the House Com).....474, 476, 481.
S 815 Ensuring Privacy of Student Records
(S.L. 2014-50) .....52, 62, 92, 93, 126, 150, 222, 287.
S 818 Establish Education Endowment Fund
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....52, 70, 165.
S 789 Funds for Geographically Sparse LEAs
(Education/Higher Education Com) .....38.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 493 Health and Safety Regulatory Reform
(Ways & Means Com).....268.
S 3 JMAC Modifications
(S.L. 2014-118) .....101, 102, 258, 519.
S 193 Modify P3 Ethics Reporting Requirements
(S.L. 2014-109) .....440, 446, 458, 473.
H 1154 Moore Co. Schools Transfer of Property
(S.L. 2014-70) .....193, 313, 319, 322, 324, 335, 338.
H 292 Moratorium/Lawsuits for Sch. Funds
(S.L. 2014-8) .....63, 118, 128, 141, 143, 144.
S 852 NBPTS Bonus for Teachers in Title I Schools
(Education/Higher Education Com)
(Inc. S.L. 2014-100) .....70, 72.
S 748 NCVPS courses/Nonpublic School Students
(Education/Higher Education Com) .....26.
S 850 Permanent License Plates/Charter Schools
(Transportation Com) .....71.
S 860 Public School Changes
(Education/Higher Education Com) .....74.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
H 761 Regulatory Reform Act of 2014
(Rules and Operations of the Senate Com).....407, 409, 411.
H 1061 Replace CCSS w/NC's Higher Academ. Standards
(Education/Higher Education Com) .....108.
S 812 Replace CCSS w/NC's Higher Academ. Standards
(S.L. 2014-78) .....51, 92, 93, 100, 101, 102, 225, 239, 255, 265, 298, 307, 327, 335, 364.
S 770 Schematic Diagrams and Keys of Schools
(Education/Higher Education Com) (Inc. S.L. 2014-100).....34.

SECONDARY EDUCATION (continued)
H 1062 Schematic Diagrams/Emergency Access to Schs.
(Education/Higher Education Com) (Inc. S.L. 2014-100).....108.
H 1133 Technical and Other Corrections
(S.L. 2014-115) 388, 395, 398,
404, 423, 462, 465, 474.
S 758 Western School of Science & Math/Funds
(Education/Higher Education Com) .....28.

SENATORIAL STATEMENTS
Honoring the Life of Lynda Petty .....41.
Supporting Hypertension/High Blood Pressure Awareness Day .....52.
Congratulating Duane Best on His Induction into the High School
Choral Hall of Fame .....60.
Recognizing the Honor Guard Unit of the Blue Ridge Mountain
Veterans of Foreign Wars Post #1142 .....95.
Honoring the Momeyer Ruritan Club on its Fiftieth Anniversary .....136.
Supporting Recognition of World War II Coastwise Merchant
Mariners as Veterans .....137.
Honoring the Memory of Robynn Lowe Spence .....216.
Honoring Robin Rose and Tony Withers .....240.
Honoring Elon University on its 125th Anniversary.....283.
Honoring Mary J. O'Neal for Her Service to Veterans.....311.
Congratulating the Wilson City All-Stars for Winning Their
Second North Carolina Little League State Championship for
Ten-Eleven Year Olds. .....369.
Honoring Thelma Zaytoun for 50 Years of Volunteerism .....394.
Supporting New Government Bond, Stamp, and Coin Program to
Benefit Veterans .....401.
Honoring Franklin Ervin Williams Sr. .....406.
Honoring Western Carolina University's 125th Anniversary .....419.

SEX OFFENSES
H 777 Sex Offender/Expand Residential Restrictions
(S.L. 2014-21) .....115, 130, 143, 174, 223.
S 857 Task Force/Erin's law
(Judiciary I Com).....74.

SMUGGLING & TRAFFICKING
H 369 Criminal Law Changes
(S.L. 2014-119) 253, 260, 271, 297, 330, 331,
342, 349, 367, 374, 423, 492, 494.

SOCIAL SERVICES
S 884 2014 Appointments Bill
(S.L. 2014-116) 345, 421, 425, 428,
469, 477, 484, 488, 497.

SOCIAL SERVICES (continued)
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
H 1051 Authorize DHHS/Cooperative Extension Contract
(Health Care Com) .....266.
S 730 Expand Medicaid to Include All Below 133% FPL
(Appropriations/Base Budget Com) .....23, 42.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
H 1181 North Carolina Medicaid Modernization
(Failed Concur In S Com Sub) .....288, 339, 349, 358, 368, 375, 391, 404.
S 594 Omnibus Justice Amendments
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....276.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
S 782 State Plan Amendments/Submission and Notice
(Health Care Com) .....37.
S 749 Strengthen Controlled Substances Monitoring
(Appropriations/Base Budget Com) .....26, 134.
S 820 Study Oversight/Conflicts of Int./Foster Care
(Health Care Com) .....57.
H 1104 Study Oversight/Conflicts of Int./Foster Care
(Rules and Operations of the Senate Com).....97.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.

SOUCEK, SENATOR DANIEL F. .....**45th District—**Alleghany, Ashe, Avery, Caldwell, **Watauga.**
Absences, Excused.....48, 54, 279 (portion), 312.
Committee Assignments—
Conference.....172, 255, 275, 318.
Standing/Select.....382.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....758, 812, 815, 865.
Co-Sponsor.....735, 739.

STANLY COUNTY—District 25—Senator Gene McLaurin
H 1250 Amend Definition of Dangerous Firearm
(Judiciary II Com) .....163.

STANLY COUNTY (continued)
H 369 Criminal Law Changes
(S.L. 2014-119) .....253, 260, 271, 297, 330, 331, 342, 349, 367, 374, 423, 492, 494.
S 201 Stanly Comm. Coll. Capital Project
(S.L. 2014-82) .....285, 358, 367, 373, 381, 386.

STATE EMPLOYEES
S 884 2014 Appointments Bill
(S.L. 2014-116) .....345, 421, 425, 428, 469, 477, 484, 488, 497.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 774 Burden of Proof in Certain Contested Cases
(Judiciary I Com).....35.
S 856 Coal Ash Management Act of 2014
(Rules and Operations of the Senate Com).....72.
H 718 Ensure Adequate Funds for TAs/Rev Allocation
(Rules, Calendar, and Operations of the House Com).....474, 476, 481.
S 818 Establish Education Endowment Fund
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....52, 70, 165.
H 1195 Fiscal Integrity/Pension-Spiking Prevention
(S.L. 2014-88) .....184, 339, 353, 360, 363, 416.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 753 Improve Admin Prog Monitoring at DPI
(Education/Higher Education Com) (Inc. S.L. 2014-100).....27.
S 852 NBPTS Bonus for Teachers in Title I Schools
(Education/Higher Education Com)
(Inc. S.L. 2014-100) .....70, 72.
S 755 No Revolving Door Employment (PED)
(State and Local Government Com).....27.
S 860 Public School Changes
(Education/Higher Education Com) .....74.
H 1145 Registration for Mopeds
(S.L. 2014-114) .....193, 231, 246, 320, 333, 382, 389, 408, 428, 437, 459, 473.
H 1194 Retirement Admin. Changes Act of 2014
(S.L. 2014-112) .....109, 340, 381, 391, 416, 473.
S 878 Retirement Investment Accountability
(Pensions & Retirement and Aging Com) .....80.

STATE EMPLOYEES (continued)
H 1193 Retirement Technical Corrections Act of 2014
(S.L. 2014-97) .....109, 339, 381, 391, 394, 467.
S 833 SBE Study of Educator Comp
(Education/Higher Education Com) .....59.
S 749 Strengthen Controlled Substances Monitoring
(Appropriations/Base Budget Com) .....26, 134.
S 787 Teacher Funds Must Be 51% of School Budget
(Education/Higher Education Com) .....38.
H 1133 Technical and Other Corrections
(S.L. 2014-115) 388, 395, 398,
404, 423, 462, 465, 474.

STATE HEALTH PLAN
S 884 2014 Appointments Bill
(S.L. 2014-116) 345, 421, 425, 428,
469, 477, 484, 488, 497.
H 1145 Registration for Mopeds
(S.L. 2014-114) 193, 231, 246, 320, 333,
382, 389, 408, 428, 437, 459, 473.
S 556 Wind Up High Risk Health Insurance Pool
(Appropriations/Base Budget Com) .....21, 30.

STATE PROPERTY
S 744 Appropriations Act of 2014
(S.L. 2014-100) 25, 69, 78, 81, 86, 87, 91,
148, 152, 172, 217, 218, 302,
413, 426, 429, 455, 464, 470.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
H 458 Public Hospital Conveyances
(Judiciary II Com) .....246, 255.
S 798 State CIO/Mobile Communications Devices
(Commerce Com) (Inc. S.L. 2014-100).....43.
H 1149 State CIO/Mobile Communications Devices
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....184.
H 1139 State Nat. and Hist. Pres. Adds & Dels.
(S.L. 2014-62) .....193, 195, 239, 249, 257, 310.
S 772 State Nat. & Hist. Preserve Deletions
(Agriculture/Environment/Natural Resources Com) .....35.

STEIN, SENATOR JOSHUA H...... **16th District—Wake (part).**
Absences, Excused.....40, 104, 491 (portion).
Adjournment Motion.....290.
Adjournment Motion—Second .....252, 497.

STEIN, SENATOR JOSHUA H. (continued)
Democratic Caucus Nomination-Minority Whip .....6.
Escorts—
The Honorable Valerie P. Foushee .....7.
The Honorable Jeffrey Neale Jackson .....7.
The Honorable Joyce R. Krawiec .....7.
The Honorable Michael Vincent Lee.....507.
The Honorable Terry Van Duyn .....7.
Journal Approval .....290, 496.
Remarks Spread—
S 882 Honor Senator Martin Nesbitt .....200.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....882.

STOKES COUNTY—District 30—Senator Shirley B. Randleman

STUDIES
H 182 Adjournment Resolution
(Rules, Calendar, and Operations of the House Com).....480, 481, 482.
H 901 Adjournment Resolution
(Rules, Calendar, and Operations of the House Com).....480, 482.
S 38 Amend Environmental Laws 2014
(Held in Senate Clerk's Office).....207.
S 737 Amend Isolated Wetland Regulation
(Agriculture/Environment/Natural Resources Com) .....24.
H 1089 AOC Civil Case Management System
(Judiciary I Com).....183.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 769 Boost State Nature/Heritage Tourism Industry
(Rules and Operations of the Senate Com).....34, 164.
S 774 Burden of Proof in Certain Contested Cases
(Judiciary I Com).....35.
S 853 Business Court Modernization
(S.L. 2014-102) .....72, 105, 114, 131, 132, 142, 143, 152, 300, 303, 313, 331, 390, 392, 400, 430, 434, 446, 459, 460, 464, 471.
S 738 Clarify Gravel Under Stormwater Laws
(Agriculture/Environment/Natural Resources Com) .....24.
H 1166 Clarify Gravel Under Stormwater Laws
(Rules and Operations of the Senate Com).....98.
H 712 Clarifying Changes/Special Ed Scholarships
(S.L. 2014-49) .....104, 171, 179, 242, 287.

STUDIES (continued)

S 856 Coal Ash Management Act of 2014
(Rules and Operations of the Senate Com).....72.
H 1057 DENR Study IBT/EMC Eco Flow Study
(Agriculture/Environment/Natural Resources Com).....266.
S 757 DENR Study of IBT Laws
(Agriculture/Environment/Natural Resources Com).....28.
S 740 DPS Study Commercial Vehicle Safety Alliance
(Judiciary II Com).....24, 105, 153.
H 1190 DPS Study Commercial Vehicle Safety Alliance
(Transportation Com).....268.
S 751 Driver Ed Performance Indicators (PED)
(Education/Higher Education Com).....26.
H 1152 Eliminate Obsolete Boards and Commissions
(Rules and Operations of the Senate Com).....98.
S 786 Energy Modernization Act
(S.L. 2014-4).....37, 46, 47, 49, 54, 83, 84, 85, 94.
H 718 Ensure Adequate Funds for TAs/Rev Allocation
(Rules, Calendar, and Operations of the House Com).....474, 476, 481.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
H 1088 Highway Patrol Routine Maintenance
(Transportation Com).....183.
H 1220 Hope 4 Haley and Friends
(S.L. 2014-53).....193, 230, 246, 247, 252, 308.
H 292 Moratorium/Lawsuits for Sch. Funds
(S.L. 2014-8).....63, 118, 128, 141, 143, 144.
H 1086 NC and SC Rail Compact
(S.L. 2014-121).....108, 413, 421, 425, 429, 494.
H 1031 NC Econ. Dev. Partnership Modifications
(S.L. 2014-18) (Inc. S.L. 2014-100).....144, 160, 166, 170, 174, 223.
H 1181 North Carolina Medicaid Modernization
(Failed Concur In S Com Sub).....288, 339, 349, 358, 368, 375, 391, 404.
S 808 Oyster Industry Restoration Act
(Agriculture/Environment/Natural Resources Com)
(Inc. S.L. 2014-100).....51.
S 756 PED Study of Water and Sewer Systems
(Agriculture/Environment/Natural Resources Com).....27.
H 1043 Prequalification Update
(S.L. 2014-42).....120, 172, 179, 242, 270.
H 1087 Preserve Biological Evidence/Study
(Judiciary II Com).....109.

STUDIES (continued)
H 458 Public Hospital Conveyances
(Judiciary II Com) .....246, 255.
S 765 Reform Agency Review of Engineering Work
(Agriculture/Environment/Natural Resources Com) .....29.
H 1081 Reform Agency Review of Engineering Work
(Commerce Com) .....97, 182.
H 1145 Registration for Mopeds
(S.L. 2014-114) .....193, 231, 246, 320, 333, 382, 389, 408, 428, 437, 459, 473.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
H 1061 Replace CCSS w/NC's Higher Academ. Standards
(Education/Higher Education Com) .....108.
S 812 Replace CCSS w/NC's Higher Academ. Standards
(S.L. 2014-78) .....51, 92, 93, 100, 101, 102, 225, 239, 255, 265, 298, 307, 327, 335, 364.
S 763 Revenue Laws Tech. Changes and Other Changes
(Rules and Operations of the Senate Com).....29, 361, 366, 373, 467.
H 1232 Sales Tax Exemption for Certain Coins
(Rules and Operations of the Senate Com).....268.
S 833 SBE Study of Educator Comp
(Education/Higher Education Com) .....59.
H 1144 Study 1%/$80 Rate for Mill Machinery
(Finance Com).....299.
S 805 Study Establishment of New Optometry Schools
(Education/Higher Education Com) (Inc. S.L. 2014-100).....44.
S 784 Study Expansion of Health Care Transparency
(Health Care Com) (Inc. S.L. 2014-100).....37.
S 820 Study Oversight/Conflicts of Int./Foster Care
(Health Care Com) .....57.
H 1104 Study Oversight/Conflicts of Int./Foster Care
(Rules and Operations of the Senate Com).....97.
H 1091 Study Supervision of Magistrates
(Judiciary II Com) .....183.
H 1262 Suicide Prevention Resolution
(Health Care Com) .....299.
S 857 Task Force/Erin's law
(Judiciary I Com).....74.
H 1034 Volunteer Fire and Rescue Finances (PED)
(S.L. 2014-64) .....162, 177, 229, 251, 256, 310.

SURRY COUNTY—District 30—Senator Shirley B. Randleman
H 1250 Amend Definition of Dangerous Firearm
(Judiciary II Com) .....163.

SURRY COUNTY (continued)
H 369 Criminal Law Changes
(S.L. 2014-119) .....253, 260, 271, 297, 330, 331, 342, 349, 367, 374, 423, 492, 494.
H 1045 Town of Elkin/Reg. Municipal Elections Sched.
(S.L. 2014-35) .....96, 157, 207, 227, 243, 257.

SWAIN COUNTY—District 50—Senator Jim Davis

TARTE, SENATOR JEFF..... **41st District—Mecklenburg (part).**
Absences, Excused..... 491 (portion).
Adjournment Motion—Second .....216.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....817, 819, 848, 859, 860, 872.
Co-Sponsor .....729, 739, 747, 749, 753, 755, 852.

TAXATION
S 797 911 Board/Back-up PSAP
(S.L. 2014-66) .....43, 118, 122, 161, 286, 310.
S 732 Add Bladen Cty-Tax Cert Before Recordation
(State and Local Government Com).....23.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 766 Authorize Fee for Repairs of Dam-Richmond
(State and Local Government Com).....33.
S 741 Bladen, Columbus, Franklin, Hoke/Tax Cert
(S.L. 2014-29) .....24, 115, 124, 133, 141, 192, 210, 222, 244.
S 876 Brevard Meals Tax
(Finance Com).....80, 129, 145, 164.
S 790 Cape Hatteras/Gas Cities/Infrastructure Land
(S.L. 2014-39) .....38, 104, 116, 128, 192, 216, 239, 242, 270.
H 1134 Cleveland County/Road Assessment Criteria
(S.L. 2014-36) .....121, 207, 227, 243, 258.
H 1114 Elk Park/Deed Transferring Property
(S.L. 2014-69) .....184, 207, 319, 323, 324, 335, 338.
S 786 Energy Modernization Act
(S.L. 2014-4) .....37, 46, 47, 49, 54, 83, 84, 85, 94.
H 27 Escheat Savings Bond Trust Fund/Scholarships
(S.L. 2014-93) .....156, 361, 366, 385, 466.
S 818 Establish Education Endowment Fund
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....52, 70, 165.

TAXATION (continued)

S 816 Extend Low-Income Housing Tax Credit
(Rules and Operations of the Senate Com).....52.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 795 Local Option Sales Tax
(State and Local Government Com).....43.
H 1224 Local Sales Tax Options/Econ. Devpt. Changes
(S Adopted Conf Report,
H Failed to Adopt Conf Report).....266, 312, 336, 340, 343, 345, 362, 366, 373, 420, 439, 447, 451, 452.
S 863 Modify Exemptions from Motor Fuels Excise Tax
(Finance Com).....75.
H 1031 NC Econ. Dev. Partnership Modifications
(S.L. 2014-18) (Inc. S.L. 2014-100).....144, 160, 166, 170, 174, 223.
H 1059 New Hanover Occup. Tax Use
(S.L. 2014-87) .....192, 247, 360, 365, 385, 403.
H 1050 Omnibus Tax Law Changes
(S.L. 2014-3) .....60, 65, 68, 77, 81, 86.
S 763 Revenue Laws Tech. Changes and Other Changes
(Rules and Operations of the Senate Com).....29, 361, 366, 373, 467.
H 1232 Sales Tax Exemption for Certain Coins
(Rules and Operations of the Senate Com).....268.
S 261 Sales Tax on Private Res. Rented by Broker
(Rules and Operations of the Senate Com).....75.
S 866 Sampson County Local Option Sales Tax
(State and Local Government Com).....78.
S 846 Shallotte Deannexations/Southport Occ Tax
(S.L. 2014-68) .....70, 160, 175, 190, 209, 300, 307, 308, 336.
H 558 Soil & Water/Regional Jails Refunds
(S.L. 2014-20) .....124, 133, 142, 173, 223.
S 731 Southport Occupancy Tax Modification
(H Finance Com).....23, 153, 169, 175, 190.
H 1033 Special Assessment/Dam Repair
(S.L. 2014-89) .....276, 321, 329, 332, 334, 341, 343, 348, 416.
H 101 Special License Plate Development Process
(S.L. 2014-96) .....336, 342, 343, 385, 467.
H 1144 Study 1%/$80 Rate for Mill Machinery
(Finance Com).....299.
S 759 Unemployment Insurance Law Changes
(Finance Com).....28.

TAXATION (continued)
H 1069 Unemployment Insurance Law Changes
(Vetoed 6/24/2014, Rules, Calendar, and
Operations of the House Com) 120, 129,
135, 142, 149, 189.
H 1034 Volunteer Fire and Rescue Finances (PED)
(S.L. 2014-64) .....162, 177, 229, 251, 256, 310.
S 869 Wilson County Occupancy Tax Increase
(State and Local Government Com) .....79.
H 1244 Wilson County Occupancy Tax Increase
(Finance Com) .....193.
S 523 Wrightsville Beach Deannex/Wilmington Annex
(S.L. 2014-45) .....241, 245, 251, 261, 265, 271.

TEACHERS
S 884 2014 Appointments Bill
(S.L. 2014-116) 345, 421, 425, 428,
469, 477, 484, 488, 497.
S 744 Appropriations Act of 2014
(S.L. 2014-100) 25, 69, 78, 81, 86, 87, 91,
148, 152, 172, 217, 218, 302,
413, 426, 429, 455, 464, 470.
H 718 Ensure Adequate Funds for TAs/Rev Allocation
(Rules, Calendar, and Operations of the House Com).....474,
476, 481.
S 818 Establish Education Endowment Fund
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....52,
70, 165.
H 1195 Fiscal Integrity/Pension-Spiking Prevention
(S.L. 2014-88) .....184, 339, 353, 360, 363, 416.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 852 NBPTS Bonus for Teachers in Title I Schools
(Education/Higher Education Com)
(Inc. S.L. 2014-100) .....70, 72.
S 860 Public School Changes
(Education/Higher Education Com) .....74.
H 1145 Registration for Mopeds
(S.L. 2014-114) 193, 231, 246, 320, 333,
382, 389, 408, 428, 437, 459, 473.
H 1194 Retirement Admin. Changes Act of 2014
(S.L. 2014-112) .....109, 340, 381, 391, 416, 473.
S 878 Retirement Investment Accountability
(Pensions & Retirement and Aging Com) .....80.
H 1193 Retirement Technical Corrections Act of 2014
(S.L. 2014-97) .....109, 339, 381, 391, 394, 467.

TEACHERS (continued)
S 833 SBE Study of Educator Comp
(Education/Higher Education Com) .....59.
S 787 Teacher Funds Must Be 51% of School Budget
(Education/Higher Education Com) .....38.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.

TELECOMMUNICATIONS
S 884 2014 Appointments Bill
(S.L. 2014-116) .....345, 421, 425, 428, 469, 477, 484, 488, 497.
S 797 911 Board/Back-up PSAP
(S.L. 2014-66) .....43, 118, 122, 161, 286, 310.
S 742 Adjust the Utility Regulatory Fee
(Finance Com).....25, 133, 177, 187.
H 1052 Adjust the Utility Regulatory Fee
(S.L. 2014-59) .....206, 225, 249, 261, 269, 309.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 648 NC Commerce Protection Act of 2014
(S.L. 2014-110) .....21, 31, 119, 120, 123, 131, 132, 259, 263, 275, 280, 425, 427, 429, 436, 458, 473.
H 1050 Omnibus Tax Law Changes
(S.L. 2014-3) .....60, 65, 68, 77, 81, 86.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
S 763 Revenue Laws Tech. Changes and Other Changes
(Rules and Operations of the Senate Com).....29, 361, 366, 373, 467.
S 798 State CIO/Mobile Communications Devices
(Commerce Com) (Inc. S.L. 2014-100).....43.
H 1149 State CIO/Mobile Communications Devices
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....184.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.

TILLMAN, SENATOR JERRY W. .....**29th District—**Moore, **Randolph (part).**
Absences, Excused..... 5, 82 (portion), 131 (portion), 138, 279 (portion).

TILLMAN, SENATOR JERRY W. (continued)
Adjournment Motion—Second .....279, 413.
Committee Assignments—
Conference.....172, 255, 275.
Standing/Select .....13.
Remarks Spread—
S 879 Honor Zeb Alley.....111.
Senatorial Statement.....41.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....770, 771, 793, 812, 818, 833, 880.
Co-Sponsor .....815, 852.

TOBACCO
H 1050 Omnibus Tax Law Changes
(S.L. 2014-3) .....60, 65, 68, 77, 81, 86.
S 763 Revenue Laws Tech. Changes and Other Changes
(Rules and Operations of the Senate Com).....29, 361, 366, 373, 467.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.

TRANSPORTATION
S 884 2014 Appointments Bill
(S.L. 2014-116) .....345, 421, 425, 428, 469, 477, 484, 488, 497.
S 105 Add Towns to SHP
(S.L. 2014-75) .....288, 307, 322, 323, 324, 335, 364.
S 824 Agritourism Sign Location/DOT Standards
(Transportation Com) .....58.
S 294 Allow Use of DOT Stormwater BMPs
(S.L. 2014-1) .....66, 86.
S 823 Alt. Criteria under STI for Emergency Repair
(Transportation Com) .....57.
S 38 Amend Environmental Laws 2014
(Held in Senate Clerk's Office).....207.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 800 Appropriations Act of 2014
(Appropriations/Base Budget Com) .....44.
S 768 Appropriations Act of 2014
(Appropriations/Base Budget Com) .....34.
S 802 Appropriations Act of 2014
(Appropriations/Base Budget Com) .....44.

TRANSPORTATION (continued)

H 1247 Asheville Regional Airport
(S.L. 2014-52) .....185, 221, 228, 278, 287.
H 1248 Authority to Remove Abandoned Vessels
(State and Local Government Com).....207.
H 267 Captive Insurance Amendments
(S.L. 2014-65) .....157, 230, 250, 256, 310.
S 58 Clarify Statute of Repose
(S.L. 2014-44) .....244, 251, 252, 271.
H 1134 Cleveland County/Road Assessment Criteria
(S.L. 2014-36) .....121, 207, 227, 243, 258.
S 729 Coal Ash Management Act of 2014
(S.L. 2014-122) .....22, 157, 166, 175, 180, 210, 212, 232, 234, 236, 292, 295, 304, 314, 345, 347, 354, 441, 448, 453, 455, 477, 482, 485, 487, 501, 504, 508, 514, 516, 518, 519.
S 836 DOT Minority/Women Business Program
(Appropriations/Base Budget Com) .....60, 126, 151.
S 827 DOT Partnerships with Private Developers
(Transportation Com) .....58.
H 272 DOT/DMV Changes #2
(S.L. 2014-108) .....392, 395, 399, 422, 424, 440, 444, 446, 460, 465, 473.
H 1025 DOT/DMV Changes
(S.L. 2014-58) .....107, 134, 135, 146, 195, 244, 272, 286, 309.
S 740 DPS Study Commercial Vehicle Safety Alliance
(Judiciary II Com) .....24, 105, 153.
H 1190 DPS Study Commercial Vehicle Safety Alliance
(Transportation Com) .....268.
S 786 Energy Modernization Act
(S.L. 2014-4) .....37, 46, 47, 49, 54, 83, 84, 85, 94.
S 831 Exclude Federal Lands Access Funds from STI
(Transportation Com) .....59.
S 792 Ferry Tolling/Replacement Funds
(Transportation Com) .....42.
H 1234 Ferry Tolling/Replacement Funds
(Transportation Com) .....299.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 493 Health and Safety Regulatory Reform
(Ways & Means Com).....268.
H 1088 Highway Patrol Routine Maintenance
(Transportation Com) .....183.
S 735 Honor NASCAR Hall of Fame Inductees
(Rules and Operations of the Senate Com).....24.

TRANSPORTATION (continued)

H 1030 Honor NASCAR Hall of Fame Inductees
(Res. 2014-1) ..... 11, 12, 20.
S 753 Improve Admin Prog Monitoring at DPI
(Education/Higher Education Com) (Inc. S.L. 2014-100) ..... 27.
H 375 Increase Allowed Size of Passenger Buses
(S.L. 2014-71) ..... 327, 331, 333, 338, 349.
H 1224 Local Sales Tax Options/Econ. Devpt. Changes
(S Adopted Conf Report,
H Failed to Adopt Conf Report) ..... 266, 312, 336, 340, 343, 345, 362, 366, 373, 420, 439, 447, 451, 452.
S 826 MAP-21 Update/Rail Safety
(Transportation Com) ..... 58.
S 863 Modify Exemptions from Motor Fuels Excise Tax
(Finance Com) ..... 75.
H 109 Motorcycle Helmet Law/Study
(Transportation Com) ..... 156.
H 1086 NC and SC Rail Compact
(S.L. 2014-121) ..... 108, 413, 421, 425, 429, 494.
H 1031 NC Econ. Dev. Partnership Modifications
(S.L. 2014-18) (Inc. S.L. 2014-100) ..... 144, 160, 166, 170, 174, 223.
H 1050 Omnibus Tax Law Changes
(S.L. 2014-3) ..... 60, 65, 68, 77, 81, 86.
S 791 Outer Banks Land Management Act
(Agriculture/Environment/Natural Resources Com) ..... 39.
H 458 Public Hospital Conveyances
(Judiciary II Com) ..... 246, 255.
H 348 Public Safety Technology/State ROW
(Rules and Operations of the Senate Com) ..... 125, 146, 151, 325, 333, 334, 343, 350.
S 765 Reform Agency Review of Engineering Work
(Agriculture/Environment/Natural Resources Com) ..... 29.
H 1081 Reform Agency Review of Engineering Work
(Commerce Com) ..... 97, 182.
H 1145 Registration for Mopeds
(S.L. 2014-114) ..... 193, 231, 246, 320, 333, 382, 389, 408, 428, 437, 459, 473.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) ..... 23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
S 763 Revenue Laws Tech. Changes and Other Changes
(Rules and Operations of the Senate Com) ..... 29, 361, 366, 373, 467.
H 1144 Study 1%/$80 Rate for Mill Machinery
(Finance Com) ..... 299.

TRANSPORTATION (continued)
S 355 Tech Correction/Gaston, Nash, Union Local Act
(S.L. 2014-9) .....147, 152, 155.
H 1133 Technical and Other Corrections
(S.L. 2014-115) 388, 395, 398,
404, 423, 462, 465, 474.
H 1099 Unmanned Aircraft Regulation
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....267.
H 1026 Update State Rail Safety Oversight
(Transportation Com) .....108.
H 1168 Yancey Right-of-Way Safety
(Rules and Operations of the Senate Com).....184, 188.
S 864 Yanceyville ATV Use
(S.L. 2014-32) .....78, 161, 169, 243, 257.

TRANSYLVANIA COUNTY—District 48—Senator Tom Apodaca
S 876 Brevard Meals Tax
(Finance Com).....80, 129, 145, 164.

TUCKER, SENATOR TOMMY .....**35th District—Union (part).**
Absences, Excused.....476, 488.
Committee Assignments—
Conference.....172, 284.
Senatorial Statement.....401.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....809, 844.
Co-Sponsor.....729, 747, 759.

TYRRELL COUNTY—District 3—Senator Clark Jenkins

UNC BOARD OF GOVERNORS
H 1048 AG Selection Criteria/NCNG Amendments
(S.L. 2014-106)
(Inc. S.L. 2014-100) 96, 231, 254, 260, 273, 279, 288,
317, 318, 329, 383, 387, 392, 403, 472.
S 744 Appropriations Act of 2014
(S.L. 2014-100) 25, 69, 78, 81, 86, 87, 91,
148, 152, 172, 217, 218, 302,
413, 426, 429, 455, 464, 470.
S 761 Credit for Military Training
(S.L. 2014-67) .....28, 33, 165, 178, 269, 311.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 805 Study Establishment of New Optometry Schools
(Education/Higher Education Com) (Inc. S.L. 2014-100).....44.

UNC BOARD OF GOVERNORS (continued)
S 885 UNC BOG Vacancy Election
(Adopted) .....395, 396.
H 1182 UNC Nonappropriated Capital Projects
(S.L. 2014-60).....207, 219, 225, 249, 262, 270, 309.
S 758 Western School of Science & Math/Funds
(Education/Higher Education Com) .....28.

UNEMPLOYMENT
H 1031 NC Econ. Dev. Partnership Modifications
(S.L. 2014-18) (Inc. S.L. 2014-100).....144, 160, 166, 170, 174, 223.
S 759 Unemployment Insurance Law Changes
(Finance Com).....28.
H 1069 Unemployment Insurance Law Changes
(Vetoed 6/24/2014, Rules, Calendar, and Operations of the House Com).....120, 129, 135, 142, 149, 189.

UNION COUNTY—District 35—Senator Tommy Tucker
District 36—Senator Fletcher L. Hartsell, Jr.
S 844 City of Monroe/Supervision of Attorney
(State and Local Government Com).....67.
H 1218 Monroe Attorney/Cabarrus Comm.
(S.L. 2014-92) .....185, 208, 231, 248, 283, 284, 418, 428, 436, 459, 466.
H 292 Moratorium/Lawsuits for Sch. Funds
(S.L. 2014-8) .....63, 118, 128, 141, 143, 144.
S 355 Tech Correction/Gaston, Nash, Union Local Act
(S.L. 2014-9) .....147, 152, 155.
H 1096 Union County/Contracted Ambulance Service
(S.L. 2014-72) .....97, 231, 325, 327, 331, 333, 338, 349.

UTILITIES
S 884 2014 Appointments Bill
(S.L. 2014-116) .....345, 421, 425, 428, 469, 477, 484, 488, 497.
S 742 Adjust the Utility Regulatory Fee
(Finance Com).....25, 133, 177, 187.
H 1052 Adjust the Utility Regulatory Fee
(S.L. 2014-59) .....206, 225, 249, 261, 269, 309.
S 294 Allow Use of DOT Stormwater BMPs
(S.L. 2014-1) .....66, 86.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.

UTILITIES (continued)

S 790 Cape Hatteras/Gas Cities/Infrastructure Land
(S.L. 2014-39) .....38, 104, 116, 128, 192, 216, 239, 242, 270.
S 738 Clarify Gravel Under Stormwater Laws
(Agriculture/Environment/Natural Resources Com) .....24.
H 1166 Clarify Gravel Under Stormwater Laws
(Rules and Operations of the Senate Com).....98.
S 729 Coal Ash Management Act of 2014
(S.L. 2014-122) .....22, 157, 166, 175, 180, 210, 212, 232, 234, 236, 292, 295, 304, 314, 345, 347, 354, 441, 448, 453, 455, 477, 482, 485, 487, 501, 504, 508, 514, 516, 518, 519.
S 856 Coal Ash Management Act of 2014
(Rules and Operations of the Senate Com).....72.
S 786 Energy Modernization Act
(S.L. 2014-4) .....37, 46, 47, 49, 54, 83, 84, 85, 94.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
H 1050 Omnibus Tax Law Changes
(S.L. 2014-3) .....60, 65, 68, 77, 81, 86.
S 756 PED Study of Water and Sewer Systems
(Agriculture/Environment/Natural Resources Com) .....27.
H 1155 Pinehurst Annexation
(S.L. 2014-85) .....276, 313, 320, 331, 340, 344, 350, 382, 386.
H 458 Public Hospital Conveyances
(Judiciary II Com) .....246, 255.
S 765 Reform Agency Review of Engineering Work
(Agriculture/Environment/Natural Resources Com) .....29.
H 1081 Reform Agency Review of Engineering Work
(Commerce Com) .....97, 182.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
S 763 Revenue Laws Tech. Changes and Other Changes
(Rules and Operations of the Senate Com).....29, 361, 366, 373, 467.
H 894 Source Water Protection Planning
(S.L. 2014-41) .....172, 179, 242, 270.
H 1054 Spindale/Cape Fear Sewer Fee Collection
(S.L. 2014-98) .....266, 359, 365, 368, 369, 380, 420, 434, 438, 444, 462, 466, 468.
H 573 Stormwater Management Fee Uses
(S.L. 2014-14) .....114, 129, 138, 189.

UTILITIES (continued)
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.

VAN DUYN, SENATOR TERRY
(Appointed 04/15/2014 to replace Senator Nesbitt)..... **49th District—Buncombe (part).**
Absences, Excused..... 343 (portion), 376 (portion), 393, 491 (portion).
Appointment by the Governor, Proclamation of.....9.
Committee Assignments—
Standing/Select.....13.
Oath of Office .....11.
Remarks Spread—
S 882 Honor Senator Martin Nesbitt .....203.
Bills and Resolutions—(Senate Bills)
Co-Sponsor.....730, 816, 852, 854, 855, 856, 858.

VANCE COUNTY—District 4—Senator Angela R. Bryant

VETOED
H 1069 Unemployment Insurance Law Changes
(Vetoed 6/24/2014, Rules, Calendar, and Operations of the House Com).....120, 129, 135, 142, 149, 189.

WADE, SENATOR TRUDY .....**27th District—Guilford (part).**
Absences, Excused..... 76 (portion), 279 (portion).
Committee Assignments—
Conference.....255, 347, 400, 412, 487.
Standing/Select.....13.
Bills and Resolutions—(Senate Bills)
Primary Sponsor .....734.
Co-Sponsor.....786.

WAKE COUNTY— District 14—Senator Dan Blue
District 15—Senator Neal Hunt
District 16—Senator Josh Stein
District 17—Senator Tamara Barringer
District 18—Senator Chad Barefoot
H 189 Amend Info./Child Supp. Orders
(Rules and Operations of the Senate Com)
(Inc. S.L. 2014-100) .....105, 178, 182, 215, 228, 229, 282, 491, 493, 494, 496, 497, 498, 499, 513.

WAKE COUNTY (continued)
H 1246 Armed Detention Officers/Forsyth County
(Judiciary II Com) .....185.
H 1224 Local Sales Tax Options/Econ. Devpt. Changes
(S Adopted Conf Report,
H Failed to Adopt Conf Report).....266, 312, 336, 340, 343, 345, 362, 366, 373, 420, 439, 447, 451, 452.
S 871 Raleigh/Durham/Deannexation/Annexation
(S.L. 2014-47) .....79, 124, 133, 140, 148, 259, 264, 265, 271.

WALTERS, SENATOR MICHAEL P. ..... **13th District—**Columbus, **Robeson.**
Absences, Excused .....90, 186, 194, 222, 241, 278, 415, 452.
Committee Assignments—
Conference .....317.
Bills and Resolutions—(Senate Bills)
Primary Sponsor.....807, 824, 867, 868.

WARREN COUNTY—District 4—Senator Angela R. Bryant

WASHINGTON COUNTY—District 3—Senator Clark Jenkins
H 1248 Authority to Remove Abandoned Vessels
(State and Local Government Com).....207.

WASTE MANAGEMENT
S 884 2014 Appointments Bill
(S.L. 2014-116) .....345, 421, 425, 428, 469, 477, 484, 488, 497.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 856 Coal Ash Management Act of 2014
(Rules and Operations of the Senate Com).....72.
S 729 Coal Ash Management Act of 2014
(S.L. 2014-122) .....22, 157, 166, 175, 180, 210, 212, 232, 234, 236, 292, 295, 304, 314, 345, 347, 354, 441, 448, 453, 455, 477, 482, 485, 487, 501, 504, 508, 514, 516, 518, 519.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 863 Modify Exemptions from Motor Fuels Excise Tax
(Finance Com).....75.
H 458 Public Hospital Conveyances
(Judiciary II Com) .....246, 255.

WASTE MANAGEMENT (continued)
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
H 1144 Study 1%/$80 Rate for Mill Machinery
(Finance Com).....299.

WATAUGA COUNTY—District 45—Senator Dan Soucek
S 865 Town of Boone/Extraterritorial Jurisdiction
(S.L. 2014-33) .....78, 116, 127, 141, 243, 257.

WATER RESOURCES
S 884 2014 Appointments Bill
(S.L. 2014-116) .....345, 421, 425, 428, 469, 477, 484, 488, 497.
S 737 Amend Isolated Wetland Regulation
(Agriculture/Environment/Natural Resources Com) .....24.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
S 766 Authorize Fee for Repairs of Dam-Richmond
(State and Local Government Com).....33.
H 201 Building Reutilization for Economic Dev. Act
(S.L. 2014-90) .....344, 352, 359, 368, 381, 459.
S 58 Clarify Statute of Repose
(S.L. 2014-44) .....244, 251, 252, 271.
S 856 Coal Ash Management Act of 2014
(Rules and Operations of the Senate Com).....72.
S 729 Coal Ash Management Act of 2014
(S.L. 2014-122) .....22, 157, 166, 175, 180, 210, 212, 232, 234, 236, 292, 295, 304, 314, 345, 347, 354, 441, 448, 453, 455, 477, 482, 485, 487, 501, 504, 508, 514, 516, 518, 519.
H 1057 DENR Study IBT/EMC Eco Flow Study
(Agriculture/Environment/Natural Resources Com) .....266.
S 757 DENR Study of IBT Laws
(Agriculture/Environment/Natural Resources Com) .....28.
S 842 Governor's Budget
(Appropriations/Base Budget Com) (Inc. S.L. 2014-100).....67.
S 883 Mitigation Buffer Rule/Wastewater Treatment
(S.L. 2014-95) .....267, 322, 339, 351, 352, 408, 410, 416, 466.
H 366 NC Farm Act of 2014
(S.L. 2014-103) (Inc. S.L. 2014-100).....156, 187, 219, 220, 224, 250, 291, 317, 377, 390, 397, 404, 461, 465, 471.

WATER RESOURCES (continued)
H 458 Public Hospital Conveyances
(Judiciary II Com) .....246, 255.
S 163 Reclaimed Water as a Source Water
(S.L. 2014-113) .....192, 216, 318, 320, 376, 383, 391, 405, 409, 417, 428, 437, 438, 458, 473.
S 734 Regulatory Reform Act of 2014
(S.L. 2014-120) .....23, 31, 45, 53, 55, 68, 82, 268, 411, 412, 413, 435, 487, 489, 490, 492, 494.
H 761 Regulatory Reform Act of 2014
(Rules and Operations of the Senate Com).....407, 409, 411.
H 558 Soil & Water/Regional Jails Refunds
(S.L. 2014-20) .....124, 133, 142, 173, 223.
H 894 Source Water Protection Planning
(S.L. 2014-41) .....172, 179, 242, 270.
H 1033 Special Assessment/Dam Repair
(S.L. 2014-89) .....276, 321, 329, 332, 334, 341, 343, 348, 416.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.

WAYNE COUNTY—District 5—Senator Don Davis
District 7—Senator Louis Pate
S 862 Wayne Regional Research & Ed. Ag. Ctr Funds
(Agriculture/Environment/Natural Resources Com) .....74.

WEAPONS
S 745 2014 Technical Corrections
(Judiciary I Com).....25.
H 1250 Amend Definition of Dangerous Firearm
(Judiciary II Com) .....163.
H 618 Amend Firearm Restoration Law
(Judiciary II Com) .....94, 107, 110, 123, 147.
S 744 Appropriations Act of 2014
(S.L. 2014-100) .....25, 69, 78, 81, 86, 87, 91, 148, 152, 172, 217, 218, 302, 413, 426, 429, 455, 464, 470.
H 1246 Armed Detention Officers/Forsyth County
(Judiciary II Com) .....185.
S 226 Repeal 1935 Durham Co. Firearm Act
(S.L. 2014-11) .....174.
S 201 Stanly Comm. Coll. Capital Project
(S.L. 2014-82) .....285, 358, 367, 373, 381, 386.
H 1133 Technical and Other Corrections
(S.L. 2014-115) .....388, 395, 398, 404, 423, 462, 465, 474.

WEAPONS (continued)
H 1168 Yancey Right-of-Way Safety
(Rules and Operations of the Senate Com).....184, 188.

WILKES COUNTY—District 30—Senator Shirley B. Randleman
H 1045 Town of Elkin/Reg. Municipal Elections Sched.
(S.L. 2014-35) .....96, 157, 207, 227, 243, 257.

WILSON COUNTY— District 4—Senator Angela R. Bryant
District 11—Senator E. S. (Buck) Newton
S 869 Wilson County Occupancy Tax Increase
(State and Local Government Com).....79.
H 1244 Wilson County Occupancy Tax Increase
(Finance Com).....193.

WOODARD, SENATOR MIKE .....**22nd District—**Caswell, **Durham (part),** Person.
Absences, Excused.....40, 224 (portion), 488.
Adjournment Motion.....463.
Journal Approval.....463, 468.
Bills and Resolutions—(Senate Bills)
Primary Sponsor ..... 785, 819, 856, 864, 870, 871.

YADKIN COUNTY—District 31—Senator Joyce Krawiec
(Appointed 01/10/2014)

YANCEY COUNTY—District 47—Senator Ralph Hise
H 1168 Yancey Right-of-Way Safety
(Rules and Operations of the Senate Com).....184, 188.

RATIFIED BILLS—SESSION LAWS

Chapter	Bill No.		Page
1	S	294	86
2	H	688	86
3	H	1050	86
4	S	786	94
5	H	230	122
6	H	1108	139
7	H	1131	139
8	H	292	144
9	S	355	155
10	H	133	168
11	S	226	174
12	H	1158	174
13	S	370	189
14	H	573	189
15	H	1060	189
16	H	1103	189
17	S	574	190
18	H	1031	223
19	H	183	223
20	H	558	223
21	H	777	223
22	S	463	223
23	S	845	223
24	S	867	224
25	S	868	224
26	H	531	224
27	H	698	243
28	S	719	244
29	S	741	244
30	H	569	244
31	S	848	257
32	S	864	257
33	S	865	257
34	S	870	257
35	H	1045	257
36	H	1134	258
37	H	1159	258
38	H	1207	258
39	S	790	270
40	H	346	270
41	H	894	270
42	H	1043	270
43	S	477	271
44	S	58	271
45	S	523	271
46	H	1067	271
47	S	871	271
48	S	767	287
49	H	712	287
50	S	815	287
51	H	1113	287
52	H	1247	287
53	H	1220	308
54	S	851	308
55	S	874	308
56	S	875	308
57	H	330	308
58	H	1025	309
59	H	1052	309
60	H	1182	309
61	H	1117	310
62	H	1139	310
63	H	379	310
64	H	1034	310
65	H	267	310
66	S	797	310
67	S	761	311
68	S	846	336
69	H	1114	338
70	H	1154	338
71	H	375	349
72	H	1096	349
73	H	1120	349
74	H	1212	349
75	S	105	364
76	H	644	364
77	S	794	364
78	S	812	364
79	S	614	365
80	H	1245	365
81	H	1056	371
82	S	201	386
83	H	1044	386
84	H	1151	386
85	H	1155	386
86	S	788	403
87	H	1059	403
88	H	1195	416

Chapter	Bill No.	Page
89	H 1033	416
90	H 201	459
91	S 859	459
92	H 1218	466
93	H 27	466
94	H 625	466
95	S 883	466
96	H 101	467
97	H 1193	467
98	H 1054	468
99	S 877	470
100	S 744	470
101	S 793	471
102	S 853	471
103	H 366	471
104	H 884	472
105	S 376	472
106	H 1048	472
107	S 773	472
108	H 272	473
109	S 193	473
110	S 648	473
111	S 403	473
112	H 1194	473
113	S 163	473
114	H 1145	473
115	H 1133	474
116	S 884	497
117	S 42	527
118	S 3	527
119	H 369	527
120	S 734	527
121	H 1086	527
122	S 729	527

RATIFIED JOINT RESOLUTIONS

Res. No.	Jt. Res. No.	Page
1	H 1030	20
2	S 796	49
3	H 1121	66
4	S 879	122
5	S 882	223
6	H 1074	155
7	H 1112	155
8	H 1276	519

ADOPTED SENATE RESOLUTIONS

Res. No.	Adopted	Page
S 809	05/21/2014	49
S 885	07/29/2014	396