

February 23, 2005

S 198. BLANK APPROPRIATIONS BILL-2. TO APPROPRIATE FUNDS. Blank bill.

Intro. by Garrou.

Ref. to Rules

UNCODIFIED

July 19, 2006

S 198. REVISE 2006 BUDGET ACT (NEW). Filed 2/22/05. Senate committee substitute and committee amendments replace blank bill with *AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2006*. Modifies the 2006 budget act (SL 2006-66) as follows. Modifies scope of Crisis Housing Assistance Fund in SL 2005-1, retroactive to 2004. Amends GS 143-16.3 to clarify that both public and private grants are exempted from requirement that no expenditures are allowed for purposes for which the General Assembly has considered but not enacted an appropriation. Requires the Department of Administration to report to the Joint Legislative Commission on Governmental Operations by September 1, 2006 regarding implementation of SL 2005-255 (requiring the State of North Carolina to convey certain property). Requires that the fair minimum wage salary adjustment for permanent full-time noncertified public school employees will be calculated and awarded before (was, after) any across-the-board salary increases. Amends GS 115D-41 and GS 116-44.5 to allow use by public school students in joint or cooperative programs of community college facilities, facilities of any constituent institution of the University of North Carolina, and the facilities of any properly licensed private college or university that comply with applicable State, county, and local fire codes. Requires that funds appropriated to the Board of Governors of the University of North Carolina for the 2006-07 fiscal year to expand the "Future Teachers of North Carolina Scholarship Loan Program" may be used only for an additional 50 scholarship loans instead of 75 scholarship loans.

Amends new GS 108A-58 (ineligibility for medical assistance based on transferring assets for less than fair market value) to (1) clarify that the hardship waiver provision applies to the application of the transfer of assets penalty for medical services provided to an institutionalized individual; (2) modify the definition of noninstitutionalized individual who is an aged, blind, or disabled person who is categorically or medically needy pursuant to 42 C.F.R. Sec. 120 Subpart B, C, or D only (was, 42 C.F.R. Sec. 120); and (3) deletes provision that, with respect to life estates and income producing real property, the transfer of assets policy applies only to an institutionalized individual or the individual's spouse. Amends section 10.26(b) of the budget act (SL 2006-66) to delete requirement that funds appropriated under the section be used for personal services contracts only. Amends section 10.26(d) by replacing 24-hour beds with 23-hour beds. Amends section 10.9D of the budget (SL 2006-66) to (1) require the Department of Health and Human Services (DHHS) to report its findings on strategies to offset the cost to pharmacists of providing services to Medicaid recipients enrolled in Medicare Part D by February 1, 2007 (was, April 1, 2007); and (2) require DHHS to supplement the dispensing fee established by the General Assembly if a decrease in the average manufacturer's price of prescription drugs from January 1, 2007, to June 30, 2007, results in an average savings to the State Medicaid Program. Expires June 30, 2007.

Amends GS 7A-133A to allow 7 judges for District 27A and 7 judges for District 28. Amends GS 7A-806(b) to provide that officers take office immediately following their election (was, on July 1 immediately following their election). Authorizes the Administrative Office of the Courts to establish ten interpreter positions to replace contract positions with funds appropriated to the Judicial Department for the 2006-07 fiscal year. Amends section 17.23(h) of SL 2005-276 to delete requirement that funds that were used in the 2005-06 fiscal year for pretrial release programs be reallocated among all participating counties after determining the capped formula allocations. Authorizes the Department of Justice to use up to \$106,570 in receipts in 2006-07 to establish one Attorney III position to provide legal services for the Department of Cultural Resources.

Requires the State Energy Office to study the State's ability to respond adequately to an energy emergency or crisis and update the North Carolina Energy Emergency Plan. The State Energy Office must report to the Joint Study Committee on Emergency Preparedness and

Disaster Management Recovery by November 1, 2006. Allocates \$40,000 for the study for 2006-07 from funds appropriated to the Department of Administration. Requires funds appropriated to a statewide reserve for pending ethics legislation to be used to establish five positions in the Department of Administration for the North Carolina Board of Ethics to implement House Bill 1843, House Bill 1844, or Senate Bill 1694, if any become law.

Repeals Section 68 of Chapter 830 and Section 1 of Chapter 1111 of the 1987 Session Laws. Establishes the number of administrative law judges and employees of the Office of Administrative Hearings and enacts GS 7A-760 to define the status of its employees under the State personnel Act. Repeals section 21.11 (provision to conform seat belt law to federal law) of the budget (SL 2006-66) if Senate Bill 774 (seatbelt use enhancements) becomes law. Adds system office staff who are exempt from the State Personnel Act to those community college employees eligible to receive annual salary increase 6% plus a one-time 2% bonus. Amends GS 140-14 to (1) establish the North Carolina State Art Society, administratively located within the North Carolina Museum of Art (was, North Carolina Art Society, a membership arm of the North Carolina Museum of Art); and (2) require that the North Carolina State Art Society promote advocacy initiatives. Amends GS 84-20 to provide that members of the Council (government of the North Carolina State Bar) will be reimbursed for transportation by use of private automobile at the business standard mileage rate set by the Internal Revenue Service per mile of travel (was, rate per mile allowed by GS 138-6). Repeals section 23.11 (UNC-CH/ECU Dental Schools) of the budget (SL 2006-66). Authorizes the Department of Health and Human Services Public Health Laboratory and Office of the Medical Examiner to be located anywhere within the State. Makes technical and clarifying changes to sections 10.3(d), 10.8, and 10.32(b) of SL 2006-66.

July 19, 2006

S 198. REVISE 2006 BUDGET ACT. Filed 2/22/05. House amendment makes the following changes to 2nd edition. Amends GS 105-134.6(d)(4) to allow qualifying single taxpayers a deduction of \$2,000 (was, \$750) and qualifying married, filing jointly taxpayers a deduction of \$4,000 (was, \$1,500) contributed to an account in the Parental Savings Trust Fund of the State Education Assistance Authority. Effective January 1, 2007.

July 20, 2006

S 198. REVISE 2006 BUDGET ACT. Filed 2/22/05. House committee substitute makes the following changes to 3rd edition. Modifies the 2006 budget act (SL 2006-66) as follows. (1) Amends Section 5.1(c) of SL 2005-1, as amended by the 2006 budget act, to limit to 110 applicants the number of individuals eligible for assistance from the Crisis Management Assistance Fund under the circumstances described in section. Provides that the section expires on November 1, 2006. (2) Provides that funds appropriated to the Department of Public Instruction for Futures for Kids, Inc., may be used for 2006-07 operations while Futures for Kids plans for consolidation in 2007-08 with the Pathways Program. Requires that the plan for consolidation be presented to the Joint Legislative Education Oversight Committee by March 1, 2007. (3) Deletes amendment to Section 7.4(d) of budget act that would have required that the fair minimum wage adjustment provided for permanent full-time noncertified public school employees supported by the General Fund be calculated before any across the board salary increases provided by act. (4) Adds a new section 8.12 to budget to state that the North Carolina Community College System should be the primary training agency to meet the training needs of the motorsports industry and to transfer \$1.5 million in capital funds (originally appropriated in 2004 for the NC Motorsports Testing and Research Complex) to the NC Community College System Office for start-up costs for training program. Requires that a consortium of State community colleges be created to direct training needs. (5) Amends GS 115C-499.1(3)d. to a correct statutory reference and to include school of nursing affiliated with a nonpublic postsecondary institution in list of postsecondary institutions eligible for need-based college scholarships through the State Education Assistance Authority. (6) Amends GS 7A-133(b) to correct an error in the 2005 appropriations act that reversed the descriptions of District Court Districts 20C and 20B,

effective December 1, 2005, or the date on which Section 14.2(f) of SL 2005-276 is approved under the Voting Rights Act of 1965, whichever is later.

(7) Requires that \$117,411 for 2006-07 be transferred to the NC Indian Economic Development Initiative to create jobs and economic growth in Indian counties. (8) Amends Section 22.15A(b) of the 2006 budget act (suspending further implementation of career banding program) to allow the continuation of program for career banded classifications approved on June 15, 2006, and for which the agency had already begun implementation. (9) Creates an 18-member Legislative Study Commission on the State Personnel Act, six members to be appointed by the Governor, six by the President Pro Tem., and six by the Speaker. Sets forth areas to be considered by the Commission and requires that the Commission submit its final report by May 1, 2008. (10) Deletes amendment to Section 22.11, which would have made community college system office staff who are exempt from the State Personnel Act eligible for the same salary increase and bonus as community college faculty and professional staff. (11) Amends 2006 budget provision allocating funds to the UNC Board of Governors for repairs and renovations to require that the total amount of funds designated for listed repair and renovation projects be used (was, entities listed were to spend funds up to the amounts designated on projects). Deletes provision requiring that the amount of funding an institution is allocated offset the amount the institution receives from the Reserve for Repairs and Renovations for 2006-07. (12) Requires that of the funds appropriated to the Board of Governors for 2007-07, \$7 million must be used to continue the joint plan for dental education and dental outreach in NC developed by UNC-CH and ECU. (13) Deletes proposed Section 23.12(e1) of the budget, which provided that notwithstanding provision in the Joint Conference Committee Report on the Continuation, Expansion, and Capital Budgets requiring that it be located in Raleigh, the Department of Health and Human Services Public Health Lab and Office of the Chief Medical Examiner may be located anywhere in the State.

July 24, 2006

S 198. REVISE 2006 BUDGET ACT. Filed 2/22/2005. House amendment makes the following changes to 5th edition. Provides that if H 914, 2005 Regular session (State Budget Act) becomes law (1) the amendment made to GS 143-3.3(g) (Assignment of Claims Against State; Payroll Deduction for Payments to Certain Employees' Associations Allowed) by SL 2005-276 sec. 6.35 is made to GS 143B-426.39D, as enacted by H 914; (2) several statutes in GS Chapter 143B are renumbered to avoid a conflict and cross-references are changed in GS 143B-426.39(6); (3) GS 143C-9-3A is enacted pertaining to assignment to the State of rights to tobacco manufacturer escrow funds (and provides for repeal of that provision in certain circumstances) to reflect the provisions of GS 143-6.6; (4) GS 143C-3B is enacted establishing the JDIG Reserve Fund; (5) GS 143C-3-1, as enacted by H 914, is amended to correct terminology; and (6) GS 143C-1-1(b), as enacted by H 914, is amended to provide that the provisions of GS Chapter 120 continue to apply to the General Assembly and to control its expenditures and in the event of a conflict with GS Chapter 143C, Chapter 120 controls. Also providing that nothing in GS Chapter 143C abrogates or diminishes the inherent power of the three branches of government. Provides that notwithstanding other provisions, funds appropriated to the Department of Health and Human Services for Long Term Care Quality Improvement will be allocated to the Area Agencies on Aging for specified purposes. Makes technical changes.

July 25, 2006

S 198. REVISE 2006 BUDGET ACT. Filed 2/22/05. House amendment makes the following changes to 6th edition. Amends proposed rewrite of GS 140-14 to limit advocacy initiatives of the North Carolina State Art Society to art advocacy.

July 27, 2006

S 198. REVISE 2006 BUDGET ACT. Filed 2/22/05. Conference report recommends the following changes to 7th edition to reconcile matters in controversy. Adds a new section to the 2006 Budget (SL 2006-66) to create a Special Reserve for Lobbying Reform and to transfer to the Reserve \$135,802 in recurring funds and \$24,000 in nonrecurring funds that were appropriated in the 2005

Budget (SL 2005-276) and the 2006 Budget to the Secretary of State. Authorizes the Governor to establish two positions and spend the funds to implement H 1843 (Ethics and Lobbying Reform).

Modifies a proposed new section to the 2006 Budget relating to motorsports racing to delete a finding of the General Assembly and to delete a transfer to the Community Colleges System Office of \$1.5 million (from unexpended funds appropriated in 2004) for a "modern multiuse motorsports specialized training program." Also adds Guildford Technical Community College to the consortium to address training needs of the motorsports industry. Modifies the proposed amendment to GS 115C-499.1 to change the term "nonpublic" to "nonprofit."

Corrects the style of Section 13B. Deletes Section 15A, which would have amended GS 7A-133(b) (composition of district court districts). Revises proposed transfer of funds to the NC Indian Economic Development Initiative, Inc., by specifying that the funds are nonrecurring and making technical corrections. Deletes Section 24A (modifying allocations from the Reserve for Repairs and Renovations) and Section 25 (which would have modified the 2006 budget's provision allocating \$7 million from funds appropriated to the UNC system to be used for a joint plan for dental education and outreach).

August 14, 2006

SL 2006-221 (S 198). REVISE 2006 BUDGET ACT. AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2006. Summarized in *Daily Bulletin* 7/19/06, 7/20/06, 7/24/06, 7/25/06, and 7/27/06. Enacted August 10, 2006. Effective July 1, 2006, except as otherwise provided.