

March 14, 2007

**H 714. 2007 APPROPRIATIONS ACT-1.** Filed 3/14/07. *TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.*

Blank bill.

**Intro. by Michaux, Adams, Alexander, Crawford.**

APPROP

August 1, 2007

**H 714. 2007 BUDGET TECHNICAL CORRECTIONS ACT (NEW).** Filed 3/14/07. House committee substitute makes the following changes to 1st edition. Replaces blank bill with *AN ACT TO MAKE TECHNICAL, CLARIFYING, AND CONFORMING MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2007.*

Makes the following amendments to SL 2007-323 (Appropriations Act of 2007):

Section 10.36(d) - Adds *major depressive disorder* to the list of mental illness for which the Department of Health and Human Services (DHHS) cannot impose prior authorization requirements or other restrictions.

Section 10.36(d)(29)b.1 - Requires that services to EPSDT eligible children be provided by licensed (was, certified) clinical addictions specialists.

Section 10.36(d)(29)c. - Provides that certified (was, licensed) clinical supervisors are among the service providers to whom Medicaid-eligible adults may be self-referred.

Section 10.55(n) - Increases the appropriation from \$1.5 million to \$2 million for 2007-08 to the DHHS in the TANF Block Grant for Boys and Girls Clubs.

Section 12.9 – Makes formatting correction to statutory provision.

Section 14.25(m) – Provides that 10 of the 11 assistant district attorney positions (AD) established for District 22A and 22B are to be filled by 10 ADs currently serving in Davidson and Davie Counties (was Alexander and Iredell).

Section 28.22A (m1) – Amends GS 135-39.6A(a) to identify the Comprehensive Major Medical Plan for which the Executive Administrator and Board of Trustees, from time to time, is to establish premium rates is the Teachers' and State Employees' plan.

Section 28.22A(o) – Effective July 1, 2008, directs the Revisor of Statutes to delete all statutory references to *Teachers and State Employees' Comprehensive Major Medical Plan* and *North Carolina Teachers' and State Employees' Comprehensive Major Medical Plan* and substitute *State Health Plan for Teachers and State Employees*.

Adds the following new sections:

*Emergency Judge Pay* to amend GS 7A-52(b) to provide that each emergency judge of district or superior court receive in addition to the compensation to which the judge is otherwise entitled by law and the judge's actual expenses, \$400.00 (was, \$300.00) for each day of service rendered upon recall.

*Aid to Public Libraries* to direct the Department of Cultural Resources to distribute increases in the appropriation to public libraries based on the existing formula for Aid to Public Libraries.

Provides that if Senate Bill 613 (2007 Technical Corrections Act) is enacted, specified statutory provisions will be recodified.

Except as otherwise provided, the act becomes effective July 1, 2007.

August 2, 2007

**H 714. 2007 BUDGET TECHNICAL CORRECTIONS ACT.** Filed 3/14/07. Senate committee substitute makes the following changes to 2nd edition. Changes title to *AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2007.*

Deletes proposed technical correction to Section 12.9 of SL 2007-323 (Appropriations Act of 2007). Amends Section 7.32(d) of SL 2007-323 to provide that the dropout prevention grants must be made as expeditiously as possible. Adds new Section 7.41 to SL 2007-323 providing for use of funds appropriated to the Department of Public Instruction for Communities in Schools of NC, Inc. Adds new Section 7.42 to SL 2007-323 to provide for a joint legislative study committee

on public school funding formulas, to report to the 2008 legislative session. Provides that funding in the appropriations act for school bus retrofits is provided only if H 1912 becomes law.

Amends GS 7A-305(a3) to delete the additional \$100 filing fee for a petition for a limited driving privilege under GS 20-20.1. Makes a corresponding amendment to GS 20-20.2 to provide for a \$100 processing fee for the issuance of a limited driving privilege. Makes conforming changes to SL 2007-323.

Adds new Section 19.4 to SL 2007-323 to authorize the Department of Administration to study the availability and utilization of minority-owned and women-owned businesses by state and local entities, and examine evidence of discrimination. Adds new Section 27.20 to SL 2007-323 to specify that various required transfers are appropriations made by law. Adds new Section 29.15 to SL 2007-323 to authorize the Aquariums Division of the Department of Environment and Natural Resources to use revenues in the NC Aquariums Fund for capital improvements.

Reduces from 45 to 39 the number of positions that SL 2007-323 requires the Department of Revenue to move from General Fund to receipt supported. Provides that the tax form instructions for the Earned Income Tax Credit requirements become effective for taxable years beginning on or after January 1, 2008 (was, January 1, 2007). Effective October 1, 2009, amends GS 105-522(a)(2) and GS 105-523(a)(2), as enacted by SL 2007-323, to clarify calculations in the hold harmless amount distributions for municipalities and counties.

Effective July 1, 2007, amends GS 105-164.14(n) to provide that a taxpayer engaged in analytical services in NC is allowed a refund of sales and use tax paid in the state that is the greater of 50% of the eligible amount sales and use tax paid on tangible personal property, consumed or transformed in analytical service activities or 50% of the amount of sales and use tax paid during the fiscal year on medical reagents. Amends GS 105-129.95 to expand the definition of *costs of construction* for which a tax credit is allowed to include the costs of constructing and equipping rail tracks to the railroad intermodal facility that are necessary to access and support facility operations.

Repeals Section 24.4 of SL 2007-323, which would have transferred two administrative hearings positions from the Department of Revenue to the Department of Administration. Makes conforming and transitional changes.

Applying only to the period beginning August 1, 2007, and ending September 1, 2007, provides that a retailer is not liable for an over- or undercollection of sales tax if the retailer has (1) made a good faith effort to collect the proper amount of tax, and (2) over- or undercollected the amount of sales tax due to the changes in the tax rate under GS 105-164.4(a) made by SL 2007-323, Section 31.2.

Makes other technical and clarifying changes to SL 2007-323 (H1473).

August 10, 2007

**SL 2007-345 (H 714). 2007 BUDGET TECHNICAL CORRECTIONS ACT. AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2007.**

Summarized in *Daily Bulletin* 8/1/07 and 8/2/07. Enacted August 6, 2007. Effective July 1, 2007, unless otherwise provided.