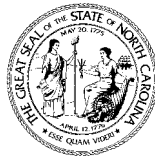


FAILED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. A2
(to be filled in by
Principal Clerk)

H1030-AMK-99 [v.4]

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Amends Title [NO]
Fifth Edition

Date _____, 2016

Senator McKissick

1 moves to amend the bill on page 63, line 10, through page 64, line 28, by deleting those lines; and
2
3 on page 32, lines 25-26, by inserting between those lines the following new section to read:

4
5 **"TEXTBOOK AND DIGITAL MATERIALS FORWARD FUNDING**

6 **SECTION 8.34.(a)** It is the intent of the General Assembly to move a portion of the
7 funding for textbooks into the Special Textbook and Digital Materials Fund Reserve (Reserve)
8 established under G.S. 115C-96.5, as enacted by this section, so that funds appropriated for
9 textbooks to the Reserve in a fiscal year are available for allocation by the State Board of
10 Education to local school administrative units for the following school year. This change shall
11 provide additional stability to ensure that North Carolina students are provided with adequate
12 textbooks and digital materials.

13 **SECTION 8.34.(b)** G.S. 115C-96 reads as rewritten:

14 **"§ 115C-96. Powers and duties of the State Board of Education in regard to textbooks.**

15 The children of the public elementary and secondary schools of the State shall be provided
16 with free basic textbooks within the appropriation of the General Assembly each fiscal year to the
17 Textbooks and Digital Materials Allotment and to the Special Textbook and Digital Materials
18 Fund Reserve established under G.S. 115C-96.5 for that purpose. To implement this directive, the
19 State Board of Education shall evaluate annually the amount of money necessary to provide
20 textbooks based on the actual cost and availability of textbooks and shall request sufficient
21 additional appropriations for the Textbooks and Digital Materials Allotment, as necessary, from
22 the General Assembly.

23 The State Board of Education shall administer ~~a fund~~ the funds available, in conjunction with
24 the Department of Public Instruction, and shall establish rules and regulations necessary to:

- 25 (1) Acquire by contract such basic textbooks as are or may be on the adopted list of
26 the State of North Carolina which the Board finds necessary to meet the needs
27 of the State public school system and to carry out the provisions of this Part.
28 (2) Provide a system of distribution of these textbooks and distribute the books that
29 are provided without using any depository or warehouse facilities other than
30 those operated by the State Board of Education.
31 (3) Provide for the free use, with proper care and return, of elementary and
32 secondary basic textbooks. The title of said books shall be vested in the State."



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1 **SECTION 8.34.(c)** Part 3 of Article 8 of Chapter 115C of the General Statutes is
2 amended by adding a new section to read:

3 **"§ 115C-96.5. The Special Textbook and Digital Materials Fund Reserve.**

4 The Special Textbook and Digital Materials Fund Reserve is established as a reserve to be
5 administered by the Department of Public Instruction for the purpose of providing textbooks to the
6 children of the public elementary and secondary schools of the State in accordance with this Part.
7 The Reserve shall consist of monies appropriated from the General Fund to the Reserve by the
8 General Assembly. These funds shall be used to allocate funds for textbooks to local school
9 administrative units in the fiscal year following the fiscal year in which the appropriation is made
10 to the Reserve. The Department shall only use monies in the Reserve in accordance with the
11 purposes set forth in this Part. The unobligated balance of funds in the Reserve at the end of each
12 fiscal year shall not revert to the General Fund but shall be used for those purposes set forth in this
13 Part for the next fiscal year."

14 **SECTION 8.34.(d)** G.S. 115C-96.5, as enacted by subsection (c) of this section, reads
15 as rewritten:

16 **"§ 115C-96.5. The Special Textbook and Digital Materials Fund Reserve.**

17 (a) The Special Textbook and Digital Materials Fund Reserve is established as a reserve to
18 be administered by the Department of Public Instruction for the purpose of providing textbooks to
19 the children of the public elementary and secondary schools of the State in accordance with this
20 Part. The Reserve shall consist of monies appropriated from the General Fund to the Reserve by
21 the General Assembly. These funds shall be used to allocate funds for textbooks to local school
22 administrative units in the fiscal year following the fiscal year in which the appropriation is made
23 to the Reserve. The Department shall only use monies in the Reserve in accordance with the
24 purposes set forth in this Part. The unobligated balance of funds in the Reserve at the end of each
25 fiscal year shall not revert to the General Fund but shall be used for those purposes set forth in this
26 Part for the next fiscal year.

27 (b) The General Assembly finds that, due to the critical need in this State to provide North
28 Carolina students with the resources necessary to receive a high quality education in the public
29 schools, it is imperative that the State provide an increase of funds of at least ten million dollars
30 (\$10,000,000) each fiscal year for 10 years to the Special Textbook and Digital Materials Fund
31 Reserve. Therefore, there is appropriated from the General Fund to the Reserve the following
32 amounts for each fiscal year to be used for the purposes set forth in this Part:

<u>Fiscal Year</u>	<u>Appropriation</u>
<u>2017-2018</u>	<u>\$44,840,000</u>
<u>2018-2019</u>	<u>\$54,840,000</u>
<u>2019-2020</u>	<u>\$64,840,000</u>
<u>2020-2021</u>	<u>\$74,840,000</u>
<u>2021-2022</u>	<u>\$84,840,000</u>
<u>2022-2023</u>	<u>\$94,840,000</u>
<u>2023-2024</u>	<u>\$104,840,000</u>
<u>2024-2025</u>	<u>\$114,840,000</u>
<u>2025-2026</u>	<u>\$124,840,000</u>
<u>2026-2027</u>	<u>\$134,840,000</u>

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1 For the 2027-2028 fiscal year and each fiscal year thereafter, there is appropriated from the
2 General Fund to the Reserve the sum of one hundred forty-four million eight hundred forty
3 thousand dollars (\$144,840,000) to be used for the purposes set forth in this Part."

4 **SECTION 8.34.(e)** Notwithstanding any other provision of law, the funds
5 appropriated to The University of North Carolina Board of Governors by this act for the 2016-
6 2017 fiscal year to establish the Opportunity Scholarship Grant Fund Reserve shall be reduced by
7 the sum of thirty-four million eight hundred forty thousand dollars (\$34,840,000) in nonrecurring
8 funds.

9 **SECTION 8.34.(f)** Notwithstanding any other provision of law, the funds
10 appropriated to the Department of Public Instruction by this act for the 2016-2017 fiscal year shall
11 be increased by the sum of thirty-four million eight hundred forty thousand dollars (\$34,840,000)
12 in nonrecurring funds to establish the Special Textbook and Digital Materials Fund Reserve
13 pursuant to G.S. 115C-95.6, as enacted by this section.

14 **SECTION 8.34.(g)** Subsection (d) of this section becomes effective July 1, 2017.";
15 and

16 on page 2, line 6, by increasing the amount on that line by \$34,840,000; and

17 on page 2, line 36, by reducing the amount on that line by \$34,840,000; and

18
19
20
21 by adjusting the appropriate totals accordingly.

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
Senate Principal Clerk's Office**