

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 528
Committee Substitute Favorable 4/11/17
Committee Substitute #2 Favorable 4/20/17
PROPOSED SENATE COMMITTEE SUBSTITUTE H528-PCS10400-ML-13

Short Title: Budget Technical Corrections. (Public)

Sponsors:

Referred to:

March 30, 2017

A BILL TO BE ENTITLED
AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO
THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2017.

The General Assembly of North Carolina enacts:

PART I. GENERAL PROVISIONS

SECTION 1.1. If Senate Bill 257, 2017 Regular Session, becomes law, then
Section 2.1 of that act reads as rewritten:

"SECTION 2.1. Appropriations from the General Fund of the State for the maintenance of
the State departments, institutions, and agencies, and for other purposes as enumerated, are
made for the fiscal biennium ending June 30, 2019, according to the following schedule:

Current Operations – General Fund	FY 2017-2018	FY 2018-2019
EDUCATION		
Community Colleges System Office	\$ 1,121,815,001 <u>1,122,341,120</u>	\$ 1,141,757,845
...		
Department of Commerce		
Commerce	140,649,732 <u>140,749,732</u>	130,158,878
Commerce State-Aid	20,100,810 <u>20,300,810</u>	16,155,810
...		
Department of Natural and Cultural Resources	185,613,349 <u>185,513,349</u>	174,477,424
...		
Department of Administration	63,691,021 <u>63,941,021</u>	63,396,752
...		
Office of State Budget and Management		
Office of State Budget and Management	8,180,546	8,255,244
OSBM – Reserve for Special Appropriations	8,740,000 <u>12,763,881</u>	2,000,000
...		
TOTAL CURRENT OPERATIONS –		
GENERAL FUND	\$ 22,975,769,893 <u>\$ 22,980,769,893</u>	\$23,650,253,958"



1 **SECTION 1.2.** If Senate Bill 257, 2017 Regular Session, becomes law, then
2 Section 5.3 of that act is amended by adding a new subsection to read:

3 "SECTION 5.3.(i) The Joint Legislative Commission on Governmental Operations shall
4 appoint a committee to study the Needs-Based Public School Capital Fund program established
5 in this section. The study committee shall consider at least all of the following:

6 (1) Obstacles to counties' ability to participate in or achieve maximum benefit
7 from the program.

8 (2) Potential uses of program funds, such as lease agreements and public-private
9 partnerships, to facilitate participation and school capital construction.

10 The study committee shall submit a report and any recommendations to the Joint
11 Legislative Commission on Governmental Operations on or before February 1, 2018."

12 13 **PART II. EDUCATION**

14 **SECTION 2.1.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part
15 VII of that act is amended by adding a new section to read:

16 **"PROGRAM ENHANCEMENT TEACHER FUNDS**

17 "SECTION 7.14. It is the intent of the General Assembly to use the data collected in
18 accordance with the reporting requirements set forth in Section 2 of S.L. 2017-9 to fund a new
19 allotment for program enhancement teachers for local school administrative units beginning
20 with the 2018-2019 fiscal year."

21 **SECTION 2.2.** If Senate Bill 257, 2017 Regular Session, becomes law, then
22 Section 7.23A(a)(2) of that act reads as rewritten:

23 (2) Security advisory and consulting services. – Five regional security
24 consultants working with schools to assess security posture and develop and
25 implement improvement plans. The plans shall include security policy,
26 ~~building security programs,~~ implementing effective security controls, and
27 ongoing support for operating security governance."

28 **SECTION 2.3.** If Senate Bill 257, 2017 Regular Session, becomes law, then
29 G.S. 115C-64.28(b), as enacted by Section 7.23I of that act, reads as rewritten:

30 (b) The Associate Superintendent shall be appointed by the Superintendent of Public
31 Instruction at a salary established by the Superintendent of Public Instruction within the funds
32 appropriated for that purpose. The Associate Superintendent may be removed from the position
33 by the Superintendent of Public ~~Instruction in the event of the Associate Superintendent's~~
34 ~~incapacity to serve.~~ Instruction. The Associate Superintendent shall be exempt from the
35 provisions of Chapter 126 of the General Statutes, except for Articles 6 and 7 of Chapter 126 of
36 the General Statutes.

37 All other staff shall be appointed, supervised, and directed by the Associate Superintendent
38 and shall be subject to the provisions of Chapter 126 of the General Statutes. Except for the
39 Associate Superintendent, salaries and compensation of all staff personnel shall be fixed in the
40 manner provided by law for fixing and regulating salaries and compensation by other State
41 agencies."

42 **SECTION 2.4.** If Senate Bill 257, 2017 Regular Session, becomes law, then
43 Section 7.23J(b) of that act reads as rewritten:

44 ~~"SECTION 7.23J.(b) This section applies beginning with the use of funds during the~~
45 ~~2014-2015 fiscal year.~~ The report required by December 1, 2017, pursuant to
46 G.S. 115C-105.25(d), as enacted by this section, shall include information on uses of funds
47 pursuant to G.S. 115C-105.25(c), as amended by this section, for the 2014-2015, 2015-2016,
48 and 2016-2017 fiscal years."

49 **SECTION 2.5.** If Senate Bill 257, 2017 Regular Session, becomes law, then
50 G.S. 115C-83.15, as amended by Section 7.26 of that act, reads as rewritten:

51 **"§ 115C-83.15. School achievement, growth, performance scores, and grades.**

1 (a) School Scores and Grades. – The State Board of Education shall award school
2 achievement, growth, and performance scores and an associated performance grade as required
3 by G.S. 115C-12(9)c1., and calculated as provided in this section. ~~The State Board of~~
4 ~~Education shall enter all necessary data into the Education Value Added Assessment System~~
5 ~~(EVAAS) in order to calculate school performance scores and grades.~~

6 ...

7 (c) Calculation of the School Growth Score as a Measure of School Quality and Student
8 Success. – Using ~~EVAAS, the Education Value-Added Assessment System (EVAAS)~~, the State
9 Board shall calculate the overall growth score earned by schools as a measure of school quality
10 and student success. In calculating the total growth score earned by schools, the State Board of
11 Education shall weight student growth on the achievement indicators as provided in subsection
12 (b) of this section that have available growth values. The numerical values used to determine
13 whether a school has met, exceeded, or has not met expected growth shall be translated to a
14 100-point scale and used for school reporting purposes as provided in G.S. 115C-12(9)c1.,
15 115C-218.65, 115C-238.66, and 116-239.8.

16 (d) Calculation of the Overall School Performance Scores and Grades. – The State
17 Board of Education shall ~~use EVAAS to~~ calculate the overall school performance score by
18 adding the school achievement score, as provided in subsection (b) of this section, and the
19 school growth score, as determined using EVAAS as provided in subsection (c) of this section,
20 earned by a school. The school achievement score shall account for eighty percent (80%), and
21 the school growth score shall account for twenty percent (20%) of the total sum. For all
22 schools, the total school performance score shall be converted to a 100-point scale and used to
23 determine an overall school performance grade. The overall school performance grade shall be
24 based on the following scale and shall not be modified to add any other designation related to
25 other performance measures, such as a "plus" or "minus":

26 ...

27 (d2) Calculation of the School Performance Scores and Grades for Certain Subgroups of
28 Students Served by a School. – In addition to the overall school performance scores and grades
29 awarded under this section, for each school that serves a minimum number of students in a
30 subgroup of students listed in subsection (d1) of this section, the State Board of Education shall
31 ~~use EVAAS to~~ calculate school performance scores and shall determine a corresponding school
32 performance grade for each subgroup using the same method as set forth in subsection (d) of
33 this section. School performance scores for subgroups of students shall not be included in the
34 calculation of the overall school performance scores and grades under subsection (d) of this
35 section.

36"

37 **SECTION 2.6.** If Senate Bill 257, 2017 Regular Session, becomes law, then
38 Section 7.27 of that act reads as rewritten:

39 **"READ TO ACHIEVE DIAGNOSTIC CHANGES**

40 ...

41 **"SECTION 7.27.(c1)** Of the funds appropriated to the Department of Public Instruction by
42 S.L. 2015-241 for the Excellent Public Schools Act in the 2016-2017 fiscal year, up to five
43 million dollars (\$5,000,000) shall not revert at the end of the 2016-2017 fiscal year but shall
44 remain available until the end of the 2017-2018 fiscal year. These funds shall be allotted to
45 local school administrative units for the purchase of computers or other electronic devices used
46 for the administration of the formative and diagnostic reading assessments made available by
47 the State Board of Education pursuant to G.S. 115C-174.11.

48 **"SECTION 7.27.(d)** Subsection (a) of this section applies beginning with the 2018-2019
49 school year. Subsection (c1) of this section becomes effective June 30, 2017."

50 **SECTION 2.7.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part
51 VII of that act is amended by adding a new section to read:

"EASTERN NORTH CAROLINA STEM/HALIFAX COUNTY SCHOOLS

"SECTION 7.36. Notwithstanding any other provision of law, students enrolled in Halifax County Schools shall be permitted to participate in the residential science, mathematics, engineering, and technology (STEM) enrichment program for traditionally underserved students supported by the sum of three hundred thousand dollars (\$300,000) in nonrecurring funds appropriated by this act to the Department of Public Instruction for the 2017-2018 fiscal year to be used by the State Board of Education to contract for administration of the program."

SECTION 2.8. If Senate Bill 257, 2017 Regular Session, becomes law, then Part VII of that act is amended by adding a new section to read:

"DPI VACANT POSITION FUNDS

"SECTION 7.37.(a) Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, for the 2017-2019 fiscal biennium, the Department of Public Instruction shall neither (i) eliminate position number 60009676, Education Consultant III, nor (ii) reduce the funds in Fund Code 1300 by the sum of one hundred eleven thousand forty-two dollars (\$111,042) in each fiscal year to correspond with the elimination of that position.

"SECTION 7.37.(b) Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, for the 2017-2019 fiscal biennium, the Department of Public Instruction shall (i) eliminate position number 60009518, Social/Clinical Research Specialist, and reduce the funds in Fund Code 1300 by the sum of sixty-seven thousand six hundred forty-nine dollars (\$67,649) in each fiscal year to correspond with the elimination of that position and (ii) reduce the funds in Fund Code 1300 by the sum of forty-three thousand three hundred ninety-three dollars (\$43,393) in each fiscal year to decrease support for the operating costs of the Department."

SECTION 2.9. If Senate Bill 257, 2017 Regular Session, becomes law, then Section 8.26(n) of S.L. 2015-241, as amended by Section 7.3 of S.L. 2016-123, reads as rewritten:

"SECTION 8.26.(n) By July 1, 2018, the Department of Public Safety shall implement ~~an anonymous safety tip line application and~~ a statewide panic alarm system as required under G.S. 115C-105.51, as amended by subsection (d) of this section."

SECTION 2.10.(a) If Senate Bill 257, 2017 Regular Session, becomes law, then Section 8.8B(d) of that act reads as rewritten:

"SECTION 8.8B.(d) ~~This section applies beginning with bonuses awarded in January 2018.~~ Subsections (a) and (b) of this section apply for bonuses awarded in January 2018, 2019, and 2020, based on data from the 2016-2017, 2017-2018, and 2018-2019 school years, respectively. Subsection (c) of this section applies only for bonuses awarded in January 2018, based on data from the 2016-2017 school year."

SECTION 2.10.(b) If Senate Bill 257, 2017 Regular Session, becomes law, then Section 8.8C of that act reads as rewritten:

"THIRD GRADE READ TO ACHIEVE TEACHER BONUS PROGRAM—FOR 2018-2019

"SECTION 8.8C.(a) It is the intent of the State to reward teacher performance and encourage student learning and improvement. To attain this goal, the Department of Public Instruction shall administer the Third Grade Read to Achieve Teacher Bonus Program (program) ~~for the 2018-2019 fiscal year~~ to qualifying teachers who have an Education Value-Added Assessment System (EVAAS) student growth index score for third grade reading from the previous school year, as follows:

...

"SECTION 8.8C.(c) The State Board of Education shall study the effect of the bonuses awarded pursuant to this section and Section 9.7 of S.L. 2016-94, as amended by Section 8.8B of this act, on teacher performance and retention. The State Board shall report the results of its

1 findings, the distribution of statewide bonuses as among local school administrative units, and
2 the distribution of bonuses within local school administrative units as among individual schools
3 to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the
4 Joint Legislative Education Oversight Committee, and the Fiscal Research Division by March
5 15, 2019.15 of each year.

6 "**SECTION 8.8C.(d)** This section applies for bonuses awarded in January 2019 and 2020,
7 based on data from the 2017-2018 and 2018-2019 school years, respectively."

8 **SECTION 2.11.** If Senate Bill 257, 2017 Regular Session, becomes law, then
9 Section 9.3(a) of that act reads as rewritten:

10 "**SECTION 9.3.(a)** The State Board of Community Colleges shall study the costs of
11 workforce training and academic instruction delivered by the community colleges. The study
12 shall assess, at minimum, the various factors that affect instructional costs in these courses,
13 including specialized equipment ~~requirements, requirements and faculty salaries, and space~~
14 ~~requirements.salaries.~~"

15 **SECTION 2.12.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part
16 IX of that act is amended by adding a new section to read:

17 "**FORSYTH TECHNICAL COMMUNITY COLLEGE TRANSPORTATION**
18 **TECHNOLOGY CENTER FUNDS**"

19 "**SECTION 9.16.** Notwithstanding any other provision of law or a provision of the
20 Committee Report described in Section 39.2 of this act to the contrary, of the funds
21 appropriated to the Community Colleges System Office by this act for the 2017-2018 fiscal
22 year, the System Office shall allocate the sum of five hundred twenty-six thousand one hundred
23 nineteen dollars (\$526,119) for the 2017-2018 fiscal year to Forsyth Technical Community
24 College to support instructional programs and services at the Transportation Technology
25 Center."

26 **SECTION 2.13.** If Senate Bill 257, 2017 Regular Session, becomes law, then
27 Section 10.8(c) of that act reads as rewritten:

28 "**SECTION 10.8.(c)** The University of North Carolina shall report to the Office of State
29 Budget and Management and the Fiscal Research Division on the implementation of the
30 management flexibility reduction in this section ~~for the 2017-2018 fiscal year to the Office of~~
31 ~~State Budget and Management and the Fiscal Research Division no later than April 1, 2018,~~
32 ~~and shall report on the implementation of the management flexibility reduction in this section~~
33 ~~for the 2018-2019 fiscal year to the Office of State Budget and Management and the Fiscal~~
34 ~~Research Division no later than April 1, 2019.~~

35 The reports shall identify both of the following by campus:

- 36 (1) The total number of positions eliminated by type (faculty/nonfaculty).
- 37 (2) The low-performing, redundant, and low-enrollment programs that were
38 eliminated."

39 **SECTION 2.14.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part
40 X of that act is amended by adding a new section to read:

41 "**NORTH CAROLINA STATE UNIVERSITY COOPERATIVE EXTENSION**"

42 "**SECTION 10.29.** Notwithstanding any other provision of this act or descriptive language
43 to the contrary in the Committee Report described in Section 39.2 of this act, the revised net
44 appropriation for North Carolina State University Cooperative Extension is thirty-nine million
45 ninety-five thousand two hundred thirty-one dollars (\$39,095,231) for the 2017-2018 fiscal
46 year and thirty-nine million one hundred ninety-five thousand two hundred thirty-one
47 (\$39,195,231) dollars for the 2018-2019 fiscal year."

48 **SECTION 2.15.** If Senate Bill 257, 2017 Regular Session, becomes law, then
49 Section 10A.1(a) of that act reads as rewritten:

50 "**SECTION 10A.1.(a)** Notwithstanding G.S. 115C-562.8, of the funds appropriated by this
51 act for the Opportunity Scholarship Grant Fund Reserve for the 2017-2018 fiscal year, the State

1 Education Assistance Authority (Authority) may use up to one million eight hundred thousand
2 dollars (\$1,800,000) ~~in nonrecurring funds~~ for the 2017-2018 fiscal year to purchase software
3 necessary to support the administration of the Opportunity Scholarship Grant Program and the
4 Special Education Scholarships for Children with Disabilities Program. These funds may also
5 be used for customization of the software, development of interfaces with other internal
6 systems, conversion of data, and training for staff on the new software system."

7 **SECTION 2.16.(a)** If Senate Bill 257, 2017 Regular Session, becomes law, then
8 Section 27.6 of S.L. 2016-94, as amended by Section 10.23 of Senate Bill 257, 2017 Regular
9 Session, reads as rewritten:

10 **"SECTION 27.6.** Of the funds appropriated in this act to the Office of State Budget and
11 Management, Special Appropriations, up to the sum of four million dollars (\$4,000,000) in
12 nonrecurring funds for the 2016-2017 fiscal year shall be allocated to the Board of Trustees of
13 the University of North Carolina at Chapel Hill for ~~operation~~ the repair and renovation of
14 certain laboratories of the Department of Applied Physical Sciences. Allocations made pursuant
15 to this section shall be matched by the ~~Board of Trustees~~ University of North Carolina at
16 Chapel Hill on the basis of one dollar (\$1.00) in allocated funds for every one dollar (\$1.00) in
17 non-State funds ~~that the Board of Trustees raises by June 30, 2019, for the purposes of~~
18 ~~operating the Department of Applied Physical Sciences. These funds shall not revert but shall~~
19 ~~continue to be available as matching funds for the 2017-2019 fiscal biennium for the purposes~~
20 ~~of operating the Department of Applied Physical Sciences as provided by this section.~~ provided
21 by the University of North Carolina at Chapel Hill by June 30, 2018, for the purposes of
22 repairing and renovating certain laboratories of the Department of Applied Physical Sciences.
23 These funds shall not revert but shall continue to be available as matching funds for the
24 2017-2018 fiscal year to be used for the purposes set out in this section."

25 **SECTION 2.16.(b)** This section becomes effective June 30, 2017.

26 **SECTION 2.17.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part
27 X of that act is amended by adding a new section to read:

28 **"NCSU BIOMANUFACTURING TRAINING AND EDUCATIONAL CENTER**

29 **"SECTION 10.30.** Notwithstanding any other provision of this act or descriptive language
30 to the contrary in the Committee Report described in Section 39.2 of this act, the additional
31 nonrecurring funds appropriated in this act in the amount of five hundred thousand dollars
32 (\$500,000) for the North Carolina State University Biomanufacturing Training and Education
33 Center (BTEC) shall be used only to support training and education."

34 **SECTION 2.18.(a)** If Senate Bill 257, 2017 Regular Session, becomes law, then
35 G.S. 115C-12(9)c1.3., as amended by Section 7.26(a) of that act, reads as rewritten:

36 "3. For high schools, measures of Advanced Placement course
37 ~~participation~~ participation, Cambridge Advanced International
38 Certificate of Education (AICE) Program participation, and
39 International Baccalaureate Diploma Programme
40 participation and Advanced Placement ~~Placement, Cambridge~~
41 AICE, and International Baccalaureate examination
42 participation and performance."

43 **SECTION 2.18.(b)** This section applies beginning with the 2017-2018 school year.
44

45 **PART III. HEALTH AND HUMAN SERVICES**

46 **SECTION 3.1.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part
47 XI of that act is amended by adding a new section to read:

48 **"FUNDS FOR ALZHEIMER'S REGISTRY**

49 **"SECTION 11A.5A.** Notwithstanding any other provision of law or descriptive language
50 to the contrary in the Committee Report described in Section 39.2 of this act, recurring funds
51 appropriated in this act to the Department of Health and Human Services, Division of Central

1 Management and Support, for each fiscal year of the 2017-2019 fiscal biennium to support the
2 development of an Alzheimer's Registry shall be accomplished through the Bryan Alzheimer's
3 Disease Research Center at Duke University Medical Center."

4 **SECTION 3.2.** If Senate Bill 257, 2017 Regular Session, becomes law, then
5 Section 11A.8(d) of that act reads as rewritten:

6 "**SECTION 11A.8.(d)** The Office of Rural Health shall develop a standardized method for
7 grant recipients to report objective, measurable quality health outcomes and shall require grant
8 recipients to report these quality health outcomes to the Department. Beginning July 1, 2018,
9 recipients of grant funds shall annually provide to the Office of Rural Health a written report
10 detailing the number of patients that are cared for, the types of services that were provided,
11 quality measures and outcomes, and any other information requested by the Office of Rural
12 Health as necessary for evaluating the success of the Community Health Grant Program."

13 **SECTION 3.3.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part
14 XI of that act is amended by adding a new section to read:

15 **"FUNDS FOR H.E.L.P. CENTER, INC.**

16 **"SECTION 11E.13A.** Notwithstanding any other provision of law or descriptive language
17 to the contrary in the Committee Report described in Section 39.2 of this act, nonrecurring
18 funds appropriated in this act to the Department of Health and Human Services, Division of
19 Public Health, for the 2017-2018 fiscal year for allocation to the H.E.L.P. Center, Inc., may be
20 used to support all nonsectarian services and all recipients of nonsectarian services provided by
21 the H.E.L.P. Center, Inc."

22 **SECTION 3.4.** If Senate Bill 257, 2017 Regular Session, becomes law, then
23 Section 11L.1 of that act is amended by adding a new subsection to read:

24 **"SECTION 11L.1.(ff)** Of the four hundred fifty-one thousand eight hundred nine dollars
25 (\$451,809) allocated in this section in the Preventive Health Services Block Grant in each year
26 of the 2017-2019 fiscal biennium to the Department of Health and Human Services, Division of
27 Public Health, Oral Health Preventive Services, one hundred twenty thousand two hundred
28 eighty-six dollars (\$120,286) shall be used to establish a Public Health Epidemiologist II
29 position and a Dental Equipment Technician I position."

30
31 **PART IV. AGRICULTURE AND NATURAL AND ECONOMIC RESOURCES**

32 **SECTION 4.1.** If Senate Bill 257, 2017 Regular Session, becomes law, then
33 Section 13.13(d) of that act reads as rewritten:

34 **"SECTION 13.13.(d)** The North Carolina Policy Collaboratory, in consultation with the
35 Economic Development Partnership of North Carolina, the Department of Commerce, and the
36 Department of Natural and Cultural Resources, and any other stakeholders the Partnership
37 deems relevant, including the North Carolina Tourism Advisory Board, the North Carolina
38 Restaurant and Lodging Association, the North Carolina Shellfish Growers Association, and
39 the North Carolina Fisheries Association, shall develop conceptual plans and recommendations
40 for economic development related to promotion of the State's shellfish harvesting heritage. The
41 plans and recommendations shall include the creation of a North Carolina Oyster Trail and a
42 North Carolina Oyster Festival. Plan development shall be congruent with the ongoing work of
43 the North Carolina Policy Collaboratory and its stakeholder group as described in this section
44 and shall include recommendations of locations, oversight, governmental support, cost, and
45 timing of when such initiatives should be launched in the future, including, but not limited to,
46 achieving production and acreage benchmarks, in addition to any other information deemed
47 relevant for inclusion. The Collaboratory's recommendations shall be provided no later than
48 March 1, 2018; December 31, 2018, to the Joint Legislative Oversight Committee on
49 Agriculture and Natural and Economic Resources, the chairs of the House of Representatives
50 Appropriations Committee on Agriculture and Natural and Economic Resources, the chairs of
51 the Senate Appropriations Committee on Agriculture, Natural, and Economic Resources, and

1 the Fiscal Research Division. This study, as it may be subsequently amended after submission,
2 shall be included as an appendix to the Shellfish Mariculture Plan required by subsection (b) of
3 this section."

4 **SECTION 4.2.** If Senate Bill 257, 2017 Regular Session, becomes law, then
5 Section 13.22(a) of that act reads as rewritten:

6 "**SECTION 13.22.(a)** The following allocations are made from ~~nonrecurring~~ funds
7 appropriated by this act to the Division of Water Infrastructure of the Department of
8 Environmental Quality for water and sewer infrastructure grants:

9 "...."

10 **SECTION 4.3.** If Senate Bill 257, 2017 Regular Session, becomes law, then
11 Section 14.19 of that act reads as rewritten:

12 "**SCOTTS HILL AQUARIUM SATELLITE FACILITY**

13 "**SECTION 14.19.** ~~Of the~~The funds appropriated by this act to the Division of North
14 Carolina Aquariums in the North Carolina Department of Natural and Cultural Resources, the
15 sum of three hundred thousand dollars (\$300,000) in nonrecurring funds for the 2017-2018
16 fiscal year is allocatedResources for a satellite aquarium facility shall be used for planning of
17 the Blake Farms satellite aquarium area in Scotts Hill, North Carolina, and the Division is
18 authorized to expend funds for this purpose."

19 **SECTION 4.4.(a)** If Senate Bill 257, 2017 Regular Session, becomes law, then
20 Part XIII of that act is amended by adding a new section to read:

21 "**COASTAL RECREATIONAL FISHING LICENSES POSITIONS**

22 "**SECTION 13.28.** Notwithstanding any other provision of law or a provision of the
23 Committee Report described in Section 39.2 of this act to the contrary, the Division of Marine
24 Fisheries positions authorized in this act and supported by receipts from the sales of Coastal
25 Recreational Fishing Licenses are authorized in the Marine Resources Fund (Fund Code
26 24323-2143)."

27 **SECTION 4.4.(b)** If Senate Bill 257, 2017 Regular Session, becomes law, then
28 Part XIII of that act is amended by adding a new section to read:

29 "**ENERGY CENTERS**

30 "**SECTION 13.29.** Notwithstanding any other provision of law or a provision of the
31 Committee Report described in Section 39.2 of this act to the contrary, the funds appropriated
32 by this act to the Department of Environmental Quality for university energy centers shall be
33 divided evenly between North Carolina A&T University, Appalachian State University, and
34 North Carolina State University."

35 **SECTION 4.4.(c)** If Senate Bill 257, 2017 Regular Session, becomes law, then
36 Part XIV of that act is amended by adding a new section to read:

37 "**LOCAL HISTORY MUSEUM FUNDING**

38 "**SECTION 14.20.** Notwithstanding any other provision of law or a provision of the
39 Committee Report described in Section 39.2 of this act to the contrary, (i) the revised net
40 appropriation for grants-in-aid to local history museums within Fund Code 14800-1500 is one
41 hundred sixty thousand dollars (\$160,000) and (ii) the funds appropriated by this act for a
42 grant-in-aid for the Oxford Museum of History shall instead be provided to the Granville
43 County Historical Society, Incorporated."

44 **SECTION 4.5.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part
45 XIV of that act is amended by adding a new section to read:

46 "**ART MUSEUM POSITIONS**

47 "**SECTION 14.21.** Notwithstanding any other provision of law or a provision of the
48 Committee Report described in Section 39.2 of this act to the contrary, the funds provided in
49 this act for the North Carolina Museum of Art may be used to establish up to 25 positions."

50 **SECTION 4.6.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part
51 XIV of that act is amended by adding a new section to read:

"LOCAL LIBRARY GRANTS-IN-AID

"SECTION 14.22. Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, (i) the funds appropriated by this act for grants-in-aid for local libraries is reduced by one hundred thousand dollars (\$100,000) in nonrecurring funds for the 2017-2018 fiscal year and no funds shall be provided to Caldwell County for a bookmobile and (ii) the funds appropriated by this act for grants-in-aid for the Aberdeen Library shall be provided to the Friends of the Aberdeen Library and not to the Town of Aberdeen."

SECTION 4.7. If Senate Bill 257, 2017 Regular Session, becomes law, then Section 15.5(b)(1) of that act is repealed.

SECTION 4.8.(a) If Senate Bill 257, 2017 Regular Session, becomes law, then Section 15.8(a) of that act reads as rewritten:

"SECTION 15.8.(a) Of the funds appropriated in this act to the Rural Economic Development Division of the Department of Commerce, the sum of five million ~~seven-eight~~ hundred seventy-five thousand dollars (~~(\$5,775,000)~~(\$5,875,000) in nonrecurring funds for the 2017-2018 fiscal year shall be used to provide grants-in-aid for downtown revitalization projects for each of the following counties and municipalities in the following amounts:

...

(15) Thirty-three thousand three hundred thirty-four dollars (\$33,334) each to the Town of ~~Littleton~~ Littleton, the Town of Summerfield, and the Town of Weldon.

(16) Thirty-three thousand three hundred thirty-three dollars (\$33,333) each to the Town of Stokesdale, the Town of Oak Ridge, the Town of Enfield, the Town of Garysburg, the Township of Seaboard, and the Town of Woodland.

...."

SECTION 4.8.(b) If Senate Bill 257, 2017 Regular Session, becomes law, then notwithstanding any provision in that act, or in the Committee Report described in Section 39.2 of that act to the contrary, the appropriation for downtown revitalization grants within the Rural Economic Development Division of the Department of Commerce (Fund Code 14600-1534) is increased by one hundred thousand dollars (\$100,000) in nonrecurring funds. The revised net appropriation for downtown revitalization grants is eight million six hundred thirty thousand dollars (\$8,630,000).

SECTION 4.9. If Senate Bill 257, 2017 Regular Session, becomes law, then Section 15.18(a) of that act reads as rewritten:

"SECTION 15.18.(a) The North Carolina Industrial Commission (Commission) may carry forward up to two hundred fifty thousand dollars (\$250,000) ~~of State funds previously appropriated~~ appropriated, encumbered, or designated in the 2015-2016 fiscal year for legal services. Any funds remaining after completion of the legal services for which the funds were appropriated shall be retained by the Commission."

SECTION 4.10.(a) If Senate Bill 257, 2017 Regular Session, becomes law, then, notwithstanding any provision of law in that act or in the Committee Report described in Section 39.2 of that act to the contrary, the appropriation to the Department of Commerce for State Aid to Non-State Entities in Fund Code 14601-1913 is increased by two hundred thousand dollars (\$200,000) in nonrecurring funds for the 2017-2018 fiscal year to be provided as a grant-in-aid to Cleveland County ALWS Baseball, Inc., the nonprofit organization responsible for hosting the 2017 American Legion Baseball World Series, for the expansion of the facility and marketing and national promotion for the home site in Shelby, North Carolina. The revised net appropriation for State Aid to Non-State Entities (Fund Code 14601-1913) is twenty million three hundred thousand eight hundred ten dollars (\$20,300,810) for the 2017-2018 fiscal year.

1 **SECTION 4.10.(b)** If Senate Bill 257, 2017 Regular Session, becomes law, then
2 Section 15A.2(c) of that act reads as rewritten:

3 **"SECTION 15A.2.(c)** The following entities shall comply with the requirements of
4 subsection (a) of this section:

5 (1) North Carolina Biotechnology Center.

6 ...

7 (16) Cleveland County ALWS Baseball, Inc."

8 **SECTION 4.11.** If Senate Bill 257, 2017 Regular Session, becomes law, then
9 G.S. 143-215.73F(c)(4) reads as rewritten:

10 (4) The cost-share for the dredging of the access canal around the Roanoke
11 Island Festival Park ~~may~~ shall be paid from the Historic Roanoke Island
12 Fund established by G.S. 143B-131.8A."

13 **SECTION 4.12.** If Senate Bill 257, 2017 Regular Session, becomes law, then
14 G.S. 143B-135.234(a) reads as rewritten:

15 (a) Fund Established. – The Clean Water Management Trust Fund is established as a
16 special revenue fund to be administered by the Department of ~~Environmental Quality~~. Natural
17 and Cultural Resources. The Fund receives revenue from the following sources and may
18 receive revenue from other sources:

19 "

20 21 **PART V. JUSTICE AND PUBLIC SAFETY**

22 **SECTION 5.1.** If Senate Bill 257, 2017 Regular Session, becomes law, then
23 Section 16B.10(e) of that act reads as rewritten:

24 **"SECTION 16B.10.(e)** Notwithstanding any other provision of law, there shall be no
25 transfer of positions to or from the State Capitol Police Section (Budget Code 14550, fund code
26 1402) and no ~~changes~~ reduction to the total authorized budget of the State Capitol Police
27 Section, as it existed on March 1, 2017, prior to the transfer of the State Capitol Police from the
28 State Highway Patrol to the Department of Public Safety. This subsection shall not apply to
29 transfers of positions or changes to the total authorized budget of the State Capitol Police that
30 are expressly required by the Committee Report described in Section 39.2 of this act."

31 **SECTION 5.2.** If Senate Bill 257, 2017 Regular Session, becomes law, then
32 Subpart XVI-B of that act is amended by adding a new section to read:

33 **"OPERATION MEDICINE DROP**

34 **"SECTION 16B.12.** Of the funds appropriated in this act to the State Bureau of
35 Investigation (SBI) in fiscal year 2017-2018, including funds appropriated for Alcohol Law
36 Enforcement, the SBI may use up to one hundred twenty-five thousand dollars (\$125,000) for
37 Operation Medicine Drop."

38 **SECTION 5.3.** If Senate Bill 257, 2017 Regular Session, becomes law, then
39 G.S. 7B-2200.5(a)(1), as enacted by Section 16D.4(e) of that act, reads as rewritten:

40 (1) Notice to the juvenile and a finding by the court that a bill of indictment has
41 been returned against the juvenile charging the commission of an offense
42 that constitutes a Class A, B1, B2, C, D, E, F, or G felony if committed by
43 an adult."

44 **SECTION 5.4.** If Senate Bill 257, 2017 Regular Session, becomes law, then
45 subsection (jj) of Section 16D.4 of that act reads as rewritten:

46 **"SECTION 16D.4.(jj)** Subsection (ff) of this section is effective when it becomes law.
47 ~~The remainder of this Part becomes~~ Subsections (ee), (gg), (hh), and (ii) of this section become
48 effective December 1, 2019, and apply to offenses committed on or after that date."

49 50 **PART VI. GENERAL GOVERNMENT**

1 **SECTION 6.1.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part
2 XIX of that act is amended by adding a new section to read:

3 **"NO CLOSURE OF VETERANS CEMETERIES**

4 **"SECTION 19.3.(a)** The Office of State Budget and Management shall realign the base
5 budget for Budget Code 23050 for the 2017-2019 fiscal biennium to include five FTE
6 positions, increase receipts, and include any other necessary operational costs for the Eastern
7 Carolina State Veterans Cemetery in Goldsboro.

8 **"SECTION 19.3.(b)** The Department of Military and Veterans Affairs (DMVA) shall not
9 close any of the State's veterans cemeteries. The DMVA shall continue to operate the State's
10 veterans cemeteries and maintain the current level of operations using any or all of the
11 following financial supports: (i) receipts generated by any of the State owned veterans
12 cemeteries, (ii) carryforward funding, and (iii) reserve account fund balances under the purview
13 of DMVA."

14 **SECTION 6.2.** If Senate Bill 257, 2017 Regular Session, becomes law, then
15 Section 22.2 of that act reads as rewritten:

16 **"SECTION 22.2.** Section 7 of S.L. 2009-474, as amended by Section 20.3 of S.L.
17 2012-142, ~~is~~ and Section 8 of S.L. 2009-474 are repealed."

18 **SECTION 6.3.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part
19 XXVI of that act is amended by adding a new section to read:

20 **"FIRE AND RESCUE GRANTS-IN-AID**

21 **"SECTION 26.8.(a)** Notwithstanding any other provision of this act or the provisions of
22 the Committee Report described in Section 39.2 of this act to the contrary, of the funds
23 appropriated in this act to the Office of State Budget and Management, Special Appropriations,
24 the sum of one hundred thousand dollars (\$100,000) in nonrecurring funds for the 2017-2018
25 fiscal year shall be allocated to Caldwell County for EMS services. These funds are in addition
26 to grant-in-aid funds appropriated to the Office of State Budget and Management, Special
27 Appropriations, and shown in the Committee Report described in Section 39.2 of this act, to be
28 allocated to Caldwell County for EMS services for the 2017-2018 fiscal year.

29 **"SECTION 26.8.(b)** Notwithstanding any other provision of this act or the provisions of
30 the Committee Report described in Section 39.2 of this act to the contrary, the revised net
31 appropriation for fire and rescue grants-in-aid is six hundred forty-five thousand dollars
32 (\$645,000) in nonrecurring funds for the 2017-2018 fiscal year."

33 **SECTION 6.4.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part
34 XXVI of that act is amended by adding a new section to read:

35 **"INDIAN AFFAIRS COMMISSION**

36 **"SECTION 26.9.** Notwithstanding any other provision of this act or the provisions of the
37 Committee Report described in Section 39.2 of this act to the contrary, of the funds
38 appropriated in this act to the Department of Administration Budget Code 14100, the sum of
39 two hundred fifty thousand dollars (\$250,000) in nonrecurring funds for the 2017-2018 fiscal
40 year shall be allocated to the Indian Affairs Commission (Fund Code 1861) for operational
41 support. These funds shall be used to expedite the recognition review process of North Carolina
42 tribes and commissions. The revised net appropriation for the Indian Affairs Commission is six
43 hundred eighty-two thousand three hundred thirty-six dollars (\$682,336) for the 2017-2018
44 fiscal year."

45 **SECTION 6.5.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part
46 XXXI of that act is amended by adding a new section to read:

47 **"REDUCTION FOR OSBM SPECIAL APPROPRIATIONS**

48 **"SECTION 31.5.** Notwithstanding any other provision of this act or the Committee Report
49 described in Section 39.2 of this act to the contrary, the funds appropriated in this act to the
50 Office of State Budget and Management, Special Appropriations, for the dinosaur project at the
51 North Carolina Museum of Natural Sciences to improve the visitor experience are reduced by

1 one million two hundred twenty-six thousand one hundred nineteen dollars (\$1,226,119) in
2 nonrecurring funds for the 2017-2018 fiscal year. The revised net appropriation for this project
3 is two hundred seventy-three thousand eight hundred eighty-one dollars (\$273,881) in
4 nonrecurring funds for the 2017-2018 fiscal year only."

5 **SECTION 6.6.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part
6 XXXI of that act is amended by adding a new section to read:

7 **"JOSEPH MONTFORT AMPHITHEATRE REDEVELOPMENT**

8 "SECTION 31.6. Notwithstanding any other provision of this act or the Committee Report
9 described in Section 39.2 of this act to the contrary, of the funds appropriated to the Office of
10 State Budget and Management, Special Appropriations, the sum of one hundred fifty thousand
11 dollars (\$150,000) in nonrecurring funds for the 2017-2018 fiscal year shall be allocated to
12 Halifax County for the redevelopment of the Joseph Montfort Amphitheatre for the First for
13 Freedom Outdoor Drama. The revised net appropriation for this project is one hundred fifty
14 thousand dollars (\$150,000) for the 2017-2018 fiscal year only."

15 **SECTION 6.7.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part
16 XXXI of that act is amended by adding a new section to read:

17 **"NORTH CAROLINA CIVIL WAR HISTORY CENTER**

18 "SECTION 31.7. Notwithstanding any other provision of this act or of the Committee
19 Report described in Section 39.2 of this act to the contrary, of the funds appropriated to the
20 Office of State Budget and Management, Special Appropriations, the sum of two million five
21 hundred thousand dollars (\$2,500,000) in nonrecurring funds for the 2017-2018 fiscal year
22 shall be allocated to the North Carolina Civil War History Center (Center). Of the funds
23 appropriated to the Office of State Budget and Management, Special Appropriations, an
24 additional sum of up to two million five hundred thousand dollars (\$2,500,000) in nonrecurring
25 funds for the 2017-2018 fiscal year shall be allocated to the Center as a matching grant. Upon
26 verification of the collection of two million five hundred thousand dollars (\$2,500,000) in
27 private donations by the Center, the Office of State Budget and Management shall provide one
28 dollar for every private dollar provided in kind or otherwise, up to a maximum of the two
29 million five hundred thousand dollars (\$2,500,000) for the matching grant described in this
30 section."

31
32 **PART VII. TRANSPORTATION**

33 **SECTION 7.1.** If Senate Bill 257, 2017 Regular Session, becomes law, then
34 G.S. 136-76.2(c), as enacted by Section 34.10 of that act, reads as rewritten:

35 "(c) Outsourcing. – ~~All~~Except for the following activities, all projects funded under the
36 bridge program established under subsection (a) of this section, ~~with the exception of~~
37 ~~inspection, pre-engineering, contract preparation, contract administration and oversight, and~~
38 ~~planning activities,~~section shall be outsourced to private contractors.

39 (1) Inspection.

40 (2) Pre-engineering.

41 (3) Contract preparation.

42 (4) Contract administration and oversight.

43 (5) Planning activities.

44 (6) Installation of culverts described in subsection (b) of this section, but only in
45 cases of emergency."

46 **SECTION 7.2.** If Senate Bill 257, 2017 Regular Session, becomes law, then
47 Section 34.26(a) of that act reads as rewritten:

48 **"SECTION 34.26.(a)** Strategic Plan; Report. – By ~~January~~March 1, 2018, the Global
49 TransPark Authority shall establish and implement a strategic plan for the Global TransPark.
50 The Global TransPark Authority may use a portion of funds appropriated to it in this act to
51 establish and implement the strategic plan required under this subsection. The Global

1 TransPark Authority shall submit a report to the Joint Legislative Transportation Oversight
2 Committee by ~~January~~March 15, 2018, detailing the strategic report established and
3 implemented as required by this subsection."

4 **SECTION 7.3.(a)** If Senate Bill 257, 2017 Regular Session, becomes law, then
5 G.S. 20-4.03(a), as enacted by Section 34.32 of that act, reads as rewritten:

6 "(a) Authorization. – The Division is authorized to charge a fee to ~~individuals~~any person
7 who ~~request~~requests an administrative hearing before the Division in accordance with this
8 Chapter."

9 **SECTION 7.3.(b)** This section becomes effective January 1, 2018.

10 11 **PART VIII. SALARIES AND BENEFITS**

12 **SECTION 8.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section
13 35.21 of that act reads as rewritten:

14 "**STUDY STATE EMPLOYEE ~~TOTAL COMPENSATION AND BENEFITS/REDUCE~~**
15 **LONG-TERM UNFUNDED HEALTH CARE POTENTIAL LIABILITIES**

16 "**SECTION 35.21.(a)** The State Employee ~~Total Compensation and Benefits~~ Committee
17 (Committee) is established to study the ~~total compensation and benefits~~ of State employees.
18 ~~Total compensation includes cash compensation and~~Benefits include the value of health care,
19 retirement, leave, and other flexible benefits. The Committee shall do the following:

- 20 (1) Assess the strength of the ~~total compensation and benefits~~ of State
21 employees with regards to recruitment and retention of State employees,
22 including a specific evaluation of the retirement benefits available under the
23 Teachers' and State Employees' Retirement System.
- 24 (2) Compare the ~~total compensation and benefits~~ of State employees with the
25 ~~total compensation and benefits~~ provided to other states' employees, as well
26 as large North Carolina employers that may recruit employees with similar
27 skills.
- 28 (3) Evaluate the current financial condition and the sustainability of the State
29 pension system.
- 30 (4) By February 1, 2019, submit a report to the General Assembly containing
31 the information considered under subdivisions (1) through (3) of this
32 subsection and any findings and recommendations, including any suggested
33 legislation, to the General Assembly.

34 "...."

35 36 **PART IX. CAPITAL**

37 **SECTION 9.1.** If Senate Bill 257, 2017 Regular Session, becomes law, then
38 Section 36.5(e) of that act reads as rewritten:

39 "**SECTION 36.5.(e)** Notwithstanding G.S. 143C-4-3, of the funds allocated from the
40 Reserve for Repairs and Renovations for the 2017-2018 fiscal year, the following sums shall be
41 allocated for the following projects:

- 42 ...
- 43 (8) ~~Seven~~Notwithstanding G.S. 143C-3-3, for the 2017-2018 fiscal year only,
44 seven hundred fifty thousand dollars (\$750,000) shall be allocated ~~for~~to
45 create a plan for the energy production facility replacement project at
46 Western Carolina University."

47 **SECTION 9.2.** If Senate Bill 257, 2017 Regular Session, becomes law, then
48 Section 36.10 of that act reads as rewritten:

49 "**SECTION 36.10.** ~~If House Bill 280 of the 2017 Regular Session becomes law, the~~The
50 Department of Public Safety shall accommodate any new requirements resulting from ~~its~~the
51 enactment of Section 16D.4 of this act by maximizing the use of existing facilities. The

1 Department shall demonstrate that the use of existing facilities has been maximized prior to
 2 requesting funding for additional facilities."

3 **SECTION 9.3.** If Senate Bill 257, 2017 Regular Session, becomes law, then
 4 Section 37.9 of S.L. 2016-94 reads as rewritten:

5 **"SECTION 37.9.** The General Assembly authorizes the construction of the business school
 6 at the University of North Carolina at Pembroke to be funded in accordance with the following:

7 (1) The sum of twenty-three million dollars (\$23,000,000) of the proceeds of
 8 bonds issued for the business school pursuant to Section 1(f) of S.L.
 9 2015-280 shall be used for this project.

10 (2) Up to the sum of thirteen million dollars (\$13,000,000) of funds from
 11 receipts or from other non-General Fund sources available to the University
 12 of North Carolina at Pembroke raised or made available by the University
 13 prior to December 31, ~~2017,2018,~~ may be used for this project."

14 **SECTION 9.4.** If Senate Bill 257, 2017 Regular Session, becomes law, then
 15 notwithstanding any provision in that act or in the Committee Report described in Section 39.2
 16 of that act to the contrary, the funds appropriated to the Department of Public Safety for the
 17 Stonewall Jackson Youth Development Center fence shall be used to construct fencing around
 18 the dilapidated buildings at the facility.

19 **SECTION 9.5.** If Senate Bill 257, 2017 Regular Session, becomes law, then
 20 Section 36.2 of that act reads as rewritten:

21 **"SECTION 36.2.(a)** There is appropriated from the General Fund for the 2017-2019 fiscal
 22 biennium the following amounts for capital improvements:

Capital Improvements – General Fund	2017-2018	2018-2019
23 ...		
24 Department of Natural and Cultural Resources		
25 Fort Fisher Museum and Visitor Center	5,000,000	–
26 Fayetteville Civil War Museum project	5,000,000	–
27 ...		
28 TOTAL CAPITAL IMPROVEMENTS –		
29 GENERAL FUND	\$54,708,000 \$49,708,000	\$1,917,993

30
 31 ~~"SECTION 36.2.(c) Of the five million dollars (\$5,000,000) appropriated in subsection (a)~~
 32 ~~of this section to the Department of Natural and Cultural Resources for the Fayetteville Civil~~
 33 ~~War Museum project, the sum of two million five hundred thousand dollars (\$2,500,000) in~~
 34 ~~nonrecurring funds for the 2017-2018 fiscal year shall be used to provide a matching grant for~~
 35 ~~the Fayetteville Civil War Museum project. Upon verification of the collection of two million~~
 36 ~~five hundred thousand dollars (\$2,500,000) in private donations toward the project, the Office~~
 37 ~~of State Budget and Management shall provide one dollar for every private dollar provided in~~
 38 ~~kind or otherwise, up to a maximum of two million five hundred thousand dollars (\$2,500,000)~~
 39 ~~for the matching grant described in this subsection.~~
 40 ~~...."~~

41
 42
 43
 44
 45 **PART X. INFORMATION TECHNOLOGY**

46 **SECTION 10.(a)** If Senate Bill 257, 2017 Regular Session, becomes law, then
 47 Section 37.12 of that act is repealed.

48 **SECTION 10.(b)** This section is effective when it becomes law.

49
 50 **PART XI. EFFECTIVE DATE**

1 **SECTION 11.** Except as otherwise provided, this act becomes effective July 1,
2 2017.