

# ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 105

AMENDMENT NO. A16  
(to be filled in by  
Principal Clerk)

S105-AMQ-38 [v.6]

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Amends Title [NO]  
Fifth Edition

Date \_\_\_\_\_, 2021

Representative Lambeth

1 moves to amend the bill on page 67, line 10, by deleting "**7.19.**" and substituting "**7.19.(a)**";

2  
3 and on page 69, lines 21-22, by inserting between the lines the following:

4       "**SECTION 7.19.(b)** Notwithstanding the Committee Report described in Section  
5 43.2 of this act or any other provision of law to the contrary, the funds appropriated by this act  
6 for the 2021-2023 fiscal biennium to the Department of Public Instruction for the School Safety  
7 Grants Program shall be reduced by three hundred five thousand dollars (\$305,000) in recurring  
8 funds for each year of the fiscal biennium.";

9  
10 and on page 174, lines 11-12, by inserting between the lines the following:

11 "**FUNDS FOR SALARY SUPPLEMENTS FOR LICENSED EMPLOYEES OF**  
12 **SCHOOLS FOR STUDENTS WITH VISUAL AND HEARING IMPAIRMENTS**

13       **SECTION 7.82** Notwithstanding the Committee Report described in Section 43.2 of  
14 this act or any other provision of law to the contrary, the funds appropriated by this act for the  
15 2021-2023 fiscal biennium to the Department of Public Instruction shall be increased by three  
16 hundred five thousand dollars (\$305,000) in recurring funds in each year of the fiscal biennium  
17 to increase salary supplement rates for licensed employees of schools for students with visual  
18 and hearing impairments to align those rates with the average salary supplement rates provided  
19 to teachers employed by the local school administrative unit where each respective school for  
20 students with visual or hearing impairments is located. For purposes of this section, the term  
21 "schools for students with visual and hearing repairsments" refers to any public school governed  
22 by the State Board of Education under Article 9C of Chapter 115C of the General Statutes.";

23  
24 and on page 199, lines 30-31, by inserting the following language between those lines:

25 "**UNC PEMBROKE MOBILE UNITS/FUNDS**

26       **SECTION 8.20.** Notwithstanding any other provision of law or the Committee  
27 Report described in Section 43.2 of this act, of the funds appropriated by this act from the State  
28 Fiscal Recovery Fund to the Community Colleges System Office for the 2021-2022 fiscal year  
29 for the apprenticeship program expansion, the sum of five hundred thousand dollars (\$500,000)  
30 for the 2021-2022 fiscal year shall instead be appropriated to the Board of Governors of The  
31 University of North Carolina to be allocated to the University of North Carolina at Pembroke to



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1 continue the operation of the Mobile Medical Units in rural and at-risk communities to respond  
2 to the impacts of the COVID-19 pandemic.";

3  
4 and on page 282, lines 38-39, by inserting between the lines the following language:

5 **"FUNDS FOR TWO GIGI'S PLAYHOUSE LOCATIONS**

6 **SECTION 9F.18.(a)** Notwithstanding the Committee Report referenced in Section  
7 43.2 of this act, funds appropriated in this act to the Department of Health and Human Services,  
8 Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, for a  
9 directed grant to Gigi's Playhouse, Inc., for the location in Charlotte, are decreased by the sum  
10 of four hundred thousand dollars (\$400,000) in nonrecurring funds for the 2021-2022 fiscal year.

11 **SECTION 9F.18.(b)** Notwithstanding the Committee Report referenced in Section  
12 43.2 of this act, funds appropriated in this act to the Department of Health and Human Services,  
13 Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, there is  
14 appropriated the sum of four hundred thousand dollars (\$400,000) in nonrecurring funds for the  
15 2021-2022 fiscal year to be used for a directed grant to Gigi's Playhouse, Inc., for the location in  
16 Raleigh, North Carolina.";

17  
18 and on page 348, line 30, by deleting "the City of Rockingham" and substituting "Richmond  
19 County";

20  
21 and on page 360, line 28, by replacing "City of Greensboro." with "City of Greensboro, for the  
22 extension of water and sewer lines to the National Guard site on Camp Burton Road.";

23  
24 and on page 361, line 28, by rewriting the line to read:

25 "the Town of Valdese, for the extension of water and sewer lines to serve proposed  
26 residential and commercial development on Lake Rhodhiss.";

27  
28 and on page 368, lines 35-36, by inserting the following language between those lines:

29 **"LAKE JUNALUSKA DREDGING FUNDS**

30 **SECTION 12.22.** Of the funds appropriated in this act to the Shallow Draft  
31 Navigation Channel Dredging and Aquatic Weed Fund, the sum of one million five hundred  
32 thousand dollars (\$1,500,000) in nonrecurring funds for the 2021-2022 fiscal year is allocated to  
33 Haywood County for the dredging of Lake Junaluska. Notwithstanding G.S. 143-215.73F, there  
34 shall be no match required for these funds.";

35  
36 and on page 377, lines 47-48, by adding the following language between those lines:

37 **"CLARIFY PARKS FUNDING**

38 **SECTION 14.8A.(a)** Notwithstanding any provision of this act or of Section H of  
39 the committee report described in Section 43.2 of this act to the contrary, funds provided to the  
40 Foothills Conservancy for facility development shall be used for the planning and development  
41 of Oak Hill Community Park.

42 **SECTION 14.8A.(b)** Notwithstanding any provision of this act or of Section H of  
43 the committee report described in Section 43.2 of this act to the contrary, funds provided to the

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1 Towns of Connelly Springs, Drexel, Glen Alpine, Longview, and Rutherford College shall be  
2 allocated in a manner that provides ten thousand dollars (\$10,000) to the Town of Long View,  
3 and twenty-five thousand dollars (\$25,000) to each of the other four towns. These funds may be  
4 used for developing trails and connecting trails in addition to parks and recreation purposes.

5 **SECTION 14.8A.(c)** Notwithstanding any provision of this act or of Section H of  
6 the committee report described in Section 43.2 of this act to the contrary, funds provided to the  
7 Western Piedmont Council of Governments for trail development shall be allocated as follows:

- 8 (1) Three hundred twenty-five thousand dollars (\$325,000) for the development,  
9 planning, and construction of a proposed trail along the south side of the  
10 Catawba River connecting the eastern terminus of the Fonta Flora Trail near to  
11 the western terminus of the Hickory Trail, including connecting trails and  
12 spurs to local communities and tourist attractions.  
13 (2) Sixty thousand dollars (\$60,000) for development of a trail connecting the  
14 Town of Rhodhiss to the trail described in subdivision (a) of this section.  
15 (3) Eighty thousand dollars (\$80,000) to assist the Town of Hildebran in planning  
16 and development of one or more trails connecting the Town to (i) the trail  
17 funded by subdivision (1) of this Section, or (ii) the future route of the  
18 Wilderness Gateway Trail authorized by Section 2 of S.L. 2019-20.";

19  
20 and on page 427, lines 44-45, by inserting the following language between the lines:

21 "**AIRCRAFT FUNDING/CRIME LAB STUDY**

22 **SECTION 19A.11.(a)** Notwithstanding any provision of the Committee Report  
23 described in Section 43.2 of this act to the contrary the funding provided to the State Bureau of  
24 Investigation for the purchase of an aircraft to assist in carrying out its law enforcement duties  
25 shall be reduced by the sum of five million one hundred seventy-six thousand dollars  
26 (\$5,176,200) in nonrecurring funds for the 2021-2022 fiscal year.

27 **SECTION 19A.11.(b)** Of the funds appropriated in this act to the Department of  
28 Public Safety (Department) for the 2021-2022 fiscal year, the Department shall utilize up to one  
29 million five hundred thousand dollars (\$1,500,000) to conduct a study, in partnership with  
30 Elizabeth City State University, on the siting of an Eastern Regional Laboratory to be located on  
31 the campus of Elizabeth City State University. The Department shall report on the study outlined  
32 in this subsection to the Chairs of the House Justice and Public Safety Appropriations Committee,  
33 the Chairs of the Senate Appropriations on Justice and Public Safety Committee, and the Fiscal  
34 Research Division on or before February 1, 2023. The report shall include (i) the estimated cost  
35 of completing the laboratory, (ii) the estimated cost of operating the laboratory during its first  
36 five years of operation, (iii) an estimated timeline for completion of the laboratory, and (iv) any  
37 other relevant information.";

38  
39 and on page 492, lines 28-29, by inserting between those lines the following language to read:

40 "**HARNETT COUNTY FUNDS**

41 **SECTION 24.1G.** Notwithstanding any other provision of this act or the Committee  
42 Report described in Section 43.2 of this act to the contrary, the funds appropriated to the Office  
43 of State Budget and Management and allocated as a directed grant to Harnett County for Dunn

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1 Ministerial Association, Inc., shall instead be appropriated the Office of State Budget and  
2 Management and allocated as a directed grant to Harnett County Partnership for Children, Inc.";

3  
4 and on page on page 507, lines 41-42, by inserting between those lines the following language  
5 to read:

6 **"REPLACE STATE MAMMAL WITH BLACK BEAR**

7 **SECTION 35.** G.S. 145-5 reads as rewritten:

8 **§ 145-5. State mammal.**

9 The ~~gray squirrel (Sciurus carolinensis)~~ is hereby black bear (Ursus americanus) is adopted as  
10 the official State mammal of the State of North Carolina.";

11  
12 and on page 536, line 22, by adding the following sentence immediately after the period on that  
13 line:

14 "A municipality or membership corporation may also assess and include in its  
15 incremental costs a resource redeployment charge equal to nine percent (9%)  
16 of the calculated actual, direct costs and overhead. The resource redeployment  
17 charge is intended to hold neutral a municipality's or membership  
18 corporation's electric consumers from increased electric rates attributable to  
19 otherwise uncaptured costs arising from compliance with this section.";

20  
21 and on page 536, line 36-41, by rewriting the lines to read:

22 **"SECTION 38.10.(g)** A pole owner shall promptly review a request for access,  
23 perform surveys, provide estimates and final invoices, and complete, or require the completion  
24 by other attaching entities, of any make-ready work necessary for purposes of offering broadband  
25 service in an unserved area. A pole owner shall provide a good-faith estimate for any make-ready  
26 costs to the communications service provider within sixty (60) days after receipt of a complete  
27 application for access. If requested by the communications service provider, the pole owner shall  
28 provide accompanying documentation indicating the basis of all estimated fees or other charges,  
29 including but not limited to administrative costs, that form the basis of its estimate. A good-faith  
30 estimate shall remain valid for fourteen (14) days. To accept a good-faith estimate, a  
31 communications service provider must provide the pole owner with written acceptance and  
32 payment of the good-faith estimate. For a request for access affecting up to thirty (30) utility  
33 poles for the purpose of providing broadband service to an unserved area, make-ready work shall  
34 be completed within ninety (90) days of written acceptance and payment of the good-faith  
35 estimate by the communication service provider. For a request for access affecting more than  
36 thirty (30) utility poles for the purpose of providing broadband service to an unserved area, make-  
37 ready work shall be conditioned upon payment of the good-faith estimate and shall be completed  
38 within a reasonable timeframe mutually agreed to by the communications service provider and  
39 the pole owner. A pole owner may treat multiple requests from a single communications service  
40 provider as one application for access when the requests are filed within 90 days of one another.  
41 A pole owner may deviate from the time limits specified in this subsection during performance  
42 of make-ready for good and sufficient cause that renders it infeasible to complete make-ready  
43 within the time limits specified in this subsection. Any deviation from the time limits specified

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1 in this subsection shall extend for a period no longer than necessary. A communications service  
2 provider shall promptly be notified, in writing, of the reason for a deviation and the new  
3 completion date estimate. A communications service provider shall provide notice, in writing, to  
4 the pole owner no later than fourteen (14) days after attaching equipment to a pole in an unserved  
5 area.";

6  
7 and on page 539, line 19, by deleting "December 31, 2026." and substituting "December 31,  
8 2024.";

9  
10 and on page 568, line 15, by deleting that line;

11  
12 and on page 568, line 33, by deleting that line;

13  
14 and on page 570, line 19, by deleting that line;

15  
16 and on page 570, line 32, by deleting that line;

17  
18 and on page 586, lines 2-3, by inserting between those lines the following language to read:

19 **"SECTION 40.1.(z)** Notwithstanding any provision of law or the Committee Report  
20 referenced in Section 43.2 of this act to the contrary, the amount allocated for the Elizabeth City  
21 State University Crime Lab project from the State Capital and Infrastructure Fund in this Part is  
22 reduced by two million five hundred thousand dollars (\$2,500,000) in nonrecurring funds for the  
23 2021-2022 fiscal year.

24 **SECTION 40.1.(aa)** Notwithstanding any provision of law or the Committee Report  
25 referenced in Section 43.2 of this act to the contrary, of the funds appropriated to the State Capital  
26 and Infrastructure Fund, the sum of seven hundred thousand dollars (\$700,000) in nonrecurring  
27 funds for the 2021-2022 fiscal year is allocated as follows:

- 28 (1) Four hundred thousand dollars (\$400,000) in the form of a grant to the Town  
29 of Catawba for bridge restoration.  
30 (2) Three hundred thousand dollars (\$300,000) in the form of a grant to the Town  
31 of Catawba for sidewalks.";

32  
33 and on page 586, lines 2-3 by inserting between those lines the following language to read:

34 **"SECTION 40.1.(bb)** Notwithstanding any provision of law or the Committee  
35 Report referenced in Section 43.2 of this act to the contrary, of the funds appropriated in this Part  
36 for grants to non-State entities, the following grants allocated in this Part for the 2021-2022 fiscal  
37 year are modified as follows:

- 38 (1) Town of Candor Downtown Facilities is reduced by two hundred thousand  
39 dollars (\$200,000).  
40 (2) Town of Dobbin Heights Community Center Renovation is reduced by twenty  
41 thousand dollars (\$20,000).  
42 (3) Town of Hamlet Downtown Facilities is reduced by fifty thousand dollars  
43 (\$50,000).

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(4) Town of Troy Main Street/Community Park is reduced by thirty thousand dollars (\$30,000).

**SECTION 40.1.(cc)** Notwithstanding any provision of law or the Committee Report referenced in Section 43.2 of this act to the contrary, there is allocated from funds appropriated to the State Capital and Infrastructure Fund the sum of three hundred thousand dollars (\$300,000) in nonrecurring funds for the 2021-2022 fiscal year to be provided in the form of a grant to the City of Rockingham for downtown improvements.";

and on page 586, lines 2-3, by inserting between those lines the following language to read:

**"SECTION 40.1.(dd)** Notwithstanding any provision of law or the Committee Report referenced in Section 43.2 of this act to the contrary, the funds allocated from the State Capital and Infrastructure fund in the form of a grant in the amount of one hundred thirty thousand dollars (\$130,000) in nonrecurring funds for the 2021-2022 fiscal year to the Town of Fairfield for equipment shall instead be allocated to Pender County for equipment.";

and on page 586, lines 2-3, by inserting between those lines the following language to read:

**"SECTION 40.1.(ee)** Notwithstanding any provision of law or the Committee Report referenced in Section 43.2 of this act to the contrary, the amount allocated for the NCGA Covered Walkway project from the State Capital and Infrastructure Fund in this Part is reduced by three million dollars (\$3,000,000) in nonrecurring funds for the 2021-2022 fiscal year and is reduced by five million dollars (\$5,000,000) in nonrecurring funds for the 2022-2023 fiscal year."

and on page 604, line 14, by inserting the following at the end of the line:

"The Department is authorized to contract with an outside consultant to conduct the study.";

and on page 604, line 20, by deleting "2022" and substituting "2023";

and on on page 627, lines 22-32, by rewriting the lines to read:

"Authority may only contract to obtain the services of a consultant after the proposed contract is approved by the Board of the North Carolina State Ports Authority.";

and by adjusting the appropriate totals accordingly.

**The official copy of this document, with signatures and vote information, is available in the House Principal Clerk's Office**