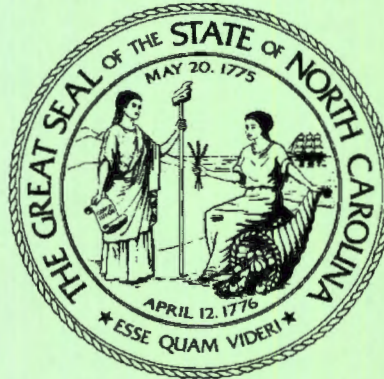


APPROPRIATIONS COMMITTEE
2015-2016 Session
Short Session



CHAIRS

Representative Nelson Dollar
Representative Linda Johnson
Representative Donny Lambeth
Representative Chuck McGrady

COMMITTEE ASSISTANTS

Candace Slate
Joanna Hogg
Pan Briles

HOUSE COMMITTEE ON APPROPRIATIONS

2015-2016

<u>MEMBER</u>		<u>ASSISTANT</u>	<u>PHONE</u>	<u>OFFICE</u>	<u>SEAT</u>
Rep. Nelson Dollar	Senior Chair	Candace Slate	715-0795	307B	4
Rep. Linda Johnson	Chair	Joanna Hogg	733-5861	301D	3
Rep. Donny Lambeth	Chair	Panthea Briles	733-5747	303	77
Rep. Chuck McGrady	Chair	Ed Stiles	733-5956	304	28
Rep. Dean Arp	Vice Chair	Wendy Miller	715-3007	531	66
Rep. Marilyn Avila	Vice Chair	Susan Lewis	733-5530	2217	50
Rep. Hugh Blackwell	Vice Chair	Dixie Riehm	733-5805	541	102
Rep. Jamie Boles	Vice Chair	Kerry Guice	733-5903	528	25
Rep. Bill Brawley	Vice Chair	Lynn Taylor	733-5800	534	31
Rep. William Brisson	Vice Chair	Caroline Stirling	733-5772	405	23
Rep. Rayne Brown	Vice Chair	Andrew Bailey	715-0873	633	61
Rep. Rob Bryan	Vice Chair	Kevin Wilkinson	733-5607	536	74
Rep. Justin Burr	Vice Chair	Dina Long	733-5908	307A	16
Rep. George Cleveland	Vice Chair	Pamela Ahlin	715-6707	417A	18
Rep. Leo Daughtry	Vice Chair	Jan Copeland	733-5605	2207	2
Rep. Jimmy Dixon	Vice Chair	Michael Wiggins	715-3021	416B	19
Rep. Josh Dobson	Vice Chair	Julie Ryan	733-5862	301N	114
Rep. John Faircloth	Vice Chair	Becky Bauerband	733-5877	613	39
Rep. Jon Hardister	Vice Chair	Jayne Nelson	733-5191	632	78
Rep. Craig Horn	Vice Chair	Pattie Fleming	733-2406	419A	32
Rep. Pat Hurley	Vice Chair	Deborah Holder	733-5865	532	10
Rep. Frank Iler	Vice Chair	Carla Farmer	301-1450	639	14
Rep. Chris Malone	Vice Chair	Savannah Tedesco	715-3010	603	64
Rep. Pat McElraft	Vice Chair	Nancy Fox	733-6275	634	9
Rep. Michele Presnell	Vice Chair	John Wall	733-5732	418A	67
Rep. Dennis Riddell	Vice Chair	Polly Riddell	733-5905	533	99
Rep. Jason Saine	Vice Chair	Stephen Wiley	733-5782	1326	26
Rep. Phillip Shepard	Vice Chair	Pamela Pate	715-9644	530	53
Rep. Paul Tine	Vice Chair	Wanda Kay	733-5906	529	79
Rep. John Torbett	Vice Chair	Viddia Torbett	733-5868	538	41
Rep. Roger West	Vice Chair	Linda C. Johnson	733-5859	1229	8
Rep. Gale Adcock		Suzanne Smith	733-5602	1211	119
Rep. John Ager		Meredith Graf	733-5746	1315	115
Rep. Nathan Baskerville		Anita Bennett	733-5824	1004	105
Rep. Larry Bell		Carolyn Edwards	733-5863	510	21
Rep. Cecil Brockman		Grady O'Brien	733-5825	1311	118
Rep. Mark Brody		Neva Helms	715-3029	2219	89
Rep. Dana Bumgardner		Margie Penven	733-5809	2119	40
Rep. Rick Catlin		Laura Holt Kabel	733-5830	638	55
Rep. Debra Conrad		Danielle Brinton	733-5787	606	44

HOUSE COMMITTEE ON APPROPRIATIONS

2015-2016

<u>MEMBER</u>	<u>ASSISTANT</u>	<u>PHONE</u>	<u>OFFICE</u>	<u>SEAT</u>
Rep. Beverly Earle	Ann Raeford	715-2530	514	60
Rep. Jeffrey Elmore	Linda Stevenson	733-5935	306A3	75
Rep. Jean Farmer-Butterfield	Portia Bright	733-5898	1220	45
Rep. Susan Fisher	Cindy Garrison	715-2013	504	81
Rep. Elmer Floyd	Dorothy McLean	733-5959	1325	83
Rep. Carl Ford	Kyle Chermak	733-5881	608	76
Rep. John Fraley	Carol Wakely	733-5741	637	112
Rep. Rosa Gill	Lisa Ray	733-5880	1303	58
Rep. Charles Graham	Linda Laton	715-0875	1309	84
Rep. George Graham	Beverlee Baker	733-5995	1321	91
Rep. Duane Hall	Leigh Lawrence	733-5755	1019	46
Rep. Kyle Hall	Emma Shelby	733-5609	536	112
Rep. Larry Hall	Theresa Wright-Bryant	733-5872	506	69
Rep. Pricey Harrison	Sue Osborne	733-5771	1218	82
Rep. Howard Hunter	Brenda Bennett	733-5780	1307	106
Rep. Verla Insko	Gina Insko	733-7208	502	72
Rep. Darren Jackson	Angela McMillan	733-5974	1013	34
Rep. J.H. Langdon	Thomas Goffe	733-5849	417B	17
Rep. David Lewis	Grace Rogers	715-3015	2301	6
Rep. Marvin Lucas	Thelma Utley	733-5775	509	22
Rep. Grier Martin	Sylvia Hammons	733-5773	1023	96
Rep. Allen McNeill	Laura Sullivan	715-4946	418C	56
Rep. Mickey Michaux	Anita Wilder	715-2528	1227	11
Rep. Chris Millis	John Ganem	715-9664	609	87
Rep. Greg Murphy, MD	Theresa Lopez	733-5757	604	111
Rep. Gary Pendleton	Kathy Peters	733-5860	610	97
Rep. Garland Pierce	Janice Fenner	733-5803	1204	57
Rep. Larry Pittman	Tammy Pittman	715-2009	1010	63
Rep. Joe Sam Queen	Gregory Lademann	715-3005	1017	103
Rep. Bobbie Richardson	Anna Meadows	715-3032	1217	93
Rep. William Richardson	Megan Glazier	733-5601	1021	71
Rep. Brad Salmon	Katie Stanley	715-3026	1319	107
Rep. Chris Sgro	Mildred Austin	733-5902	1317	116
Rep. Michael Speciale	Hazel Speciale	733-5853	1008	52
Rep. Paul Stam	Rita Dorry Beard	733-2962	612	5
Rep. Sarah Stevens	Lisa Brown	715-1883	635	13
Rep. Scott Stone	Sharon Sullivan	733-5886	2213	65
Rep. Evelyn Terry	Franklin Terry	733-5777	1015	92
Rep. Brian Turner	Andy Miller	715-3012	1209	120
Rep. Rena Turner	Barbara Gaiser	733-5661	602	68
Rep. Sam Watford	Regina Irwin	715-2526	2121	88
Rep. Chris Whitmire	Megan Kluttz	715-4466	537	100
Rep. Shelly Willingham	Johnna Smith	715-3024	501	108
Rep. Michael Wray	Susan Burleson	733-5662	503	24
Rep. Larry Yarborough	Leslie Murray	715-0850	1301	101
STAFF: Karen Hammonds-Blanks, Richard Bostic		733-4910		
Phyllis Pickett, Lisa Wilks		733-6660		



Appropriations Committee -ST

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Rep. Larry Pittman	✓																		
Rep. Michele Presnell	✓																		
Rep. Joe Sam Queen	✓																		
Rep. Bobbie Richardson	✓																		
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Rep. Dennis Riddell	✓																		
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Rep. Paul Tine	✓																		
Rep. John Torbett	✓																		
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Rep. Sam Watford																			
Rep. Roger West																			
Rep. Chris Whitmire	✓																		
Rep. Shelly Willingham	✓																		
Rep. Michael Wray																			
Rep. Larry Yarborough	✓																		
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Karen Hammonds-Blanks	✓																		
Richard Bostic	✓																		
Phyllis Pickett	✓																		
Lisa Wilks	✓																		

Revised 4.5.16

Rep Lgro

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ATTENDANCE

Committee: Appropriations Base/Budget 2015-2016[illegible]



Appropriations Committee

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Rep. Larry Pittman	✓																
Rep. Michele Presnell	✓																
Rep. Joe Sam Queen	✓																
Rep. Bobbie Richardson	✓																
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Rep. Shelly Willingham	✓																
Rep. Michael Wray	✓																
Rep. Larry Yarborough	✓																
Rep. SCOTT STONE	✓																
Appropriations Staff:																	
Karen Hammonds-Blanks																	
Richard Bostic																	
Phyllis Pickett																	
Lisa Wilks																	



Appropriations Committee

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Phyllis Pickett	✓																		
Lisa Wilks	✓																		



Appropriations Committee

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Rep. Larry Pittman	X																		
Rep. Michele Presnell	X																		
Rep. Joe Sam Queen	X																		
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Rep. William Richardson	X																		
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Rep. Paul Tine	X																		
Rep. John Torbett	X																		
Rep. Brian Turner	X																		
Rep. Rena Turner	X																		
Rep. Sam Watford	X																		
Rep. Roger West	X																		
Rep. Chris Whitmire																			
Rep. Shelly Willingham	X																		
Rep. Michael Wray	X																		
Rep. Larry Yarborough	X																		
Appropriations Staff:																			
Karen Hammonds-Blanks	X																		
Richard Bostic	X																		
Phyllis Pickett	X																		
Lisa Wilks	X																		



JOINT HOUSE and SENATE COMMITTEE ON APPROPRIATIONS
THE GOVERNOR'S PROPOSED BUDGET 2016 – 2017

Wednesday, April 27, 2016
9:00 a.m.
Room 643, Legislative Office Building

MINUTES

The Joint House and Senate Committee on Appropriations met at 9:00 a.m. on Wednesday, April 27th in Room 643 of the Legislative Office Building. Representative Nelson Dollar, Senior House Chair, presided. The purpose of the meeting was to receive the Governor's 2016- 2017 Recommended Budget.


Chairman Dollar called the meeting to order at 9:05 a.m. He recognized the Sergeant-at Arms who were assisting staff and House Pages.

Chairman Dollar introduced Andrew Heath, State Budget Director. Mr. Heath presented a detailed briefing of the Governor's 2016 – 2017 Recommended Budget and provided an overview of priorities. Following the presentation, Chairman Dollar allowed questions from the floor.

The meeting adjourned at 10:45 a.m.



Representative Nelson Dollar
Presiding



Panthea Briles
Committee Clerk

ATTACHMENTS:

1. Agenda
2. Attendance Sheet
3. Governor's 2016-2017 Recommended Budget
4. Visitor's Log



MINUTES
HOUSE COMMITTEE ON APPROPRIATIONS

Tuesday, May 17, 2016

9:30 a.m.

Legislative Office Building, Room 643

ATTENDEES:

Chairmen: Representatives Dollar, L. Johnson, Lambeth and McGrady

Members: Adcock, Arp, Avila, Bell, Blackwell, Boles, Brawley, Brisson, Brody, Brown, Bryan, Bumgardner, Burr, Catlin, Cleveland, Conrad, Daughtry, Dixon, Dobson, Earle, Elmore, Faircloth, Farmer-Butterfield, Fisher, Floyd, Ford, Fraley, Gill, C. Graham, G. Graham, K. Hall, L. Hall, Hardister, Harrison, Horn, Hunter, Hurley, Iler, Jackson, Langdon, Lewis, Lucas, Malone, Martin, McElraft, McNeill, Michaux, Millis, Murphy, Pendleton, Pierce, Pittman, Presnell, Queen, B. Richardson, W. Richardson, Riddell, Salmon, Sgro, Shepard, Speciale, Stam, Stevens, Stone, Tine, Torbett, B. Turner, R. Turner, Watford, West, Whitmire, Willingham, Wray, Yarborough

I. Call to Order

Senior Chair, Nelson Dollar presided and called the meeting to order at 9:50 a.m.

II. Introductions

Representative Dollar introduced Sergeant-at-Arms Staff assisting with the meeting. Also introduced were students serving as House Pages.

III. Review of Rules

Representative Dollar Reviewed 2016 Rules for Committee Procedures

IV. Action Agenda Items

A. 2016 Appropriations Act

B. Proposed Committee Substitute H1030-PCS30501-LUX-6

Representative Dollar called upon committee chairs to review their committee's budget.

EDUCATION:	Horn
HHS:	Avila, Dobson, Malone, Brisson
JPS:	Hurley, Faircloth, Daughtry
AG/NER:	Dixon, McElraft
GEN. GOVT.	Cleveland
TRANSPORTATION:	Iler, Shepard, Tine, Torbet
CAPITAL:	Hardister
IT:	Saine (Dollar)



C. Amendments

<u>Representative</u>	<u>Amendment</u>	<u>Adopted/Failed</u>
Faircloth	H1030-AMD-106 [v.1]	Adopted
Malone	H1030-ALU-34 [v.3]	Adopted
Elmore	H1030-AMK-78 [v.3]	Failed
	Show of hands	Aye: 24; No: 44
Dollar	H1030-ATR-41 [v.8]	Adopted
Tine	H1030-AML-73 [v.6]	Adopted
Speciale	H1030-AMC-142 [v.2]	Failed
	Show of hands	Aye: 19; No: 46
Avila	H1030-AMG-31 [v.2]	Adopted
Hardister	H1030-AMR-43 [v.6]	Adopted
Daughtry	H1030-AMS-5 [v.3]	Adopted
Dollar	H1030-ALU-36 [v.2]	Adopted
Cleveland	H1030-ALM-52 [v.4]	Adopted
L. Johnson	H1030-ALH-65 [v.6]	Adopted
Horn	H1030-AMK-73 [v.5]	Adopted
Dobson	H1030-ALU-39 [v.1]	Adopted
Lambeth	H1030-AMH-86 [v.7]	Adopted
Elmore	H1030-AMK-76 [v.5]	Adopted
West	H1030-AML-74 [v.2]	Adopted
Dixon	H1030-AMH-79 [v.5]	Adopted
Dixon	H1030-AMH-84 [v.2]	Adopted
McGrady	H1030-AMH-88 [v.1]	Adopted
Avila	H1030-AMR-45 [v.4]	Adopted
West	H1030-AMD-108 [v.4]	Adopted
Michaux	H1030-AMK-81 [v.2]	Failed
Avila	H1030-ALU-37 [v.3]	Adopted
Arp	H1030-AMD-109 [v.3]	Adopted
Dixon	H1030-AMC-145 [v.1]	Adopted
McElraft	H1030-AMC-141 [v.5]	Adopted
McElraft	H1030-AMQ-41 [v.2]	Adopted
McElraft	H1030-AMH-83 [v.2]	Adopted
Malone	H1030-AMG-28 [v.6]	Adopted
Avila	H1030-AMR-47 [v.3]	Adopted
Dobson	H1030-AMR-41 [v.7]	Adopted
Avila	H1030-ALU-38 [v.2]	Adopted
West	H1030-AMH-78 [v.4]	Adopted
Boles	H1030-AMQ-43 [v.1]	Adopted
Burr	H1030-ALU-40 [v.1]	Adopted

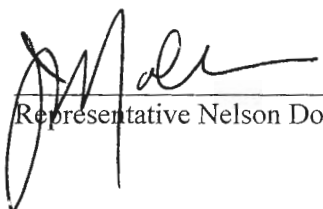
<u>Representative</u>	<u>Amendment</u>	<u>Adopted/Failed</u>
McElraft	H1030-AMH-85 [v.4]	Adopted
Hurley	H1030-AMD-111 [v.3]	Adopted
Bryan	H1030-AMK-86 [v.1]	Adopted
McGrady	H1030-ARI-64 [v.4]	Adopted
Boles	H1030-AMD-104 [v.1]	Adopted
McElraft	H1030-AMQ-42 [v.4]	Adopted
G. Graham	H1030-AMH-89 [v.3]	Failed
McElraft	H1030-AMQ-46 [v.2]	Adopted
Avila	H1030-AMG-32 [v.4]	Adopted

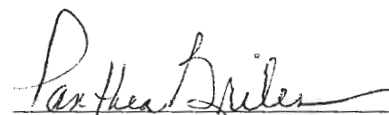
Representative Roger West moved that House Bill 1030, as amended, be rolled into a Committee Substitute; favorable report as to the Committee Substitute, unfavorable as to the original Bill; and further, move that staff be authorized to make technical corrections and also conforming changes related to reconciling the various amendments adopted.

Chairman Dollar called for the question. Vote on the motion was unanimous.

V. Adjournment

The House Committee on Appropriations adjourned at 4:53 p.m.


Representative Nelson Dollar, Senior Chair


Panthea Briles, Committee Clerk

MINUTES
HOUSE COMMITTEE ON APPROPRIATIONS

Tuesday, May 25, 2016

8:30 a.m.

Legislative Office Building, Room 643

ATTENDEES:

Chairmen: Representatives Dollar, L. Johnson, Lambeth and McGrady

Members: Ager, Arp, Avila, Blackwell, Brisson, Brody, Bumgardner, Catlin, Cleveland, Conrad, Daughtry, Dobson, Earle, Elmore, Faircloth, Fisher, Floyd, Ford, Fraley, Gill, G. Graham, K. Hall, L. Hall, Hardister, Horn, Hunter, Hurley, Iler, Insko, Langdon, Lucas, Malone, Martin, McNeill, Michaux, Millis, Murphy, Pendleton, Pierce, Pittman, Presnell, Queen, B. Richardson, W. Richardson, Riddell, Salmon, Speciale, Stevens, Tine, Torbett, B. Turner, R. Turner, Watford, Whitmire, Willingham, Yarborough

I. Call to Order

Senior Chair, Nelson Dollar presided and called the meeting to order at 8:57 a.m.

II. Introductions

Representative Dollar introduced Sergeant-at-Arms Staff assisting with the meeting. Also introduced were students serving as House Pages.

III. Action Agenda Items

A. HB1050: DOT/No Discrimination Against Motorcyclists

Representative John Torbett introduced HB1050. Chairman Dollar recognized the following committee members requesting to speak to the Bill: Representatives Michaux, Horn, Insko, Yarborough, L. Hall, and Stevens.

Representative Gary Pendleton moved for a favorable report as to HB1050: DOT/No Discrimination Against Motorcyclists. The motion passed.

B. SB71: Commission Appointment Modifications (Version 2)

Representative Chuck McGrady reviewed House Committee Substitute #1 for SB71.

Chairman Dollar called upon committee members requesting to speak to the House Committee Substitute: Representatives Fisher, Stevens, Horn, McNeill, Iler, L. Hall, Daughtry, Ager, and Bumgardner.

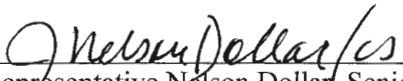


Representative Frank Iler moved for a favorable report as to House Committee Substitute #1, unfavorable to the Original Bill.

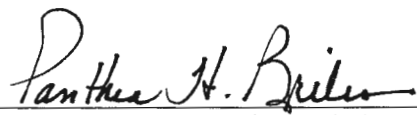
Chairman Dollar called for the question. The motion passed.

IV. Adjournment

The House Committee on Appropriations adjourned at 9:28 a.m.



Representative Nelson Dollar, Senior Chair



Panthea Briles, Committee Clerk

MINUTES
HOUSE COMMITTEE ON APPROPRIATIONS

Tuesday, June 1, 2016

3:30 p.m.

Legislative Office Building, Room 643

ATTENDEES:

Chairmen: Representatives Dollar, L. Johnson, Lambeth and McGrady

Members: Adcock, Ager, Arp, Avila, L. Bell, Blackwell, Boles, Brody, R. Brown, Bumgardner, Burr, Cleveland, Conrad, Daughtry, Dixon, Dobson, Earle, Elmore, Faircloth, Farmer-Butterfield, Fisher, Floyd, Ford, Fraley, Gill, C. Graham, G. Graham, K. Hall, Hardister, Harrison, Horn, Hunter, Hurley, Iler, Jackson, Langdon, D. Lewis, Michaux, Millis, Murphy, Pendleton, Pittman, Presnell, Queen, B. Richardson, W. Richardson, Riddell, Salmon, Sgro, Shepard, Speciale, Stam, Stevens, Stone, Tine, Torbett, B. Turner, R. Turner, Watford, West, Willingham, Wray, Yarborough

I. Call to Order

Senior Chair, Nelson Dollar presided and called the meeting to order at 3:48 p.m.

II. Introductions

Representative Dollar introduced Sergeant-at-Arms Staff assisting with the meeting. Also introduced were students serving as House Pages.

III. Action Agenda Items

A. HB954: Terminate Agreement for Tolling of I-77

Chairman Dollar recognized Representative Charles Jeter to review HB954.

B. H954-PCS40638-LR-56

Chairman Dollar called upon Representative Paul Tine to present the technical amendment to the Proposed Committee Substitute.

Secretary of Transportation, Nick Tennyson, spoke to the amendment stating that the Department of Transportation entered into a comprehensive agreement with I-77 Mobility Partners, LLC in an effort to respond to priorities of the region.



Secretary Tennyson stated that terminating the agreement would be trading for an uncertain situation.

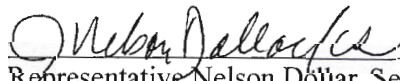
Chairman Dollar called upon committee members requesting to speak to the Proposed Committee Substitute: Representatives McNeill, Iler, Michaux, Hardister, Torbett, Faircloth, Pittman, Bungardner, and Bradford.

Representative Marilyn Avila moved to roll the amendment into a Committee Substitute and report the Committee Substitute without prejudice.

Chairman Dollar called for the question. The motion passed.

IV. Adjournment

The House Committee on Appropriations adjourned at 4:20 p.m.


Representative Nelson Dollar, Senior Chair


Panthea Briles, Committee Clerk

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MINUTES
HOUSE COMMITTEE ON APPROPRIATIONS
Tuesday, December 13, 2016
2:00 p.m.
Legislative Office Building, Room 643

ATTENDEES:

Chairmen: Representatives Dollar, L. Johnson, and McGrady

Members: Adcock, Ager, Arp, Avila, Baskerville, Blackwell, Boles, Brawley, Brisson, Brockman, Brody, Brown, Bumgardner, Burr, Cleveland, Conrad, Daughtry, Dixon, Dobson, Elmore, Faircloth, Farmer-Butterfield, Floyd, Ford, Fraley, Gill, C. Graham, G. Graham, Grange, D. Hall, K. Hall, L. Hall, Hardister, Harrison, Horn, Hunter, Hurley, Iler, Insko, Jackson, Langdon, Lucas, Malone, Martin, McElraft, McNeill, Michaux, Millis, Murphy, Pendleton, Pierce, Pittman, Presnell, Queen, B. Richardson, W. Richardson, Riddell, Saine, Salmon, Sgro, Shepard, Speciale, Stam, Stevens, Stone, Terry, Tine, Torbett, B. Turner, R. Turner, Watford, West, Whitmire, Willingham, Wray, Yarborough

I. Call to Order

Senior Chair, Nelson Dollar presided and called the meeting to order at 2:21 p.m.

II. Introductions

Chairman Dollar introduced Sergeant-at-Arms Staff assisting with the meeting.

III. Honorable Pat McCrory

Governor Pat McCrory requested to speak to members of the Appropriations Committee to thank them for their insight and support for the victims of Hurricane Matthew and those affected by the wild fires in Western North Carolina. He praised the committee for its surplus and the largest rainy day fund in state history which allowed immediate assistance in providing temporary housing, medical and emergency assistance.

IV. Review of Rules

Chairman Dollar reviewed the rules governing the eligibility of amendments to House Bill 2.

V. HB2: Disaster Recovery Act of 2016

Prior to the introduction of the bill, Representative John Bell thanked members of the committee for their positive response to providing additional relief to victims of Hurricane Matthew. Representative Jimmy Dixon described the state's response as "unprecedented" in demonstrating that *we care* for our citizens.

Representative Chuck McGrady praised the many fire fighters who came from the flood areas of Eastern North Carolina to assist with the fires in Western North Carolina. He informed members that the cost of their service is also included in HB2.

Ben Stanley, staff attorney, reviewed HB2 which provides disaster relief to those affected by Hurricane Matthew recent wildfires in the western part of the State, and Tropical Storms Hermine and Julia. The bill appropriates \$100,928,370 from the Savings Reserve Account and \$100 million from the unappropriated General Fund balance. He provided a breakdown of the allocated dollars.

A. Amendments Presented

<u>Representative</u>	<u>Amendment</u>	<u>Adopted/Failed</u>
Dollar	#2	Adopted
McGrady	H2-ATC-1[v.2]	Adopted

B. Comments/Questions Taken from the Floor

Chairman Dollar called upon committee members requesting to speak to the Bill: Michaux Insko, McElraft, Brisson, Graham, Brody, Tine, Martin, Farmer/Butterfield, Cleveland, Millis, Willingham, Whitmire, and Stevens.

Mike Sprayberry, Director of Emergency Management, was thanked publicly by Chairman Dollar and members of the committee.

Representative Farmer-Butterfield commended Governor McCrory for his quick response and the time and attention he has given to North Carolina's disaster victims.



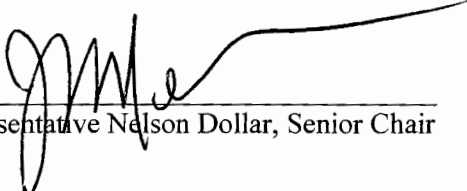
C. Action Taken

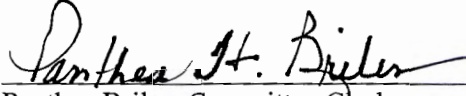
Chairman Johnson moved for Favorable Report as amended and re-referred to Committee on Finance.

Chairman Dollar called for the question. The motion passed.

VI. Adjournment

The House Committee on Appropriations adjourned at 3:45 p.m.



Representative Nelson Dollar, Senior Chair

Panthea Briles, Committee Clerk



MINUTES
HOUSE COMMITTEE ON APPROPRIATIONS
Thursday, December 15, 2016
11:30 a.m.
Legislative Office Building, Room 643

ATTENDEES:

Chairmen: Representatives Dollar, L. Johnson, and McGrady

Members: Ager, Arp, Avila, L. Bell, Blackwell, Boles, Brawley, Brockman, Brody, Brown, Bumgardner, Cleveland, Conrad, Daughtry, Dixon, Dobson, Elmore, Faircloth, Farmer-Butterfield, Floyd, Ford, Fraley, Gill, Grange, C. Graham, G. Graham, Hardister, Harrison, Horn, Hunter, Hurley, Iler, Insko, Jackson, Lewis, Lucas, Malone, Martin, McElraft, McNeill, Pendleton, Pierce, Pittman, Presnell, Queen, B. Richardson, W. Richardson, Riddell, Saine, Sgro, Shepard, Speciale, Stam, Stevens, Stone, Terry, Torbett, B. Turner, Watford, West, Whitmire, Willingham, Wray, Yarborough

I. Call to Order

Senior Chair, Nelson Dollar presided and called the meeting to order at 11:43 a.m.

II. HB10 Clarify Funding Eligibility/Charter Schools

Representative John Torbett, Chair of Transportation, reviewed HB10 and requested consideration to revert back to the original language of the bill to include the designation of public and charter schools.

Chairman Dollar opened the floor for questions and statements from the following representatives: McGrady, Speciale, Martin, Horn, Jackson, Floyd, Queen, Insko, Stone, B. Richardson, Dixon and Lucas.

Chairman Dollar called for the question to revert back to the original language of the bill. Committee members were in agreement.

III. Amendment #1, H10-AML-1 [v.1]

Representative Torbett introduced Amendment #1, H10-AML-1 [v.1] . Chairman Dollar recognized the following members for questions and comments regarding the amendment: McNeill, Yarborough, Brawley, Sgro, Agar, Stam, Insko, Avila, Lucas, and Jackson.

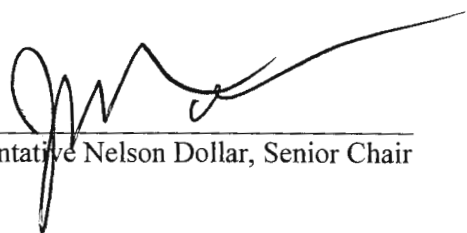
Representative Jackson stated, "I would like to renew our protest to the legality of this Special Session." He asked that his statement be noted for the record.

Representative Cleveland moved favorable to the amendment and roll into proposed committee substitute and present to the floor.

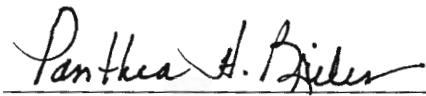
Chairman Dollar called for the question. The motion passed.

VI. Adjournment

The House Committee on Appropriations adjourned at 12:34 p.m.



Representative Nelson Dollar, Senior Chair



Panthea Briles, Committee Clerk

Corrected #1: Time change only

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION**

You are hereby notified that the **House Committee on Appropriations** will meet as follows:

DAY & DATE: Wednesday, April 27, 2016
TIME: 9:00 AM
LOCATION: 643 LOB

Respectfully,
Representative Nelson Dollar, Senior Chair
Representative Linda P. Johnson, Co-Chair
Representative Donny Lambeth, Co-Chair
Representative Chuck McGrady, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 10:30 AM on Wednesday, April 20, 2016.

___ Principal Clerk
___ Reading Clerk – House Chamber

Candace Slate (Committee Assistant)



**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION**

You are hereby notified that the **House Committee on Appropriations** will meet as follows:

DAY & DATE: Wednesday, April 27, 2016

TIME: 8:30 AM

LOCATION: 643 LOB

COMMENTS: NOTE: Meeting time is scheduled from 8:30am-10:00am.

Respectfully,
Representative Nelson Dollar, Senior Chair
Representative Linda P. Johnson, Co-Chair
Representative Donny Lambeth, Co-Chair
Representative Chuck McGrady, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 3:37 PM on Tuesday, April 19, 2016.

____ Principal Clerk
____ Reading Clerk – House Chamber

Candace Slate (Committee Assistant)



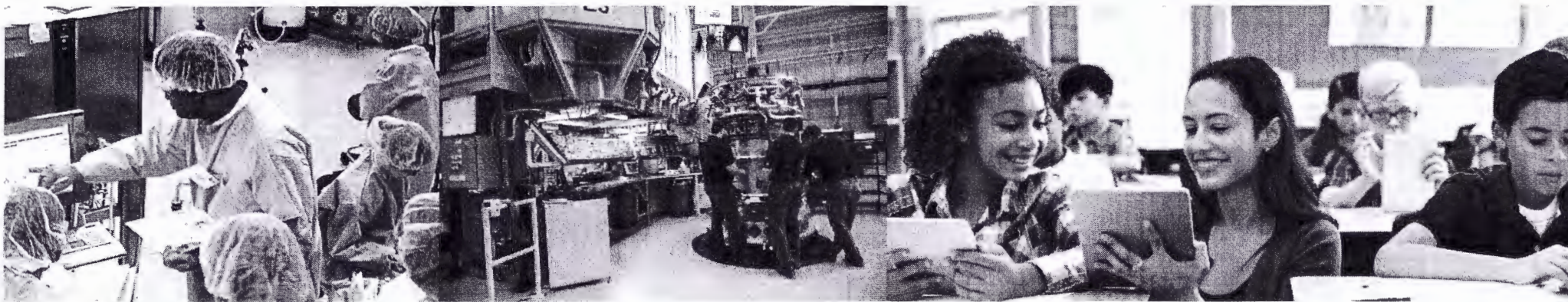
HOUSE OF REPRESENTATIVES AND SENATE APPROPRIATIONS COMMITTEES

**Wednesday, April 27, 2016
9:00 AM
643 Legislative Office Building**

AGENDA

- I. Opening Remarks** Rep. Nelson Dollar, Senior Chair Sen. Harry Brown
 Rep. Linda Johnson Sen. Kathy Harrington
 Rep. Donny Lambeth Sen. Brent Jackson
 Rep. Chuck McGrady
- II. Introduction of Sergeant at Arms**
- III. Presentation of the Governor's 2016-17 Proposed Budget Adjustments**
- Andrew Heath
 State Budget Director
- IV. Adjourn**





Governor Pat McCrory's 2016-17 Budget

Andrew T. Heath

State Budget Director

Office of State Budget and Management

April 27, 2016





Rebuilding North Carolina

January 2013

9.4% unemployment
\$2.5 billion unemployment insurance debt
Personal tax rate = 7.75%
Corporate tax rate = 6.9%
4 years of Medicaid budget shortfalls

Today

5.5% unemployment, 275K jobs added
Unemployment insurance debt paid off, reserve of \$1 billion
Personal tax rate = 5.499% (1/1/17)
Corporate tax rate = 4.0%
3 years of Medicaid within budget







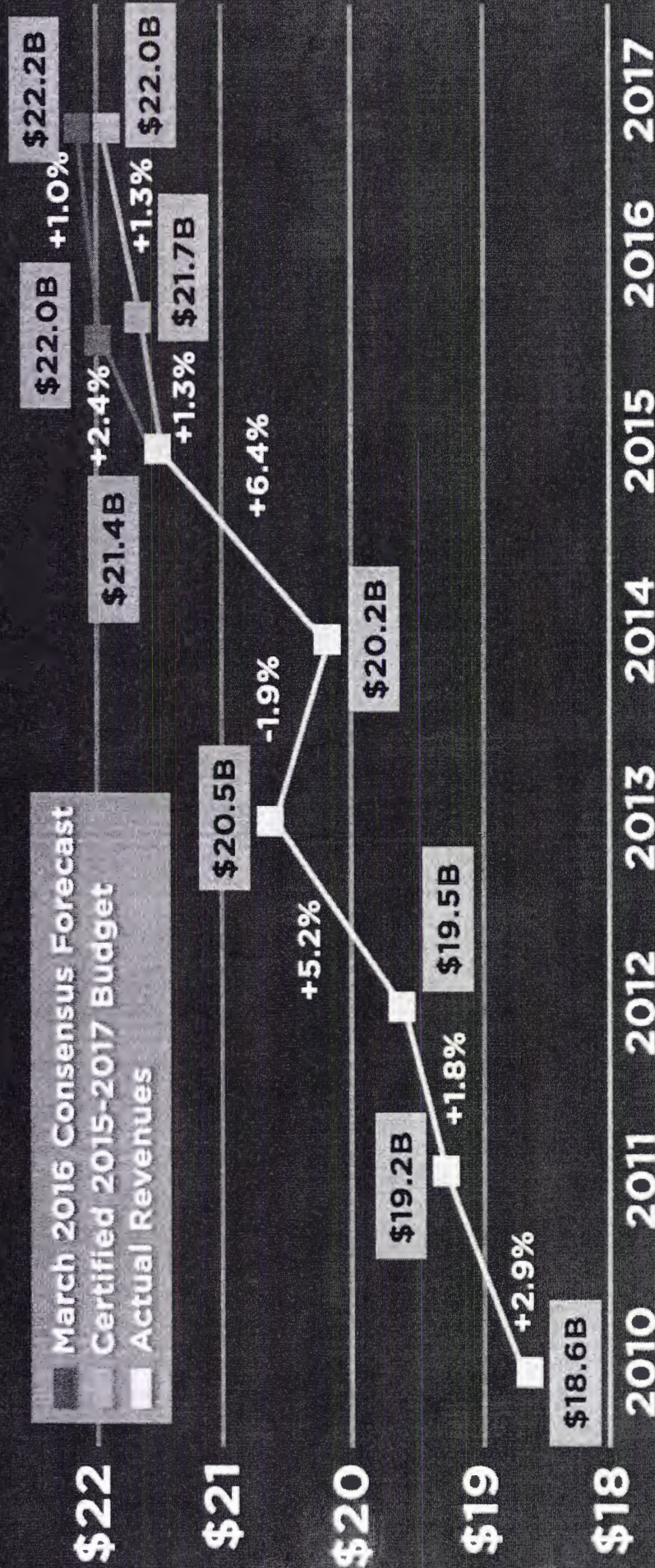
Fiscal Discipline

- **Balanced budget, consistent with state constitution**
- **Maintain structural integrity, no non-recurring dollars spent on recurring expenses**
- **No new taxes or fee increases**
- **Budget grows more slowly than inflation and population**
- **AAA bond rating from all three major ratings agencies**





CONSENSUS REVENUE FORECAST REVISED UPWARD BY \$237 MILLION



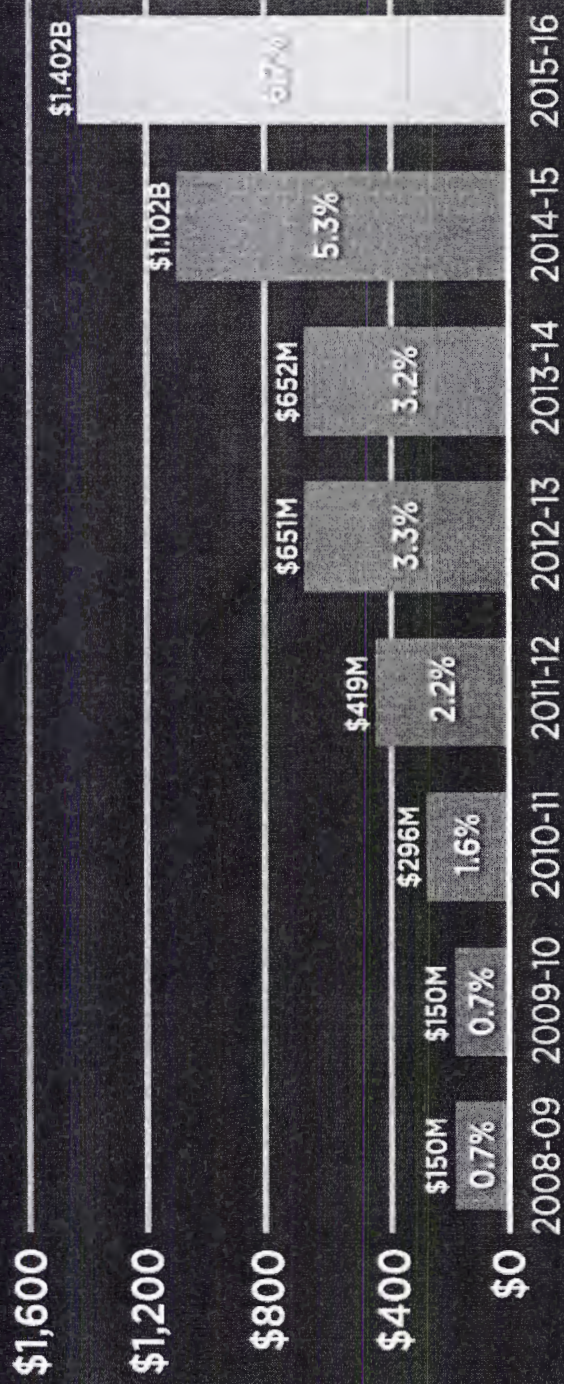
SOURCE: OSBM and NC Fiscal Research Division data and projections



Invests an
additional
\$300 million
in the rainy day
fund bringing to
an all-time-high
of **\$1.4**
billion



YEAR-END SAVINGS RESERVE BALANCE (MILLIONS) AND PERCENT OF PRIOR-YEAR BUDGET



Note: All balances as of end of fiscal year, except for \$250 million transfer authorized by S.L. 2015-280 included in FY 2014-15 balance.

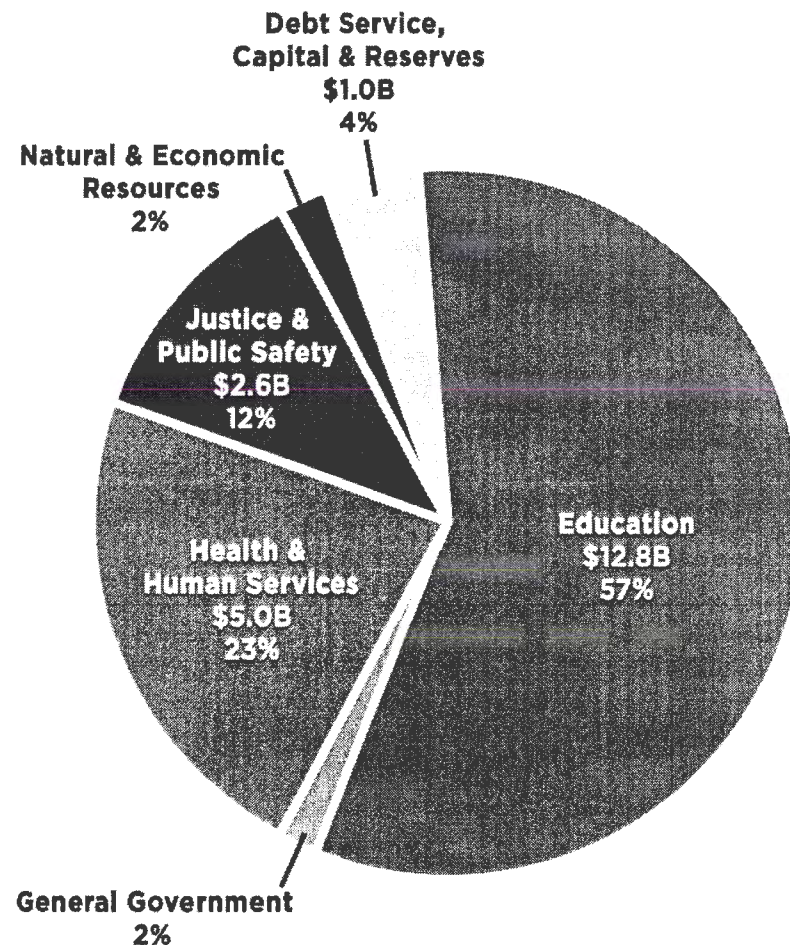


Spending Where It Matters Most

FY 2016-17 General Fund
Appropriations =

\$22.3 billion

- Education is 70% K-12, 22% university system, and 8% community colleges
- Health and Human Services is more than 70% Medicaid
- Justice and Public Safety is 73% Public Safety (law enforcement & corrections), 25% Judicial, and 2% Justice
- General Government and Natural and Economic Resources combine to comprise nearly 4% of all appropriations





Total Employee Compensation

Most of our \$22.3 billion
General Fund budget

or nearly

\$15 billion

goes to pay salaries
and benefits





NC TEACHER COMPENSATION TRENDS



SOURCE: Source: 2016 DPI Highlights of the NC Public School Budget



- Boosts average teacher pay to **more than \$50,000**
- More than **\$426 million** in new funding for teacher compensation
- Average **5 percent** pay increase for teachers
- Average **3.5 percent** bonus for teachers



Teacher Pay Plan Statistics

Increases average
teacher salary by
\$2,313 bringing
average teacher pay to
\$50,244

When considering
health and retirement,
total compensation will
equal **\$67,432**



Approximately **80,000**
or nearly **85%** of
teachers will receive a
salary increase



Holding all other states
constant, North
Carolina would rank
32nd in teacher pay
under this plan (based
on latest NEA data)



All **153,000** state
supported school
employees will receive
a bonus

Teachers and
principals: **3.5% bonus**

All other school
employees: **3% bonus**





Teacher Compensation



A 3rd year teacher in Asheville made \$39,701 this year.

Under Gov. McCrory's plan, this teacher will make \$41,051 next year.



A teacher with 24 years of experience in Clay County made \$47,250 this year.

Under Gov. McCrory's plan, this teacher will make \$51,100 next year.



A teacher with 30 years of experience in Craven County made \$53,050 this year.

Under Gov. McCrory's plan, this teacher will make \$57,300 next year.



Rewarding State Employees



\$27 million

increase to the salary
adjustment fund for a
total of nearly

\$40 million

to recruit and retain
the best and brightest

\$196 million

to provide an average

3 percent

bonus for state
government's most
valuable asset, its
employees



Justice and Public Safety Pay Increases



- **\$10 million** for Correctional Officer pay increases

- Average **5 percent** pay increase for:

- State Bureau of Investigation Agents
- Alcohol Law Enforcement Agents
- Assistant District Attorneys
- Assistant Public Defenders

- Experience-based pay increase for eligible:

- State Highway Patrol Troopers
- Assistant and Deputy Clerks
- Magistrates



Investing in Education: Pre-K - 12



RESPECTING AND REWARDING TEACHERS

- \$426 million
- Average 5 percent pay increase boosting average pay to \$50,000
- Average 3.5 percent bonus
- \$6 million differentiated pay pilot



RECRUITING NEW TEACHERS

- \$2 million
- New scholarship program to recruit science and math teachers
- 300 scholarships



EXPANDING OPPORTUNITY FOR SPECIAL NEEDS STUDENTS

- \$6 million
- Expands to serve an additional 300 students



MODERNIZING CLASSROOMS

- \$29 million
- Digital content and professional development
- Connecting all classrooms to robust WiFi by 2018



INVESTING IN CLASSROOM RESOURCES

- \$10 million
- Expands funding for classroom supplies and equipment



EXPANDING PRE-K

- \$4 million
- Expands Pre-K to serve an additional 800 at-risk 4 year olds
- Brings total Pre-K budget to \$148 million



Investing in Education: Higher Education

BRODY SCHOOL OF MEDICINE AT ECU

- \$8 million
- Recurring funding to stabilize medical education

EXCEPTIONAL FACULTY RECRUITMENT

- \$3 million
- Increases funding to recruit and retain exceptional faculty at UNC System campuses



COMMUNITY COLLEGE STUDENT SUCCESS

- \$16.7 million
- Provides support services to ensure community college students graduate with a credential or degree

MATH, SCIENCE AND HEALTH SCHOLARSHIPS

- \$5 million
- Establishes new merit scholarship program for students pursuing Math, Science and Health degrees at our universities

HBCU INTERNSHIP PROGRAM

- \$183,000
- Expands the program to connect more students with prospective private-sector employers



COMMUNITY COLLEGE EQUIPMENT

- \$7.5 million
- Upgrades equipment to train students for the 21st century workforce



Encouraging a Healthy North Carolina

Helping those who can't help themselves, while encouraging those who can



MENTAL HEALTH AND SUBSTANCE USE TREATMENT

- **\$30 million**
- Transitional housing, case management, mental health first aid training, child crisis centers and tools to combat addiction

SERVICES FOR OLDER ADULTS AND THOSE WITH ALZHEIMER'S

- **\$3 million**
- **320** new slots
- **\$1 million** for family caregiver support services, including respite care

SERVICES FOR DEVELOPMENTAL DISABILITIES

- **\$2.5 million**
- **250** new Medicaid Innovations Waiver slots

PREPARING NORTH CAROLINA FOR ZIKA AND OTHER DISEASES

- **\$750,000**
- Supports prevention and surveillance to track primary carrier of Zika virus and other vector borne diseases



Expanding Career Opportunities



INNOVATION TO JOBS

\$5 million

Increased investment in early stage commercial ventures and leveraging entrepreneurial talent



AGRI- BUSINESS

\$2.3 million

Funds the Food Manufacturing Task Force recommendations and the Farmland Preservation Trust Fund



MAIN STREET PROGRAM

\$1 million

Additional funding to revitalize small town main streets



NCWORKS APPRENTICESHIP

\$500,000

Expands apprenticeship opportunities allowing students to learn while they earn



Strengthening Transportation System

DRIVING CHANGE AT THE DMV

\$3.8 million

for additional driver
license examiners to
improve customer service
and decrease wait times

MAINTAINING SAFE AND CLEAN ROADS

\$27.5 million

increase in funding to
maintain roads, enhance
safety and reduce
congestion

BUILDING NEW ROADS

\$30 million

increase for new
transportation projects in
the state's 10-year plan



Keeping North Carolina Safe

PROMOTING SAFER SCHOOLS

- **\$2.8 million**
- Statewide deployment of anonymous tip reporting application
- Emergency management professionals to assist local school districts to implement school safety plans

LEVERAGING TECHNOLOGY TO FIGHT CRIME

- **\$4.6 million** to detect and prevent prisoner access to cell phones
- **\$1.3 million** to safeguard law enforcement communication and improve emergency response

IMPROVING CRIMINAL JUSTICE SYSTEM

- **\$2.5 million** to establish specialty courts, such as drug treatment courts
- **\$2.2 million** to significantly reduce the State Crime Lab backlog
- **\$1.4 million** to open the Western Crime Lab



Overview: K-12 Public Education

	2015-16 Certified	2016-17 Certified	2016-17 Recommended	% Change 2015-16 Certified
Requirements	\$12,718,847,989	\$12,647,946,284	\$13,232,795,774	4.0%
Receipts	\$4,202,078,692	\$4,228,501,663	\$4,269,662,147	1.6%
GF Appropriation	\$8,516,769,297	\$8,419,444,621	\$8,963,133,627	5.2%

Highlights of Investments

- Invests \$259 million to increase average teacher pay by 5%, bringing average teacher salary above \$50,000 for the first time in state history.
- Provides an average 3.5% bonus for teachers and principals including a \$5,000 bonus for our veteran teachers with more than 24 years of service.
- Fully funds 2016-17 projected ADM of 1,543,518 (increase of 11,437 ADM for charter schools and a decrease of 5,562 ADM for LEAs).
- Provides \$29 million of lottery funds to empower schools to trade textbooks for tablets and builds on our commitment to position North Carolina as one of the first states in the nation to connect all classrooms to robust Wi-Fi by 2018.



Overview: NC Community College System

	2015-16 Certified	2016-17 Certified	2016-17 Recommended	% Change 2015-16 Certified
Requirements	\$1,475,442,941	\$1,480,340,859	\$1,496,664,868	1.4%
Receipts	\$406,375,943	\$ 414,445,339	\$ 397,968,602	-2.1%
GF Appropriation	\$1,069,066,998	\$1,065,895,520	\$1,098,696,266	2.8%

Highlights of Investments

- Provides \$16.7 million in locally-determined support services to help ensure students complete their degree or credential.
- Adds \$7.5 million to upgrade instructional equipment to train students for today's jobs.
- Fully funds two new multi-campus sites: Durham Tech's Orange County campus and Mitchell Community College's Mooresville campus (\$1 million recurring).
- Supports development of a uniform system of competency-based education efforts to grant students credit for prior learning and life experiences.



Overview: University of North Carolina

	2015-16 Certified	2016-17 Certified	2016-17 Recommended	% Change 2015-16 Certified
Requirements	\$4,463,610,618	\$4,400,355,967	\$4,535,577,146	1.6%
Receipts	\$1,717,048,040	\$1,717,048,040	\$1,751,360,110	2.0%
GF Appropriation	\$2,746,562,578	\$2,683,307,927	\$2,784,217,036	1.4%

Highlights of Investments

- Provides \$5 million of lottery funds for a new Math, Science, and Health Degree Merit Scholarship program for resident students.
- Creates a \$2 million Math and Science Teacher Recruitment Scholarship program providing 300 students with awards up to \$6,500.
- Fully meets the need for UNC enrollment which is projected to increase by 3,125 FTE (1.5%) in 2016-17.
- Enhances the UNC Faculty Recruitment and Retention Reserve with an additional \$3 million for campuses to recruit and retain exceptional faculty.
- Provides \$6 million of lottery funds to leverage technology and data analytics to improve student completion rates with a focus on “part-way home,” military-affiliated, and other non-traditional students.



Overview: General Government and IT

	2015-16 Certified	2016-17 Certified	2016-17 Recommended	% Change 2015-16 certified
Requirements	\$570,294,570	\$551,796,198	\$583,399,057	2.3%
Receipts	\$178,610,467	\$175,889,598	\$186,046,497	4.2%
GF Appropriation	\$391,684,103	\$375,906,600	\$397,352,560	1.5%

Highlights of Investments

- Supports the Innovation to Jobs Initiative through:
 - \$2.5 million for the Rallying Investors and Skilled Entrepreneurs for NC (NC RISE) program
 - \$2.5 million for the University Innovation Commercialization Grant Program
- Connects military veterans with jobs via a new disabled veteran cyber security apprenticeship program (\$600,000)
- Protects the public against identity theft by investing \$3 million to create a multilayer identity verification platform in the Department of Revenue
- Invests \$5.5 million in the Community Living Housing Fund to increase access for individuals with disabilities
- Honors our veterans by ensuring NC Veterans Cemeteries are adequately staffed (\$400,000)
- Increases transparency of voter and campaign finance data (\$592,687) and expands elections outreach (\$336,030)



Overview: Justice and Public Safety

	2015-16 Certified	2016-17 Certified	2016-17 Recommended	% Change 2015-16 certified
Requirements	\$2,698,516,304	\$2,698,516,119	\$2,797,049,115	3.7%
Receipts	\$195,603,616	\$197,678,616	\$209,218,616	7.0%
GF Appropriation	\$2,502,912,688	\$2,500,837,503	\$2,587,830,499	3.4%

Highlights of Investments

- Provides \$21.3 million in targeted pay raises for criminal justice professionals including correctional officers, SBI and ALE agents, assistant district attorneys, assistant public defenders and step increases for eligible state troopers, magistrates and assistant and deputy clerks of court.
- Invests \$2.8 million to enhance the safety of our children while at school.
- Enhances prison security and public safety through \$4.6 million to deter prisoner access and use of cell phones.
- Improves law enforcement communications through a \$1.3 million replacement of the operating system for the Voice Interoperability Plan for Emergency Responders (VIPER) network.
- Provides \$3.5 million to reduce case backlogs at the State Crime Lab and establish the Western Crime Lab.
- Reduces backlog of payments to attorneys who represent indigent clients through an additional \$3.5 million.



Overview: Natural and Economic Resources

	2015-16 Certified	2016-17 Certified	2016-17 Recommended	% Change 2015-16 certified
Requirements	\$770,385,087	\$772,484,629	\$822,916,221	6.8%
Receipts	\$304,450,663	\$301,788,791	\$329,688,596	8.3%
GF Appropriation	\$465,934,424	\$470,695,838	\$493,227,625	5.9%

Highlights of Investments

- Promotes North Carolina as a preferred tourist destination with an additional \$3.3 million for marketing.
- Implements \$1.3 million in recommendations of the Governor's Food Manufacturing Task Force to promote and develop the food manufacturing industry.
- Preserves and protects family farms with a \$1 million investment in the Farmland Preservation Trust Fund.
- Improves safety at downtown Raleigh attractions by adding \$300,000 for four law enforcement positions.
- Revitalizes small town main streets with \$1 million in matching grants for local governments.



Overview: Health and Human Services

	2015-16 Certified	2016-17 Certified	2016-17 Recommended	% Change 2015-16 certified
Requirements	\$19,638,246,062	\$20,169,173,124	\$19,659,270,343	0.1%
Receipts	\$14,507,696,536	\$14,901,577,516	\$14,615,575,694	0.7%
GF Appropriation	\$5,130,549,526	\$5,267,595,608	\$5,043,694,649	-1.7%

Highlights of Investments

- Invests \$30 million to implement the recommendations of the Governor's Task Force on Mental Health and Substance Use.
- Adds \$4 million to expand Medicaid and state services to older adults, including those with Alzheimer's disease and their caregivers.
- Expands Medicaid services for people with developmental disabilities, adding \$2.5 million for community services.
- Invests \$8.6 million to implement improvements in the state's child protection system and \$4 million in lottery proceeds to expand NC Pre K.
- Prepares NC to respond to Zika Virus and other vector borne diseases by adding \$750,00.



Overview: Transportation

	2015-16 Certified	2016-17 Certified	2016-17 Recommended	% Change 2015-16 certified
Requirements	\$4,528,827,778	\$4,509,830,945	\$4,599,994,796	1.6%
Receipts	\$1,268,499,649	\$1,180,994,796	\$1,180,994,796	-6.9%
GF Appropriation	\$3,260,328,129	\$3,328,836,149	\$3,419,000,000	4.9%

Note: The Chart above excludes duplicate receipts and requirements

Highlights of Investments

- Provides an additional \$27.5 million for highway maintenance activities.
- Builds on the largest transportation investment in two decades by adding nearly \$30 million for transportation projects.
- Provides funding for additional driver license examiners to improve customer service and decrease wait times in high traffic DMV locations.



Overview: Capital & Statewide Reserves

- **Repairs & Renovation Funds: \$155 million**
- **Department of Environmental Quality**
 - Provides \$7.96 million for the State's share of Water Resource Projects
 - Leverages \$25.4 million in federal funds
- **Salary Adjustment Fund**
 - Provides funding to continue the implementation of a new market-aligned salary structure for state agencies. The structure will adjust salaries in state job classifications where employee pay is below market value, not competitive in the marketplace, and where the State is having difficulty recruiting and retaining the best and brightest employees.



The background of the slide features a photograph of the North Carolina State Capitol building, specifically its dome, which is partially visible on the left side. In the foreground, an American flag is flying on a tall pole, its stripes clearly visible. The sky is a clear, light blue.

QUESTIONS

An electronic version of Governor McCrory's budget will be available on the Office of State Budget and Management website:

osbm.nc.gov



VISITOR REGISTRATION SHEET

JT APPROPRIATIONS COMMITTEE

4-27-16

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

JEFF SMITH

Arc of NORTH CAROLINA

Denise Coleman

The Arc of N.C.

Holly Richard

Tammy Lynn Center

Julia Adams Scheerich

Arc of NC

Thomas Maher

IDS

Providence Hitzman

OSAM

Sarah Jacobson

American Heart Association

Betsy Vetter

American Heart Assn

Morgan Gramann

NC Alliance for Health

STARLET JOHNSON

NC ALLIANCE FOR HEALTH

Kristin Parker

DRNC



VISITOR REGISTRATION SHEET

JT APPROPRIATIONS COMMITTEE

4-27-16

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Drew Moretz	JNC - GA
Michelle Frazier	MFS
John Harrell	MFS
Steve Mange	NCZLA
Mark Lamine	UNCW
Bruce Melnick	NCSBA
Tom West	NCIIC
Dan O'Yancey	SHIFT NC
Bill Grey	NCSHP
Marsha Overby	NC SHP
Andrew Murray	Mecklenburg DA / District 26



VISITOR REGISTRATION SHEET

JT APPROPRIATIONS COMMITTEE

4-27-16

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
David Puryear	OSBM
Mam Jenkins	NCDOT
Jennifer Haigwood	NC DOL
Sarah Beth Kance	NC DOL
Robb Jansen	State Board of Education
J. R. R. R.	CSS
Tazra Mitchell	nc Budget & Tax Center
Mary Shuping	NCCCS
Meghan Cook	NCDIT
Karen McIn	Benchmarks
Heather Englehart	Benchmarks



VISITOR REGISTRATION SHEET

JT APPROPRIATIONS COMMITTEE

4-27-16

Name of Committee

Date _____

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

Caroline Thomas

DEO

Rob Schiller

NC Symphony

Stan Williams

NC Symphony

Laure Gunter

NLB10



VISITOR REGISTRATION SHEET

JT APPROPRIATIONS COMMITTEE

4-27-16

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Caroline Thomas

DEQ

Rob Schiller

NC Symphony

Stan Williams

NC Symphony

Laurie Ginter

NCBIO



VISITOR REGISTRATION SHEET

JT APPROPRIATIONS COMMITTEE

4-27-16

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

JEFF SMITH

Arc of NORTH CAROLINA

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The Arc of N.C.

Holly Richard

Tammy Lynn Center

Julia Adams Schevrick

Arc of NC

Thomas Maher

IDS

Providence Hospizimova

OSBN

Sarah Jacobson

American Heart Association

Betsy Vetter

American Heart Assn

Morgan Gramann

NC Alliance for Health

STARLETT JOHNSON

NC ALLIANCE FOR HEALTH

Kristin Parker

DRNC



VISITOR REGISTRATION SHEET

JT APPROPRIATIONS COMMITTEE

4-27-16

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Carol Allen White	Clerk of Superior Court
Barbara Moore	Judica 1 Branch
Skylar David	ELG
Melanie Miller	The Arc of Union / Cabarrus 1653-C Campus Park Dr. Monroe, NC 28112
Lisa Pluff	Beyond Academics
Joan Johnson	BOB Member The Arc of NC
Nick Gwetsch	OSBM
Jeff Marcum	OSBM
Bryan Conrad	OSBM
Shannon Creech	OSBM
John Nash	The Arc of NC



VISITOR REGISTRATION SHEET

JT APPROPRIATIONS COMMITTEE

4-27-16

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

David Puryear	OSBM
Mam Jenkins	NCDOT
Jennifer Haigwood	NC DOL
Sarah Beth Kance	NC DOL
Robb Jansen	State Board of Education
J. Peter	CSS
Tazra Mitchell	nc budget & Tax Center
Mary Shuping	NCCCS
Meghan Cook	NCDIT
Karen McLe	Benchmarks
Heather Englehart	Benchmarks



VISITOR REGISTRATION SHEET

JT APPROPRIATIONS COMMITTEE

4-27-16

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

PY Newson	SE2
Gray Z	NC DOC
Heather Horton	NC DOC
Paul Yogan	HT & AC
Susan Kluttz	NC DNCR
Martha Jenkins	DNCR
Kevin Chert	DNCR
Tom Bowlin	NCNG
Chris Agner	NC DOJ
Hugh Johnson	NC Acc
Paula Woodhouse	OSHR



VISITOR REGISTRATION SHEET

JT APPROPRIATIONS COMMITTEE

4-27-16

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Kelly Perkins

Perkins Law Firm

T. Lynn Clodfelter

Stanly County D.A. - 20A

Andy Brandon

NC DPS

Samuel Ginter

NC HC

Will Morgan

TNC

Amanda Donovan

TSS

Tonya Horton

TSS

Pey Dour

Conf of DAs

DAVID POWERS

WOMBLE CARROLL



VISITOR REGISTRATION SHEET

JT APPROPRIATIONS COMMITTEE

4-27-16

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Jonathan Yeoman	OSBM
Sarah Grimsrud	OSBM
Sheree Vodička	NC Alliance of YMCAs
Wayne Wilmon	OSBM
Jim King Tuguey	NCEL
Bre Hager	NCEL
Hayden Burgess	FSP
Judy McElmurt	OSBM
Alex Holbrook	NC DOT
Laurie Orario	Laurie Orario LLC
Laura Puryear	Laurie Orario LLC



VISITOR REGISTRATION SHEET

JT APPROPRIATIONS COMMITTEE

4-27-16

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Tim KENT	NC Beer & Wine
Alan Primmer	NCAIR
Pam Deardorff	NCRSP
Allen Hardison	NCSWANA
Larry Presnell, Jr.	NCRSP
Matt Gross	NCPC
LAURA PURYEAR	LAURIE ONORIO, LLC
Kevin Rich	OSBM
Mike W. H. Lee	SANDHILL GME-MCO
Jud Bone	Bone Asso.
Bonnie Queen	OSBM



VISITOR REGISTRATION SHEET

JT APPROPRIATIONS COMMITTEE

4-27-16

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Chris McCune	BP
Cody Hand	NCHA
Alex McDowell	KTS
Daniel Van Liere	V. DART HEALTH
JOHN COOPER	CAPITAL CITY STRAT
PABLO GIBSON	" "
Josh Jackson	White Coat Group
Angie Bopp	Noms
Isabel Villalaz-Garcia	NCAR
Susan Harris	NCDTSEA
Mollie Young	DEQ
Rob Hammy	PLA
Katherine Joyce	NCASA
Kristopher Nordstrom	Jim Blaine Fan Club (Unofficial)



VISITOR REGISTRATION SHEET

JT APPROPRIATIONS COMMITTEE

4-27-16

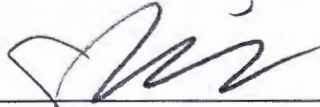
Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Doug Lassiter	NCSTA
Joy Hiles	NCDA&CS
Ruan Menwald	WM
Phoebe Landon	mwcllc
Katy Kingsbury	BP
TJ Bugbee	NP
	am
Madhan Luv	NC chamber
Lexi Arthur	NC RMA
Elizabeth Robinson	NCKMA
Elizabeth Biser	Brooks Pier



Committee Sergeants at Arms

NAME OF COMMITTEE Joint Committee on Appropriations

DATE: 04/27/2016

Room: 643

House Sgt-At Arms:

Warren Hawkins

1. Name: Reggie Sills

David Leighton

2. Name: Terry McCraw

Doug Harris

3. Name: Mark Cone

Joe Austin

4. Name: Joe Crook

James Moran

5. Name: David Linthicum

Dean Marshbourne
Jonas Cherry

Senate Sgt-At Arms:

1. Name: Terry Barnhardt

2. Name: Becky Myrick

3. Name: Jim Hamilton

4. Name: Steve Wilson

5. Name: John Enloe



Senate Pages Attending

COMMITTEE: Joint Approps - Budget ROOM: 643LOB
 DATE: 4-27 TIME: 9 AM

PLEASE PRINT LEGIBLY!!!!!!!!!!!!!!.....or else!

Page Name	Hometown	Sponsoring Senator
①. Althea Hamilton	Asheville	Van Dwyne
②. Brianna Dunlap	Charlotte	Walden
③. Josephine Hill	Durham	McKissick
④. Kamae Sharpe	Gastonia	Harrington
⑤. Lauren Bush	Cornelius	Tarte
⑥. Laken Knowles	Clinton	Berger
⑦. Kennedy Byrd	Cary	Barringer
⑧. Symantha Legrand	Pittsboro	Foushee
9.		
10.		

Do not add names below the grid.

Pages: Present this form to either the Committee Clerk at the meeting or to the Sgt-at-Arms.



HOUSE PAGES

Week of April 25, 2016

Name:	County:	Sponsor:
Mariia Akhmadiar	Wayne	Speaker Tim Moore
✓ Brandon Buckhannon	Guilford	Speaker Tim Moore
Hope Cockerham	Gaston	Speaker Tim Moore
✓ Mary Collins	Bladen	Bill Brisson
✓ Isaiah Facemire	Alamance	Stephen Ross
James Fitz-Henley	Durham	Speaker Tim Moore
✓ Eli Gerrans	Carteret	Pat McElraft
Ghabriel Guimaras	Granville	Speaker Tim Moore
✓ Jacob Hart	Surry	Speaker Tim Moore
Kay Hill	Durham	Speaker Tim Moore
Cailey Howard	Lenoir	John Bell
Jacob Jeffries	Durham	Speaker Tim Moore
Hira Mashal	Johnston	Speaker Tim Moore
Aaron Medinger	Wake	Speaker Tim Moore
Julian Price	Mecklenburg	Speaker Tim Moore
✓ Dehamma Wilson	Gaston	Speaker Tim Moore
Madison Joines	Forsyth	Evelyn Terry



Corrected #1: Time Change

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION**

You are hereby notified that the **House Committee on Appropriations** will meet as follows:

DAY & DATE: Tuesday, May 17, 2016

TIME: 9:30am 4:00pm

LOCATION: 643 LOB

COMMENTS: We will be hearing HB 1030 - 2016 Appropriations Act.

Respectfully,
Representative Nelson Dollar, Senior Chair
Representative Linda P. Johnson, Co-Chair
Representative Donny Lambeth, Co-Chair
Representative Chuck McGrady, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 4:06 PM on Thursday, May 12, 2016.

____ Principal Clerk
____ Reading Clerk – House Chamber

Candace Slate (Committee Assistant)



**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION**

You are hereby notified that the **House Committee on Appropriations** will meet as follows:

DAY & DATE: Tuesday, May 17, 2016
TIME: 9:00am to 4:00pm
LOCATION: 643 LOB
COMMENTS: We will be hearing HB 1030 - 2016 Appropriations Act.

Respectfully,
Representative Nelson Dollar, Senior Chair
Representative Linda P. Johnson, Co-Chair
Representative Donny Lambeth, Co-Chair
Representative Chuck McGrady, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 1:14 PM on Tuesday, May 10, 2016.

____ Principal Clerk
____ Reading Clerk – House Chamber

Candace Slate (Committee Assistant)





**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030**

AMENDMENT NO. 2
(to be filled in by
Principal Clerk)

H1030-AMD-106 [v.1]

Page 1 of 1

Amends Title [NO]
PCS

Date _____, 2016

Representative Faircloth

1 moves to amend the bill on page 100, lines 43-47 by deleting the lines and substituting the
2 following:

3 "(7) Certify and recertify, suspend, revoke, or deny, pursuant to the standards that it
4 has established for the purpose, criminal justice instructors and school directors
5 who participate in programs or courses of instruction that are required by this
6 ~~Chapter.~~Chapter or are required and approved by their respective criminal
7 justice agency to include those certified under Chapter 17E or an educational
8 institution accredited by the Commission."

SIGNED

Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED

FAILED

TABLED





NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. 3
(to be filled in by
Principal Clerk)

H1030-ALU-34 [v.3]

Page 1 of 1

Amends Title [NO]
PCS30500-LUx-5

Date 2016

Representative Malone

1 moves to amend the House Appropriations Committee Report dated May 17, 2016, on page G-19,
2 Item 22, by decreasing the amount of that item by \$400,000; and

3
4 on page G-19, by inserting after Item 22, the following new item to read:

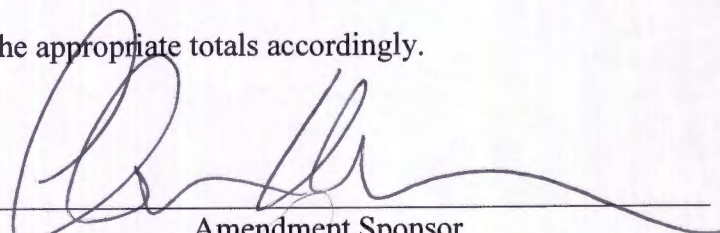
5 "22A Child Advocacy Centers \$400,000 R

6 Fund Code: 1331

7
8 Provides funding for Child Advocacy Centers to bring their funding for
9 FY 2016-17 to their 2015-16 fiscal year funding level. The revised net
10 appropriation for Child Advocacy Centers is \$793,000."; and

11
12 by adjusting the appropriate totals accordingly.

SIGNED


Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED

✓ FAILED

TABLED



* H 1 0 3 0 - A L U - 3 4 - V - 3 *



**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030**

AMENDMENT NO. 4
(to be filled in by
Principal Clerk)

H1030-AMK-78 [v.3]

Page 1 of 2

Amends Title [NO]
PCS30500-LUX-5

Date , 2016

Representative Elmore

1 moves to amend the House of Representatives Appropriations Committee Report on the Base,
2 Expansion and Capital Budgets, dated May 17, 2016, as follows:

3
4 on page F-4, Item 3, by reducing the amount for that item by \$22,500,000 in recurring funds and
5 rewriting the description for that item to read:

6
7 "Provides funds to create literacy coach positions to support
8 Read to Achieve for some of the eligible schools identified by the State
9 Board of Education (SBE) as the 5% lowest performing elementary schools.
10 The revised net appropriation for literacy coaches is \$2.5 million."; and

11
12 on page F-5, Item 5, by deleting that item; and

13
14 on page F-5, Item 9, by increasing the amount for that item by \$10,000,000 in nonrecurring funds
15 and rewriting the description for that item to read:

16
17 "Provides additional support for instructional materials,
18 supplies, and equipment (instructional supplies) allotment.
19 The revised net appropriation for instructional supplies is
20 \$59.5 million."; and

21
22 on page F-8, by adding the following new item to read:

23
24 **"23 Regional Education Services Alliances (RESAs) \$2,500,000 R**
25 **Fund Code: 1901**

26 Provides funds to the State Board of Education to provide
27 grants of an equal amount to each of the eight RESAs.
28 The centers shall use the grants to provide quality professional
29 development training for educators in the public schools. The
30 revised net appropriation for RESAs is \$2.5 million."; and

31
32 moves to amend the bill on page 16, lines 45-46, by rewriting those lines to read:



* H 1 0 3 0 - A M K - 7 8 - V - 3 *

**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030**

AMENDMENT NO. 4
(to be filled in by
Principal Clerk)

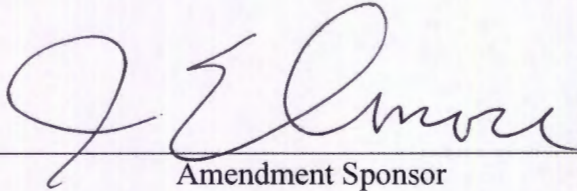
H1030-AMK-78 [v.3]

Page 2 of 2

1 "literacy coach positions for schools identified by the State Board that are included within the
2 lowest five percent (5%) of elementary schools. For a local school administrative unit with more
3 than one school"; and

4
5 by adjusting the appropriate totals accordingly.
6

SIGNED


Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED

FAILED



TABLED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

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

Page 1 of 2

H1030-ATR-41 [v.8]

Amends Title [NO]
H1030-PCS30500-LUx-5

Date _____, 2016

Representative Dollar

moves to amend the PCS on page 69, lines 9 and 10, by inserting between the lines the following new section:

"STUDY MEDICAID RESIDENTIAL TREATMENT RATES

SECTION 12H.10.(a) The Department of Health and Human Services, Division of Medical Assistance (Department), shall study the adequacy of existing Medicaid rates paid for residential treatment services considering data collected in concert with residential treatment providers within the past two years and any other information available to the Department related to the following:

- (1) Current rates for the following services described in Subchapter G of Chapter 27 of Title 10A of the North Carolina Administrative Code:
 - a. Residential treatment for children or adolescents provided in accordance with Section .1300 of that Subchapter.
 - b. Residential treatment staff secure for children or adolescents provided in accordance with Section .1700 of that Subchapter.
 - c. Intensive residential treatment for children or adolescents provided in accordance with Section .1800 of that Subchapter.
 - d. Psychiatric residential treatment for children or adolescents provided in accordance with Section .1900 of that Subchapter.
 - e. Community respite services for individuals of all disability groups provided in accordance with Section .5100 of that Subchapter.
 - f. Supervised living for individuals of all disability groups provided in accordance with Section .5600 of that Subchapter.
- (2) Current rates for services delivered in a psychiatric residential treatment facility to children under the age of 21 and covered by Medicaid and NC Health Choice pursuant to Clinical Coverage Policy 8D-1.
- (3) Current rates for services delivered in a residential treatment facility to children under the age of 21 and covered by Medicaid and NC Health Choice pursuant to Clinical Coverage Policy 8D-2.
- (4) Current rates for services covered by Medicaid and NC Health Choice pursuant to Clinical Coverage Policy 8P that may be reimbursed when delivered in a residential treatment facility.



**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030**

AMENDMENT NO. 7
(to be filled in by
Principal Clerk)

H1030-ATR-41 [v.8]

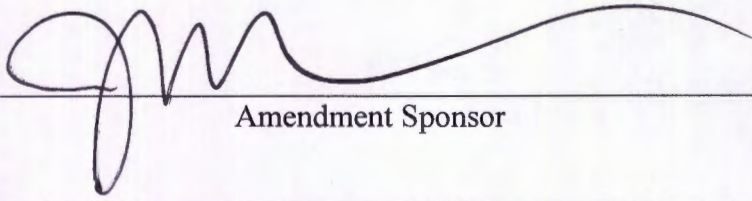
Page 2 of 2

- 1 (5) Current rates for other publicly funded services or programs that compliment
2 residential treatment services including, at a minimum, the following:
3 a. State-County Special Assistance.
4 b. Room and board for children, adolescent, and adult residential treatment
5 services of all disability groups.
6 c. Respite services for all disability groups.
7 d. Therapeutic leave for all disability groups.
8 e. State-funded supports.
9 f. Transportation.

- 10 (6) The increase in cost to residential treatment programs as a result of recent
11 changes to the Home and Community-Based Support waiver requirements.

12 **SECTION 12H.10.(b)** No later than October 1, 2016, the Department shall submit a
13 report to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice and the
14 Fiscal Research Division describing the information that was considered in conducting the study
15 required by this section and the Department's findings and conclusions resulting from the study."
16

SIGNED


Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED

FAILED

TABLED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. 8
(to be filled in by
Principal Clerk)

H1030-AML-73 [v.6]

Page 1 of 1

Amends Title [NO]
H1030-CSLUX-5

Date _____, 2016

Representative Tine

1 Moves to amend the Committee Report on Page K-10, item 11, by reducing the amount of funds
2 for that item by \$4,350,000; and
3

4 moves to amend the Committee Report on Page K-10, item 12, by reducing the amount of funds
5 for that item by \$4,350,000; and
6

7 moves to amend the Committee Report on Page K-10 by adding the following item:

8 **"10A Aviation – Acquire/Construct Airplane** \$8,700,000 **NR**

9 Increases funding to the Division of Aviation for the acquisition or construction of an airplane to
10 be used by the State Bureau of Investigation."; and
11

12 moves to amend the PCS on page 113, lines 43-44, by inserting the following between the lines:

13 **"DIVISION OF AVIATION/MEMORANDUM OF UNDERSTANDING WITH THE**
14 **STATE BUREAU OF INVESTIGATION**

15 **SECTION 35.17.** The Division of Aviation shall enter into a memorandum of
16 understanding with the State Bureau of Investigation setting forth the terms and conditions
17 governing the State Bureau of Investigation's use of the airplane acquired or constructed from
18 funds appropriated in this act."; and
19

20 by adjusting the appropriate totals accordingly.

SIGNED

Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED



FAILED

TABLED



* H 1 0 3 0 - A M L - 7 3 - V - 6 *



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. 10
(to be filled in by
Principal Clerk)

H1030-AMC-142 [v.2]

Page 1 of 1

Amends Title [NO]
H1030-PCS30500-LUx-5

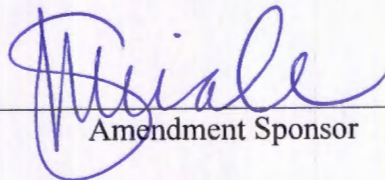
Date 2016

Representative Speciale

1 moves to amend the bill on page 92, lines 29-32, by rewriting the lines to read:
2 "f. Three hundred thousand dollars (\$300,000) to the Department of
3 Commerce to be allocated to the Rural Economic Development Division
4 to supplement existing rural economic development grant programs."
5

6 and by adjusting any appropriate totals accordingly.
7

SIGNED


Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED

FAILED



TABLED



* H 1 0 3 0 - A M C - 1 4 2 - V - 2 *



**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030**

AMENDMENT NO. 11
(to be filled in by
Principal Clerk)

H1030-AMG-31 [v.2]

Page 1 of 2

Amends Title [NO]
H1030-PCS30500-LUx-5

Date _____, 2016

Representative Avila

moves to amend the bill on page 53, by inserting between lines 17-18, the following new section to read:

"FUNDS FOR CONTINUED DEVELOPMENT OF HEALTH ANALYTICS PILOT PROGRAM

SECTION 12A.7. Section 12A.17 of S.L. 2015-241 reads as rewritten:

'SECTION 12A.17.(a) Of the funds appropriated in this act to the Department of Health and Human Services, Division of Central Management and Support, the sum of seven hundred fifty thousand dollars (\$750,000) in nonrecurring funds for the 2015-2016 fiscal ~~year and year~~; the sum of two hundred fifty thousand dollars (\$250,000) in recurring funds for each year of the 2015-2016 fiscal year2015-2017 fiscal biennium; and the sum of one million two hundred fifty thousand dollars (\$1,250,000) in nonrecurring funds for the 2016-2017 fiscal year shall be used for the ~~development and implementation~~phased development, implementation, and operation of a pilot program for Medicaid claims analytics and population health management.

SECTION 12A.17.(b) The Department shall coordinate with the Government Data Analytics Center (GDAC) to develop the pilot program and to provide access to needed data sources, including Medicaid claims data, Medicaid beneficiary files, and local management entity/managed care organization (LME/MCO) encounter data for the pilot program. The pilot program shall utilize the subject matter expertise and technology available through existing GDAC public-private partnerships in order to apply analytics in a manner that would maximize health care savings and efficiencies to the State and optimize positive impacts on health outcomes.

SECTION 12A.17.(b1) During the 2016-2017 fiscal year, the scope of the pilot program shall be expanded to include all of the following:

- (1) The integration of new data sources, such as patient level Healthcare Effectiveness Data and Information Set (HEDIS) quality measures, as prioritized by the Department and GDAC.
- (2) Customized reporting and analytics capabilities.
- (3) A tool to construct and analyze claims as clinical episodes of care in order to assist North Carolina in its transition to capitated managed care and value-based purchasing arrangements.



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. 11
(to be filled in by
Principal Clerk)

H1030-AMG-31 [v.2]

Page 2 of 2

- 1 (4) Operationalization of the pilot program, including an ongoing feed of the data
2 sources described in subsection (b) of this section and any other data sources
3 mutually agreed upon by the Department and GDAC.

4 **SECTION 12A.17.(c)** By November 30, 2015, the Department shall execute all contractual
5 agreements and interagency data-sharing agreements necessary for development and
6 implementation of the pilot program authorized by this section.

7 **SECTION 12A.17.(d)** The Department and GDAC shall make the following reports on the
8 pilot program authorized by this section:

- 9 (1) By January 15, 2016, the Department and GDAC shall provide a progress
10 report on the pilot program authorized by this section to the Senate
11 Appropriations Committee on Health and Human Services, the House of
12 Representatives Appropriations Committee on Health and Human Services, and
13 the Fiscal Research Division.

- 14 (2) By May 31, 2016, the Department and GDAC shall make ~~a final~~ an interim
15 report of their findings and recommendations on the pilot program authorized
16 by this section to the Joint Legislative Oversight Committee on Health and
17 Human Services, the Joint Legislative Oversight Committee on Information
18 Technology, and the Fiscal Research Division.

- 19 (3) By May 31, 2017, the Department and GDAC shall make a final report of their
20 findings and recommendations on the pilot program authorized by this section
21 to the Joint Legislative Oversight Committee on Health and Human Services,
22 the Joint Legislative Oversight Committee on Information Technology, and the
23 Fiscal Research Division. "; and

24
25 by adjusting the appropriate totals accordingly.

SIGNED Maribyn Oanta
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

10/10/10



**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030**

AMENDMENT NO. 12
(to be filled in by
Principal Clerk)

H1030-AMR-43 [v.6]

Page 1 of 2

Amends Title [NO]
H1030-PCS30500-LUx-5

Date 2016

Representative Hardister

1 moves to amend the PCS on page 104, line 3 by deleting the word "[RESERVED]";
2
3 on page 104, lines 4-5, by inserting between the lines the following new section to read:

4
5 **"LINE OF DUTY DEATH BENEFITS TO INCLUDE CANCER AS OCCUPATIONAL**
6 **DISEASE**

7 **SECTION 22.1.(a)** G.S. 143-166.2(c) reads as rewritten:

8 "(c) The term "killed in the line of duty" shall apply to any law-enforcement officer,
9 firefighter, rescue squad worker who is killed or dies as a result of bodily injuries sustained or of
10 extreme exercise or extreme activity experienced in the course and scope of his official duties
11 while in the discharge of his official duty or duties. When applied to a senior member of the Civil
12 Air Patrol as defined in this Article, "killed in the line of duty" shall mean any such senior member
13 of the North Carolina Wing-Civil Air Patrol who is killed or dies as a result of bodily injuries
14 sustained or of extreme exercise or extreme activity experienced in the course and scope of his
15 official duties while engaged in a State requested and approved mission pursuant to Article 13 of
16 Chapter 143B of the General Statutes. For purposes of this Article, when a law enforcement
17 officer, firefighter, rescue squad worker, or senior Civil Air Patrol member dies as the direct and
18 proximate result of a myocardial infarction suffered while on duty or within 24 hours after
19 participating in a training exercise or responding to an emergency situation, the law enforcement
20 officer, firefighter, rescue squad worker, or senior Civil Air Patrol member is presumed to have
21 been killed in the line of duty. For the purposes of this Article, when a firefighter dies as a direct
22 and proximate result of any of the following cancers that are occupationally related to firefighting,
23 that firefighter is presumed to have been killed in the line of duty:

- 24 (1) Mesothelioma.
25 (2) Testicular cancer.
26 (3) Intestinal cancer."

27 **SECTION 22.1.(b)** This section becomes effective October 1, 2016, and applies to
28 deaths occurring on or after that date.";
29
30
31
32



* H 1 0 3 0 - A M R - 4 3 - V - 6 *

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

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

H1030-AMR-43 [v.6]

Page 2 of 2

1 and to amend the Committee Report on page J-17, Item 7, by rewriting that item to read:

2
3 **"7 Line of Duty Death Benefits Eligibility Expansion** \$45,000 **R**
4 Expands list of cancers that are presumed to be line-of-duty deaths for firefighters.";

5
6 and on page J-55, Item 18, by decreasing the amount of recurring funds for that item by forty-five
7 thousand dollars (\$45,000);

8
9 and by adjusting the appropriate totals accordingly.

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ☒ _____ FAILED _____ TABLED _____



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. 13
(to be filled in by
Principal Clerk)

H1030-AMS-5 [v.3]

Page 1 of 1

Amends Title [NO]
PCS

Date May 17 2016

Representative Daughtry

1 moves to amend the bill on pages 102, line 23 through page 103, line 48 by deleting the provision.
2
3

SIGNED

Leo Daughtry
Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED



FAILED

TABLED



* H 1 0 3 0 - A M S - 5 - V - 3 *



1

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3





**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030**

AMENDMENT NO. 14
(to be filled in by
Principal Clerk)

H1030-ALU-36 [v.2]

Page 1 of 2

Amends Title [NO]
PCS30500-LUX-5

Date 2016

Representative Dollar

1 moves to amend the bill on page 62, lines 29-43, by rewriting the lines to read:

2 "SECTION 12F.2.(b) Section 12F.2.(d) of S.L. 2015-241 reads as rewritten:

3 "SECTION 12F.2.(d) ~~If, on or after June 1, 2016, the Office of State Budget and~~
4 ~~Management (OSBM) certifies a Medicaid budget surplus in funds 1310 and 1311 and sufficient~~
5 ~~cash in Budget Code 14445 to meet total obligations for fiscal year 2015-2016, then the DMA~~
6 ~~may transfer to the DMH/DD/SAS funds not to exceed the amount of the certified surplus or thirty~~
7 ~~million dollars (\$30,000,000), whichever is less, Of the funds appropriated to the DMA for fiscal~~
8 ~~year 2015-2016, the DMA shall transfer the sum of thirty million dollars (\$30,000,000) to the~~
9 ~~DMH/DD/SAS to offset the reduction in single stream funding required by this section. If, on or~~
10 ~~after June 1, 2017, the OSBM certifies a Medicaid budget surplus in funds 1310 and 1311 and~~
11 ~~sufficient cash in Budget Code 14445 to meet total obligations for fiscal year 2016-2017, then the~~
12 ~~DMA may transfer to the DMH/DD/SAS funds not to exceed the amount of the certified surplus~~
13 ~~or thirty million dollars (\$30,000,000), whichever is less, to offset the reduction in single stream~~
14 ~~funding required by this section. The DMH/DD/SAS shall allocate funds transferred pursuant to~~
15 ~~this subsection among the LME/MCOs based on the individual LME/MCO's percentage of the~~
16 ~~total cash on hand of all the LME/MCOs in the State, calculated in accordance with subsection (b)~~
17 ~~of this section. These funds shall be allocated as prescribed by June 30 of each State fiscal year."";~~
18 ~~and~~

19
20 on page 126, by inserting between lines 13 and 14, the following new section to read:

21 "**DISTRIBUTION OF COMPENSATION INCREASE RESERVE**

22 **SECTION 36.25.(a)** The funds appropriated for salaries and benefits set forth in this
23 act shall be distributed to the respective State agencies, departments, and institutions based on the
24 provisions of Part 9 and Part 36 of this act. *and benefits*

25 **SECTION 36.25.(b)** In order to effectuate the salary increase authorized by this act in
26 the Department of Transportation, funds appropriated for the Secondary Road Maintenance and
27 Improvement Program are reduced by the sum of seven million eighty-six thousand seven hundred
28 fifty-eight dollars (\$7,086,758) for the 2016-2017 fiscal year and funds appropriated to the
29 Reserve for General Maintenance are reduced by the sum of seven million eighty-six thousand
30 seven hundred fifty-eight dollars (\$7,086,758) for the 2016-2017 fiscal year."; and

31
32 on pages 136-137, by deleting "38.2.1" each time it appears and substituting "38.2"; and



* H 1 0 3 0 - A L U - 3 6 - V - 2 *

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

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

H1030-ALU-36 [v.2]

Page 2 of 2

1
2 on pages 137-139, by deleting "38.2.2" each time it appears and substituting "38.3"; and

3
4 on page 139, by inserting between lines 31-32, the following language to read:

5 "The Director of the Budget submitted recommended adjustments to the budget to the
6 General Assembly in April 2016 in the document "The Governor of North Carolina's
7 Recommended Budget Adjustments" for the 2016-2017 fiscal year for the various departments,
8 institutions, and other spending agencies of the State. The adjustments to these documents made
9 by the General Assembly are set out in the Committee Report."; and

10
11 on page 139, by inserting between lines 36 and 37, the following new language to read:

12 "SECTION 39.2.(d) Notwithstanding subsection (a) of this section, the following
13 portions of the Committee Report are for reference, and do not expand, limit, or define the text of
14 the Committee Report:

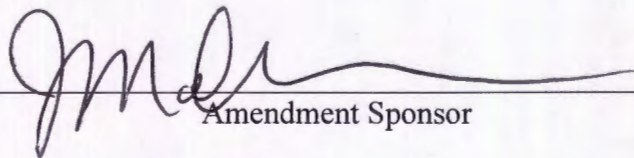
- 15 (1) Summary pages setting forth the enacted budget, legislative changes, the
16 revised budget, and related FTE information for a particular budget code and
17 containing no other substantive information.
18 (2) Summary pages setting forth the enacted budget, legislative changes, the
19 revised budget, and related FTE information for multiple fund codes within in a
20 single budget code and containing no other substantive information."; and

21
22 on page 139, line 46, by deleting "2015-2017 FISCAL BIENNIUM" and substituting "2016-2017
23 FISCAL YEAR"; and

24
25 on page 139, lines 48-49, by deleting "2015-2017 fiscal biennium" each time it appears and
26 substituting "2016-2017 fiscal year"; and

27
28 by adjusting the appropriate totals accordingly.

SIGNED



Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED



FAILED

TABLED

10/10/19



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. 16
(to be filled in by
Principal Clerk)

H1030-ALM-52 [v.4]

Page 1 of 1

Amends Title [NO]
PCS30500-LUX-5

Date 2016

Representative Cleveland

1 moves to amend the bill on page 105, lines 35-45, by deleting those lines.
2
3

SIGNED

George Cleveland
Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED

☒

FAILED

☐

TABLED

☐



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NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. 17
(to be filled in by
Principal Clerk)

H1030-ALH-65 [v.6]

Page 1 of 1

Amends Title [NO]
H1030-PCS30500-LUx-5

Date , 2016

Representative L. Johnson

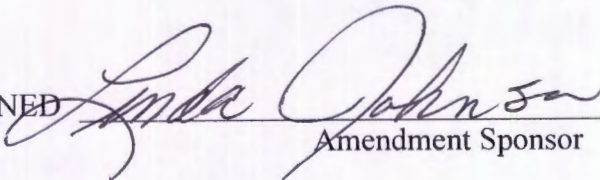
Moves to amend the House of Representatives Committee Report on the Base, Expansion, and Capital Budgets dated May 17, 2016, as follows:

On page F-18, Item #34 (Principal Preparation), by reducing the amount for that item by \$1,000,000 in recurring funds and rewriting the last sentence in the description for that item as follows: "The revised net appropriation for the Principal Preparation Program is \$8.5 million.";
and

On page F-18, by deleting Item #33 (Medical Scholars Program) ;

And by adjusting the appropriate totals accordingly.

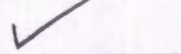
SIGNED


Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED



FAILED

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NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

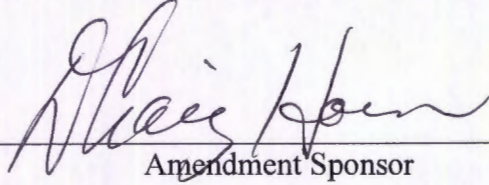
AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

H1030-AMK-73 [v.5]

Page 2 of 2

- 1
2 on page 44, line 29, by rewriting the line to read:
3
4 "recipients and institutions of higher education no later than November".

SIGNED _____


Amendment Sponsor

SIGNED _____

Committee Chair if Senate Committee Amendment

ADOPTED _____



FAILED _____

TABLED _____



**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030**

AMENDMENT NO. 19
(to be filled in by
Principal Clerk)

H1030-ALU-39 [v.1]

Page 1 of 2

Amends Title [NO]
H1030-PCS30500-LUx-5

Date 2016

Representative Dobson

moves to amend the bill on page 54, by inserting between lines 6 and 7, the following new section to read:

"MAINTAIN SMART START MATCH REQUIREMENTS AT FY2015-16 LEVEL

SECTION 12B.4. Section 12B.7(d) of S.L. 2015-241 reads as rewritten:

"SECTION 12B.7.(d) Match Requirements. – The North Carolina Partnership for Children, Inc., and all local partnerships shall, in the aggregate, be required to match one hundred percent (100%) of the total amount budgeted for the program in each fiscal year of the 2015-2017 biennium. Of the funds the North Carolina Partnership for Children, Inc., and the local partnerships are required to match, contributions of cash shall be equal to at least twelve percent (12%) and in-kind donated resources shall be equal to no more than five percent (5%) for a total match requirement of seventeen percent (17%) for the 2015-2016 fiscal year; and contributions of cash shall be equal to at least thirteen percent (13%) and in-kind donated resources shall be equal to no more than six percent (6%) for a total match requirement of nineteen percent (19%) for the 2016-2017 fiscal year each year of the 2015-2017 fiscal biennium. The North Carolina Partnership for Children, Inc., may carry forward any amount in excess of the required match for a fiscal year in order to meet the match requirement of the succeeding fiscal year. Only in-kind contributions that are quantifiable shall be applied to the in-kind match requirement. Volunteer services may be treated as an in-kind contribution for the purpose of the match requirement of this subsection. Volunteer services that qualify as professional services shall be valued at the fair market value of those services. All other volunteer service hours shall be valued at the statewide average wage rate as calculated from data compiled by the Division of Employment Security of the Department of Commerce in the Employment and Wages in North Carolina Annual Report for the most recent period for which data are available. Expenses, including both those paid by cash and in-kind contributions, incurred by other participating non-State entities contracting with the North Carolina Partnership for Children, Inc., or the local partnerships, also may be considered resources available to meet the required private match. In order to qualify to meet the required private match, the expenses shall:

- (1) Be verifiable from the contractor's records.
- (2) If in-kind, other than volunteer services, be quantifiable in accordance with generally accepted accounting principles for nonprofit organizations.
- (3) Not include expenses funded by State funds.



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NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

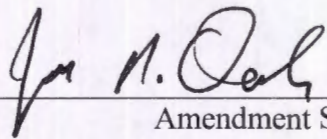
AMENDMENT NO. 19
(to be filled in by
Principal Clerk)

H1030-ALU-39 [v.1]

Page 2 of 2

- 1 (4) Be supplemental to and not supplant preexisting resources for related program
2 activities.
3 (5) Be incurred as a direct result of the Early Childhood Initiatives Program and be
4 necessary and reasonable for the proper and efficient accomplishment of the
5 Program's objectives.
6 (6) Be otherwise allowable under federal or State law.
7 (7) Be required and described in the contractual agreements approved by the North
8 Carolina Partnership for Children, Inc., or the local partnership.
9 (8) Be reported to the North Carolina Partnership for Children, Inc., or the local
10 partnership by the contractor in the same manner as reimbursable expenses.
11 Failure to obtain a seventeen-percent (17%) match by June 30 of the ~~2015-2016 fiscal~~
12 ~~year and a nineteen-percent (19%) match by June 30 of the 2016-2017 fiscal year~~ each year of the
13 2015-2017 fiscal biennium shall result in a dollar-for-dollar reduction in the appropriation for the
14 Program for a subsequent fiscal year. The North Carolina Partnership for Children, Inc., shall be
15 responsible for compiling information on the private cash and in-kind contributions into a report
16 that is submitted to the Joint Legislative Oversight Committee on Health and Human Services in a
17 format that allows verification by the Department of Revenue. The same match requirements shall
18 apply to any expansion funds appropriated by the General Assembly.".

SIGNED



Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED

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FAILED

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**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030**

AMENDMENT NO. 21
(to be filled in by
Principal Clerk)

H1030-AMH-86 [v.7]

Page 1 of 2

Amends Title [NO]
H1030 PCS

Date , 2016

Representative Lambeth

1 moves to amend the House of Representatives Appropriations Committee Report on the Base,
2 Expansion, and Capital Budgets dated May 17, 2016, as follows:

3
4 on page H-40, items 34 and 35, by eliminating those items;

5
6 and on page H-4, by increasing the nonrecurring appropriation for item 2 by \$2,000,000 and
7 rewriting the item description to read "Provides \$3.0 million in nonrecurring funding to purchase
8 an airplane and heavy equipment to be used for firefighting. The revised net appropriation to the
9 Forest Service in FY 2016-17 is \$39.7 million."

10
11 and on page H-4, by adding two new items after item 5 to read:

12 **"5A FFA Foundation (1990) \$350,000 NR**
13 Provides additional nonrecurring funding to support local FFA programs throughout the
14 State.

15 **5B Eastern 4-H Center (1990) \$350,000 NR**
16 Provides additional nonrecurring funding to support the Eastern 4-H Center.
17

18 and on page H-13, by inserting after Item 14, the following new item to read:

19 **"14A NC State Energy Center \$200,000 NR**
20 Provides funds for the university energy center at North Carolina State University."
21

22 and on page H-13, by inserting after Item 15, two new items to read:

23 **"15A Oyster Sanctuaries (1320) \$1,500,000 NR**
24 Provides additional nonrecurring funding to support a network of oyster sanctuaries in FY
25 2016-17.

26 **15B Marine Patrol (1325) \$300,000 NR**
27 Provides additional nonrecurring funding for the Marine Patrol to be used for fuel and
28 equipment purchases necessary for an increase in operations of the Patrol.";
29

30 and on page H-14, by adding a new heading and new item to read:

31 **"Water Infrastructure**
32 **17 State Grant Program Expansion (1460) \$4,800,000 NR**



* H 1 0 3 0 - A M H - 8 6 - V - 7 *

**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030**

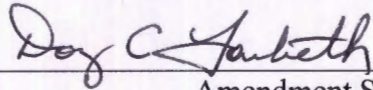
AMENDMENT NO. 21
(to be filled in by
Principal Clerk)

H1030-AMH-86 [v.7]

Page 2 of 2

1 Provides additional funds for the State water and wastewater infrastructure grants
2 benefitting rural, economically distressed areas. The revised net appropriation to the Division of
3 Water Infrastructure for water and wastewater grants is approximately \$19.8 million"
4
5 and by adjusting the appropriate totals and item numbering accordingly.
6

SIGNED



Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED



FAILED

TABLED



**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030**

AMENDMENT NO. 22
(to be filled in by
Principal Clerk)

H1030-AMK-76 [v.5]

Page 1 of 1

Amends Title [NO]
PCS30500-LUx-5

Date _____, 2016

Representative Elmore

moves to amend the bill on page 49, lines 36-38, by rewriting the lines to read:

"b. No more than ~~thirty-five percent (35%)~~forty percent (40%) of the remaining funds shall be used to award scholarship grants to eligible students entering either kindergarten or first grade."

SIGNED

Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED

FAILED

TABLED





NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. 23
(to be filled in by
Principal Clerk)

Page 1 of 1

H1030-AML-74 [v.2]

Amends Title [NO]
H1030-PCS30500-LUx-5

Date _____, 2016

Representative West

Moves to amend the PCS on page 113, lines 43-44, by inserting the following between the lines:

"DOT/DISPOSE OF MURPHY BRANCH RAIL LINE

SECTION 35.18.(a) Disposition. – In accordance with the procedures set forth in Article 7 of Chapter 146 of the General Statutes, the Department of Administration shall dispose of by sale the Murphy Branch rail line, including any appurtenance thereto, that runs from Andrews, North Carolina to Murphy, North Carolina. Nothing in this subsection shall be construed as (i) authorizing the Department to dispose of any property not owned by the State or (ii) superseding or altering the terms of any written agreement, deed, or other form of conveyance setting forth a different process for disposing of the Murphy Branch rail line.

SECTION 35.18.(b) Fair Market Value. – Notwithstanding G.S. 146-29.1 and any other provision of Article 7 of Chapter 146 of the General Statutes to the contrary, the Department shall not dispose of the Murphy Branch rail line for less than fair market value.

SECTION 35.18.(c) Use of Proceeds. – Notwithstanding G.S. 146-30, the Department shall deposit the net proceeds from the disposition of the Murphy Branch rail line into the Freight Rail & Rail Crossing Safety Improvement Fund of the Highway Fund."

SIGNED

Amendment Sponsor

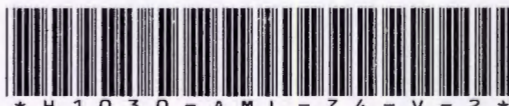
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Committee Chair if Senate Committee Amendment

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NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. 24
(to be filled in by
Principal Clerk)

H1030-AMH-79 [v.5]

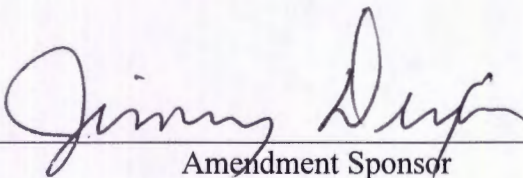
Page 1 of 1

Amends Title [NO]
H1030 PCS

Date 5-18-16 ,2016

Representative Dixon

- 1 moves to amend the bill on page 85, lines 16-17, by rewriting the lines to read:
2 "23704-2730) shall be repurposed to identify new market opportunities for agricultural and
3 silvicultural producers related to products that producers currently hold, produce or are capable of
4 producing. The funds are available for activities including identifying new markets and barriers to
5 market entry, catalyzing efforts to accelerate and ease market participation, educating local
6 extension officers; and creating mechanisms to ensure quality assurance for products and service
7 providers.".

SIGNED 
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ☒ FAILED _____ TABLED _____



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NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. 25
(to be filled in by
Principal Clerk)

H1030-AMH-84 [v.2]

Page 1 of 1

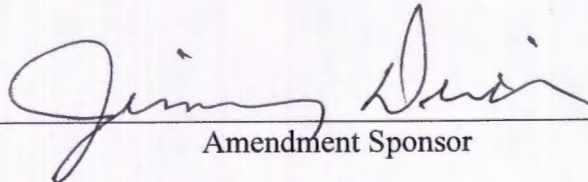
Amends Title [NO]
H1030 PCS

Date 5-16-18 2016

Representative Dixon

- 1 moves to amend the House of Representatives Appropriations Committee Report on the Base,
2 Expansion, and Capital Budgets dated May 17, 2016, as follows:
3
4 on page H-4, by deleting item 1;
5
6 and by adjusting the appropriate totals and item numbering accordingly.
7

SIGNED


Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED



FAILED

TABLED



* H 1 0 3 0 - A M H - 8 4 - V - 2 *



1



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. 26
(to be filled in by
Principal Clerk)

H1030-AMH-88 [v.1]

Page 1 of 1

Amends Title [NO]
H1030 PCS

Date 2016

Representative McGrady

1 moves to amend the bill on page 97, line 40, by inserting the following new provision after that
2 line:

3 **"PARKS AND RECREATION TRUST FUND ELIGIBILITY**

4 **SECTION 16.7.** G.S. 143B-135.56(b)(1) reads as rewritten:

5 "(1) Sixty-five percent (65%) for the State Parks System or a State recreational
6 forest for capital projects, repairs and renovations of park facilities, and land
7 acquisition."
8
9

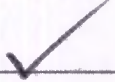
SIGNED

Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED



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* H 1 0 3 0 - A M H - 8 8 - V - 1 *



**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030**

AMENDMENT NO. 27

(to be filled in by
Principal Clerk)

H1030-AMR-45 [v.4]

Page 1 of 2

Amends Title [NO]
H1030-PCS30500-LUx-5

Date 2016

Representative Avila

moves to amend the PCS on page 69, lines 9-10, by inserting between the lines the following new section to read:

"STUDY INNOVATIONS WAIVER TO ADDRESS THE WAITLIST AND FEDERAL CHANGES

SECTION 12H.10. The Joint Legislative Oversight Committee on Medicaid and NC Health Choice shall study policy issues pertaining to the delivery of services for people with intellectual and developmental disabilities. The study shall, at a minimum, include all of the following:

- (1) The causes and potential solutions for the growing waitlist for NC Innovations Waiver slots. Potential solutions to be studied include the following:
 - a. Increasing the funding for the 1915(c) Innovations Waiver to result in more individuals served.
 - b. Creating new support waiver slots as recommended in the March 2015 "Study Additional 1915(c) Waiver from the Department of Health and Human Services, Division of Medical Assistance to the Joint Legislative Oversight Committee for Health and Human Services.
 - c. Utilizing a 1915(i) waiver option, and exploring how the 1115 waiver required for Medicaid transformation may assist in addressing current waitlist for services.
- (2) Issues surrounding single-stream funding and how single-stream funding is used to support services for people with intellectual and developmental disabilities.
- (3) Multiple federal mandates that will directly impact current services and supports for people with intellectual and developmental disabilities, including Home and Community-Based Services changes, the Work Force Innovations and Opportunities Act, and changes under Section 14(c) of the federal Fair Labor Standards Act.
- (4) The coverage of services for the treatment of autism, including any State Plan amendment needed to address guidance issued by the Centers for Medicare and Medicaid Services.



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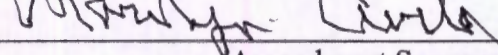
NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. 27
(to be filled in by
Principal Clerk)

H1030-AMR-45 [v.4]

Page 2 of 2

1 The Committee shall report its findings and any legislative proposals pertaining to services for
2 individuals with intellectual and developmental disabilities to the General Assembly on or before
3 January 1, 2017."
4
5
6
7

SIGNED 
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ☒ FAILED _____ TABLED _____



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. 28
(to be filled in by
Principal Clerk)

H1030-AMD-108 [v.4]

Page 1 of 1

Amends Title [NO]
PCS

Date _____, 2016

Representative West

moves to amend the bill on page 103, line 50, by deleting "[RESERVED]"; and

on page 103, line 51 and page 104, line 1, by inserting between the lines a new special provision to read:

"RENAME BLACK MOUNTAIN VETERANS HOME

SECTION 20.1. The North Carolina State Veterans Home in Black Mountain shall be renamed the 'Zebulon Doyle Alley State Veterans Home'; and

moves to amend the Committee Report on page J-76, Item 29, by reducing the amount by two thousand dollars (\$2,000) and by deleting "\$8,416,120" in the snappy and substituting "\$8,414,120"; and

on page J-4, Item 1, by rewriting the item to read:

"1 Black Mountain Veterans Home

\$2,000 NR

Fund Code: 1100

Provides funds to effectuate the name change from the Black Mountain Veterans Home to Zebulon Doyle Alley State Veterans Home.

The revised net appropriation for this fund is \$7,808,254"; and

moves to adjust the appropriate totals accordingly.

SIGNED

Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED

FAILED

TABLED





**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030**

AMENDMENT NO. 29
(to be filled in by
Principal Clerk)

H1030-AMK-81 [v.2]

Page 1 of 2

Amends Title [NO]
PCS30500-LUx-5

Date 2016

Representative Michaux

1 moves to amend the House of Representatives Appropriations Committee Report on the Base,
2 Expansion and Capital Budgets, dated May 17, 2016, as follows:

3
4 on page F-4, Item 3, by reducing the amount for that item by \$258,955 in recurring funds and
5 rewriting the description for that item to read:

6
7 "Provides funds to create literacy coach positions to support
8 Read to Achieve for schools identified by the State Board of
9 Education (SBE) as the 20% lowest performing elementary schools.
10 The revised net appropriation for literacy coaches is \$24.7 million."; and

11
12 on Page F-12, by adding the following new item to read:

13
14 **"26A Multi-Campus Center Funding** **\$517,911 R**
15 **Fund Code: 1625**

16 Provides funds for a new multicampus center at Durham
17 Technical Community College. The revised net appropriation
18 for Community College Multi-Campus Centers, systemwide,
19 is \$19.4 million."; and

20
21 on page F18, Item 34, by reducing the amount for that item by \$258,956 in recurring funds and
22 rewriting the description for that item to read:

23
24 "Provides additional funds for the Principal Preparation
25 Program. The program provides competitive grants for school
26 leadership development. The revised net appropriation for the
27 Principal Preparation Program is \$9.2 million."; and

28
29 by adjusting the appropriate totals accordingly.
30
31
32



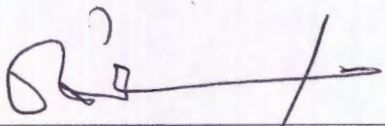
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NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030


AMENDMENT NO. 29
(to be filled in by
Principal Clerk)

H1030-AMK-81 [v.2]

Page 2 of 2

SIGNED 
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED  TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

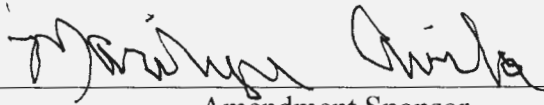
H1030-ALU-37 [v.3]

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

Page 2 of 2

- 1 by adjusting the appropriate totals accordingly.

SIGNED



Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED



FAILED

TABLED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. 33
(to be filled in by
Principal Clerk)

H1030-AMC-145 [v.1]

Page 1 of 1

Amends Title [NO]
H1030-PCS3050-LUX-5

Date 5-18-16 2016

Representative Dixon

- 1 moves to amend the bill on page 92, lines 23-28, by rewriting the lines to read:
2 "e. Four million dollars (\$4,000,000) to be transferred to the Department of
3 Environmental Quality for water and sewer projects for public schools."

SIGNED

Jimmy Dixon
Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED

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NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. 55
(to be filled in by
Principal Clerk)

H1030-AMC-141 [v.5]

Page 1 of 2

Amends Title [NO]
H1030-PCS30500-LUx-5

Date _____, 2016

Representative McElraft

moves to amend the bill on page 92, lines 31-32, by inserting after the lines the following new language to read:

"g. One million two hundred fifty thousand dollars (\$1,250,000) to the Department of Commerce for the State Broadband Plan.";

and on page 92, lines 19-20, by rewriting the lines to read:

"c. Up to seven hundred fifty thousand dollars (\$750,000) for providing training and guidance to local";

and on page 92, lines 5-16, by rewriting the lines to read:

"a. ~~Four~~ Three million six hundred fifty-eight thousand four hundred ninety-seven dollars (\$4,658,497) for: (\$3,658,497) for providing

- ~~1. Providing public services and public facilities. The category of public services includes providing substance abuse services and employment services, including job training, to homeless and at-risk veterans in the State.~~
- ~~2. If House Bill 108, 2015 Regular Session, becomes law, providing up to one million dollars (\$1,000,000) in the 2016-2017 fiscal year to be used to fund a loan fund for site, infrastructure, and building development. Program income generated from awards made from the loan fund shall be captured in the existing CDBG revolving loan fund."~~

by adjusting any appropriate totals accordingly.



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. 35
(to be filled in by
Principal Clerk)

H1030-AMC-141 [v.5]

Page 2 of 2

SIGNED

Pat McLean
Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED



FAILED

TABLED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. 37
(to be filled in by
Principal Clerk)

H1030-AMQ-41 [v.2]

Page 1 of 1

Amends Title [NO]
PCS30500-LUx-5

Date _____, 2016

Representative McElraft

moves to amend the House of Representatives Appropriations Committee Report on the Base, Expansion, and Capital Budgets dated May 17, 2016, as follows:

on page H-30, Item 18, by inserting before that item a new heading to read "**Department-wide**"; and a new item to be entitled "**Salary Reserve**" with a recurring reduction of \$130,556 and a description to read: "Eliminates salary reserve Department-wide. These funds will affect Administrative Services (1111), the Rural Economic Development Division (1534), Welcome Centers (1552), and Community Assistance (1620). The revised net appropriation for the Department's personal services in FY 2016-17 is \$28.8 million.";

and on page H-30, Item 18, by deleting that Item;

and on page H-31, Item 22, by deleting that Item;

and by adjusting the appropriate totals and item numbering accordingly.

SIGNED

Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

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* H 1 0 3 0 - A M Q - 4 1 - V - 2 *



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. 39
(to be filled in by
Principal Clerk)

H1030-AMH-83 [v.2]

Page 1 of 1

Amends Title [NO]
H1030 PCS

Date 2016

Representative McElraft

1 moves to amend the bill on page 86, line 20, by deleting "September 30, 2016" and substituting
2 "December 31, 2016";
3

4 and on page 86, line 23, by rewriting the line to read:

5 "amendment based on the change to the motor vehicle emissions testing program provided in
6 subsection (a) of this";
7

8 and on page 86, lines 25-37, by rewriting Section 14.2(d) to read:

9 "SECTION 14.2.(d) Subsection (a) of this section becomes effective July 1, 2017.
10 Subsection (b) of this section becomes effective on the later of the following dates and applies to
11 motor vehicles inspected, or due to be inspected, on or after that effective date:

12 (1) January 1, 2019.

13 (2) The first day of a month that is 60 days after the Secretary of the Department of
14 Environmental Quality certifies to the Revisor of Statutes that the United States
15 Environmental Protection Agency has approved an amendment to the North
16 Carolina State Implementation Plan submitted in support of the change in
17 subsection (b) of this section. The Secretary shall provide this notice along with
18 the effective date of this act on its Web site and by written or electronic notice
19 to emissions inspection mechanic license holders, emissions inspection station
20 licensees, and self-inspector licensees in the counties where motor vehicle
21 emissions inspection requirements are removed by this section."
22

SIGNED

Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED



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**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030**

AMENDMENT NO. 42
(to be filled in by
Principal Clerk)

H1030-AMG-28 [v.6]

Page 1 of 2

Amends Title [NO]
H1030-PCS30500-LUx-5

Date 2016

Representative Malone

1 moves to amend the bill on page 63, lines 27-30, by rewriting the lines to read:

2
3 "to pay for any renovation or building costs associated with (i) constructing new, licensed,
4 short-term, inpatient behavioral health beds, (ii) converting existing acute care beds into licensed,
5 short-term, inpatient behavioral health beds, or (iii) both, all of which must be designated for
6 voluntarily and involuntarily committed patients in the rural hospitals selected to participate in the
7 pilot program authorized under subsection (b) of this section. The Department shall not use these
8 funds for any purpose"; and

9
10 on page 63, line 34, by inserting the following after "the":
11 "(i) construction of new, short-term inpatient behavioral health beds, or (ii)"; and

12
13 on page 63, line 38, by striking "converted into" and substituting the following:
14 "newly constructed as, or converted into," ; and

15
16 on page 63, line 43, by striking "convert unused acute care beds into" and substituting the
17 following:

18 "construct new, or convert unused acute care beds into,"; and

19
20 on page 63, line 45, by inserting "newly constructed or" after "All"; and

21
22 on page 63, line 47, by inserting "constructed or" after "beds"; and

23
24 on page 64, lines 14-15, by rewriting the lines to read:

25 "(1) For each region and broken down by hospital:

26 a. The number of newly constructed licensed, short-term inpatient
27 behavioral health beds.

28 b. The number of existing acute care beds converted into licensed,
29 short-term inpatient behavioral health beds."
30



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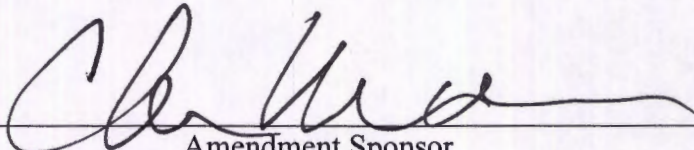
NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. 42
(to be filled in by
Principal Clerk)

H1030-AMG-28 [v.6]

Page 2 of 2

SIGNED


Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

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Chlorine



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. 43
(to be filled in by
Principal Clerk)

H1030-AMR-47 [v.3]

Page 1 of 1

Amends Title [NO]
H1030-PCS30500-LUx-5

Date _____, 2016

Representative Avila

moves to amend the Committee Report on page G-42, Item 44, by rewriting that item to read:

"44 Community Alternatives Program for Children (CAP-C) Nursing Rates

Fund Code: 1310

\$3,700,000 R

Increases Registered Nurses (RN) and Licensed Practical Nurses (LPN) rates for Community Alternatives Program for Children (CAP-C) services to the same rate that is in effect for private duty nursing. The CAP-C nursing rates will be increased by 10%. The revised net appropriation for Medicaid is \$3,608,405,008.";

and to amend the PCS on page 68, line 5 by deleting the word "RN" and substituting the word "NURSING";

and on page 68, line 8, by adding after the word "Nurses" the phrase "and Licensed Practical Nurses";

and by adjusting the appropriate totals accordingly.

SIGNED

Marilyn Aida
Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

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**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030**

AMENDMENT NO. 45
(to be filled in by
Principal Clerk)

Page 1 of 1

H1030-AMR-41 [v.7]

Amends Title [NO]
H1030-PCS30500-LUx-5

Date _____, 2016

Representative Dobson

moves to amend the PCS on page 69, lines 9-10, by inserting between the lines the following new section to read:

"MEDICAID GRADUATE MEDICAL EDUCATION PAYMENTS

SECTION 12H.10 It is the intent of the General Assembly to explore all possible funding options to maintain reimbursement for Graduate Medical Education (GME) as an add-on to the DRG Unit Value (Base) rate under the Medicaid DRG payment rate methodology."

SIGNED

Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

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Off the top of my head



**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030**

AMENDMENT NO. 46
(to be filled in by
Principal Clerk)

H1030-ALU-38 [v.2]

Page 1 of 3

Amends Title [NO]
H1030-PCS30500-LUX-5

Date 2016

Representative Avila

1 moves to amend the House Appropriations Committee Report dated May 17, 2016, on page G-4,
2 by inserting after Item 4, the following new item to read:

3 **"4A Competitive Block Grant Transfer: TROSA, Inc.** (\$1,625,000)

4 **Fund Code:** 1910

5
6 Transfers funds from Competitive Block Grants for Nonprofits to
7 Triangle Residential Options for Substance Abusers, Inc. (TROSA)
8 to use for long-term, residential substance abuse services. The revised
9 net appropriation from all actions in this report for Competitive Block
10 Grants for Nonprofits is \$5.6 million."; and

11
12 on page G-30, by inserting after Item 39, the following new item to read:

13 **"39A TROSA Transfer from Competitive Block Grant** \$1,625,000

14 **Fund Code:** 1463

15
16 Transfers appropriation from Competitive Block Grants for Nonprofits to
17 Triangle Residential Options for Substance Abusers, Inc. (TROSA) to use
18 for long-term, residential substance abuse services. The revised net
19 appropriation for TROSA is \$1.6 million."; and

20
21 moves to amend the bill on page 52, lines 5-37, by rewriting the lines to read:

22 **"SECTION 12A.5.** Section 12A.8 of S.L. 2015-241 reads as rewritten:

23 "...

24 **SECTION 12A.8.(b)** The Department shall continue administering a competitive
25 grants process for nonprofit funding. The Department shall administer a plan that, at a minimum,
26 includes each of the following:

27 ...

28 (4) A process that awards grants to nonprofits that have the capacity to provide
29 services on a statewide basis and that support any of the following State health
30 and wellness initiatives:

31 a. A program targeting advocacy, support, education, or residential
32 services for persons diagnosed with autism.



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**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030**

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

H1030-ALU-38 [v.2]

Page 2 of 3

- b. A system of residential supports for those afflicted with substance abuse addiction.
- c. A program of advocacy and supports for individuals with intellectual and developmental disabilities or severe and persistent mental illness, substance abusers, or the elderly.
- d. Supports and services to children and adults with developmental disabilities or mental health diagnoses.
- e. ~~A food distribution system for needy individuals.~~
- f. The provision and coordination of services for the homeless.
- g. The provision of services for individuals aging out of foster care.
- h. Programs promoting wellness, physical activity, and health education programming for North Carolinians.
- i. ~~The provision of services and screening for blindness.~~
- j. A provision for the delivery of after-school services for apprenticeships or mentoring at-risk youth.
- k. The provision of direct services for amyotrophic lateral sclerosis (ALS) and those diagnosed with the disease.
- l. A comprehensive smoking prevention and cessation program that screens and treats tobacco use in pregnant women and postpartum mothers.
- m. A program providing short-term ~~or long-term~~ residential substance abuse services. ~~For purposes of this sub-subdivision, "long-term" means a minimum of 12 months."~~

...

...
SECTION 12A.8.(e) ~~For the 2015-2017 fiscal biennium only, from~~ From the funds identified in subsection (a) of this section, the Department shall make allocations as follows:

- (1) ~~The~~ For the 2015-2017 fiscal biennium only, the sum of two million four hundred twenty-seven thousand nine hundred seventy-five dollars (\$2,427,975) in each year of the 2015-2017 fiscal biennium to provide grants to Boys and Girls Clubs across the State to implement (i) programs that improve the motivation, performance, and self-esteem of youth and (ii) other initiatives that would be expected to reduce gang participation, school dropout, and teen pregnancy rates. Boys and Girls Clubs shall be required to seek future funding through the competitive grants process in accordance with subsection (b) of this section.
- (2) ~~The~~ For the 2015-2016 fiscal year only, the sum of one million six hundred twenty-five thousand dollars (\$1,625,000) ~~in each year of the 2015-2017 fiscal biennium~~ to Triangle Residential Options for Substance Abusers, Inc., (TROSA) for the purpose of assisting individuals with substance abuse addiction. ~~TROSA shall be required to seek future funding through the competitive grants process in accordance with subsection (b) of this section."~~; and

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION**

You are hereby notified that the **House Committee on Appropriations** will meet as follows:

DAY & DATE: Wednesday, May 25, 2016

TIME: 8:30 AM

LOCATION: 643 LOB

COMMENTS: Committee will take up SB71 and HB1050..

Respectfully,
Representative Nelson Dollar, Senior Chair
Representative Linda P. Johnson, Co-Chair
Representative Donny Lambeth, Co-Chair
Representative Chuck McGrady, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 5:13 PM on Tuesday, May 24, 2016.

____ Principal Clerk
____ Reading Clerk – House Chamber

Candace Slate (Committee Assistant)



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

S

2

SENATE BILL 71
House Committee Substitute Favorable 5/24/16

Short Title: Comm'n Appointment Modifications.

(Public)

Sponsors:

Referred to:

February 12, 2015

A BILL TO BE ENTITLED

AN ACT TO (1) REQUIRE A COAL COMBUSTION RESIDUALS IMPOUNDMENT OWNER TO PROVIDE PERMANENT ALTERNATIVE WATER SUPPLIES FOR RESIDENTS IN AREAS SURROUNDING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) EXTEND THE PERIOD FOR PUBLIC COMMENT AND REVIEW OF PROPOSED RISK CLASSIFICATIONS FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; AND (3) MODIFY APPOINTMENTS TO THE COAL ASH MANAGEMENT COMMISSION, THE MINING COMMISSION, AND THE OIL AND GAS COMMISSION, IN ACCORD WITH THE HOLDING OF *MCCRORY V. BERGER*.

Whereas, the Coal Ash Management Act of 2014 required the owner of a coal combustion residuals surface impoundment to sample and analyze the water quality of drinking water supply wells in areas surrounding coal combustion residuals surface impoundments and, if the sampling and water quality analysis indicated that water from a drinking water supply well exceeded groundwater quality standards for constituents associated with the presence of the impoundment, required the owner to replace the contaminated drinking water supply well with an alternate supply of potable drinking water and an alternate supply of water that is safe for other household uses; and

Whereas, the Department of Environmental Quality recently reported that well water of residents living nearby coal ash residuals impoundments met federal requirements for safe drinking water, but the General Assembly nonetheless recognizes that confusion and worry has persisted with these residents in the aftermath of testing conducted by the Department of Environmental Quality and issuance of "do-not-drink advisories" by the Department of Health and Human Services, even after many of these advisories were subsequently withdrawn; and

Whereas, the General Assembly concludes that the owner of a coal combustion residuals surface impoundment should establish permanent alternative water supplies for residents in areas surrounding coal combustion residuals surface impoundments, to alleviate their concerns about availability of clean, safe, pure, and wholesome water; and

Whereas, in 2014 the General Assembly developed and enacted groundbreaking legislation, the Coal Ash Management Act, to comprehensively address the issue of proper management of coal ash residuals impoundments in the State for the protection of public health, safety, and welfare; the environment; and natural resources; and

Whereas, the Coal Ash Management Act of 2014 set forth closure requirements based on a comprehensive assessment of a site's risk, taking into account a number of factors, including:

- (1) Any hazards to public health, safety, or welfare resulting from the impoundment.
- (2) The structural condition and hazard potential of the impoundment.



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- (3) The proximity of surface waters to the impoundment and whether any surface waters are contaminated or threatened by contamination as a result of the impoundment.
- (4) Information concerning the horizontal and vertical extent of soil and groundwater contamination for all contaminants confirmed to be present in groundwater in exceedance of groundwater quality standards and all significant factors affecting contaminant transport.
- (5) The location and nature of all receptors and significant exposure pathways.
- (6) The geological and hydrogeological features influencing the movement and chemical and physical character of the contaminants.
- (7) The amount and characteristics of coal combustion residuals in the impoundment.
- (8) Whether the impoundment is located within an area subject to a 100-year flood; and

Whereas, the Coal Ash Management Act of 2014 conclusively designated eight coal combustion residuals surface impoundments as high-priority, including two impoundments each at the following facilities: the Dan River Steam Station, the Riverbend Steam Station, the Asheville Steam Electric Generating Plant, and the Sutton Plant; and,

Whereas, the Executive Branch agency tasked with developing proposed classifications based on risk, the Department of Environmental Quality, issued proposed classifications on May 18, 2016, which designated all other coal combustion residuals surface impoundments located in the State as intermediate priority; and

Whereas, upon issuance of the proposed classifications, the Department of Environmental Quality requested that the General Assembly allow the Department an additional 18 months to enable the Department to reconsider the proposed classifications, indicating that "work that is already either planned or underway could significantly change the risk posed by the ponds"; and

Whereas, upon issuance of the proposed classifications, the Secretary of Environmental Quality stated that that the Coal Ash Management Act of 2014 did "not allow for revisions to the classifications based on new information about a pond's risk to public health and the environment"; and

Whereas, the Secretary of Environmental Quality further stated that "making decisions based on incomplete information could lead to the expenditure of billions of dollars when spending millions now would provide equal or better protection"; and

Whereas, the General Assembly concurs that accurate classification of risk for coal combustion residuals surface impoundments is essential to appropriate management of the impoundments; and

Whereas the General Assembly created the Coal Ash Management Commission as an integral part of the Coal Ash Management Act of 2014 to provide oversight to the Department of Environmental Quality in establishment of risk classifications and closure plans for all coal combustion residuals surface impoundments; and

Whereas, in reviewing a classification proposed by the Department of Environmental Quality, the Coal Ash Management Act of 2014 directed the Coal Ash Management Commission to evaluate all information submitted in accordance with the Coal Ash Management Act of 2014 related to the proposed classifications, and any other information the Coal Ash Management Commission deemed relevant; and

Whereas, in reviewing a classification proposed by the Department of Environmental Quality, the Act directed the Coal Ash Management Commission to approve a proposed classification only if the Commission determined that the classification accurately reflected the level of risk posed by the coal combustion residuals surface impoundment; and

1 Whereas, a mechanism existed under the Coal Ash Management Act of 2014, as
2 enacted, to allow sufficient time for the State to properly assess accurate risk for impoundments
3 given that the Act (i) authorized the Commission to consider all information submitted pursuant to
4 the law, and any other information the Commission deemed relevant, (ii) required that the
5 Commission approve plans that accurately reflected the level of risk posed by an impoundment,
6 and (iii) established no deadline for the Commission to issue final approval of an accurate
7 classification; and

8 Whereas, closure methods under the Coal Ash Management Act of 2014 cannot be
9 developed, approved, or implemented until accurate risk classifications for the impoundments
10 have been finalized; and

11 Whereas, the General Assembly believes addressing the issue of proper management of
12 coal combustion residuals surface impoundments is too pressing to grant a blanket extension of
13 finalization of risk classifications of the impoundments for 18 months, while recognizing that
14 accurate classifications of impoundments is imperative for timely and proper closure of coal ash
15 impoundments; and

16 Whereas, the General Assembly established the Coal Ash Management Commission in
17 2014, to be comprised of individuals qualified with particular experience and expertise, including
18 requirements for appointments of individuals who are representatives of an electric membership
19 corporation or that have a background in power supply resource planning and engineering,
20 individuals that have experience in economic development, and individuals that have expertise in
21 determining and evaluating the costs associated with electricity generation and establishing the
22 rates associated with electricity consumption, in order to facilitate thorough examination and
23 sound decision making on complex and wide-reaching issues surrounding coal ash management,
24 facets of which are beyond the jurisdictional responsibilities of the Department of Environmental
25 Quality; and

26 Whereas, in *McCrory v. Berger*, the North Carolina Supreme Court expressed concerns
27 that the General Assembly retained a majority of appointments to the Coal Ash Management
28 Commission under the Coal Ash Management Act of 2014 and held the appointments provisions
29 violated the separation of powers clause of the Constitution of North Carolina; but stated that "the
30 appointments clause does not prohibit the General Assembly from appointing statutory officers,
31 and the General Assembly can appoint them in many instances"; and

32 Whereas, the Court expressed other separation of powers concerns that although the
33 Coal Ash Management Commission was administratively located within the Division of
34 Emergency Management of the Department of Public Safety, the Commission was directed to
35 exercise all of its power and duties independently and was not subject to the supervision, direction,
36 or control of the Division or Department; and

37 Whereas, Section 5 of Article III of the North Carolina Constitution ascribes to the
38 General Assembly the power to assign functions, powers, and duties to the Executive Branch; and

39 Whereas, in accord with the authority given to it under Section 5 of Article III of the
40 North Carolina Constitution, the General Assembly enacted the Coal Ash Management
41 Commission, and other statutorily created commissions, with varying functions, powers, and
42 duties; and

43 Whereas, Section 11 of Article III of the North Carolina Constitution provides that all
44 administrative departments, agencies, and offices of the State and their respective functions,
45 powers, and duties shall be allocated by law, and further provides that regulatory, quasi-judicial,
46 and temporary agencies may, but need not, be allocated within a principal department; and

47 Whereas, allocations of the functions, powers, and duties of administrative agencies, by
48 law, is the province and responsibility of the General Assembly through the aforementioned
49 provisions of the Constitution of North Carolina and Article II of the State's Constitution
50 establishing the purpose and power of the legislative branch; and

Whereas, the General Assembly intends to reconstitute the membership of the Coal Ash Management Commission in accord with the Court's holding so that the authority of the Coal Ash Management Commission established in 2014 to finalize accurate risk classifications, based on evaluation of all information the Commission deems necessary to achieve accurate classifications, can be exercised without further delay for the protection of public health, safety, and welfare; the environment; or natural resources for the benefit of all citizens of North Carolina; and

Whereas, the Court also expressed concerns that the General Assembly retained a majority of appointments to the Oil and Gas Commission and the Mining Commission and held the appointments provisions violated the separation of powers clause of the Constitution of North Carolina but stated that "the appointments clause does not prohibit the General Assembly from appointing statutory officers, and the General Assembly can appoint them in many instances"; and

Whereas, the General Assembly intends to reconstitute the membership of the Oil and Gas Commission and the Mining Commission in accordance with the Court's holding; Now, therefore,
The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 130A-309.211 is amended by adding a new subsection to read:

"(c1) Provision of Permanent Water Supply. – As soon as practicable, but no later than June 1, 2017, the owner of a coal combustion residuals surface impoundment shall execute a memorandum of agreement or other binding agreement with the Department of Environmental Quality to establish permanent replacement water supplies for each household with a drinking water supply well sampled and analyzed pursuant to subsection (c) of this section. Preference shall be given to permanent replacement water supplies by connection to public water supplies; however, if the State Water Infrastructure Authority determines that connection to a public water supply to a particular household would be cost-prohibitive, the State Water Infrastructure Authority shall authorize provision of a permanent replacement water supply to that household through installation of a filtration system. No later than August 1, 2016, an impoundment owner shall submit information on permanent replacement water supplies proposed to be provided to each household to the State Water Infrastructure Authority, including, at a minimum, the type of permanent water supply proposed, the location of the household and its proximity to the nearest connection point to a public water supply, and projected cost of the permanent water supply option proposed for the household. Projects involving permanent replacement water supplies by connection to public water supplies shall be deemed approved by the State Water Infrastructure Authority for this purpose, however, the need for other State and local permits and approvals shall not be obviated by such approval. For projects involving installation of a filtration system, the State Water Infrastructure Authority shall evaluate information submitted by the impoundment owner to determine whether connection to a public water supply is cost-prohibitive and render a decision to approve or disapprove the plan, including written findings of fact, no later than December 1, 2016."

SECTION 1.(b) This section is effective when it becomes law.

SECTION 2.(a) G.S. 130A-309.202 reads as rewritten:

"§ 130A-309.202. Coal Ash Management Commission.

(a) **Creation.** – In recognition of the complexity and magnitude of the issues associated with the management of coal combustion residuals and the proper closure and remediation of coal combustion residuals surface impoundments, the Coal Ash Management Commission is hereby established.

(b) **Membership.** ~~The Commission shall consist of nine members as follows:~~

(1) ~~One appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121 who shall at the time of appointment be a resident of the State.~~

- (2) ~~One appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121 who shall at the time of appointment have special training or scientific expertise in waste management, including solid waste disposal, hauling, or beneficial use.~~
 - (3) ~~One appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121 who shall at the time of appointment be a licensed physician or a person with experience in public health.~~
 - (4) ~~One appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121 who shall at the time of appointment be a member of a nongovernmental conservation interest.~~
 - (5) ~~One appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121 who shall at the time of appointment have special training or scientific expertise in waste management, including solid waste disposal, hauling, or beneficial use, or is a representative of or on the faculty of a State college or university that conducts coal ash research.~~
 - (6) ~~One appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121 who shall at the time of appointment be a representative of an electric membership corporation organized under Article 2 of Chapter 117 of the General Statutes and have a background in power supply resource planning and engineering.~~
 - (7) ~~One appointed by the Governor who shall at the time of appointment have experience in economic development.~~
 - (8) ~~One appointed by the Governor who shall at the time of appointment have expertise in determining and evaluating the costs associated with electricity generation and establishing the rates associated with electricity consumption.~~
 - (9) ~~One appointed by the Governor who shall at the time of appointment be a person with experience in science or engineering in the manufacturing sector.~~
- (b1) Membership. – The Commission shall consist of seven members as follows:
- (1) One appointed by the Governor subject to confirmation by the General Assembly, who shall at the time of appointment have special training or scientific expertise in waste management, including solid waste disposal, hauling, or beneficial use.
 - (2) One appointed by the Governor subject to confirmation by the General Assembly, who shall at the time of appointment be a licensed physician or a person with experience in public health.
 - (3) One appointed by the Governor subject to confirmation by the General Assembly, who shall at the time of appointment be a representative of an electric membership corporation organized under Article 2 of Chapter 117 of the General Statutes and have a background in power supply resource planning and engineering.
 - (4) One appointed by the Governor subject to confirmation by the General Assembly, who shall at the time of appointment have expertise in determining and evaluating the costs associated with electricity generation and establishing the rates associated with electricity consumption.
 - (5) One appointed by the Governor subject to confirmation by the General Assembly, who shall at the time of appointment be a person with experience in science or engineering in hydrology or geology.

- 1 (6) One appointed by the General Assembly upon recommendation of the Speaker
2 of the House of Representatives in accordance with G.S. 120-121, who is a
3 member of a nongovernmental conservation interest.
- 4 (7) One appointed by the General Assembly upon recommendation of the President
5 Pro Tempore of the Senate in accordance with G.S. 120-121, who shall at the
6 time of appointment be a resident of the State.
- 7 (b2) Process for Appointments by the Governor. – The Governor shall transmit to the
8 presiding officers of the Senate and the House of Representatives, within four weeks of the
9 convening of the session of the General Assembly in the year for which the terms in question are
10 to expire, the names of the persons to be appointed by the Governor and submitted to the General
11 Assembly for confirmation by joint resolution. If an appointment is required pursuant to this
12 subsection when the General Assembly is not in session, the member may be appointed and serve
13 on an interim basis pending confirmation by the General Assembly. For the purpose of this
14 subsection, the General Assembly is not in session only (i) prior to convening of the regular
15 session, (ii) during any adjournment of the regular session for more than 10 days, or (iii) after sine
16 die adjournment of the Regular Session.
- 17 (c) Chair. – The Governor shall appoint the Chair of the Commission from among the
18 Commission's members, and that person shall serve at the pleasure of the Governor. The Chair
19 shall serve two-year terms. The Governor shall make:
- 20 (1) The initial appointment of the Chair no later than ~~October 1, 2014~~ July 1, 2016.
21 If the initial appointment is not made by that date, the Chair shall be elected by
22 a vote of the membership; and
- 23 (2) Appointments of a subsequent Chair, including appointments to fill a vacancy
24 of the Chair created by resignation, dismissal, death, or disability of the Chair,
25 no later than 30 days after the last day of the previous Chair's term. If an
26 appointment of a subsequent Chair is not made by that date, the Chair shall be
27 elected by a vote of the membership.
- 28 (d) Vacancies. – ~~Any appointment to fill a vacancy on the Commission created by the~~
29 ~~resignation, dismissal, death, or disability of a member shall be for the balance of the unexpired~~
30 ~~term. The Governor may reappoint a gubernatorial appointee of the Commission to an additional~~
31 ~~term if, at the time of the reappointment, the member qualifies for membership on the Commission~~
32 ~~under subdivisions (7) through (9) of subsection (b) of this section. In case of death, incapacity,~~
33 ~~resignation, or vacancy for any other reason in the office of any member appointed by the~~
34 ~~Governor, prior to the expiration of the member's term of office, the name of the successor shall be~~
35 ~~submitted by the Governor within four weeks after the vacancy arises to the General Assembly for~~
36 ~~confirmation by the General Assembly. In case of death, incapacity, resignation, or vacancy for~~
37 ~~any other reason in the office of any member appointed Appointments by the General Assembly~~
38 ~~Assembly, shall be made in accordance with G.S. 120-121, and vacancies in those appointments~~
39 ~~shall be filled in accordance with G.S. 120-122. If a vacancy arises or exists when the General~~
40 ~~Assembly is not in session, and the appointment is deemed urgent by the Governor, the member~~
41 ~~may be appointed by the Governor and serve on an interim basis pending confirmation or~~
42 ~~appointment by the General Assembly, as applicable. An appointment to fill a vacancy shall be for~~
43 ~~the unexpired balance of the term.~~
- 44 (e) Removal. – The Governor shall have the power to remove any member of the
45 Commission from office for misfeasance, malfeasance, or nonfeasance in accordance with the
46 provisions of G.S. 143B-13 of the Executive Organization Act of 1973.
- 47 (f) Powers and Duties. – The Commission shall have all of the following powers and
48 duties:
- 49 (1) To review and approve the classification of coal combustion residuals surface
50 impoundments required by G.S. 130A-309.213.

- 1 (2) To review and approve Coal Combustion Residuals Surface Impoundment
2 Closure Plans as provided in G.S. 130A-309.214.
- 3 (3) To review and make recommendations on the provisions of this Part and other
4 statutes and rules related to the management of coal combustion residuals.
- 5 (4) To undertake any additional studies as requested by the General Assembly.
- 6 (g) Reimbursement. – The members of the Commission shall receive per diem and
7 necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5.
- 8 (h) Quorum. – ~~Five~~ Four members of the ~~Commission~~ Commission, at least three of whom
9 must be gubernatorial appointees, shall constitute a quorum for the transaction of business.
- 10 (i) Staff. – The Commission is authorized and empowered to employ staff as the
11 Commission may determine to be necessary for the proper discharge of the Commission's duties
12 and responsibilities. The Chair of the Commission shall organize and direct the work of the
13 Commission staff. The salaries and compensation of all such personnel shall be fixed in the
14 manner provided by law for fixing and regulating salaries and compensation by other State
15 agencies. The Chair, within allowed budgetary limits and as allowed by law, shall authorize and
16 approve travel, subsistence, and related expenses of such personnel incurred while traveling on
17 official business. All State agencies, including the constituent institutions of The University of
18 North Carolina, shall provide information and support to the Commission upon request.
- 19 (j) Repealed by Session Laws 2015-9, s. 1.1, effective April 27, 2015.
- 20 (k) Covered Persons; Conflicts of Interest; Disclosure. – All members of the Commission
21 are covered persons for the purposes of Chapter 138A of the General Statutes, the State
22 Government Ethics Act. As covered persons, members of the Commission shall comply with the
23 applicable requirements of the State Government Ethics Act, including mandatory training, the
24 public disclosure of economic interests, and ethical standards for covered persons. Members of the
25 Commission shall comply with the provisions of the State Government Ethics Act to avoid
26 conflicts of interest. The Governor may require additional disclosure of potential conflicts of
27 interest by members. The Governor may promulgate criteria regarding conflicts of interest and
28 disclosure thereof for determining the eligibility of persons under this subsection, giving due
29 regard to the requirements of federal legislation, and, for this purpose, may promulgate rules,
30 regulations, or guidelines in conformance with those established by any federal agency
31 interpreting and applying provisions of federal law.
- 32 (l) Meetings. – The Commission shall meet at least once every two months and may hold
33 special meetings at any time and place within the State at the call of the Chair or upon the written
34 request of at least five members.
- 35 (m) Reports. – The Commission shall submit quarterly written reports as to its operation,
36 activities, programs, and progress to the Environmental Review Commission. The Commission
37 shall supplement the written reports required by this subsection with additional written and oral
38 reports as may be requested by the Environmental Review Commission. The Commission shall
39 submit the written reports required by this subsection whether or not the General Assembly is in
40 session at the time the report is due.
- 41 (n) ~~Administrative Location; Independence.~~ Location. – The Commission shall be
42 administratively located in the Division of Emergency Management of the Department of Public
43 ~~Safety.~~ Safety, the head of which is the Secretary of Public Safety, who, as provided in
44 G.S. 143B-602, has powers and duties as delegated to the Secretary by the Governor and conferred
45 on the Secretary by the Constitution and laws of this State. ~~The Commission shall exercise all of~~
46 ~~its powers and duties independently and shall not be subject to the supervision, direction, or~~
47 ~~control of the Division or Department.~~
- 48 (o) Terms of Members. – Members of the Commission shall serve terms of ~~six~~ four years,
49 beginning effective July 1 ~~January 1~~ of the year of ~~appointment~~ appointment, and terminate on
50 December 31 of the year of expiration. At the expiration of each member's term, the appointing
51 authority shall replace the member with a new member of like qualifications for a term of four

years. A member shall continue to serve until the member's successor is duly confirmed and qualified but such holdover shall not affect the expiration date of such succeeding term. In order to establish regularly overlapping terms, initial appointments shall be made effective June 1, 2016, or as soon as feasible thereafter, and expire as follows:

(1) The initial appointments made by the Governor:

- a. Pursuant to subdivision (b1)(1) of this section shall expire December 31, 2020.
- b. Pursuant to subdivision (b1)(2) of this section shall expire December 31, 2020.
- c. Pursuant to subdivision (b1)(3) of this section shall expire December 31, 2020.
- d. Pursuant to subdivision (b1)(4) of this section shall expire December 31, 2019.
- e. Pursuant to subdivision (b1)(5) of this section shall expire December 31, 2019.

(2) The initial appointment made by the General Assembly upon recommendation of the Speaker of the House of Representatives pursuant to subdivision (b1)(6) of this section shall expire December 31, 2018.

(3) The initial appointment made by the General Assembly upon recommendation of the President Pro Tempore of the Senate pursuant to subdivision (b1)(7) of this section shall expire December 31, 2018."

SECTION 2.(b) G.S. 130A-309.213 reads as rewritten:

"§ 130A-309.213. Prioritization of coal combustion residuals surface impoundments.

(a) As soon as practicable, but no later than December 31, 2015, the Department shall develop proposed classifications for all coal combustion residuals surface impoundments, including active and retired sites, for the purpose of closure and remediation based on these sites' risks to public health, safety, and welfare; the environment; and natural resources and shall determine a schedule for closure and required remediation that is based on the degree of risk to public health, safety, and welfare; the environment; and natural resources posed by the impoundments and that gives priority to the closure and required remediation of impoundments that pose the greatest risk. In assessing the risk, the Department shall evaluate information received pursuant to G.S. 130A-309.211 and G.S. 130A-309.212 and any other information deemed relevant and, at a minimum, consider all of the following:

- (1) Any hazards to public health, safety, or welfare resulting from the impoundment.
- (2) The structural condition and hazard potential of the impoundment.
- (3) The proximity of surface waters to the impoundment and whether any surface waters are contaminated or threatened by contamination as a result of the impoundment.
- (4) Information concerning the horizontal and vertical extent of soil and groundwater contamination for all contaminants confirmed to be present in groundwater in exceedance of groundwater quality standards and all significant factors affecting contaminant transport.
- (5) The location and nature of all receptors and significant exposure pathways.
- (6) The geological and hydrogeological features influencing the movement and chemical and physical character of the contaminants.
- (7) The amount and characteristics of coal combustion residuals in the impoundment.
- (8) Whether the impoundment is located within an area subject to a 100-year flood.
- (9) Any other factor the Department deems relevant to establishment of risk.

(b) The Department shall issue a proposed classification for each coal combustion residuals surface impoundment based upon the assessment conducted pursuant to subsection (a) of this section as high-risk, intermediate-risk, or low-risk. Within 30 days after a proposed classification has been issued, the Department shall issue a written declaration, including findings of fact, documenting the proposed classification. The Department shall provide for public participation on the proposed risk classification as follows:

(1) The Department shall make copies of the written declaration issued pursuant to this subsection available for inspection as follows:

- a. A copy of the declaration shall be provided to the local health director.
- b. A copy of the declaration shall be provided to the public library located in closest proximity to the site in the county or counties in which the site is located.
- c. The Department shall post a copy of the declaration on the Department's Web site.
- d. The Department shall place copies of the declaration in other locations so as to assure the reasonable availability thereof to the public.

(2) The Department shall give notice of the written declaration issued pursuant to this subsection as follows:

- a. A notice and summary of the declaration shall be published weekly for a period of three consecutive weeks in a newspaper having general circulation in the county or counties where the site is located.
- b. Notice of the written declaration shall be given by first-class mail to persons who have requested such notice. Such notice shall include a summary of the written declaration and state the locations where a copy of the written declaration is available for inspection. The Department shall maintain a mailing list of persons who request notice pursuant to this section.
- c. Notice of the written declaration shall be given by electronic mail to persons who have requested such notice. Such notice shall include a summary of the written declaration and state the locations where a copy of the written declaration is available for inspection. The Department shall maintain a mailing list of persons who request notice pursuant to this section.

(3) No later than 60 days after issuance of the written declaration, the Department shall conduct a public meeting in the county or counties in which the site is located to explain the written declaration to the public. The Department shall give notice of the hearing at least 15 days prior to the date thereof by all of the following methods:

- a. Publication as provided in subdivision (1) of this subsection, with first publication to occur not less than 30 days prior to the scheduled date of the hearing.
- b. First-class mail to persons who have requested notice as provided in subdivision (2) of this subsection.
- c. Electronic mail to persons who have requested notice as provided in subdivision (2) of this subsection.

(4) At least 30 days from the latest date on which notice is provided pursuant to subdivision (2) of this subsection shall be allowed for the receipt of written comment on the written declaration prior to issuance of a final risk classification. At least 20 days will be allowed for receipt of written comment following a hearing conducted pursuant to subdivision (3) of this subsection prior to issuance of a final risk classification.

(c) ~~Within 30 days of the receipt~~After receipt of all written comment as required by subdivision (4) of subsection (b) of this section, the Department shall submit a proposed classification for a coal combustion residuals surface impoundment to the Coal Ash Management Commission established pursuant to ~~G.S. 130A-309.202~~. G.S. 130A-309.202 as soon as legally practicable but no later than 10 days after all appointments have been made pursuant to G.S. 130A-309.202(b1). The Commission shall evaluate all information submitted in accordance with this Part related to the proposed ~~classification~~ classification, including memorandums of agreement or other binding agreements to provide permanent replacement water supplies in accordance with the requirements of G.S. 130A-309.211 to reduce risks to public health, safety, and welfare, and any other information the Commission deems relevant. The Commission shall only approve the proposed classification if it determines that the classification was developed in accordance with this section and that the classification accurately reflects the level of risk posed by the coal combustion residuals surface impoundment. The Commission shall issue its determination in writing, including findings in support of its ~~determination~~ determination, which shall constitute a final decision of the Commission for purposes of an appeal under Article 3 of Chapter 150B of the General Statutes. If the ~~Commission~~ Commission, appointed as provided by G.S. 130A-309.202(b1), fails to act on a proposed classification within ~~60-120~~ 120 days of receipt of the proposed classification, the proposed classification shall be deemed ~~approved~~ disapproved. If a proposed classification is deemed disapproved on the basis that a final decision, including a written determination with findings of facts, has not been issued by the Commission prior to expiration of the 120-day period, the Commission may extend the deadline for no more than 120 days if necessary for adequate review of a proposed classification. Parties aggrieved by a final decision of the Commission pursuant to this subsection may appeal the decision as provided under Article 3 of Chapter 150B of the General Statutes. A classification deemed disapproved as a result of the Commission's failure to act within the 120-day review period, and, if applicable, a subsequent 120-day review period resulting from an extension issued by the Commission to allow additional review shall not constitute a final decision of the Commission for purposes of an appeal under Article 3 of Chapter 150B of the General Statutes."

SECTION 2.(c) Notwithstanding the provisions of G.S. 130A-309.202(b2) and G.S. 130A-309.202(o), as enacted and amended by Section 2(a) of this act, no later than 30 days after the date this act becomes law, the Governor shall transmit to the presiding officers of the Senate and the House of Representatives, the names of the persons nominated by the Governor for appointment to the Coal Ash Management Commission pursuant to G.S. 130A-309.202(b1), as enacted by Section 2(a) of this act, for confirmation by the General Assembly by joint resolution.

SECTION 2.(d) Notwithstanding G.S. 130A-309.213(c) and G.S. 130A-309.214(d), the Environmental Management Commission shall assume all powers and duties for review and approval of proposed classifications for all coal combustion residuals surface impoundments and closure plans for all coal combustion residuals surface impoundments pursuant to those sections, if (i) upon expiration of the period established for public comment set forth in Section 2(f) of this act, the Coal Ash Management Commission has not been appointed as provided by G.S. 130A-309.202(b1), as enacted by Section 2(a) of this act, or (ii) if at any point a court of competent jurisdiction issues a temporary or permanent order enjoining the authority, operation, or activities of the Coal Ash Management Commission appointed as provided by G.S. 130A-309.202(b1), as enacted by Section 2(a) of this act, or issues any other decision or order that prevents the Commission from carrying out its statutory duties.

SECTION 2.(e) No classification for any coal combustion residuals surface impoundment, regardless of when such classification was issued, shall be construed to be deemed approved or final, or implemented as such by the Department of Environmental Quality, until the classification is approved by the (i) Coal Ash Management Commission, as appointed pursuant to G.S. 130A-309.202(b1), as enacted by Section 2(a) of this act, or (ii) the Environmental Management Commission, if applicable, pursuant to Section 2(d) of this act.

1 **SECTION 2.(f)** Notwithstanding G.S. 130A-309.213, the Department of
2 Environmental Quality shall do all of the following:

3 (1) Extend the period for receipt of public comment on the written declarations for
4 proposed classifications for all coal combustion residuals surface
5 impoundments until August 1, 2016, consider any comments, information, and
6 data received during this period, including memorandums of agreement or other
7 binding agreements to provide permanent replacement water supplies in
8 accordance with the requirements of G.S. 130A-309.211, as amended by
9 Section 2(a) of this act, to reduce risk to public health, safety, and welfare; and
10 incorporate any comments, information, and data necessary for issuance of a
11 classification that accurately reflects the level of risk posed by the coal
12 combustion residuals surface impoundment.

13 (2) No later than September 1, 2016, submit a proposed classification for review
14 and approval to the (i) Coal Ash Management Commission, as appointed
15 pursuant to G.S. 130A-309.202(b1), as enacted by Section 2(a) of this act, or
16 (ii) the Environmental Management Commission, if applicable, pursuant to
17 Section 2(d) of this act.

18 **SECTION 2.(g)** Up to five receipt-supported positions are created in the Division of
19 Emergency Management of the Department of Public Safety to carry out the duties in
20 G.S. 130A-309.202. There is appropriated a sum of up to four hundred thousand dollars
21 (\$400,000) to the Coal Ash Management Commission from the Coal Combustion Residuals
22 Management Fund cash balance on June 30, 2016. These positions shall be used to provide
23 assistance to the Coal Ash Management Commission established by G.S. 130A-309.202, as
24 enacted by Section 2(a) of this act. The Division of Emergency Management in the Department of
25 Public Safety shall consult with the Chair of the Commission in hiring the staff for the Coal Ash
26 Management Commission. The Division of Emergency Management in the Department of Public
27 Safety shall provide support to the Commission until the staff of the Commission is hired,
28 including the designation of an individual to serve as an interim executive director of the staff.
29 Provided, however, that if the Environmental Management Commission assumes all powers and
30 duties for review and approval of proposed classifications for all coal combustion residuals surface
31 impoundments and closure plans for all coal combustion residuals surface impoundments pursuant
32 to Section 2(d) of this act, then funds to be appropriated pursuant to this section shall instead be
33 appropriated to the Environmental Management Commission, which funds shall be used solely to
34 support the work of the Commission to review and approve proposed classifications and proposed
35 closure plans.

36 **SECTION 2.(h)** This section is effective when it becomes law.

37 **SECTION 3.(a)** G.S. 143B-291 reads as rewritten:

38 **"§ 143B-291. North Carolina Mining Commission – members; selection; removal;
39 compensation; quorum; services.**

40 (a) Repealed by 2014-4, s. 5(a), effective July 31, 2015.

41 (a1) Members, Selection. – The North Carolina Mining Commission shall consist of eight
42 members appointed as follows:

43 (1) One member who is the chair of the North Carolina State University Minerals
44 Research Laboratory Advisory Committee.

45 (2) The State Geologist, ex officio and nonvoting.

46 (3) One member appointed by the Governor subject to confirmation by the General
47 Assembly, who is a representative of the mining industry.

48 (4) One member appointed by the Governor subject to confirmation by the General
49 Assembly, who is a representative of the mining industry.

- (5) ~~One member appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives-Governor subject to confirmation by the General Assembly who is a representative of the mining industry.~~
- (6) ~~One member appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate-Governor subject to confirmation by the General Assembly who is a representative of the mining industry.~~
- (7) One member appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121, who is a member of nongovernmental conservation interests.
- (8) One member appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121, who is a member of nongovernmental conservation interests.

(a2) Process for Appointments by the Governor. – The Governor shall transmit to the presiding officers of the Senate and the House of Representatives, within four weeks of the convening of the session of the General Assembly in the year for which the terms in question are to expire, the names of the persons to be appointed by the Governor and submitted to the General Assembly for confirmation by joint resolution. If an appointment is required pursuant to this subsection when the General Assembly is not in session, the member may be appointed and serve on an interim basis pending confirmation by the General Assembly. For the purpose of this subsection, the General Assembly is not in session only (i) prior to convening of the regular session, (ii) during any adjournment of the regular session for more than 10 days, or (iii) after sine die adjournment of the regular session.

(b) Terms. – The term of office of a member of the Commission is ~~six years~~four years, beginning effective January 1 of the year of appointment and terminating on December 31 of the year of expiration. At the expiration of each member's term, the appointing authority shall replace the member with a new member of like qualifications for a term of ~~six~~four years. The term of the member appointed under subdivision (5) of subsection (a1) of this section shall expire on June 30 of years that precede by one year those years that are evenly divisible by six. The term of members appointed under subdivisions (3) and (6) of subsection (a1) of this section shall expire on June 30 of years that follow by one year those years that are evenly divisible by six. The term of members appointed under subdivisions (4) and (7) of subsection (a1) of this section shall expire on June 30 of years that follow by three years those years that are evenly divisible by six. Upon the expiration of a six-year term, a member may continue to serve until a successor is appointed and duly qualified as provided by G.S. 128-7. In order to establish regularly overlapping terms, initial appointments shall be made effective June 1, 2016, or as soon as feasible thereafter, and expire as follows:

- (1) The initial appointments made by the Governor:
- a. Pursuant to subdivision (a1)(3) of this section shall expire December 31, 2020.
- b. Pursuant to subdivision (a1)(4) of this section shall expire December 31, 2020.
- c. Pursuant to subdivision (a1)(5) of this section shall expire December 31, 2019.
- d. Pursuant to subdivision (a1)(6) of this section shall expire December 31, 2019.
- (2) The initial appointment made by the General Assembly upon recommendation of the Speaker of the House of Representatives pursuant to subdivision (a1)(7) of this section shall expire December 31, 2018.
- (3) The initial appointment made by the General Assembly upon recommendation of the President Pro Tempore of the Senate pursuant to subdivision (a1)(8) of this section shall expire December 31, 2018.

(c) Vacancies. – In case of death, incapacity, resignation, or vacancy for any other reason in the office of any member appointed by the Governor, prior to the expiration of the member's term of office, the name of the successor shall be submitted by the Governor within four weeks after the vacancy arises to the General Assembly for confirmation by the General Assembly. In case of death, incapacity, resignation, or vacancy for any other reason in the office of any member appointed by the General Assembly, vacancies in those appointments shall be filled in accordance with G.S. 120-122. If a vacancy arises or exists when the General Assembly is not in session, and the appointment is deemed urgent by the Governor, the member may be appointed by the Governor and serve on an interim basis pending confirmation or appointment by the General Assembly, as applicable. An appointment to fill a vacancy shall be for the unexpired balance of the term.

(d) Removal. – The Governor may remove any member of the Commission from office for misfeasance, malfeasance, or nonfeasance in accordance with the provisions of G.S. 143B-13.

(e) Compensation. – The members of the Commission shall receive per diem and necessary traveling and subsistence expenses in accordance with the provisions of G.S. 138-5.

(f) Quorum. – A majority of the Commission shall constitute a quorum for the transaction of business.

(g) Staff. – All clerical and other services required by the Commission shall be supplied by the Secretary of Environmental Quality."

SECTION 3.(b) Notwithstanding the provisions of G.S. 143B-291(a2) and G.S. 143B-291(b), as enacted and amended by Section 3(a) of this act, no later than 30 days after the date this act becomes law, the Governor shall transmit to the presiding officers of the Senate and the House of Representatives the names of the persons nominated by the Governor for appointment to the Mining Commission pursuant to G.S. 143B-291(a1), as enacted by Section 3(a) of this act, for confirmation by the General Assembly by joint resolution. Upon failure of the Governor to submit names as provided herein by December 1, 2016, the Lieutenant Governor shall make such appointments, and if such appointments made by the Lieutenant Governor occur when the General Assembly is not in session, the member may be appointed and serve on an interim basis pending confirmation by the General Assembly.

SECTION 3.(c) This section is effective when it becomes law.

SECTION 4.(a) G.S. 143B-293.2 reads as rewritten:

"§ 143B-293.2. North Carolina Oil and Gas Commission – members; selection; removal; compensation; quorum; services.

(a) Repealed by Session Laws 2014-4, s. 4(a), effective July 31, 2015.

(a1) Members Selection. – The North Carolina Oil and Gas Commission shall consist of nine members appointed as follows:

(1) ~~One appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives~~ Governor subject to confirmation by the General Assembly who, at the time of initial appointment, is an elected official of a municipal government located in a region of North Carolina that has oil and gas potential. A person serving in this seat may complete a term on the Commission even if the person is no longer serving as an elected official of a municipal government but may not be reappointed to a subsequent term.

(2) One appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121, who shall be a geologist with experience in oil and gas exploration and development.

(3) One appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121, who is a member of a nongovernmental conservation interest.

(4) One appointed by the ~~General Assembly upon recommendation of the President Pro Tempore of the Senate~~ Governor subject to confirmation by the General

Assembly who, at the time of initial appointment, is a member of a county board of commissioners of a county located in a region of North Carolina that has oil and gas potential. A person serving in this seat may complete a term on the Commission even if the person is no longer serving as county commissioner but may not be reappointed to a subsequent term.

- (5) One appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121, who is a member of a nongovernmental conservation interest.
- (6) One appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121, who shall be an engineer with experience in oil and gas exploration and development.
- (7) One appointed by the Governor subject to confirmation by the General Assembly, who shall be a representative of a publicly traded natural gas company.
- (8) One appointed by the Governor subject to confirmation by the General Assembly, who shall be a licensed attorney with experience in legal matters associated with oil and gas exploration and development.
- (9) One appointed by the Governor subject to confirmation by the General Assembly, with experience in matters related to public health.

(a2) Process for Appointments by the Governor. – The Governor shall transmit to the presiding officers of the Senate and the House of Representatives, within four weeks of the convening of the session of the General Assembly in the year for which the terms in question are to expire, the names of the persons to be appointed by the Governor and submitted to the General Assembly for confirmation by joint resolution. If an appointment is required pursuant to this subsection when the General Assembly is not in session, the member may be appointed and serve on an interim basis pending confirmation by the General Assembly. For the purpose of this subsection, the General Assembly is not in session only (i) prior to convening of the regular session, (ii) during any adjournment of the regular session for more than 10 days, or (iii) after sine die adjournment of the regular session.

(b) Terms. – The term of office of members of the Commission is ~~three years~~ four years, beginning effective January 1 of the year of appointment and terminating on December 31 of the year of expiration. A member may be reappointed to no more than two consecutive ~~three-year~~ four-year terms. The term of a member who no longer meets the qualifications of their respective appointment, as set forth in subsection (a)(1) of this section, shall terminate but the member may continue to serve until a new member who meets the qualifications is appointed. The terms of members appointed under subdivisions (1), (4), and (7) of subsection (a1) of this section shall expire on June 30 of years evenly divisible by three. The terms of members appointed under subdivisions (2), (5), and (8) of subsection (a1) of this section shall expire on June 30 of years that precede by one year those years that are evenly divisible by three. The terms of members appointed under subdivisions (3), (6), and (9) of subsection (a1) of this section shall expire on June 30 of years that follow by one year those years that are evenly divisible by three. In order to establish regularly overlapping terms, initial appointments shall be made effective June 1, 2016, or as soon as feasible thereafter, and expire as follows:

(1) The initial appointments made by the Governor:

- a. Pursuant to subdivision (a1)(1) of this section shall expire December 31, 2020.
- b. Pursuant to subdivision (a1)(4) of this section shall expire December 31, 2020.
- c. Pursuant to subdivision (a1)(7) of this section shall expire December 31, 2020.

- 1 d. Pursuant to subdivision (a1)(8) of this section shall expire December 31,
2 2019.
- 3 e. Pursuant to subdivision (a1)(9) of this section shall expire December 31,
4 2019.
- 5 (2) The initial appointments made by the General Assembly upon recommendation
6 of the Speaker of the House of Representatives:
- 7 a. Pursuant to subdivision (a1)(2) of this section shall expire December 31,
8 2018.
- 9 b. Pursuant to subdivision (a1)(3) of this section shall expire December 31,
10 2019.
- 11 (3) The initial appointments made by the General Assembly upon recommendation
12 of the President Pro Tempore of the Senate:
- 13 a. Pursuant to subdivision (a1)(5) of this section shall expire December 31,
14 2018.
- 15 b. Pursuant to subdivision (a1)(6) of this section shall expire December 31,
16 2019.
- 17 (c) ~~Vacancies; Removal from Office.~~ Vacancies. – In case of death, incapacity,
18 resignation, or vacancy for any other reason in the office of any member appointed by the
19 Governor, prior to the expiration of the member's term of office, the name of the successor shall be
20 submitted by the Governor within four weeks after the vacancy arises to the General Assembly for
21 confirmation by the General Assembly. In case of death, incapacity, resignation, or vacancy for
22 any other reason in the office of any member appointed by the General Assembly, vacancies in
23 those appointments shall be filled in accordance with G.S. 120-122. If a vacancy arises or exists
24 when the General Assembly is not in session, and the appointment is deemed urgent by the
25 Governor, the member may be appointed by the Governor and serve on an interim basis pending
26 confirmation or appointment by the General Assembly, as applicable. An appointment to fill a
27 vacancy shall be for the unexpired balance of the term.
- 28 (c1) Removal. –
- 29 (1) ~~Any appointment by the Governor to fill a vacancy on the Commission created by the~~
30 ~~resignation, dismissal, death, or disability of a member shall be for the balance of the unexpired~~
31 ~~term. The Governor shall have the power to remove any member of the Commission from office~~
32 ~~for misfeasance, malfeasance, or nonfeasance in accordance with the provisions of G.S. 143B-13~~
33 ~~of the Executive Organization Act of 1973.~~
- 34 (2) ~~Members appointed by the President Pro Tempore of the Senate and the Speaker of the~~
35 ~~House of Representatives shall be made in accordance with G.S. 120-121, and vacancies in those~~
36 ~~appointments shall be filled in accordance with G.S. 120-122. In accordance with Section 10 of~~
37 ~~Article VI of the North Carolina Constitution, a member may continue to serve until a successor is~~
38 ~~duly appointed.~~
- 39 (d) Compensation. – The members of the Commission shall receive per diem and
40 necessary traveling and subsistence expenses in accordance with the provisions of G.S. 138-5.
- 41 (e) Quorum. – A majority of the Commission shall constitute a quorum for the transaction
42 of business.
- 43 (f) Staff. – All staff support required by the Commission shall be supplied by the Division
44 of Energy, Mineral, and Land Resources and the North Carolina Geological Survey.
- 45 (g) Committees. – In addition to the Committee on Civil Penalty Remissions required to be
46 established under G.S. 143B-293.6, the chair may establish other committees from members of the
47 Commission to address specific issues as appropriate. No member of a committee may hear or
48 vote on any matter in which the member has an economic interest. A majority of a committee shall
49 constitute a quorum for the transaction of business.
- 50 (h) Office May Be Held Concurrently With Others. – Membership on the Oil and Gas
51 Commission is hereby declared to be an office that may be held concurrently with other elective or

1 appointive offices in addition to the maximum number of offices permitted to be held by one
2 person under G.S. 128-1.1."

3 **SECTION 4.(b)** Notwithstanding the provisions of G.S. 143B-293.2(a1) and
4 G.S. 143B-293.2(b), as enacted and amended by Section 4(a) of this act, no later than 30 days after
5 the date this act becomes law the Governor shall transmit to the presiding officers of the Senate
6 and the House of Representatives, the names of the persons nominated by the Governor for
7 appointment to the Oil and Gas Commission pursuant to G.S. 143B-293.2(a1), as enacted by
8 Section 4(a) of this act, for confirmation by the General Assembly by joint resolution. Upon
9 failure of the Governor to submit names as provided herein by December 1, 2016, the Lieutenant
10 Governor shall make such appointments, and if such appointments made by the Lieutenant
11 Governor occur when the General Assembly is not in session, the member may be appointed and
12 serve on an interim basis pending confirmation by the General Assembly.

13 **SECTION 4.(c)** For purposes of the rules set forth in 15A NCAC 05H (Oil and Gas
14 Conservation Rules), modifications made to the Oil and Gas Commission under Section 4(a) of
15 this act shall, pursuant to G.S. 150B-21.7, be construed to (1) have repealed authority to adopt
16 such rules given to previously constituted commissions and (2) transferred the authority to adopt
17 such rules to the Oil and Gas Commission as modified by Section 4(a) of this act. Therefore,
18 pursuant to G.S. 150B-21.7, rules set forth in 15A NCAC 05H (Oil and Gas Conservation Rules)
19 shall be effective until the Oil and Gas Commission, as modified Section 4(a) of this act, amends
20 or repeals the rules.

21 **SECTION 4.(d)** This section is effective when it becomes law.

22 **SECTION 5.** The provisions of this act shall be severable, and if any phrase, clause,
23 sentence, or provision is declared to be unconstitutional or otherwise invalid, the validity of the
24 remainder of this act shall not be affected thereby.

25 **SECTION 6.** Except as otherwise provided, this act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

1

HOUSE BILL 1050

Short Title: DOT/No Discrimination Against Motorcyclists.

(Public)

Sponsors: Representative Torbett.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Transportation, if favorable, Appropriations

May 10, 2016

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT THE DEPARTMENT OF TRANSPORTATION FROM
3 DISCRIMINATING AGAINST MOTORCYCLISTS WHEN TAKING CERTAIN
4 ACTIONS.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Article 2 of Chapter 136 of the General Statutes is amended by adding a
7 new section to read:

8 **"§ 136-18.06. Discrimination against motorcyclists prohibited.**

9 (a) Definitions. – The following definitions apply in this section:

10 (1) Action. – Formulating transportation policy, adopting rules, allocating funds,
11 and planning, designing, constructing, equipping, operating, and maintaining
12 transportation facilities.

13 (2) Discriminates. – Includes any action that prohibits or imposes a requirement
14 that applies only to a motorcyclist, and the principal purpose of the action is to
15 restrict or inhibit the access of a motorcyclist to any highway, bridge, tunnel, or
16 other transportation facility.

17 (3) Motorcyclist. – A person operating or riding a motorcycle.

18 → (b) Discrimination Prohibited. – The Department of Transportation is prohibited from
19 taking any action that discriminates, or has the effect of discriminating, against a motorcyclist.

20 (c) Parking. – The Department, and any other owner or operator of a transportation facility
21 funded in whole or in part by State or local funds, shall make reasonable accommodations for
22 motorcycle parking at transportation facilities. The term "reasonable accommodations" includes
23 sectioning portions of an existing parking space where the size configuration of the parking space
24 does not meet building code requirements for full-size motor vehicles. Nothing in this subsection
25 shall be construed as requiring the structural or technological modification of parking structures
26 constructed or substantially completed on or before July 1, 2016.

27 (d) Construction. – Nothing in this section shall be construed as altering or superseding
28 any State or federal law that prohibits or imposes a requirement, or has the effect of prohibiting or
29 imposing a requirement, that applies only to a motorcyclist."

30 SECTION 2. There is appropriated from the Highway Fund to the Department of
31 Transportation the sum of ten thousand dollars (\$10,000) in nonrecurring funds for the 2016-2017
32 fiscal year to be used to fund costs incurred by the Department in implementing this act.

33 SECTION 3. This act becomes effective July 1, 2016.







HOUSE BILL 1050: DOT/No Discrimination Against Motorcyclists.

2016-2017 General Assembly

Committee:	House Transportation. If favorable, re-refer to Appropriations	Date:	May 23, 2016
Introduced by:	Rep. Torbett	Prepared by:	Giles Perry
Analysis of:	First Edition		Committee Counsel

SUMMARY: *House Bill 1050 would prohibit the Department of Transportation from taking actions that discriminate against motorcyclists.*

CURRENT LAW: Current law. G.S. 136-18(5), authorizes DOT to "make rules, regulations and ordinances for the use of, and to police traffic on, the State highways".

BILL ANALYSIS: House Bill 1050:

- Prohibits DOT from taking any action¹ that discriminates², or has the effect of discriminating, against a motorcyclist.
- Requires DOT, and any other owner or operator of a transportation facility funded in whole or in part by State or local funds, to make reasonable accommodations³ for motorcycle parking at transportation facilities.
- Provides that the bill does not supersede any State or federal law that prohibits or imposes a requirement that applies only to a motorcyclist.
- Appropriates from the Highway Fund to the Department of Transportation \$10,000 in nonrecurring funds for the 2016-2017 fiscal year, to be used to fund costs incurred by the Department in implementing this act.

EFFECTIVE DATE: This act becomes effective July 1, 2016.

BACKGROUND: Similar legislation was enacted in South Carolina in 2014. (House Bill 3231, S.L. 2014-148)

¹ "Taking action" is defined as formulating transportation policy, adopting rules, allocating funds, and planning, designing, constructing, equipping, operating, and maintaining transportation facilities.

² "Discriminates" is defined as any action that prohibits or imposes a requirement that applies only to a motorcyclist, and the principal purpose of the action is to restrict or inhibit the access of a motorcyclist to any highway, bridge, tunnel, or other transportation facility.

³ "Reasonable accommodations" are defined to include sectioning portions of an existing parking space where the size configuration of the parking space does not meet building code requirements for full size motor vehicles. The term does not require structural or technological modification of parking structures constructed or substantially completed on or before July 1, 2016.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578



**NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES**

APPROPRIATIONS COMMITTEE REPORT

**Representative Nelson Dollar, Senior Chair
Representative Linda P. Johnson, Co-Chair
Representative Donny Lambeth, Co-Chair
Representative Chuck McGrady, Co-Chair**

FAVORABLE

HB 1050

DOT/No Discrimination Against Motorcyclists.

Draft Number: None
Serial Referral: None
Recommended Referral: None
Long Title Amended: No
Floor Manager: Torbett

SB 71 (HCS#1)

Comm'n Appointment Modifications.

Draft Number: None
Serial Referral: None
Recommended Referral: None
Long Title Amended: No
Floor Manager: McGrady

TOTAL REPORTED: 2



* C M R 6 5 0 - V - 1 *



VISITOR REGISTRATION SHEET

HOUSE APPROPRIATIONS COMMITTEE

Name of Committee

5/25/16

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Mollie Young	DEQ
Lean Burns	Governor's office
May Maule Adams	SELC
DAN Crawford	NCLCV
Brook Panny Pearson	SELC
Mia Bailey	ElectriCity
Johnny Tillet	MWC
CHARLIE BOONE	CBA/ABATE OF NC
Tanya Horton	TSS
Cassie Gann	Jama Club
Tom BEAN	EDF, NCSEA, NCWF



VISITOR REGISTRATION SHEET

HOUSE APPROPRIATIONS COMMITTEE

Name of Committee

5/25/16

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Catherine Harward	NCFB
Frank Wilder	East Seal UCP
Ann Rodriguez	NC Council of Comm Programs
Kay Castillo	NASW-NC
Caroline Thomas	DEQ
Sarah Collins	NCLM
Steve Metcalf	The Policy Group
Gutierrez	NHRS
Rose Williams	NCLM
Sarah McQuillan	SSG-NC
Padraic Libbars	CCS



VISITOR REGISTRATION SHEET

HOUSE APPROPRIATIONS COMMITTEE

Name of Committee

5/25/16

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Greg Puckett

Surry-Yadkin EMC

Anna Culler

Surry-Yadkin EMC

Rhonda Hill

Surry-Yadkin EMC

Toby Speaks

Surry-Yadkin EMC

Erin Wynia

NCLM



VISITOR REGISTRATION SHEET

HOUSE APPROPRIATIONS COMMITTEE

Name of Committee

5/25/16

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Doug Latta	NCSTA
Allen Hardison	NC-SWANA
Preston Howard	NCMA
Jay Ross	NCAEC
Rob Hamme	PLA
Prober/Anderson	MWC
David Collins	SEHAK
Penny Buffi	School 3 Gov.
Kathy Hawkins	Duke Energy
Kelli Kukers	Duke Energy
Susan Vick	Duke Energy



VISITOR REGISTRATION SHEET

HOUSE APPROPRIATIONS COMMITTEE

Name of Committee

5/25/16

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Mark & McConell	Carolina's Health Care
Katy Kingsbury	DP
J. GARY HILL	NCHBA
STEVE MONROE	
JUDY STOLDER	
PHIL WOODWICK	
LETICIA NIETO	
CHERYL CALINS	
MARLENE SANFORD	
VON SMITH	
MARK DISNEY	NCHBS
GARY SALAMON	NC Chamber



VISITOR REGISTRATION SHEET

HOUSE APPROPRIATIONS COMMITTEE

5/25/16

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Jeff Brooks	Duke Energy
Ru Kayla	Kayla Law Firm
Ron Hancock	NCDOT
Mam Jennings	NCDOT
Alex Holbrook	NCDOT
Mike Mann	CONCRETE Supply Co
Rick Zechini	Williams Miller
Fred Bone	Bone Assn.
Conne Wlin	CRMCA
Laurie Onais	lccc
Tommy Sevier	mmt
Chp Byrd	ncms



VISITOR REGISTRATION SHEET

HOUSE APPROPRIATIONS COMMITTEE

Name of Committee

5/25/16

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Jack Stafford	SA
Kara Weishaar	SA
Dana Simpson	SA
Ajell	XXXXXX
Jay Stem	NICAA
Rachelle Sparks	CFSA
J. L. T. Bodi	BAH
Jackie Cashion	NCC
Nathan Babcock	NCC
Meghan Lewis	NCC
Lexi Arthur	NCRMA



HOUSE PAGES (Appropriations)

Week of May 23-26, 2016

Name:	County:	Sponsor:
Maggi Chambers	Richmond	Rep. Ken Goodman
Cole Clary	Cleveland	Speaker Tim Moore
Aaron Brown	Mecklenburg	Rep. Jonathan Jordan
Margo Lilley	Tyrrell	Rep. Bob Steinburg



Committee Sergeants at Arms

NAME OF COMMITTEE House Appropriations (Full)

DATE: 5-25-2016

Room: 643

House Sgt-At Arms:

1. Name: Young Bae

2. Name: MARK CONE

3. Name: DAVID LINTHICUM LINTHICUM

4. Name: DOUG HARRIS

5. Name: Bill Bass

Warren Hawkins

Russel Salisbury

~~Senate Sgt At Arms:~~

1. Name: Jonas Cherry

2. Name: Jim Moran

3. Name: Joe Crook

4. Name: David Leighton

5. Name: Will Crocker

Martha Gadison

Rae Cook

BARRY Moore



**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION**

You are hereby notified that the **House Committee on Appropriations** will meet as follows:

DAY & DATE: Wednesday, June 1, 2016

TIME: 3:30 PM

LOCATION: 643 LOB

COMMENTS: Committee will take up HB954 upon referral from Transportation.

Respectfully,
Representative Nelson Dollar, Senior Chair
Representative Linda P. Johnson, Co-Chair
Representative Donny Lambeth, Co-Chair
Representative Chuck McGrady, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 10:38 AM on Wednesday, June 01, 2016.

____ Principal Clerk
____ Reading Clerk – House Chamber

Candace Slate (Committee Assistant)



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

2

HOUSE BILL 954
Committee Substitute Favorable 6/1/16

Short Title: Terminate Agreement for Tolling of I-77.

(Public)

Sponsors:

Referred to:

April 26, 2016

A BILL TO BE ENTITLED

AN ACT DIRECTING THE DEPARTMENT OF TRANSPORTATION TO TERMINATE THE COMPREHENSIVE AGREEMENT FOR THE I-77 HOT LANES PROJECT IN MECKLENBURG AND IREDELL COUNTIES; CREATING A RESERVE ACCOUNT PROVIDING FOR PAYMENT OF TERMINATION CLAIMS; REDIRECTING REMAINING RESERVE ACCOUNT FUNDS; SUSPENDING SPECIFIED PROJECTS; REMOVING AUTHORIZATION TO CONSTRUCT THE I-77 HOT LANES PROJECT AS A PUBLIC-PRIVATE PARTNERSHIP; AND APPROPRIATING RELATED FUNDS.

The General Assembly of North Carolina enacts:

SECTION 1. Termination. – In a manner consistent with the terms of the Comprehensive Agreement, and pursuant to Section 17.1.1.7 of the Agreement, the Department of Transportation shall terminate the Comprehensive Agreement for the I-77 HOT Lanes project in Mecklenburg and Iredell Counties. Nothing in this section shall be construed as relieving the State from paying damages determined to be owed from the early termination of the Comprehensive Agreement. For purposes of this act, "Comprehensive Agreement" means the Comprehensive Agreement dated as of June 26, 2014, including any amendments made to the Comprehensive Agreement as of the effective date of this act.

SECTION 2. Reserve Account Created/Use of Account. – There is created a reserve account within the Highway Trust Fund. The funds in the account shall be used to pay any damages or other monetary penalties resulting from the termination of the Comprehensive Agreement for the I-77 HOT Lanes project in Mecklenburg and Iredell Counties. Upon resolution of any litigation resulting from the cancellation of the Comprehensive Agreement, or 10 years, whichever is sooner, the funds remaining in the reserve account shall be used by the Department to fund the projects suspended under Section 3 of this act, in their Strategic Transportation Investments Act Prioritization 3.0 order. If the funds remaining are insufficient to fund any of the projects, those unfunded projects may be resubmitted for prioritization under the Strategic Transportation Investments Act as new projects without prejudice. To the extent these funds are deemed unappropriated, the funds made available by the projects suspended in Section 3 of this act are hereby appropriated for the purposes stated in this section.

SECTION 3. Effect on Specified Mecklenburg Projects. – Notwithstanding Article 14B of Chapter 136 of the General Statutes, the following projects, if and to the extent they are related to the I-77 HOT Lanes Comprehensive Agreement project, shall be suspended:

- (1) I-77/Gilead Road Interchange.
- (2) I-77/NC-73 Interchange.
- (3) Five Projects to Widen NC-73.
- (4) Project Widening US-21.



- (5) US-21/Gilead Road Interchange.
- (6) Project Widening NC-115.
- (7) Hambright Road Improvements.
- (8) Lakeview Road Improvements.

SECTION 4. Funds Resulting From Suspension of Projects. – Any State funds resulting from the suspension of the projects listed under Section 3 of this act shall be credited to the reserve account established in Section 2 of this act.

SECTION 5. I-77 Project/No Public-Private Partnership. – Notwithstanding the provisions of G.S. 136-18(39), 136-18(39a), and 136-89.183(a)(2), no project on I-77 in Mecklenburg or Iredell Counties shall be constructed as a toll managed lane public-private partnership project by the Department of Transportation or Turnpike Authority.

SECTION 6. No Effect on Strategic Transportation Investments Act. – This act shall have no effect on the provisions or implementation of the Strategic Transportation Investments Act, Article 14B of Chapter 136 of the General Statutes, except as provided herein.

SECTION 7. Appropriation. – There is appropriated from the Highway Fund to the Department of Transportation the sum of twenty-five thousand dollars (\$25,000) in nonrecurring funds for the 2016-2017 fiscal year to be used for any legal fees incurred in determining the amount of damages that may be owed and other effects resulting from cancellation of the Comprehensive Agreement in accordance with Section 1 of this act.

SECTION 8. Effective Date. – Sections 7 and 8 of this act become effective July 1, 2016. The remainder of this act becomes effective September 1, 2016.



HOUSE BILL 954: Terminate Agreement for Tolling of I-77.

2016-2017 General Assembly

Committee: House Appropriations
Introduced by: Reps. Jeter, Hager, Bradford
Analysis of: Second Edition

Date: June 1, 2016
Prepared by: Giles Perry
Committee Counsel

SUMMARY: *House Bill 954 terminates the I-77 toll lanes agreement between the North Carolina Department of Transportation and I-77 Mobility Partners, LLC.*

CURRENT LAW: On June 26, 2014, the North Carolina Department of Transportation and I-77 Mobility Partners, LLC entered into a Comprehensive Agreement for the construction and operation of toll lanes on I-77 in Mecklenburg and Iredell Counties, pursuant to the provisions of G.S. 136-18.

BILL ANALYSIS:

Section 1 of the bill directs DOT to terminate the I-77 toll lanes agreement for cause, pursuant to the provisions of Section 17.1.1.7 of that agreement.¹

Section 2 of the bill:

- Directs that State funds in the reserve account be used to pay any damages or other monetary penalties resulting from the termination of the Comprehensive Agreement.
- Provides that any funds remaining in the reserve account after paying any damages or other monetary penalties arising from the termination shall be used by the Department to fund the projects suspended under Section 3 of this act, in their Strategic Transportation Investments Act Prioritization 3.0 order.
- Provides that if the funds remaining are insufficient to fund any of the projects, those unfunded projects shall continue to be suspended, and shall be eligible for prioritization resubmission under the Strategic Transportation Investments Act after 10 years.

Section 3 of the bill suspends specified DOT highway projects in Mecklenburg County.

Section 4 of the bill directs that State funds resulting from the project suspensions listed in Section 3 be placed into a reserve account.

¹ "ARTICLE 17. DEFAULT; REMEDIES; DISPUTE RESOLUTION

...

17.1.1 Developer Default

...Developer shall be in breach under this Agreement upon the occurrence of any one or more of the following events or conditions (each a "Developer Default"):

...

17.1.1.7 Any representation or warranty in the CA Documents made by Developer, or any certificate, schedule, report, instrument or other document delivered by or on behalf of Developer to NCDOT pursuant to the CA Documents is false or materially misleading or materially inaccurate when made or omits any required material information when made;

..."

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

House Bill 954

Page 2

Section 5 of the bill removes the future authority of the Department of Transportation or Turnpike Authority to construct and operate a toll managed lane public-private partnership project on I-77 in Mecklenburg or Iredell Counties.

Section 6 of the bill provides that the bill has no effect on the provisions or implementation of the Strategic Transportation Investments Act, Article 14B of Chapter 136 of the General Statutes, except as otherwise provided in the bill.

Section 7 of the bill appropriates \$25,000 in nonrecurring funds from the Highway Fund to the Department of Transportation for the 2016-2017 fiscal year, to be used for any legal fees incurred in determining the amount of damages that may be owed, and other effects resulting from cancellation of the Comprehensive Agreement in accordance with Section 1 of this act.

EFFECTIVE DATE: Sections 7 and 8 of the act would become effective July 1, 2016. The remainder of the bill would become effective September 1, 2016.



**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 954**

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)

Page 1 of 1

H954-ALR-33 [v.1]

Amends Title [NO]
Second Edition

Date _____, 2016

Representative Time

1 moves to amend the bill on page 1, lines 31-32, by rewriting the lines to read:
2 "14B of Chapter 136 of the General Statutes, the following projects shall be suspended:"
3
4

SIGNED

[Handwritten signature]

Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED

FAILED

TABLED



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

D

HOUSE BILL 954
Committee Substitute Favorable 6/1/16
PROPOSED COMMITTEE SUBSTITUTE H954-PCS40638-LR-56

Short Title: Terminate Agreement for Tolling of I-77.

(Public)

Sponsors:

Referred to:

April 26, 2016

A BILL TO BE ENTITLED

AN ACT DIRECTING THE DEPARTMENT OF TRANSPORTATION TO TERMINATE THE COMPREHENSIVE AGREEMENT FOR THE I-77 HOT LANES PROJECT IN MECKLENBURG AND IREDELL COUNTIES; CREATING A RESERVE ACCOUNT PROVIDING FOR PAYMENT OF TERMINATION CLAIMS; REDIRECTING REMAINING RESERVE ACCOUNT FUNDS; SUSPENDING SPECIFIED PROJECTS; REMOVING AUTHORIZATION TO CONSTRUCT THE I-77 HOT LANES PROJECT AS A PUBLIC-PRIVATE PARTNERSHIP; AND APPROPRIATING RELATED FUNDS.

The General Assembly of North Carolina enacts:

SECTION 1. Termination. – In a manner consistent with the terms of the Comprehensive Agreement, and pursuant to Section 17.1.1.7 of the Agreement, the Department of Transportation shall terminate the Comprehensive Agreement for the I-77 HOT Lanes project in Mecklenburg and Iredell Counties. Nothing in this section shall be construed as relieving the State from paying damages determined to be owed from the early termination of the Comprehensive Agreement. For purposes of this act, "Comprehensive Agreement" means the Comprehensive Agreement dated as of June 26, 2014, including any amendments made to the Comprehensive Agreement as of the effective date of this act.

SECTION 2. Reserve Account Created/Use of Account. – There is created a reserve account within the Highway Trust Fund. The funds in the account shall be used to pay any damages or other monetary penalties resulting from the termination of the Comprehensive Agreement for the I-77 HOT Lanes project in Mecklenburg and Iredell Counties. Upon resolution of any litigation resulting from the cancellation of the Comprehensive Agreement, or 10 years, whichever is sooner, the funds remaining in the reserve account shall be used by the Department to fund the projects suspended under Section 3 of this act, in their Strategic Transportation Investments Act Prioritization 3.0 order. If the funds remaining are insufficient to fund any of the projects, those unfunded projects may be resubmitted for prioritization under the Strategic Transportation Investments Act as new projects without prejudice. To the extent these funds are deemed unappropriated, the funds made available by the projects suspended in Section 3 of this act are hereby appropriated for the purposes stated in this section.

SECTION 3. Effect on Specified Mecklenburg Projects. – Notwithstanding Article 14B of Chapter 136 of the General Statutes, the following projects shall be suspended:

- (1) I-77/Gilead Road Interchange.
- (2) I-77/NC-73 Interchange.
- (3) Five Projects to Widen NC-73.
- (4) Project Widening US-21.



* H 9 5 4 - P C S 4 0 6 3 8 - L R - 5 6 *

1 (5) US-21/Gilead Road Interchange.

2 (6) Project Widening NC-115.

3 (7) Hambright Road Improvements.

4 (8) Lakeview Road Improvements.

5 **SECTION 4.** Funds Resulting From Suspension of Projects. – Any State funds
6 resulting from the suspension of the projects listed under Section 3 of this act shall be credited to
7 the reserve account established in Section 2 of this act.

8 **SECTION 5.** I-77 Project/No Public-Private Partnership. – Notwithstanding the
9 provisions of G.S. 136-18(39), 136-18(39a), and 136-89.183(a)(2), no project on I-77 in
10 Mecklenburg or Iredell Counties shall be constructed as a toll managed lane public-private
11 partnership project by the Department of Transportation or Turnpike Authority.

12 **SECTION 6.** No Effect on Strategic Transportation Investments Act. – This act shall
13 have no effect on the provisions or implementation of the Strategic Transportation Investments
14 Act, Article 14B of Chapter 136 of the General Statutes, except as provided herein.

15 **SECTION 7.** Appropriation. – There is appropriated from the Highway Fund to the
16 Department of Transportation the sum of twenty-five thousand dollars (\$25,000) in nonrecurring
17 funds for the 2016-2017 fiscal year to be used for any legal fees incurred in determining the
18 amount of damages that may be owed and other effects resulting from cancellation of the
19 Comprehensive Agreement in accordance with Section 1 of this act.

20 **SECTION 8.** Effective Date. – Sections 7 and 8 of this act become effective July 1,
21 2016. The remainder of this act becomes effective September 1, 2016.

**NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES**

APPROPRIATIONS COMMITTEE REPORT

Representative Nelson Dollar, Senior Chair

Representative Linda P. Johnson, Co-Chair

Representative Donny Lambeth, Co-Chair

Representative Chuck McGrady, Co-Chair

COM SUB NO. 2 REPORTED WITHOUT PREJUDICE, UNFAVORABLE COM SUB NO. 1

HB 954 (CS#1)

Terminate Agreement for Tolling of I-77.

Draft Number: H954-PCS40638-LR-56

Serial Referral: None

Recommended Referral: None

Long Title Amended: No

Floor Manager: Jeter

TOTAL REPORTED: 1



* C M R 6 7 9 - V - 1 *



VISITOR REGISTRATION SHEET

HOUSE APPROPRIATIONS COMMITTEE

Name of Committee

6-1-16

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

John Carter	NCC
Dave Hume	SA
Erin Wignia	NCLM
Dave Fenton	G + J or Alambotto
Aue Hendricks	
Lilee White	ALMNC
caroline Miller	AMGA
Alex Miller	AMGA
Michelle Ferlanto	Cornelius, NC
Jane K Jarney	Huntersville, NC
DANAH PHILLIPS	HUNTERSVILLE MAJOR PRO TEAM COMMISSIONER 14710 BARNETT MILL RD
Martha Jenkins	DNCR



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Name of Committee

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NAME

FIRM OR AGENCY AND ADDRESS

JOHN HETWER	LAKE NORMAN GEMER I-77 BUSINESS PLAN
Jim PUCKETT	MACHENBULL County Commission
Mark Co	
Dan Collins	SEANC
Isabel Ateen	Gov's office
Katharine	KHA
Kern Durdle	MWC
Will Culpepper	MVA
Chris McClune	BP
Elizabeth Biser	BP
Hayden Benguer	FSP



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FIRM OR AGENCY AND ADDRESS

Paul Sherman	NCFB
Catherine Harward	NCFB
Smawkie	Duke
Cameron Harty	MCH
Penny Griffin	206
Meghan Cook	NC DIT
BERRY JENKINS	CAROLINAS AGC
Walt Gray	NC DOT
Carl McLamb	NC DOT
Nelson Freeman	DOT
Ed Sulph	BSP



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FIRM OR AGENCY AND ADDRESS

[illegible]



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HOUSE APPROPRIATIONS COMMITTEE

Name of Committee

6-1-16

Date _____

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NAME _____

FIRM OR AGENCY AND ADDRESS

JOHN KETWHR

I-77 BURRHOSS PLAN
LARG NORMAN CHAMBER

Daniel B. Baur

Trout and Shad

Price lowering

Gov's Office

Michelle Jones

NCP 11A

Justin Athens

Southern Environmental Law Center

May Mulla Asif

SAC



6-1-16

SGT - AT - ARMS

MARDIN LEE

REGGIE SILLS

TERRY MCCRAW

DAVID LEIGHTON

YOUNG BAE

REY COOK

SONAS CHERRY

BARRY MOORE

BILL BASS

REX FOSTER

BILL RILEY

MARK CONE

