

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 1036
HOUSE BILL 859

AN ACT TO EXTEND CERTAIN EXPIRING BUDGET PROVISIONS.

The General Assembly of North Carolina enacts:

Requested by: Representative McLaughlin

—CHARLOTTE-MECKLENBURG CAREER DEVELOPMENT PROGRAM

Section 1. Section 6 of Chapter 394, Session Laws of 1983, as rewritten by Section 2 of Chapter 334, Session Laws of 1985, and as amended by Section 4 of Chapter 524, Section 2 of Chapter 703, and Section 204 of Chapter 738 of the 1987 Session Laws, is amended by deleting "July 1, 1988", each time it appears and substituting "July 1, 1989".

Requested by: Senator Marvin

—EXTEND GASTON PILOT MEDIATION PROJECT

Sec. 2. (a) Section 16(b) of Chapter 830, Session Laws of 1987, reads as rewritten:

"(b) Effective from ratification of this act through June 30, ~~1988~~1989, subsection 162(b) of Chapter 761 of the 1983 Session Laws is rewritten to read:

'(b) This section applies to Mecklenburg and to Gaston Counties only, each of which may establish a pilot program.'"

(b) Section 16(c) of Chapter 830, Session Laws of 197, reads as rewritten:

"(c) Effective from ratification of this act through June 30, ~~1988~~1989, subsection 162(d) of Chapter 761 of the 1983 Session Laws is rewritten to read:

'(d) This section shall be effective in Mecklenburg County only when both parents are residents of Mecklenburg County and in Gaston County only when both parents are residents of Gaston County.'"

Requested by: Representative Watkins

—HOSPITAL AND MEDICAL BENEFITS/TEACHERS AND STATE EMPLOYEES

Sec. 3. Should The University of North Carolina at Chapel Hill's unexpended General Fund appropriation for Health Affairs for fiscal year 1987-88 be more than five hundred twenty-five thousand dollars (\$525,000), the sum of five hundred twenty-five thousand dollars (\$525,000) shall not revert to the General Fund on June 30, 1988, but shall be used instead by the School of Medicine and North Carolina Memorial Hospital to cover the cost, on and after July 1, 1988, of heart transplants for employees, retired employees, and their dependents covered by the Teachers' and State Employees'

Comprehensive Major Medical Plan pursuant to Section 25.1 of Chapter 857 of the 1987 Session Laws.

Requested by: Representative Watkins

—HOSPITAL AND MEDICAL BENEFITS/TEACHERS AND STATE EMPLOYEES-2

Sec. 4. Should the Department of Insurance's unexpended General Fund appropriation for fiscal year 1987-88 be more than one hundred thousand dollars (\$100,000), the sum of one hundred thousand dollars (\$100,000) shall not revert to the General Fund on June 30, 1988, but shall be used instead by the Department of Insurance to cover the cost, on and after January 1, 1988, of approved medical facilities and physicians located within the State in the treatment of cancer with Interluken II for employees, retired employees, and their dependents covered by the Teachers' and State Employees' Comprehensive Major Medical Plan. Approval shall consist of approval by the Food and Drug Administration (FDA) and the National Cancer Institute (NCI). The Department of Insurance and the Board of Trustees of the Teachers' and State Employees' Comprehensive Major Medical Plan are directed to conduct a detailed study on the inclusion of Interluken II for coverage by the Plan in the treatment of cancer and report their findings to the Legislative Committee on Employee Hospital and Medical Benefits no later than May 15, 1989.

Requested by: Representative Lilley; Senator Rauch

—HOLOCAUST FUNDS DO NOT REVERT

Sec. 5. The balance of appropriated funds remaining in the budget of the North Carolina Council on the Holocaust, by G.S. 143B-216.20, on June 30, 1987, shall not revert but shall remain available for expenditure by the Council during the 1988-89 fiscal year.

Requested by: Senator Basnight

—ROANOKE ISLAND CENTER RESERVE FUNDS SHALL NOT REVERT

Sec. 6. Notwithstanding the provisions of G.S. 143-31.5, funds appropriated to the Reserve for the Roanoke Island Center for the Arts in Section 13 of Chapter 1116 of the 1983 Session Laws, as amended by Section 148 of Chapter 479 of the 1985 Session Laws, shall not revert and need not be repaid to the State, but shall remain available until used for the purpose for which they were appropriated.

Requested by: Senator Plyler

—COMMISSION ON JOBS AND ECONOMIC GROWTH

Sec. 7. (a) G.S. 143-506.15 reads as rewritten:

"§ 143-506.15. North Carolina Commission on Jobs and Economic Growth. – (a) There is created the North Carolina Commission on Jobs and Economic Growth. This Commission shall continue to be an advisory Commission and shall work with private and public institutions and with individuals to assess the implementation of the 1986 report of the Commission and continue to identify the major economic challenges facing

this State with an emphasis on increasing the competitiveness of our urban areas and to develop practical proposals for meeting these challenges to be submitted to the executive and legislative branches of State government. The Commission shall make its final report to the 1987 Session of the General Assembly (Regular Session 1988) 1989 Session of the General Assembly.

(b) The Commission shall consist of no more than 30 members to be appointed by, and to serve at the pleasure of, the President of the Senate, except that terms of members shall expire August 15, 1987, and new members shall be appointed thereafter to serve at the pleasure of the President of the Senate or until June 30, 1989-December 31, 1988, whichever occurs first. If any vacancies shall occur, the President of the Senate shall appoint successors to serve at his pleasure or until June 30, 1989-December 31, 1988, whichever comes first. If members of the General Assembly are appointed an equal number from each house shall be appointed.

(c) The Commission may contract for assistance from non-State personnel as it deems necessary.

(d) Members of the Commission who are also members of the General Assembly shall be paid subsistence and travel expenses at the rate set forth in G.S. 120-3.1. Members of the Commission who are officials or employees of the State shall receive travel allowances at the rate set forth in G.S. 138-6. All other members of the Commission shall be paid per diem and allowances at the rates set forth in G.S. 138-5.

(e) This section shall expire June 30, 1989-December 31, 1988."

(b) Funds appropriated to the Office of the Lieutenant Governor for the fiscal year 1987-88 by Section 2 of Chapter 738 of the 1987 Session Laws, and allocated for use by the North Carolina Commission on Jobs and Economic Growth by Section 52(e) of Chapter 757 of the 1985 Session Laws, as amended by Section 149(c) of Chapter 738 of the 1987 Session Laws, shall not revert, but shall remain available for expenditure through December 31, 1988.

Requested by: Representative Barnes

—GRIMES ALTERNATIVE PROGRAM/LOCATION MODIFIED

Sec. 8. Funds in the amount of forty-five thousand dollars (\$45,000) for the 1987-88 fiscal year and forty-five thousand dollars (\$45,000) for the 1988-89 fiscal year were appropriated in Chapter 830 of the 1987 Session Laws for support for the Youth and Family Counseling Service, which is affiliated with the Laymen's Christian Council, Inc., to continue the Grimes Alternative Program in the Lexington City Schools. These funds may be used by the Youth and Family Counseling Service for such programs in any public schools in Davidson County.

These funds shall not revert but shall remain available until spent for such programs.

Requested by: Senator Harrington

—PRINCIPLES OF TECHNOLOGY FUNDS/DO NOT REVERT

Sec. 9. (a) Funds in the amount of one hundred seventy thousand dollars (\$170,000) for the 1987-88 fiscal year, which were appropriated in Chapter 830 of the

1987 Session Laws to provide support for a Principles of Technology demonstration program in the Northampton County, Halifax County, and Weldon City School administrative units, shall not revert at the end of the 1987-88 fiscal year but shall remain available for expenditure until June 30, 1989.

Requested by: Representative Hall, Senator Soles

—CORPORATE LAW STUDY COMMISSION

Sec. 10. (a) The Commission to Revise the Business Corporation Act, created by Part XIII A of Chapter 873 of the 1987 Session Laws, is hereby recreated and reenacted with the same membership as originally appointed.

(b) Section 13A.6 of Chapter 873 of the 1987 Session Laws reads as rewritten:

"Sec. 13A.6. The Commission shall review the Business Corporation Act and recommend such rewrite or recodification as is necessary to modernize that act, and shall report its findings to the General Assembly on or before June 1, 1988, and report to the 1989 General Assembly upon its convening. The Commission shall terminate upon ~~the filing of the report~~ adjournment sine die of the 1989 General Assembly."

(c) Section 13A.7 of Chapter 873 of the 1987 Session Laws reads as rewritten:

"Sec. 13A.7. There is appropriated from the General Fund to the Legislative Services Commission for fiscal year 1987-88 the sum of fifteen thousand dollars (\$15,000) for the use of the Commission to Revise the Business Corporation Act, and these funds shall not revert until the termination of the Commission as provided in Section 13A.6 of this act."

Requested by: Representative Bob Etheridge

—HARNETT PRISON CHAPEL FUNDS/DO NOT REVERT

Sec. 11. Section 217(a) of Chapter 1014, 1985 Session Laws, as amended by Section 11 of Chapter 795, 1987 Session Laws, reads as rewritten:

"(a) Funds in the amount of fifty thousand dollars (\$50,000) were appropriated to the Department of Correction in Section 3 of Chapter 971 of the 1983 Session Laws for the construction of a chapel at Harnett Correctional Center. These funds may not revert but shall remain available for expenditure for this purpose until ~~June 30, 1988.~~ the project is completed."

Requested by: Representative Woodard

—JOHNSTON COUNTY PRISON CHAPEL

Sec. 11.1. Funds in the amount of fifty thousand dollars (\$50,000) were appropriated to the Department of Correction in Section 4 of Chapter 1014 of the 1985 Session Laws for the construction of a chapel at the Johnston County Prison Unit. These funds shall not revert but shall remain available until the project is completed. This grant may be matched on an in-kind basis, with labor matching State funds.

Requested by: Representative Watkins

—NONREVERSION OF GRAPE GROWERS COUNCIL FUNDS

Sec. 12. (a) G.S. 105-113.81A is amended by rewriting the last sentence to read:

"The Department of Agriculture shall allocate the funds received under this section to the North Carolina Grape Growers Council to be used to promote the North Carolina grape and wine industry and to contract for research and development services to improve viticultural and enological practices in North Carolina. Any funds credited to the Department of Agriculture under this section that are not expended by June 30 of any fiscal year may not revert to the General Fund, but shall remain available to the Department for the uses set forth in this section."

(b) This section shall remain in effect until July 1, 1991.

Requested by: Senator Walker

—TRANSFER OF TEACCH CARRY-OVER FUNDS

Sec. 13. The sum of one hundred sixty-seven thousand five hundred sixty dollars (\$167,560) of unexpended funds appropriated to the Department of Human Resources, Division of Mental Health, Mental Retardation, and Substance Abuse Services, in fiscal year 1985-86 in Section 2 of Chapter 479 of the 1985 Session Laws for the Comprehensive Living and Learning Center for Autistic Adults and carried forward through fiscal year 1987-88 is transferred from the Division to The University of North Carolina at Chapel Hill, Division of Health Affairs, for capital improvements for the Center.

Requested by: Senator Royall

—AUTISTIC CENTER CAPITAL FUNDS

Sec. 14. Of the three hundred sixty-four thousand nine hundred dollars (\$364,900) in General Fund appropriations transferred from the Department of Human Resources to The University of North Carolina at Chapel Hill, Health Affairs, for autistic programs for the 1987-88 fiscal year, one hundred sixteen thousand dollars (\$116,000) shall be used for capital improvement costs associated with the development of the Living and Learning Center for Autistic Adults.

Requested by: Representative Watkins

—CHAPTER 886

Sec. 15. Notwithstanding Chapter 886 of the 1987 Session Laws or any other provision of law, the Director of the Budget shall allocate funds for the 1988-89 fiscal year for:

- (1) Expenditure for current operations by State departments, institutions and agencies,
- (2) For operating expenses for State aid for non-State entities, except for those funds for State aid for non-State entities that were appropriated to the Office of State Budget and Management or to the Department of Justice for State aid, and
- (3) Expenditures from the Highway Fund,

at a level not to exceed the level at which those operations were funded for the 1987-88 fiscal year as of June 30, 1988. To the extent necessary to implement this authorization, funds currently available in the appropriate State funds and in cash balances, federal receipts, and departmental receipts shall be considered appropriated at the levels authorized for the 1987-88 fiscal year by the General Assembly. This section shall remain in effect until repealed by the General Assembly.

Requested by: Representatives Nye, Redwine

—MOSQUITO AND VECTOR CONTROL PROGRAM

Sec. 16. No funds appropriated for the 1987-89 fiscal biennium and included in Section 3 to the Department of Human Resources, Division of Health Services' Mosquito and Other Vector Control Program shall be transferred from any part of this Program for any purpose unless authorized by the General Assembly. Any funds for this Program that have already been transferred shall be transferred back to the Program if not already expended, and any transfer that has been approved but has not yet become effective is rescinded.

Requested by: Representative Holroyd

—MODEL EDUCATION TRANSITION PROGRAM FUNDS

Sec. 17. Any unexpended funds from those allocated in Section 33 of Chapter 830 of the 1987 Session Laws to the Department of Human Resources for the Wake Collaborative Educational Transition Pilot Program, shall be carried forward to fiscal year 1988-89 and be expended for the purpose prescribed by that section.

Requested by: Representative Nye

—SOUTHEASTERN REGIONAL AREA MENTAL HEALTH, MENTAL RETARDATION, AND SUBSTANCE ABUSE PROGRAM'S ADULT DEVELOPMENTAL ACTIVITIES PROGRAM FUNDS

Sec. 18. Any unexpended funds from those allocated in Section 67(a)(5) of Chapter 830 of the 1987 Session Laws to the Southeastern Regional Area Mental Health, Mental Retardation, and Substance Abuse Program shall be carried forward to fiscal year 1988-89 and be expended for an Adult Developmental Activities Program/Community Living Skills Program operated in Bladen County by the Southeastern Regional Program.

Requested by: Representative Watkins

—EXTENSION OF EXPIRING RULES

Sec. 18.1. G.S. 150B-59(c) is amended by deleting "shall remain in effect until June 30, 1988. These rules are repealed effective July 1, 1988", and substituting "shall remain in effect until July 5, 1988. These rules are repealed effective July 6, 1988".

Requested by: Senator Swain

—BLACK MOUNTAIN REPAIR FUNDS

Sec. 19. The fourteen thousand two hundred dollars (\$14,200) remaining of the funds redirected by Section 28 of Chapter 795 of the 1987 Session Laws for the reconditioning of the Black Mountain Center, shall be used for repairing and reconditioning Buildings 23 and 24 on the campus.

Sec. 20. This act shall become effective June 30, 1988.

In the General Assembly read three times and ratified this the 30th day of June, 1988.