

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017**

**SESSION LAW 2018-97
SENATE BILL 335**

AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO
THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2018 AND TO CREATE
THE LEGISLATIVE COMMISSION ON THE FAIR TREATMENT OF COLLEGE
STUDENT-ATHLETES.

The General Assembly of North Carolina enacts:

PART I. GENERAL PROVISIONS

SECTION 1.1. If Senate Bill 99, 2017 Regular Session, becomes law, then Section 2.1 of that act reads as rewritten:

"**SECTION 2.1.** Appropriations from the General Fund of the State for the maintenance of the State departments, institutions, and agencies, and for other purposes as enumerated, are adjusted for the fiscal year ending June 30, 2019, according to the schedule that follows. Amounts set out in parentheses are reductions from General Fund appropriations for the 2018-2019 fiscal year:

Current Operations – General Fund

FY 2018-2019

EDUCATION

Community Colleges System Office \$ 43,724,296

Department of Public Instruction 59,847,276 59,657,276

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HEALTH AND HUMAN SERVICES

Department of Health and Human Services

...

Division of Mental Health, Developmental Disabilities,
& Substance Abuse Services 3,226,446 3,600,004

...

Division of Social Services 917,664 569,106

...

Total Health and Human Services (37,074,593) (37,049,593)

AGRICULTURAL, NATURAL, AND ECONOMIC RESOURCES

...

Department of Commerce



Commerce	(6,707,869)(<u>6,732,869</u>)
Commerce State-Aid	<u>3,535,000</u> <u>3,525,000</u>

...

JUSTICE AND PUBLIC SAFETY

Department of Public Safety	<u>50,529,172</u> <u>51,776,660</u>
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Judicial Department	<u>12,184,971</u> <u>13,684,971</u>
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GENERAL GOVERNMENT

Department of Administration	<u>2,562,510</u> <u>1,062,510</u>
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Office of State Budget and Management

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OSBM – Reserve for Special Appropriations	<u>9,615,307</u> <u>9,815,307</u>
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DEPARTMENT OF INFORMATION TECHNOLOGY	<u>10,246,786</u><u>9,946,786</u>
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RESERVES, ADJUSTMENTS, AND DEBT SERVICE

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Compensation Increase Reserve	15,300,000
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<u>Minimum of Market Adjustment</u>	<u>(947,488)</u>
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TOTAL CURRENT OPERATIONS – GENERAL FUND	\$ <u>202,253,200</u>
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PART II. EDUCATION

SECTION 2.1. If Senate Bill 99, 2017 Regular Session, becomes law, then Section 8.2(c) of that act reads as rewritten:

"**SECTION 8.2.(c)** For purposes of determining the school growth scores for each school the principal supervised in at least two of the prior three school years, the following school growth scores shall be used during the following time periods:

- (1) Between July 1, 2018, and December 31, 2018, the school growth scores from the 2014-2015, 2015-2016, and 2016-2017 school years. If a principal does not have a school growth score from any of the school years identified in this subdivision, the most recent available growth scores, up to the 2016-2017 school year, shall be used.
- (2) Between January 1, 2019, and June 30, 2019, the school growth scores from the 2015-2016, 2016-2017, and 2017-2018 school years. If a principal does

not have a school growth score from any of the school years identified in this subdivision, the most recent available growth scores, up to the 2017-2018 school year, shall be used."

SECTION 2.2. If Senate Bill 99, 2017 Regular Session, becomes law, then Section 8.4(f) of that act reads as rewritten:

"**SECTION 8.4.(f)** Section 8.5 of S.L. ~~2017-97~~2017-57 is repealed."

SECTION 2.3. If Senate Bill 99, 2017 Regular Session, becomes law then Part VII of that act is amended by adding a new section to read:

"NEW DIMENSIONS CHARTER SCHOOL/USE OF FUNDS

"SECTION 7.28. Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, the sum of twenty-five thousand dollars (\$25,000) appropriated to the Department of Public Instruction by this act for the 2018-2019 fiscal year to be allocated to New Dimensions Charter School as a grant-in-aid shall be used only for the operating expenses of the charter school."

SECTION 2.4.(a) If Senate Bill 99, 2017 Regular Session, becomes law, then Section 41.1(a) of S.L. 2016-126 reads as rewritten:

"SECTION 41.1.(a) Effective December 15, 2016, the ~~The~~ Center for Safer Schools is hereby moved to the Department of Public Instruction, Division of Safe and Healthy Schools Support. ~~Instruction.~~ This transfer shall have all of the elements of a Type I transfer, as defined in G.S. 143A-6."

SECTION 2.4.(b) If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 115C-105.49A(b) reads as rewritten:

"(b) In constructing the SRRMS, the Division of Emergency Management and the Center for Safer ~~Schools~~ Schools, in collaboration with the Department of Public Instruction, Division of School Operations, shall leverage the existing enterprise risk management database, the School Risk Management Planning tool managed by the ~~Division~~ Division of Emergency Management. The Division of Emergency Management shall also leverage the local school administrative unit schematic diagrams of school facilities. Where technically feasible, the SRRMS shall integrate any anonymous tip lines established pursuant to G.S. 115C-105.51 and any 911-initiated panic alarm systems authorized as part of a SRMP pursuant to G.S. 115C-47(40). The Division of Emergency Management and the Center for Safer Schools shall collaborate with the Department of Public ~~Instruction~~ Instruction, Division of School Operations, and the North Carolina 911 Board in the design, implementation, and maintenance of the SRRMS."

SECTION 2.4.(c) If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 115C-105.52 reads as rewritten:

"§ 115C-105.52. School crisis kits.

~~The Department of Public Instruction,~~ The Center for Safer Schools, in consultation with the Department of Public ~~Safety through the North Carolina Center for Safer Schools,~~ Safety and the Department of Public Instruction, Division of School Operations, may develop and adopt policies on the placement of school crisis kits in schools and on the contents of those kits. The kits should include, at a minimum, basic first-aid supplies, communications devices, and other items recommended by the International Association of Chiefs of Police.

The principal of each school, in coordination with the law enforcement agencies that are part of the local board of education's School Risk Management Plan, may place one or more crisis kits at appropriate locations in the school."

SECTION 2.4.(d) If Senate Bill 99, 2017 Regular Session, becomes law, then Article 8C of Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-105.57. Center for Safer Schools.

(a) Center for Safer Schools Established. – There is established the Center for Safer Schools. The Center for Safer Schools shall be administratively located in the Department of

Public Instruction. The Center for Safer Schools shall consist of an executive director appointed by the Superintendent of Public Instruction and such other professional, administrative, technical, and clerical personnel as may be necessary to assist the Center for Safer Schools in carrying out its powers and duties.

(b) Executive Director. – The Executive Director shall report to and serve at the pleasure of the Superintendent of Public Instruction at a salary established by the Superintendent within the funds appropriated for this purpose.

(c) Powers and Duties. – The Center for Safer Schools shall have all powers and duties provided in this Article.

(d) Agency Cooperation. – All State agencies and departments shall cooperate with the Center for Safer Schools in carrying out its powers and duties, as necessary, in accordance with this Article."

SECTION 2.5. If Senate Bill 99, 2017 Regular Session, becomes law, then Section 7.7 of S.L. 2017-57, as amended by Section 7.5 of Senate Bill 99, 2017 Regular Session, is amended by adding a new subsection to read:

"SECTION 7.7.(b1) For the 2018-2019 fiscal year, the Department of Public Instruction shall also make no transfers from or reduction to funding or positions for the Office of Charter Schools in implementing (i) budget reductions for the 2018-2019 fiscal year, (ii) recommendations resulting from the audit required pursuant to Section 7.23L of this act, or (iii) other changes necessary to improve the efficiency of the Department of Public Instruction."

SECTION 2.6. If Senate Bill 99, 2017 Regular Session, becomes law, then Section 8.7 of S.L. 2016-94, as amended by Section 7.9 of Senate Bill 99, 2017 Regular Session, reads as rewritten:

" ...

"SECTION 8.7.(b) Request for Proposal. – By September 15, 2016, the State Board of Education shall issue ~~a~~an initial Request for Proposal (RFP) for the pilot. The State Board may issue additional, subsequent RFPs, as necessary, in order to meet the requirements of this section. Local boards of education shall submit their initial proposals by October 15, 2016. ~~The~~Any additional proposals shall be submitted in accordance with requirements set by the State Board. Any RFP issued by the State Board shall require that proposals include the following information at a minimum:

...

"SECTION 8.7.(c) Selection by State Board of Education. – By December 15, 2016, the State Board of Education shall review the initial proposals submitted by local boards of ~~education~~ and education. The State Board shall review additional, subsequent proposals submitted by local boards of education in accordance with requirements set by the State Board. The State Board shall select ~~up to~~a maximum of 10 local school administrative units to participate in the pilot as follows:

...

"SECTION 8.7.(d) Pilot Implementation. – The selected local school administrative units shall implement their approved pilots beginning ~~with~~as early as the 2017-2018 school year and ending with the 2024-2025 school year. The local board of education for each selected pilot local school administrative unit shall provide any requested information and access to the independent research organization selected by the State Board of Education to evaluate the pilots pursuant to subsection (f) of this section.

...."

SECTION 2.7. If Senate Bill 99, 2017 Regular Session, becomes law, then Part IX of that act is amended by adding a new section to read:

"ENROLLMENT GROWTH ADJUSTMENT

"SECTION 9.12. Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, for the 2018-2019 fiscal

year, the Community Colleges System Office and the Office of State Budget and Management shall certify the enrollment growth adjustment as the reduction of a sum of eleven million seven hundred thousand six hundred six dollars (\$11,700,606) in recurring requirements, the addition of a sum of one million seven hundred seventy-eight thousand eight hundred thirty-two dollars (\$1,778,832) in nonrecurring requirements, and the reduction of the sum of twelve million six hundred twenty-three thousand seven hundred fifty-seven dollars (\$12,623,757) in recurring receipts, resulting in a net sum of two million seven hundred one thousand nine hundred eighty-three dollars (\$2,701,983) in appropriation."

SECTION 2.8. If Senate Bill 99, 2017 Regular Session, becomes law, then Part IX of that act is amended by adding a new section to read:

"CERTAIN COMMUNITY COLLEGE PROJECT FUNDS

"SECTION 9.11.(a) Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, the sum of two hundred thousand dollars (\$200,000) in nonrecurring funds appropriated to the Community Colleges System Office by this act for the 2018-2019 fiscal year to be allocated to Johnston County Community College as a grant-in-aid to support the Fire Tower Training Facility shall be allocated to Johnston Community College for the 2018-2019 fiscal year for this purpose.

"SECTION 9.11.(b) Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, the sum of fifty thousand dollars (\$50,000) in nonrecurring funds appropriated to the Community Colleges System Office by this act for the 2018-2019 fiscal year to be allocated to Wilkes County Community College as a grant-in-aid for equipment needs for the Wilkes Culinary Arts Building shall be allocated to Wilkes Community College for the 2018-2019 fiscal year for this purpose."

SECTION 2.9. If Senate Bill 99, 2017 Regular Session, becomes law, then Part X of that act is amended by adding a new section to read:

"SOUTHERN REGIONAL AHEC FUNDS

"SECTION 10.6. Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, the sum of four million eight hundred thousand dollars (\$4,800,000) in nonrecurring funds appropriated to the Board of Governors of The University of North Carolina by this act for the 2018-2019 fiscal year to be allocated to the Southern Regional Area Health Education Center (SR AHEC) shall be used for residencies in the SR AHEC service areas and for facility and structural improvements associated with current residency programs."

SECTION 2.10. If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 115C-83.6(a2), as enacted by Section 7.24(b) of that act, reads as rewritten:

"(a2) The Department of Public Instruction shall provide for EVAAS analysis all formative and diagnostic assessment data collected pursuant to this section ~~or G.S. 115C-174.11~~ for kindergarten through third grade."

SECTION 2.11. If Senate Bill 99, 2017 Regular Session, becomes law, then Part X of that act is amended by adding a new section to read:

"EXTEND INITIAL TERMS/ADVISORY COUNCIL ON RARE DISEASES

"SECTION 10.7. Notwithstanding G.S. 130A-33.65(c), the terms of the initial members appointed to the Advisory Council on Rare Diseases (Council) within the School of Medicine of the University of North Carolina at Chapel Hill in accordance with S.L. 2015-199 shall end on July 1, 2023. A member appointed to fill a vacancy of an initial member of the Council shall serve the remainder of the unexpired term. Members appointed to the Council on or after July 1, 2023, shall serve for terms of three years in accordance with G.S. 130A-33.65."

SECTION 2.12.(a) If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 115C-562.1(3)b. reads as rewritten:

- "b. Resides in a household with an income level not in excess of one hundred thirty-three percent (133%) of the amount required for the

student to qualify for the federal free or reduced-price lunch program. The Authority shall not count any distribution from the estate of a decedent in calculating the income level of the applicant's household for the purposes of determining eligibility for a scholarship under this sub-subdivision."

SECTION 2.12.(b) Subsection (a) of this section is effective the date this act becomes law and applies to any student who was otherwise eligible to receive a scholarship pursuant to Part 2A of Article 39 of Chapter 115C of the General Statutes on or after January 1, 2017, for any scholarship application for the 2018-2019 school year or later. A student who becomes eligible for a scholarship in the 2018-2019 school year solely due to subsection (a) of this section shall receive first priority in award of scholarships in the same manner as those previously awarded scholarships.

SECTION 2.13. If Senate Bill 99, 2017 Regular Session, becomes law, then Section 6 of S.L. 2016-110, as amended by Section 7.26E of S.L. 2017-57, reads as rewritten:

"SECTION 6. It is the intent of the General Assembly to appropriate to the Department of Public Instruction four hundred fifty thousand dollars (\$450,000) for the 2017-2018 fiscal year and annually thereafter for innovation zone model grants. Upon appropriation of funds, Beginning with the 2018-2019 fiscal year, from the funds appropriated to the Department of Public Instruction each fiscal year for the award of innovation zone model grants, the State Board of Education shall, upon recommendation of the ISD Superintendent, award innovation zone model grants of up to one hundred fifty thousand dollars (\$150,000) per fiscal year for five years to local boards of education who (i) have been authorized to adopt the innovation zone model by the State Board of Education for up to three schools or for a local school administrative unit with more than thirty-five percent (35%) of schools within the unit identified as low-performing and (ii) provide a dollar-for-dollar match with non-State funding for the requested grant amount. Innovation zone model grants shall be directed by local boards of education to the innovation zone office to address specific issues in innovation zone schools. Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of S.L. 2017-57 to the contrary, for the 2018-2019 fiscal year only, the Department may also use these funds to cover the administrative costs of the Innovative School District during the 2018-2019 fiscal year."

SECTION 2.14. If Senate Bill 99, 2017 Regular Session, becomes law, then Part VII of that act is amended by adding a new section to read:

"GRANT-IN-AID FOR GRAHAM COUNTY SCHOOLS

"SECTION 7.29. Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, of the funds appropriated in this act to the Department of Public Instruction, the Department shall provide a grant-in-aid in the amount of ten thousand dollars (\$10,000) to Graham County Schools."

SECTION 2.15.(a) If Senate Bill 99, 2017 Regular Session, becomes law, then Section 7.22 of that act is repealed.

SECTION 2.15.(b) If Senate Bill 99, 2017 Regular Session, becomes law, then Part VII of that act is amended by adding a new section to read:

"ELIMINATE FUNDS APPROPRIATED FOR DONORSCHOOSE

"SECTION 7.30. Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, the funds appropriated to the Department of Public Instruction by this act for the 2018-2019 fiscal year to provide a grant-in-aid to DonorsChoose.org for teachers to receive classroom supplies shall be reduced by two hundred thousand dollars (\$200,000)."

SECTION 2.16.(a) Notwithstanding G.S. 115C-83.15(b)(2), for the 2017-2018 school year only, for schools serving any students in ninth through twelfth grade, the State Board of Education shall assign points on the following measures available for that school:

- (1) One point for each percent of students who score at or above proficient on either the Algebra I or Integrated Math I end-of-course test or, for students who completed Algebra I or Integrated Math I before ninth grade, another mathematics course with an end-of-course test.
- (2) One point for each percent of students who score at or above proficient on the English II end-of-course test.
- (3) One point for each percent of students who score at or above proficient on the Biology end-of-course test.
- (4) One point for each percent of students who complete Algebra II or Integrated Math III with a passing grade.
- (5) One point for each percent of students who either (i) achieve the minimum score required for admission into a constituent institution of The University of North Carolina on a nationally normed test of college readiness or (ii) are enrolled in Career and Technical Education courses and score at Silver, Gold, or Platinum levels on a nationally normed test of workplace readiness.
- (6) One point for each percent of students who graduate within four years of entering high school.
- (7) One point for each percent of students who progress in achieving English language proficiency.

SECTION 2.16.(b) Notwithstanding G.S. 115C-83.16(a)(2)b., for the 2017-2018 school year only, the school quality and student success indicator shall be made up of the following measures:

- (1) Proficiency on the Biology end-of-course test.
- (2) The percentage of students who complete Algebra II or Integrated Math III with a passing grade.
- (3) The percentage of students who either (i) achieve the minimum score required for admission into a constituent institution of The University of North Carolina on a nationally normed test of college readiness or (ii) are enrolled in Career and Technical Education courses and score at Silver, Gold, or Platinum levels on a nationally normed test of workplace readiness.

SECTION 2.16.(c) For schools serving any students in ninth through twelfth grade, for the 2017-2018 school year only, in addition to other required data, the report cards issued pursuant to G.S. 115C-12(9)c1. shall include the following data:

- (1) The percentage of students who achieved the minimum score required for admission into a constituent institution of The University of North Carolina on a nationally normed test of college readiness.
- (2) The percentage of students enrolled in Career and Technical Education courses who met the standard when scoring at Silver, Gold, or Platinum levels on a nationally normed test of workplace readiness.
- (3) The percentage of students who either (i) achieve the minimum score required for admission into a constituent institution of The University of North Carolina on a nationally normed test of college readiness or (ii) are enrolled in Career and Technical Education courses and score at Silver, Gold, or Platinum levels on a nationally normed test of workplace readiness.

SECTION 2.16.(d) This section is effective when it becomes law and applies to school performance grades and report cards issued based on data from the 2017-2018 school year.

SECTION 2.17.(a) If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 116-280, as amended by Section 10A.6(a) of that act, is amended by adding a new subdivision to read:

"(1a) Armed Forces. – As defined in G.S. 116-143.3(a)(2)."

SECTION 2.17.(b) If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 116-281(3), as amended by Section 10A.6(b) of that act, reads as rewritten:

- "(3) The student must ~~either (i) qualify~~ meet at least one of the following:
- a. Qualify as a legal resident of North Carolina and as a resident for tuition purposes under the criteria set forth in G.S. 116-143.1 and in accordance with definitions of residency that may from time to time be adopted by the Board of Governors of The University of North Carolina or (ii) be Carolina.
 - b. Be a veteran provided the veteran's abode is in North Carolina and the veteran provides the eligible private postsecondary institution a letter of intent to establish residency in North Carolina.
 - c. Be an active duty member of the Armed Forces provided the member of the Armed Forces is abiding in this State incident to active military duty in this State."

SECTION 2.17.(c) This section applies beginning with the 2018-2019 academic year.

PART III. HEALTH AND HUMAN SERVICES

SECTION 3.1. If Senate Bill 99, 2017 Regular Session, becomes law, then Part XI of that act is amended by adding a new section to read:

"FUNDS FOR GIGI'S PLAYHOUSE

"SECTION 11F.9A. Notwithstanding any provision of this act or the Committee Report described in Section 39.2 of this act to the contrary, the sum of fifty thousand dollars (\$50,000) in nonrecurring funds appropriated to the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, for the 2018-2019 fiscal year, to provide funding to Gigi's Playhouse located in the city of Raleigh shall instead be used to provide funding to Gigi's Playhouse located in the city of Charlotte."

SECTION 3.2. If Senate Bill 99, 2017 Regular Session, becomes law, then Part XI of that act is amended by adding a new section to read:

"FUNDS FOR FREE CLINIC OF ROCKINGHAM COUNTY, INC.

"SECTION 11A.3A. Notwithstanding any provision of this act or the Committee Report described in Section 39.2 of this act to the contrary, the sum of two hundred fifty thousand dollars (\$250,000) in nonrecurring funds appropriated to the Department of Health and Human Services, Division of Central Management and Support, for the 2018-2019 fiscal year, to provide funding to the Free Clinic of Reidsville shall instead be used to provide funding to the Free Clinic of Rockingham County, Inc."

SECTION 3.3. If Senate Bill 99, 2017 Regular Session, becomes law, then Part XI of that act is amended by adding a new section to read:

"FUNDS FOR ADA JENKINS CENTER

"SECTION 11A.3B. Notwithstanding any provision of this act or the Committee Report described in Section 39.2 of this act to the contrary, the sum of twenty-five thousand dollars (\$25,000) in nonrecurring funds appropriated to the Department of Health and Human Services, Division of Central Management and Support, for the 2018-2019 fiscal year, to provide funding to the Ada Jenkins Center in Davidson County shall instead be used to provide funding to the Ada Jenkins Center in the Town of Davidson."

SECTION 3.4. If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 110-130.1(a), as amended by that act, reads as rewritten:

"(a) All child support collection and paternity determination services provided under this Article to recipients of public assistance shall be made available to any individual not receiving public assistance in accordance with federal law and as contractually authorized by the nonrecipient, upon proper application and payment of a nonrefundable application fee of

twenty-five dollars (\$25.00). The fee shall be reduced to ten dollars (\$10.00) if the individual applying for the services is indigent. An indigent individual is an individual whose gross income does not exceed one hundred percent (100%) of the federal poverty guidelines issued each year in the Federal Register by the U.S. Department of Health and Human Services. For the purposes of this subsection, the term "gross income" has the same meaning as defined in ~~G.S. 105-134.1~~. G.S. 105-153.3.

In the case of an individual who has never received assistance under a State program funded pursuant to Title IV-A of the Social Security Act and for whom the State has collected and disbursed to the family in a federal fiscal year at least five hundred fifty dollars (\$550.00) of support, the State shall impose an annual fee of thirty-five dollars (\$35.00) for each case in which services are furnished. The child support agency shall retain the fee from support collected on behalf of the individual. However, the child support agency shall not retain the fee from the first five hundred fifty dollars (\$550.00) collected. The child support agency shall use the fee to support the ongoing operation of the program."

SECTION 3.5. If Senate Bill 99, 2017 Regular Session, becomes law, then Section 11L.1 of S.L. 2017-57, as amended by Section 11L.1 of Senate Bill 99, 2017 Regular Session, reads as rewritten:

"**SECTION 11L.1.(a)** Except as otherwise provided, appropriations from federal block grant funds are made for each year of the fiscal biennium ending June 30, 2019, according to the following schedule:

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) FUNDS	FY 2017-2018	FY 2018-2019
Local Program Expenditures		
Division of Social Services		
01. Work First Family Assistance	\$49,479,444	\$41,722,815
02. Work First County Block Grants	80,093,566	80,093,566
03. Work First Electing Counties	2,378,213	2,378,213
04. Adoption Services – Special Children Adoption Fund	2,026,877	2,026,877
05. Child Protective Services – Child Welfare Workers for Local DSS	9,412,391	9,412,391
<u>05A. Child Protective Services – Child Welfare Workers for Local DSS One-time Swap Out</u>	<u>0</u>	<u>348,558</u>
05A -05B. Funding for Counties to Assist with County Implementation of NC FAST, Project 4	0	639,158
06. Child Welfare Program Improvement Plan	775,176	775,176
07. Child Welfare Collaborative	400,000	400,000

08. Child Welfare Initiatives	1,400,000	1,400,000
...		
TOTAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) FUNDS	\$301,385,315	\$324,463,088 <u>\$324,811,646</u>

...

MENTAL HEALTH SERVICES BLOCK GRANT

Local Program Expenditures

01. Mental Health Services – Child	\$3,619,833	\$4,118,045
02. Mental Health Services – Adult/Child	10,967,792	12,477,331 <u>16,578,811</u>
03. Crisis Solutions Initiative – Critical Time Intervention	750,000	0
04. Mental Health Services – First Psychotic Symptom Treatment	1,430,851	2,321,873
04A. Three-Way Contracts	0	4,101,480

DHHS Administration

Division of Mental Health, Developmental Disabilities, and Substance Abuse Services

05. Administration	200,000	200,000
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TOTAL MENTAL HEALTH SERVICES BLOCK GRANT	\$16,968,476	\$23,218,729
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MATERNAL AND CHILD HEALTH BLOCK GRANT

Local Program Expenditures

Division of Public Health

- 01. Women and Children's Health Services
(Safe Sleep Campaign \$45,000; Sickle Cell
Centers \$100,000; Prevent Blindness \$575,000;
March of Dimes \$350,000; Teen Pregnancy
Prevention Initiatives \$650,000;
17P Project \$52,000; Nurse-Family
Partnership \$550,000; Carolina Pregnancy
Care Fellowship \$400,000; Perinatal &
Neonatal Outreach Coordinator Contracts

\$440,000; Mountain Area Pregnancy Center \$250,000)	\$11,802,435	\$13,858,445 <u>\$16,858,445</u>
02. Oral Health	48,227	48,227
03. Evidence-Based Programs in Counties With Highest Infant Mortality Rates	1,575,000	1,575,000
03A. Every Week Counts	2,200,000	<u>3,000,000</u>
DHHS Program Expenditures		
04. Children's Health Services	1,427,323	1,427,323
05. Women's Health – Maternal Health	169,864	169,864
06. Women and Children's Health – Perinatal Strategic Plan Support Position	68,245	68,245
07. State Center for Health Statistics	158,583	158,583
08. Health Promotion – Injury and Violence Prevention	87,271	87,271
DHHS Administration		
09. Division of Public Health Administration	552,571	552,571
TOTAL MATERNAL AND CHILD HEALTH BLOCK GRANT	\$18,089,519	\$20,945,529 <u>\$20,945,529</u>
...."		

SECTION 3.6. If Senate Bill 99, 2017 Regular Session, becomes law, then Subpart XI-B of Part XI of that act is amended by adding a new section to read:

"VACANT POSITION REDUCTION

"SECTION 11B.6. Notwithstanding any provision of this act or in the Committee Report described in Section 39.2 of this act to the contrary, the Department of Health and Human Services, Division of Child Development and Early Education (Division), is not required to eliminate the Business Systems Analyst position (65024701) under Item 60 of the Vacant Position Reduction. However, the Division shall achieve the reduction for that item through the elimination of other vacant positions or administrative reductions."

SECTION 3.7. If Senate Bill 99, 2017 Regular Session, becomes law, then Part XI of that act is amended by adding a new section to read:

"SUICIDE PREVENTION LIFELINE

"SECTION 11F.9C.(a) Notwithstanding any provision of this act or the Committee Report described in Section 39.2 of this act to the contrary, from the funds appropriated to the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, for the 2018-2019 fiscal year, the sum of three hundred forty-eight thousand five hundred fifty-eight dollars (\$348,558) in nonrecurring funds shall be used to fund a suicide prevention lifeline."

"SECTION 11F.9C.(b) For the 2019-2021 fiscal biennium, the Office of State Budget and Management shall include the sum of three hundred forty-eight thousand five hundred fifty-eight dollars (\$348,558) in recurring funds in the Department of Health and Human Service's base budget, as defined in G.S. 143C-1-1, to be used to fund a suicide prevention lifeline."

SECTION 3.8. If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 90-288.14A, as enacted by Section 11G.1(b) of that act, reads as rewritten:

"§ 90-288.14A. Approval for nursing home administrators to serve as adult care home administrators.

The Department shall approve as an adult care home administrator any individual licensed as a nursing home administrator under Article 20 of this Chapter who, within 90 calendar days after commencing employment as ~~a nursing an adult care~~ home administrator, successfully completes the written examination administered by the Department for assisted living administrator certification. An individual approved as an adult care home administrator pursuant to this section is deemed to meet the requirements of G.S. 90-288.14 and may renew his or her assisted living administrator certification pursuant to G.S. 90-288.15."

SECTION 3.9. If Senate Bill 99, 2017 Regular Session, becomes law, then Part XI of that act is amended by adding a new section to read:

"SECTION 11F.2A. Notwithstanding any provision of S.L. 2017-57 or the Committee Report described in Section 39.2 of S.L. 2017-57 to the contrary, the sum of up to four million dollars (\$4,000,000) in nonrecurring funds appropriated in that act from the Dorothea Dix Hospital Property Fund to the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, for the 2017-2018 fiscal year, to pay for renovation or building costs associated with the construction of new, licensed inpatient behavioral health beds at Cape Fear Valley Medical Center in Cumberland County shall instead be used to pay for renovation or building costs associated with the construction of new, licensed inpatient behavioral health beds at Betsy Johnson Hospital in Harnett County. Betsy Johnson Hospital is subject to the provisions of Section 11F.5 of S.L. 2017-57 with respect to its receipt and use of these funds."

SECTION 3.10. If Senate Bill 99, 2017 Regular Session, becomes law, then Section 11E.5 of that act and Section 11E.12 of S.L. 2017-57 are repealed.

SECTION 3.11. If Senate Bill 99, 2017 Regular Session, becomes law, then Part XI of that act is amended by adding a new section to read:

"STUDY INCREASING GROUP HOME SERVICES

"SECTION 11H.9A. The Department of Health and Human Services (Department) shall, in conjunction with stakeholders, develop a comprehensive plan for increased utilization of 1915(b)(3) services and "in-lieu-of" services as the foundation for sustained operation of licensed supervised living facilities as defined under 10A NCAC 27G .5601(c)(1) and 10A NCAC 27G .5601(c)(3). The plan shall include standardized processes, methodologies, service definitions, and rates of reimbursement for these increased services. No later than January 7, 2019, the Department shall submit a report that contains this plan to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice, the Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division. The report shall also contain the following:

- (1) An estimate of the costs associated with implementation of the plan, including Medicaid costs.
- (2) An estimate of the amount of single-stream funding currently being utilized to provide State-funded services that would be replaced by Medicaid services upon implementation of the plan.
- (3) A description of how the amount of funds identified pursuant to subdivision (2) of this section could be reinvested to further sustain operation of licensed,

supervised living facilities as defined under 10A NCAC 27G .5601(c)(1) and 10A NCAC 27G .5601(c)(3).

(4) A time line for implementation of the plan.

(5) Any legislative changes required to implement the plan."

SECTION 3.12. If Senate Bill 99, 2017 Regular Session, becomes law, then Part XI of that act is amended by adding a new section to read:

"FUNDS FOR ADVENTURE HOUSE

"SECTION 11F.9B. Notwithstanding any provision of this act or the Committee Report described in Section 39.2 of this act to the contrary, from funds appropriated to the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, for the 2018-2019 fiscal year, the Department shall allocate the sum of twenty-five thousand dollars (\$25,000) in nonrecurring funds as a grant-in-aid to Adventure House, a clubhouse program for adults with mental illness, located in the City of Shelby."

SECTION 3.13. If Senate Bill 99, 2017 Regular Session, becomes law, then Part XI of that act is amended by adding a new section to read:

"INCREASE RATE FOR CAP/DA IN-HOME AIDE SERVICES AND PROVIDE ADULT OPTICAL COVERAGE

"SECTION 11H.13.(a) Notwithstanding any provision of this act, the Committee Report described in Section 39.2 of this act, any provision of S.L. 2017-57, as amended, or the Committee Report described in Section 39.2 of S.L. 2017-57 to the contrary, the funds appropriated to the Department of Health and Human Services, Division of Medical Assistance, for the Medicaid Rebase for the 2018-2019 fiscal year shall be reduced by the sum of seven million five hundred thousand dollars (\$7,500,000) in recurring funds.

"SECTION 11H.13.(b) Notwithstanding any provision of this act, the Committee Report described in Section 39.2 of this act, any provision of S.L. 2017-57, as amended, or the Committee Report described in Section 39.2 of S.L. 2017-57 to the contrary, there is appropriated the sum of five million five hundred thousand dollars (\$5,500,000) in recurring funds for fiscal year 2018-2019 to be used to increase the rate to no more than three dollars and ninety cents (\$3.90) paid per 15-minute billing unit for in-home aide services provided under the Community Alternatives Program for Disabled Adults (CAP-DA) waiver pursuant to Clinical Coverage Policy 3K-2, effective January 1, 2019. Notwithstanding G.S. 108A-54(e), the rate paid per 15-minute billing unit for in-home aide services provided under the CAP-DA waiver pursuant to Clinical Coverage Policy 3K-2 shall not exceed three dollars and ninety cents (\$3.90).

"SECTION 11H.13.(c) Notwithstanding any provision of this act, the Committee Report described in Section 39.2 of this act, any provision of S.L. 2017-57, as amended, or the Committee Report described in Section 39.2 of S.L. 2017-57 to the contrary, there is appropriated the sum of two million dollars (\$2,000,000) in recurring funds for fiscal year 2018-2019 to be used to provide adult optical Medicaid coverage, effective January 1, 2019.

"SECTION 11H.13.(d) No later than March 1, 2019, the Department shall report to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice and the Fiscal Research Division on the following:

- (1) All new services and rate increases implemented for the Medicaid program or NC Health Choice program during the 2017-2019 fiscal biennium and the annualized cost of each new service and rate.
- (2) Any State Plan amendments or waivers pending approval by the Centers for Medicare and Medicaid Services containing requests for new services or rate increases and the anticipated annualized cost of each pending new service and rate increase."

PART IV. AGRICULTURE AND NATURAL AND ECONOMIC RESOURCES

SECTION 4.1. If Senate Bill 99, 2017 Regular Session, becomes law, then notwithstanding any provision in that act, or in the Committee Report described in Section 39.2 of that act to the contrary, the funds appropriated to Yancey County for the Cane River Park may be used for lighting anywhere in the Park.

SECTION 4.2. If Senate Bill 99, 2017 Regular Session, becomes law, then Section 13.2 of that act reads as rewritten:

"SECTION 13.2. Notwithstanding G.S. 130A-310.11(b), up to two million dollars (\$2,000,000) of the funds credited to the Inactive Hazardous Sites Cleanup Fund under G.S. 105-187.63 for the assessment and remediation of pre-1983 landfills shall instead be used by the Department of Environmental Quality's Division of Waste Management to provide a matching grant to ~~Speedway Motorsports, Incorporated~~ Charlotte Motor Speedway, LLC, (CMS) for the purpose of remediation activities at the Charlotte Motor Speedway in Cabarrus County. The Division shall provide one dollar (\$1.00) for every two non-State dollars (\$2.00) provided in kind or otherwise, up to a maximum of two million dollars (\$2,000,000) for the matching grant described in this section. CMS may allocate all or a portion of the grant provided by this section to an entity that controls CMS or an entity controlled by CMS. Entities receiving such an allocation shall be considered a subgrantee as defined in G.S. 143C-6-23."

SECTION 4.3. If Senate Bill 99, 2017 Regular Session, becomes law, then notwithstanding any provision in that act, or in the Committee Report described in Section 39.2 of that act to the contrary, the funds appropriated to the Mountain Island Educational State Forest shall be transferred to special fund 23702.

SECTION 4.4.(a) If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 143-215.3E, as enacted by Section 13.1(a) of that act, reads as rewritten:

"§ 143-215.3E. Authority of Governor to require facility to cease operations and activities for unauthorized PFAS ~~discharges, discharges or releases.~~

(a) The Governor is authorized to require a facility to cease all operations and activities in the State that result in the production of a pollutant if all of the following circumstances exist:

- (1) The facility has a National Pollutant Discharge Elimination System (NPDES) permit.
- (2) The Department has determined that the facility has had unauthorized discharges or releases of per- and poly-fluoroalkyl substances (PFAS) into the air, surface water, and groundwater and these discharges or releases have resulted in an exceedance of a standard set by the Environmental Management Commission for groundwater, surface water, or air quality, or an exceedance of a health advisory ~~standard-level~~ established by the United States Environmental Protection Agency for any chemical classified as a PFAS, and the facility has received more than one notice of violation from the Department within a two-year period for unauthorized discharges or releases of such substances.
- (3) The Department has been unable to stop all ongoing unauthorized discharges or releases of such substances from the facility that result in the violation of a standard or health advisory ~~standard-level~~ within one year from the time the Department first learned of the unauthorized ~~discharges, discharges or releases.~~
- (4) The Department has determined that the best available scientific data indicates that the ongoing unauthorized discharges, discharges or releases present a danger to the public health.

(b) In determining whether to exercise the authority established under this section, the Governor may take into account remedial actions undertaken by the operator of the facility.

(c) If the Governor exercises the authority established under this subsection to require a facility to cease operations and activities, the Governor shall issue an order in writing to the

operator accordingly, including findings of fact that demonstrate the criteria set forth in subdivisions (1) through (4) of subsection (a) of this section have been met, which order shall be delivered by registered or certified mail, or by any means authorized by G.S. 1A-1, Rule 4, to the facility's operator. An order to cease operations and activities issued pursuant to this subsection shall not become effective until 15 days after issuance of the order. A person to whom such order is issued may commence a contested case by filing a petition under G.S. 150B-23 within 30 days after receipt of notice of the order. If the person does not file a petition within the required time, the Governor's decision is final and is not subject to review.

(d) The authority established by this section shall be in addition to, and not exclusive of, other authority given to the Commission, the Secretary, and the Department under this Article to take enforcement action against a person for unauthorized discharges or releases of PFAS into the air, surface water, and groundwater, including the authority granted under G.S. 143-215.6C to request that the Attorney General institute a civil action in the name of the State upon the relation of the Department for injunctive relief to restrain the violation or threatened violation and for such other and further relief in the premises as the court shall deem proper."

SECTION 4.4.(b) If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 143-215.2A, as enacted by Section 13.1(c) of that act, reads as rewritten:

"§ 143-215.2A. Relief for contaminated private drinking water wells.

(a) The Secretary shall, upon direction of the Governor, order any person who the Secretary finds responsible for the discharge or release of industrial waste that includes per- and poly-fluoroalkyl substances (PFAS), including the chemical known as "GenX" (CAS registry number 62037-80-3 or 13252-13-6), into the air, groundwater, surface water, or onto the land that results in contamination of a private drinking water well, as that term is defined in G.S. 87-85, to establish permanent replacement water supplies for affected parties. For purposes of this section, the terms (i) "contamination" means an exceedance of a standard established by the Environmental Management Commission for groundwater, surface water, or air quality, or an exceedance of a health advisory ~~standard level~~ established by the United States Environmental Protection Agency, for any chemical classified as a PFAS, including GenX; and (ii) "affected party" means a household, business, school, or public building with a well contaminated with PFAS, including GenX, as a result of the discharge or release of industrial waste.

(b) If the Secretary orders a person responsible for the discharge or release of a PFAS, including GenX, that results in contamination of a private drinking water well to establish a permanent replacement water supply for an affected party with such a well pursuant to subsection (a) of this section, preference shall be given to permanent replacement water supplies by connection to public water supplies; provided that (i) an affected party may elect to receive a filtration system in lieu of a connection to public water supplies and (ii) if the Department determines that connection to a public water supply to a particular affected party would not be cost prohibitive, cost-effective, the Department shall authorize provision of a permanent replacement water supply to that affected party through installation of a filtration system. For affected parties for which filtration systems are installed, the person responsible shall be liable for any periodic required maintenance of the filtration system. An order issued by the Secretary pursuant to subsection (a) of this section shall include a deadline by which the responsible person must establish the permanent replacement water supply for the affected party or parties subject to the order.

...."

SECTION 4.5. If Senate Bill 99, 2017 Regular Session, becomes law, then Part XII of that act is amended by adding a new section to read:

"HEALTHY FOOD SMALL RETAILERS PROGRAM ADMINISTRATIVE COSTS

"SECTION 12.6. Of the funds appropriated in this act to the Department of Agriculture and Consumer Services for the Healthy Food Small Retailers program, the Department may retain up to ten percent (10%) for administrative costs associated with the program."

SECTION 4.6. If Senate Bill 99, 2017 Regular Session, becomes law, then Part XV of that act is amended by adding a new section to read:

"GRANTS-IN-AID CHANGES

"SECTION 15.9.(a) Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, the grant-in-aid in the amount of fifty thousand dollars (\$50,000) provided to the Town of Archer Lodge in Fund Code 1680 shall not be subject to any matching requirements.

"SECTION 15.9.(b) Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, the grant-in-aid in the amount of one hundred eighty thousand dollars (\$180,000) provided to the City of Lexington in Fund Code 1534 may also be used for demolition and debris removal.

"SECTION 15.9.(c) Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, the grant-in-aid to Southwestern North Carolina Planning and Economic Development Commission in Fund Code 1913 is reduced by ten thousand dollars (\$10,000).

"SECTION 15.9.(d) Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, the grant-in-aid provided to the Town of High Shoals for downtown revitalization in Section 15.8(a) of this act is reduced by fifty thousand dollars (\$50,000) and the totals under that subsection are adjusted accordingly.

"SECTION 15.9.(e) Notwithstanding G.S. 143B-472.127, of the funds appropriated in this act to the Rural Economic Development Division of the Department of Commerce, the Rural Economic Development Division shall provide a grant-in-aid in the amount of twenty-five thousand dollars (\$25,000) to the Town of High Shoals to be used for debt service on its new city hall."

SECTION 4.7. If Senate Bill 99, 2017 Regular Session, becomes law, then Part XV of that act is amended by adding a new section to read:

"DIVISION OF COMMERCE GRAPHICS

"SECTION 15.10. Notwithstanding any provision in this act or in the Committee Report described in Section 39.2 of that act to the contrary, the net appropriation reduction to the Department of Commerce, Division of Commerce Graphics, shall be seven thousand four hundred fifteen dollars (\$7,415) and the Department is not required to eliminate the Artist Illustrator II position (60081262). The Department shall take an additional eighty-thousand-dollar (\$80,000) recurring reduction by reducing administrative costs or eliminating vacant positions. The Department shall report its actions to implement the requirements of this section to the Fiscal Research Division no later than October 1, 2018."

SECTION 4.8. If Senate Bill 99, 2017 Regular Session, becomes law, then Part XII of that act is amended by adding a new section to read:

"TOBACCO TRUST FUND COMMISSION/ADMINISTRATIVE AND OPERATING EXPENSES

"SECTION 12.7. Notwithstanding G.S. 143-717(i), the Tobacco Trust Fund Commission may use three hundred seventy-five thousand dollars (\$375,000) for the 2018-2019 fiscal year for administrative and operating expenses of the Commission and its staff and to purchase a grants management system."

PART V. JUSTICE AND PUBLIC SAFETY

SECTION 5.1. If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 115D-5(b)(2)j., as enacted by that act, reads as rewritten:

"j. ~~The Division of Criminal Justice Education and Training Standards~~ Criminal Justice Standards Division of the Department of Justice for the training of criminal justice professionals, as defined in G.S. 17C-20(6), who are required to be certified under (i) Chapter 17C

of the General Statutes and the rules of the North Carolina Criminal Justice Education and Training Standards Commission or (ii) Chapter 17E of the General Statutes and the rules of the North Carolina Sheriffs' Education and Training Standards Commission. The waivers provided for in this sub-subdivision apply to participants and recent graduates of the North Carolina Criminal Justice Fellows Program to obtain certifications for eligible criminal justice professions as defined in G.S. 17C-20(6)."

SECTION 5.2. If Senate Bill 99, 2017 Regular Session, becomes law, then Section 5.6 of that act is amended by adding a new subsection to read:

"SECTION 5.6.(a1) Appropriation/Federal Funds. – Funds received on or after October 1, 2016, under the federal Stafford Act (P.L. 93-288) and other federal disaster assistance programs for State disasters are appropriated in the amounts provided in the notifications of award from the federal government or any entity acting on behalf of the federal government to administer federal disaster recovery funds. The Office of State Budget and Management and affected State agencies shall report all notifications of award to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division of the General Assembly."

SECTION 5.3. If Senate Bill 99, 2017 Regular Session, becomes law, then notwithstanding any provision in that act or in the Committee Report described in Section 39.2 of that act to the contrary, then any direction in the Committee Report that is not consistent with Section 5.6(b)(1) of Senate Bill 99, 2017 Regular Session, is null and void.

SECTION 5.4. If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 18B-1003(c1) reads as rewritten:

"(c1) Posting Human Trafficking Hotline. – All permittees shall prominently display on the premises in a place that is clearly conspicuous and visible to employees ~~and the public~~ a public awareness sign created and provided by the North Carolina Human Trafficking Commission that contains the National Human Trafficking Resource hotline information."

SECTION 5.5. If Senate Bill 99, 2017 Regular Session, becomes law, then Section 18B.4(a) reads as rewritten:

"SECTION 18B.4.(a) Notwithstanding G.S. 143C-1-2(b), for ~~the fiscal year 2018-2019,~~ fiscal years 2018-2019, 2019-2020, and 2020-2021, the Judicial Department shall transfer any unexpended, unencumbered funds to Budget Code 22006-2006 to be used to implement an integrated information technology system (e-Courts) in accordance with G.S. 7A-343.2(b). The cumulative sum transferred shall not exceed three percent (3%) of the Judicial Department's certified budgets for Budget Code 12000, Administrative Office of the Courts, and Budget Code 12001, Office of Indigent Defense Services, for ~~the 2018-2019 fiscal year-~~ fiscal years 2018-2019, 2019-2020, and 2020-2021."

SECTION 5.6.(a) If Senate Bill 99, 2017 Regular Session, becomes law, then Subpart XVIII-B of Part VIII of that act is amended by adding a new section to read:

"TRANSFER NC HUMAN TRAFFICKING COMMISSION TO AOC; CONFORMING CHANGES

"SECTION 18B.7. The North Carolina Human Trafficking Commission shall be transferred to the Administrative Office of the Courts as a Type II transfer. Article 10 of Chapter 114 of the General Statutes, G.S. 114-70, is recodified as G.S. 7A-354 in Article 29 of Subchapter VII of Chapter 7A of the General Statutes."

SECTION 5.6.(b) If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 114-70, recodified as G.S. 7A-354 in subsection (a) of this section, reads as rewritten:

"§ 7A-354. North Carolina Human Trafficking Commission.

(a) Establishment. – There is established in the ~~Department of Justice-Administrative Office of the Courts~~ the North Carolina Human Trafficking Commission. For purposes of this section, "Commission" means the North Carolina Human Trafficking Commission.

...
(j) Staffing. – The ~~Department of Justice~~ Administrative Office of the Courts shall be responsible for staffing the Commission.

(k) Funding. – From funds available to the ~~Department of Justice, the Attorney General~~ Administrative Office of the Courts, the Director shall allocate monies to fund the work of the Commission."

PART VI. GENERAL GOVERNMENT

SECTION 6.1. If Senate Bill 99, 2017 Regular Session, becomes law, then Section 26.3 of that act reads as rewritten:

"**SECTION 26.3.** Of the funds appropriated in this act to the Office of State Budget and Management, Special Appropriations, the sum of three million ~~one~~ three hundred sixty-five thousand three hundred seven dollars (~~\$3,165,307~~)(\$3,365,307) in nonrecurring funds for the 2018-2019 fiscal year shall be allocated as follows:

(1) To provide grants-in-aid to the following local fire departments:

...

z. \$2,500 to the ~~Town of Proctorville for the Proctorville-Ornum Township Volunteer Fire Department~~Department, Inc.

...

ii. \$100,000 to the City of Davidson for the Davidson Fire Department for equipment.

...

(3) To provide law enforcement grants-in-aid to the following local governments:

...

(k) \$100,000 to the City of Davidson for the Davidson Police Department for equipment.

...."

SECTION 6.2. If Senate Bill 99, 2017 Regular Session, becomes law, then Part XXXI of that act is amended by adding a new section to read:

"DOA TO ELIMINATE VACANT POSITIONS

"**SECTION 31.4.** Notwithstanding any provision of this act or of the Committee Report described in Section 39.2 of this act to the contrary, for the 2018-2019 fiscal year, the Department of Administration is authorized to eliminate vacant positions in the Department to reduce the Department's operating expenses by the sum of fifty-seven thousand three hundred eighty-six dollars (\$57,386) in recurring funds. The Department is not required to eliminate the Processing Assistant V position (60014389)."

SECTION 6.3. If Senate Bill 99, 2017 Regular Session, becomes law, then Part XXXI of that act is amended by adding a new section to read:

"FUNDS FOR HUMAN TRAFFICKING COMMISSION

"**SECTION 31.5.** Notwithstanding any provision of this act or of the Committee Report described in Section 39.2 of this act to the contrary, the sum of one million five hundred thousand dollars (\$1,500,000) in nonrecurring funds appropriated in this act to the Department of Administration for the 2018-2019 fiscal year as a grant-in-aid to the North Carolina Coalition Against Sexual Assault is instead appropriated to the Administrative Office of the Courts for the 2018-2019 fiscal year to be allocated to the North Carolina Human Trafficking Commission to be used for victim services. The Administrative Office of the Courts may use up to ten percent (10%) of these funds for administrative purposes."

SECTION 6.4. If Senate Bill 99, 2017 Regular Session, becomes law, then Part XXI of that act is amended by adding a new section to read:

"TRANSFER ADDITIONAL FUNDS FROM ESCHEATS FUND FOR VA SCHOLARSHIPS

"SECTION 21.2. The Department of State Treasurer shall transfer to the Department of Military and Veterans Affairs the sum of two million four hundred thousand dollars (\$2,400,000) in nonrecurring funds for the 2018-2019 fiscal year from the Escheats Fund for scholarships for the children of veterans. These funds are hereby appropriated."

SECTION 6.5. If Senate Bill 99, 2017 Regular Session, becomes law, then Part XIX of that act is amended by adding a new section to read:

"PROVIDE GRANT-IN-AID TO VETERANS LIFE HOME

"SECTION 19.4. Notwithstanding G.S. 143B-1293(b), the sum of five hundred thousand dollars (\$500,000) in nonrecurring funds for 2018-2019 fiscal year is transferred from the North Carolina Veterans Home Trust Fund to the Office of State Budget and Management to provide a grant-in-aid to The Veterans Leadership Council of North Carolina-Cares to be used for the Veterans Life Center in Butner. To the extent any of the funds described in this section are deemed unappropriated, the funds are appropriated for the purpose set forth in this section."

PART VII. TRANSPORTATION

SECTION 7.1.(a) If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 136-44.2(f1)(2)b. reads as rewritten:

"b. Funds appropriated from the Highway Fund for the construction programs of the Department, consisting of funds for secondary construction, access and public service roads, spot safety improvement, ~~contingency~~, small urban construction, and economic development programs."

SECTION 7.1.(b) This section becomes effective June 30, 2018.

SECTION 7.2. If Senate Bill 99, 2017 Regular Session, becomes law, then notwithstanding any provision in that act or in the Committee Report described in Section 39.2 of that act to the contrary, the revised total requirements for the Public Transportation Division of the Department of Transportation is one hundred twenty-four million seventy-two thousand six hundred ninety-nine dollars (\$124,072,699).

SECTION 7.3. If Senate Bill 99, 2017 Regular Session, becomes law, then Section 34.16 of that act is amended by adding a new subdivision to read:

"(6) The U.S. 221/U.S. 421 Overpass in the Community of Deep Gap in Watauga County as the "Sgt. Dillon C. Baldrige Bridge"."

SECTION 7.4.(a) If Senate Bill 99, 2017 Regular Session, becomes law, G.S. 160A-307.1, as amended by Section 34.18(a) of that act, reads as rewritten:

"§ 160A-307.1. Limitation on city requirements for street improvements related to schools.

A city may only require street improvements related to schools that are required for safe ingress and egress to the municipal street system and that are physically connected to a driveway on the school site. The required improvements shall not exceed those required pursuant to G.S. 136-18(29). G.S. 160A-307 shall not apply to schools. A city may only require street improvements related to schools as provided in G.S. 160A-372. The cost of any improvements to the municipal street system pursuant to this section shall be reimbursed by the city. Any agreement between a school and a city to make improvements to the municipal street system shall not include a requirement for acquisition of right-of-way by the school, unless the school is owned by an entity that has eminent domain power. Any right-of-way costs incurred by a school for required improvements pursuant to this section shall be reimbursed by the city. ~~Notwithstanding any provision of this Chapter to the contrary, a city may not condition the approval of any zoning, rezoning, or permit request on the waiver or reduction of any provision of this section.~~ The term "school," as used in this section, means any facility engaged in the educational instruction of children in any grade or combination of grades from kindergarten through the twelfth grade at which attendance satisfies the compulsory attendance law and includes charter schools authorized under G.S. 115C-218.5."

SECTION 7.4.(b) This section is effective when it becomes law and applies retroactively to August 1, 2017. Any ordinance, resolution, regulation, or policy in effect on or after August 1, 2017, affected by the amendment to G.S. 160A-307.1 in Senate Bill 99, 2017 Regular Session, that was nullified pursuant to Section 34.18(c) of that act, is reinstated.

SECTION 7.5.(a) If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 136-189.11(d1), as enacted by Section 34.7(a) of that act, reads as rewritten:

"(d1) Additional Requirement for High-Cost Projects. – ~~A State funding may not be expended for a light rail project is ineligible for scoring, prioritization, and State funding~~ until a written agreement is provided to the Department establishing that all non-State funding necessary to construct the project has been ~~secured~~ committed."

SECTION 7.5.(b) If Senate Bill 99, 2017 Regular Session, becomes law, then Section 34.7(b) of that act is repealed.

SECTION 7.5.(c) If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 136-189.10(3)g. reads as rewritten:

"g. Public transportation service that spans two or more counties and that serves more than one municipality. Programmed funds pursuant to this sub-subdivision shall not exceed ten percent (10%) of any distribution region allocation. This sub-subdivision includes commuter rail, intercity rail, and light rail. Total State funding for a commuter rail or light rail project shall not exceed the lesser of ten percent (10%) of the distribution region allocation or ten percent (10%) of the estimated total project costs used during the prioritization scoring process. The State shall not be responsible or liable for any project costs in excess of the maximum established under this sub-subdivision. Any agreement entered into by the State to fund a commuter rail or light rail project shall include language setting out the limitations set forth in this sub-subdivision."

SECTION 7.5.(d) Notwithstanding any provision of G.S. 136-189.10(3)g., as amended by subsection (c) of this section, to the contrary, State funding for the Durham-Orange Light Rail Project (Project) (STIP Number TE-5205) shall not exceed the sum of one hundred ninety million dollars (\$190,000,000).

SECTION 7.5.(e) Unless both of the following requirements are met, the Department of Transportation shall remove the Project from the current and any future State Transportation Improvement Program:

- (1) All non-State and non-federal funding for the Project must be committed by April 30, 2019. Contractual agreements for private funds and proof of adequate tax revenue verifying that all non-State and non-federal funding for the project has been committed by April 30, 2019, must be provided to the Department.
- (2) A written agreement is provided to the Department in accordance with G.S. 136-189.11(d1), as enacted by Section 34.7(a) of Senate Bill 99, 2017 Regular Session, and amended by subsection (a) of this section, by November 30, 2019, for the Project.

SECTION 7.5.(f) Any funds resulting from a removal required under subsection (e) of this section shall be expended by the Department in accordance with the provisions of Article 14B of Chapter 136 of the General Statutes.

PART VIII. SALARIES AND BENEFITS

SECTION 8.1.(a) If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 20-185.1, as enacted by that act, reads as rewritten:

"§ 20-185.1. Trooper training; reimbursement.

(a) Trooper Training Reimbursement. – ~~The Trooper Training Reimbursement Program (Program) is established. The purpose of the Program is to recruit, prepare, and support individuals to become and remain members of the Highway Patrol by providing forgivable loans to recipients to cover the cost of their training, which is set herein as tuition in the amount of thirty six thousand dollars (\$36,000) per cadet.~~The training of State Troopers is a substantial investment of State resources that provides individuals with skills that are transferable to other law enforcement opportunities. The State may require an individual to agree in writing to reimburse a portion of the training costs incurred if the individual completes the training and becomes a State Trooper but does not remain a State Trooper for 36 months. The portion of the State's cost to be reimbursed is thirty-six thousand dollars (\$36,000), less one thousand dollars (\$1,000) for each month an individual served as a State Trooper and member of the State Highway Patrol.

(b) Administration. – ~~The Secretary of Public Safety shall perform all of the administrative functions necessary to implement the Program, reimbursement agreements required by this section, including rule making, disseminating information, implementing forgivable loan agreements, loan monitoring, loan cancelling through service and collection, determining the acceptability of service repayment agreements, enforcing the agreements, and all other functions necessary for the execution, payment, and enforcement of reimbursement agreements and promissory notes required under this section.~~implementing contracts, and taking other necessary actions.

(b) Training Reimbursement Agreement. — ~~Each forgivable loan authorized by this section shall be evidenced by execution of a reimbursement agreement and a note made payable to the State that may bear interest at a rate not to exceed ten percent (10%) per year, as set by the Secretary of Public Safety.~~

(c) Loan Forgiveness and Hardships. – ~~The loan and any interest accrued on the loan shall be forgiven if the recipient serves a total of 36 months as a member of the Highway Patrol. The Secretary of Public Safety shall also forgive the loan.~~No contract shall be enforced under this section if the Secretary finds that it is impossible for the recipient individual to serve as a member of the State Highway Patrol due to death, health-related reasons, or other hardship.

(d) Loan Repayment Requirements. — ~~A forgivable loan may be terminated upon the recipient's withdrawal from the training program or by the recipient's failure to meet the standards set for cadets. If a recipient separates from the Highway Patrol before 36 months of service following completion of the training program, then either:~~Law Enforcement Agency Requirements. – If a State Trooper separates from the State Highway Patrol before 36 months of service following completion of the training program and the State Trooper is hired within six months of separation from the State Highway Patrol by a municipal law enforcement agency, a Sheriff's office, or a company police agency certified under Chapter 74E of the General Statutes, then that hiring entity is liable to the State in the amount of thirty-six thousand dollars (\$36,000), to be paid in full within 90 days of the date the State Trooper is employed by the hiring entity. No hiring entity shall make any arrangement to circumvent any portion of this subsection.

(1) ~~In the case of a municipal law enforcement agency, a sheriff's office, or a company police agency certified under Chapter 74E of the General Statutes that hires the recipient away during the 36-month period, that hiring entity is liable to the State for the tuition cost of the recipient's training. No hiring entity shall make any payment arrangement that circumvents any portion of this subsection; or~~

(2) ~~The recipient is liable to the State for the tuition cost, less one thousand dollars (\$1,000) of the debt on the note for each month the recipient served as a member of the Highway Patrol, except as otherwise authorized by this section."~~

SECTION 8.1.(b) If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 105-153.5(b)(13), as enacted by Section 35.25(g) of that act, is repealed.

SECTION 8.1.(c) If Senate Bill 99, 2017 Regular Session, becomes law, then Section 35.25(h) of that act reads as rewritten:

"SECTION 35.25.(h) By January 1, 2021, and annually thereafter, the Secretary shall report to the Joint Legislative Oversight Committee on Justice and Public Safety regarding the following:

- (1) ~~Forgivable loans awarded, including demographic information regarding recipients.~~ The implementation of the trooper training reimbursement agreements required under G.S. 20-185.1.
- (2) ~~Retention and repayment rates.~~ The amount of reimbursements received from individuals who did not remain employed as State Troopers for 36 months after completing training and the amount of reimbursements received from other law enforcement agencies, as required under G.S. 20-185.1(d).
- (3) Program outcomes, including the turnover rate for ~~forgivable loan recipients.~~ individuals employed as State Troopers on and after the date the Department of Public Safety implemented the trooper training reimbursement agreements."

SECTION 8.2.(a) If Senate Bill 99, 2017 Regular Session, becomes law, then Section 35.21 of that act reads as rewritten:

"SECTION 35.21.(a) Effective July 1, 2018, the annual salaries of Correctional Officers and other staff certified by the Criminal Justice Education and Training Standards Commission in the Department of Public Safety, Division of Adult Correction (Division), in effect on June 30, 2018, shall be legislatively increased by four percent (4%). Employees in the following positions are eligible to receive the increases provided by this section:

- (1) Correctional officers.
- (2) Custody supervisors.
- (3) Prison facility administrators.
- (4) Food service officers and managers.
- (5) Case managers.
- (6) Correctional Programs personnel.

"SECTION 35.21.(a1) Effective July 1, 2018, the annual salaries of facility maintenance and technician personnel in the Division budgeted in Fund Code 14550-1310, in effect on June 30, 2018, shall be legislatively increased by four percent (4%).

"SECTION 35.21.(a2) The budgeted salaries of vacant positions in the categories listed above are eligible to receive the four percent (4%) increase and the budgeted salaries shall be adjusted accordingly. There is appropriated from the General Fund to the Department of Public Safety, Division of Adult Correction, the sum of one million two hundred forty-seven thousand four hundred eighty-eight dollars (\$1,247,488) for the 2018-2019 fiscal year to support these increases.

"SECTION 35.21.(b) The Division shall establish the following minimum salaries for Correctional Officer position classifications, effective July 1, 2018:

- (1) Correctional Officer I – \$33,130.
- (2) Correctional Officer II – \$34,220.
- (3) Correctional Officer III – \$36,598."

SECTION 8.2.(b) If Senate Bill 99, Regular Session 2017, becomes law, then that act is amended by adding a new section to read:

"OSHR MINIMUM OF MARKET FUNDING CHANGE

"SECTION 35.21A. Notwithstanding any provisions of this act or S.L. 2017-57 to the contrary, funds in the 2018-2019 fiscal year in Budget Code 19005 for the implementation of the

OSHR Minimum of Market Adjustment shall be reduced on a recurring basis by nine hundred forty-seven thousand four hundred eighty-eight dollars (\$947,488)."

SECTION 8.3. If Senate Bill 99, 2017 Regular Session, becomes law, then Part XXXV of that act is amended by adding a new section to read:

"CERTAIN STATE AGENCIES/CLASSIFICATION AND SALARY ADMINISTRATION FLEXIBILITY/PILOT PROGRAM

"SECTION 35.19A.(a) During the 2018-2019 fiscal year, notwithstanding G.S. 126-4(1), G.S. 126-4(2), or any other provision of law to the contrary, the Council of State agencies, the Office of State Controller, the Community College System Office, and The University of North Carolina are granted sole authority and discretion to take the following actions concerning classification and salary administration of their respective personnel:

- (1) Classify new positions or reclassify vacant positions within the classification system adopted by the State Human Resources Commission or as otherwise prescribed by law.
- (2) Make hiring decisions based on the flexibility provided under this section.
- (3) Determine the appropriate salary for their respective employees, provided that funding is available within the budgeted salary appropriated to the agency and the salary remains within the minimum and maximum of the salary range associated with the position classification or as otherwise provided by law.

The Human Resources Director for each State agency shall ensure that each new hire employed pursuant to the classification and salary administration flexibility granted by this section meets the minimum qualifications for the position. The Office of State Human Resources shall provide assistance to agencies upon request.

"SECTION 35.19A.(b) The deadline is extended, through June 30, 2019, for the State agencies identified in subsection (a) of this section to submit all post-implementation studies, including all supporting documentation, to the Office of State Human Resources.

"SECTION 35.19A.(c) By March 1, 2019, the State entities granted classification and salary administration flexibility under this section shall report to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division on the following:

- (1) The number of classification actions taken under this section.
- (2) The number of salary adjustments made under this section and total additional salary funds awarded.
- (3) A comparison of the number of agency employees recruited from and the number of agency employees hired by cabinet agencies.
- (4) Impact of the classification and salary administration flexibility on agency operations, including, but not limited to:
 - a. Hiring time line.
 - b. Recruitment of candidates.
 - c. Retention of key personnel.
- (5) Any remaining position classification disagreements with the Office of State Human Resources.
- (6) Whether the program should be extended and any recommended adjustments to the program."

SECTION 8.4. If Senate Bill 99, 2017 Regular Session, becomes law, then Part XXXV of that act is amended by adding a new section to read:

"STATE TROOPER INCREASE/ELIGIBILITY FOR SALARY ADJUSTMENTS

"SECTION 35.25A. No State employee employed in the Department of Public Safety, State Highway Patrol, shall be denied an increase authorized by this act based upon a prior infraction or a pending disciplinary action unless the employee has an active disciplinary action related to grossly inefficient job performance which resulted in 10 or more days of unpaid suspension."

PART IX. CAPITAL

SECTION 9.1.(a) If Senate Bill 99, 2017 Regular Session, becomes law, then Section 36.7 of that act is amended by adding the following new subsections to read:

"SECTION 36.7.(d) The General Assembly authorizes the Department of Military and Veterans Affairs to fund the construction of two new State veterans homes located in the Triangle and Triad Regions with funds available to it from the North Carolina Veterans Home Trust Fund established under G.S. 143B-1293 in an amount not to exceed twenty-seven million two hundred twenty-three thousand five hundred sixty dollars (\$27,223,560). The funds shall be used to provide the required State match for federal funding of the veterans home construction projects, and the matching funds and any federal dollars received for that purpose are hereby appropriated.

"SECTION 36.7.(e) Notwithstanding any provision of this act to the contrary, of the funds carried forward for the Manteo Old House Channel, Section 204 CAP in Section 36.3(b) of this act, the Department shall allocate the sum of three hundred thousand dollars (\$300,000) to the North Carolina Wildlife Habitat Foundation for the Oyster Highway project on the New River in Onslow County. The Foundation shall report on its use of the funds allocated by this section no later than September 1, 2019, to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources and the Fiscal Research Division.

"SECTION 36.7.(f) Notwithstanding any provision of this act to the contrary, of the funds carried forward for the Manteo Old House Channel, Section 204 CAP in Section 36.3(b) of this act, the Department shall use the sum of one million nine hundred nineteen thousand dollars (\$1,919,000) for maintenance dredging of Range 1 to 4 of the Manteo Channel.

"SECTION 36.7.(g) The Department of Military and Veterans Affairs (hereinafter "Department") is authorized to apply for federal funds for the expansion of Sandhills State Veterans Cemetery and Western Carolina State Veterans Cemetery to make site improvements at the cemeteries. The Department is authorized to use the fund balance from Budget Code 23050 and any other funds available to the Department, up to eight hundred seventy-four thousand fifty-three dollars (\$874,053) for the required ten percent (10%) match for this grant, and the funds are hereby appropriated for that purpose."

SECTION 9.1.(b) If Senate Bill 99, 2017 Regular Session, becomes law, then Section 36.3(e) of that act reads as rewritten:

"SECTION 36.3.(e) Notwithstanding any other provision of law to the contrary, there shall be no match required for the maintenance dredging of Range 1 to 4 of the Manteo Channel project or the Lindsey Bridge Dam Repair and Stream Restoration project."

SECTION 9.2. If Senate Bill 99, 2017 Regular Session, becomes law, then Section 5.6(b) of that act reads as rewritten:

"SECTION 5.6.(b) Appropriations. – The sixty million dollars (\$60,000,000) transferred to the State Emergency Response/Disaster Relief Reserve in the General Fund as required by Section 2.2 of this act and subsection (a) of this section are appropriated as follows:

...
(5) Housing. – ~~Twenty five~~ ~~Twenty-four~~ million ~~fourteen~~ ~~nine~~ hundred ~~ninety-four~~ thousand seven hundred seventy-six dollars ~~(\$25,014,776)~~ (\$24,994,776) to the Department of Public Safety, Division of Emergency Management, for the following housing-related matters:

...
(6) Storm debris removal. – Twenty thousand dollars (\$20,000) to the Department of Environmental Quality, Division of Water Resources, to be used to provide a grant-in-aid to Transylvania County for the purpose of storm debris cleanup in streams and rivers in the County."

SECTION 9.3. If Senate Bill 99, 2017 Regular Session, becomes law, then Section 36.2(a), as enacted by that act, reads as rewritten:

"SECTION 36.2.(a) Notwithstanding G.S. 143C-8-10, there is appropriated from the Project Reserve Account, established pursuant to G.S. 143C-8-10, for the 2017-2018 fiscal year, the following amounts for capital improvements:

Capital Improvements – Project Reserve

2017-2018

...	
Department of Natural and Cultural Resources	
Fort Fisher Museum and Visitor Center	7,500,000
Nature Resource Center NC Museum of Natural Sciences Dinosaur project	1,800,000
NC Zoo- Asia/Australia project	2,500,000
NC Museum of History expansion planning	6,500,000
NC Zoo- renovation and rehabilitation	4,500,000
...."	

PART X. INFORMATION TECHNOLOGY

SECTION 10.1.(a) If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 143B-1373(d)(6), as enacted by that act, reads as rewritten:

"(6) An assessment of the current level of broadband access in the proposed deployment ~~area and the current level of service provided at the point from which broadband deployment will be made.~~ area."

SECTION 10.1.(b) If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 143B-1373(e), as enacted by that act, reads as rewritten:

"(e) Applications shall be made publicly available by posting on the Web site of the Department of Information Technology for a period of at least 30 days prior to award. During the 30-day period, any interested party may submit comments to the Secretary concerning any pending application. A provider of broadband services may submit a protest of any application on the grounds the proposed project covers an area that is not an eligible area under this section. Protests shall be submitted in writing, accompanied by all relevant supporting documentation, and shall be considered by the Office in connection with the review of the application. ~~Protests based upon actual current connection speed in a proposed project area shall not be considered.~~ For applications with filed protests, the Secretary shall issue a written decision to the protesting party at least 15 days prior to the approval of that application."

SECTION 10.2. If Senate Bill 99, 2017 Regular Session, becomes law, then Part XXXVII of that act is amended by adding a new section to read:

"FIRSTNET FUNDING CHANGES

"SECTION 37.6. Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, for the 2018-2019 fiscal year, the net appropriation to FirstNet in Fund Code 1735 is reduced by three hundred thousand dollars (\$300,000) and the revised net appropriation to FirstNet for the 2018-2019 fiscal year is three hundred eighty-six thousand nine hundred thirty-five dollars (\$386,935)."

SECTION 10.3. If Senate Bill 99, 2017 Regular Session, becomes law, then Section 37.4(b), as enacted by that act, reads as rewritten:

"SECTION 37.4.(b) For any services for which a bill is or has been rendered at any time prior to 180 days following the effective date of this section, whether under G.S. 143B-1403 or its predecessors as previously codified, no subscriber or communications service provider shall be liable to any person or entity for billing or remitting a different number of 911 service charges than is required by Part 10 of Article 15 of Chapter 143B of the General ~~Statutes.~~ Statutes, as clarified by subsection (a) of this section. Subsection (a) of this section is intended as a clarification of existing law."

SECTION 10.4. If Senate Bill 99, 2017 Regular Session, becomes law, G.S. 143B-1325(d), as amended by Section 37.5(c) of that act, reads as rewritten:

"(d) Report on Transition Planning. – The Community College System Office, the Department of Public Instruction, and the Bipartisan State Board of Elections and Ethics Enforcement shall work with the State CIO to plan their transition to the Department. The information technology transfer and consolidation from the Department of Revenue to the Department shall not take place until the Secretary of the Department of Revenue determines that the system and data security of the Department meets the heightened security standards required by the federal government for purposes of sharing taxpayer information. By October 1, 2018, ~~these agencies, the Department of Public Instruction and the Bipartisan State Board of Elections and Ethics Enforcement,~~ in conjunction with the State CIO, shall report to the Joint Legislative Oversight Committee on Information Technology and the Fiscal Research Division on their respective transition plans. By October 1, 2019, the Community College System Office, in conjunction with the State CIO, shall report to the Joint Legislative Oversight Committee on Information Technology and the Fiscal Research Division on its transition plan."

PART XI. FINANCE

SECTION 11.1. If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 160A-690(b)(1), as enacted by Section 38.8(b) of that act, reads as rewritten:

"(1) For a public school located inside the city limits, for capital, for current operating ~~expenses-expenses,~~ or for other specific uses directed by the city. Funds appropriated by cities in accordance with this subdivision may be used to enter into operational and financing leases for real property or mobile classroom units for use as school facilities for public schools and may be used for payments on loans made to public schools for facilities, equipment, or operations. However, municipal appropriations shall not be used to obtain any other interest in real property or mobile classroom units. Every contract or lease into which a public school enters involving a municipal appropriation pursuant to this section shall include the following sentence: "No indebtedness of any kind incurred or obligation created by the public school shall constitute an indebtedness or obligation of the city, and no indebtedness or obligation of the public school shall involve or be secured by the faith, credit, or taxing power of the city."

SECTION 11.2.(a) If Senate Bill 99, 2017 Regular Session, becomes law, then G.S. 105-130.4(l)(3), as amended by Section 38.2(c) of that act, reads as rewritten:

"(3) Other sales are in this State if any of the following occur:

- a. The receipts are from real or tangible personal property located in this State, and includes receipts from incidental services sold as part of, or in connection with, the sale of tangible personal property in this State.
- b. The receipts are from intangible property ~~to the extent the intangible property is used~~ and are received from sources within this State.
- c. The receipts are from services and the income-producing activities are in this State. For the purposes of this subdivision, an "income-producing activity" means an activity directly performed by the taxpayer or its agents for the ultimate purpose of generating the sale of the service. Receipts from income-producing activities performed within and without this State are attributed to this State in proportion to the income-producing activities performed in this State to total income-producing activities performed everywhere that generate the sale of service."

SECTION 11.2.(b) If Senate Bill 99, 2017 Regular Session, becomes law, then this section becomes effective at the same time as Senate Bill 99.

PART XII. STUDY/FAIR TREATMENT OF COLLEGE ATHLETES

SECTION 12.1.(a) The Legislative Commission on the Fair Treatment of College Student-Athletes is created. The purpose of the Commission is to examine the needs and concerns of college students participating in athletics on behalf of the constituent institutions of The University of North Carolina and to propose appropriate legislation where needed to implement the objectives of this Commission.

SECTION 12.1.(b) The Commission shall consist of six members of the Senate, appointed by the President Pro Tempore of the Senate with political parties represented in proportion to the legislative makeup, and six members of the House of Representatives, appointed by the Speaker of the House of Representatives with political parties represented in proportion to the legislative makeup.

Vacancies on the Commission shall be filled by the same appointing authority that made the initial appointment.

SECTION 12.1.(c) The Lieutenant Governor shall be an ex officio voting member and shall also serve as the chair of the Commission. The Commission shall meet upon the call of the chair.

SECTION 12.1.(d) A quorum shall be a majority of the Commission members.

SECTION 12.1.(e) The Commission shall study issues related to the provision of health insurance, sports injuries and non-sports injuries, and profit-sharing for student athletes. In its study, the Commission shall consider all of the following:

- (1) Physical and mental health and safety concerns arising out of participation in athletic competition or resulting from injuries sustained during athletic competition, including, but not limited to, concussions and other life-impacting injuries.
- (2) Long-term physical and mental health and wellness issues grounded in participation in athletic competition but not manifesting until later in an athlete's life and the ability of former athletes to receive adequate long-term treatment for these issues.
- (3) The need for full-time enrolled college students to have adequate time to devote to educational responsibilities separate and apart from time demands for athletic competition.
- (4) Educational opportunities for choosing majors and classes consistent with the nonathletic participating students' opportunities at a constituent institution, including, but not limited to, academic choices and extracurricular abilities to participate in internships and study abroad.
- (5) The right to receive academic instruction from qualified faculty members at the constituent institutions and to be taught at an academic level consistent with the standards of accredited higher education institutions.
- (6) The right to a fair and impartial hearing and the right to be independently represented before being disciplined for alleged eligibility rules violations by any school, conference, or membership association governing participation in college athletics.
- (7) In exchange for his or her participation on behalf of any constituent institution, a fair and adequate financial aid or scholarship assistance package to the extent financial aid or scholarship sources are provided to selected students in exchange for their participation on institutional athletic teams.
- (8) Consideration of remuneration or profit-sharing for student athletes for the use by institutional or commercial entities of the students' image, or other

identifiable source, such as television rights or collegiate apparel that produce commercial profit for the institutions, membership associations, or commercial entities.

- (9) The right of students participating in college athletics to be adequately represented by attorneys, agents, or financial advisors throughout their college careers (as do all other students) without being subject to losing their eligibility to participate in college athletics.
- (10) A review of regulatory rules and punishments imposed on student athletes by any governing membership organization, including, but not limited to, the National Collegiate Athletic Association, that limits a student's ability to transfer between schools, or participate on college athletic teams by restricting the student's ability to engage in outside work or compensatory services.
- (11) The obligation of the university to provide the means for a student-athlete to finish their academic requirements to obtain an undergraduate degree after their athletic eligibility or athletic scholarship has expired.
- (12) Any other issue the Commission deems relevant based on testimony or evidence presented to the Commission.

SECTION 12.1.(f) The Commission, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Commission may meet in the Legislative Building or the Legislative Office Building. Members of the Commission shall receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1 or G.S. 138-6, as appropriate.

The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Commission in its work. The Director of Legislative Assistants of the House of Representatives and the Director of Legislative Assistants of the Senate shall assign clerical support to the Task Force. The Commission may contract for professional, clerical, or consultant services, as provided by G.S. 120-32.02.

SECTION 12.1.(g) The Commission shall submit a report on the results of its study, including any proposed legislation, by March 1, 2019, to the members of the Senate and the House of Representatives by filing a copy of the report with the Office of the President Pro Tempore of the Senate, the Office of the Speaker of the House of Representatives, and the Legislative Library. The Commission shall terminate on March 1, 2019, or upon the filing of its report, whichever occurs first.

PART XII. EFFECTIVE DATE

SECTION 12. Except as otherwise provided, this act becomes effective July 1, 2018.
In the General Assembly read three times and ratified this the 15th day of June, 2018.

s/ Philip E. Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

This bill having been presented to the Governor for signature on the 15th day of June, 2018 and the Governor having failed to approve it within the time prescribed by law, the same is hereby declared to have become a law. This 26th day of June, 2018.

s/ Karen Jenkins
Enrolling Clerk