

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 883

Short Title: ABC/Public Hearings.

(Public)

Sponsors: Representatives Miller; Pope and Smith.

Referred to: Judiciary II.

April 18, 1991

A BILL TO BE ENTITLED

AN ACT TO ENHANCE PUBLIC UNDERSTANDING OF THE BUDGET PROCESS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-10 reads as rewritten:

"§ 143-10. Preparation and adjustment of budget ~~the budget;~~ and public hearing ~~hearings.~~

~~The members of the Commission shall, at the request of the Director, attend such public hearing and other meeting as may be held in the preparation of the budget. Said Commission shall act at all times in an advisory capacity to the Director on matters relating to the plan of proposed expenditures of the State government and the means of financing the same. Governor with respect to all matters relating to the plan of proposed expenditures of State government and the means of financing the same. To this end, the Commission shall meet with the Governor in connection with the preparation of the budget at such times as the Governor may request.~~

The Governor shall establish a schedule of public hearings at which the Governor, the Commission, and the Office of State Budget and Management shall (i) receive all information and recommendations from agencies of the State pursuant to G.S. 143-6, and (ii) provide information to and receive recommendations from the public with respect to the revenues and expenditures to be included within the budget. Such public hearings shall be held at such times and places, and in such number, as the Governor shall determine to be necessary for the Governor and the Commission to adequately inform the public and to receive recommendations from the public. The Governor may consult with the Commission in establishing the schedule of such hearings. ~~The Director~~

1 ~~shall provide for public hearings on any and all estimates to be included in the budget, which~~
2 ~~shall be held during the months of October and/or November and/or such other times as the~~
3 ~~Director may fix in the even-numbered years, and The Governor may require the attendance~~
4 ~~at these hearings of the heads or responsible representatives of all State departments,~~
5 ~~bureaus, divisions, officers, boards, commissions, institutions, or other State agencies or~~
6 ~~undertakings, and such any other persons, corporations and associations, using or~~
7 ~~receiving or asking for requesting any State funds. Prior to taking any action under this~~
8 ~~subsection to provide for public hearings, the Governor may consult with the Advisory Budget~~
9 ~~Commission.~~

10 If the Governor shall determine that the revenues received or anticipated by the State
11 are or will be inadequate to provide for all of the expenditures appropriated by the
12 General Assembly and that proper administration of the budget requires that such
13 expenditures be reduced, the Governor may effectuate such reductions by Executive
14 Order. Except in the case of an emergency the Governor shall, before issuing such an
15 Executive Order, schedule public hearings at which the Governor, the Commission, and
16 the Office of State Budget and Management shall (i) explain the extent of the
17 proposed reductions and the proposed manner of their implementation, and (ii) receive
18 information and recommendations from agencies of the State and from the public."

19 Sec. 2. This act is effective upon ratification.