

GENERAL ASSEMBLY OF NORTH CAROLINA  
1991 SESSION

CHAPTER 452  
SENATE BILL 961

AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1991.

The General Assembly of North Carolina enacts:

—BUDGET CONTINUATION

Section 1. The Director of the Budget may continue to allocate funds for expenditure for current operations by State departments, institutions, and agencies, except for funds for local inventory and other reimbursements, at a level not to exceed ninety-four percent (94%) of the level at which total expenditures for State operations were authorized by the General Assembly as of June 30, 1991. The Director of the Budget shall not allocate funds for any of the purposes set out in the base budget reductions contained in House Bill 83, 4th edition, and House Bill 83, 5th edition as amended, that are not in controversy.

To the extent necessary to implement this authorization, there is appropriated from the appropriate State funds and cash balances, federal receipts, and departmental receipts for the 1991-92 fiscal year, funds necessary to carry out this section.

This appropriation and this authorization to allocate and spend funds shall remain in effect until ratification of The Appropriations and Budget Revenue Act of 1991, at which time that act shall become effective and shall govern appropriations and expenditures. Upon ratification of The Appropriations and Budget Revenue Act of 1991, the Director of the Budget shall adjust allocations to give effect to that act from July 1, 1991.

Except as otherwise provided by this act, the limitations and directions for the 1990-91 fiscal year in Chapters 500, 752, 754, 795, 799, and 1066 of the 1989 Session Laws that applied to appropriations to particular agencies or for particular purposes apply to the funds appropriated and authorized for expenditure under this section.

As used in this section, "local inventory and other reimbursements" means reimbursements made to local governments under G.S. 105-164.44C, 105-213.1, 105-275.1, 105-277.1A, and 105-277A.

—EMPLOYEE SALARIES

Sec. 2. The salary schedules and specific salaries established for fiscal year 1990-91 by or under Sections 24, 25, 29(b), 30(a), 30(c), 31, 32, 33, 34(b), 35(b), 37, 38(a2), 38(b), 38(c1), 38(d1), 39, and 40 of Chapter 752 of the 1989 Session Laws, for offices and positions shall remain in effect until the effective date of The Appropriations and Budget Revenue Act of 1991.

Teachers and other employees shall not move up on these salary schedules or receive automatic, annual, performance, merit, or other increments until authorized by the General Assembly.

—SALARY RELATED CONTRIBUTIONS/EMPLOYERS

Sec. 3. The State's employer contribution rates budgeted for retirement and related benefits as a percentage of covered salaries for the 1991-92 fiscal year shall remain the same as they were on December 31, 1990. If The Appropriations and Budget Revenue Act of 1991 reduces such rates, the Director of the Budget shall further reduce the rates set in that act for the remainder of the 1991-92 fiscal year so as to compensate for the excess amount contributed between July 1, 1991, and the effective date of The Appropriations and Budget Revenue Act of 1991, so that the effective rate for the entire year reflects The Appropriations and Budget Revenue Act of 1991.

—DRIVER TRAINING FUNDING

Sec. 4. Expenses incurred in carrying out the provisions of G.S. 20-88.1 from the beginning of the 1991-92 fiscal year until the ratification of The Appropriations and Budget Revenue Act of 1991 shall be paid out of the Highway Fund.

—MEDICAL DATABASE COMMISSION

Sec. 5. Section 208(d) of Chapter 757 of the 1985 Session Laws reads as rewritten:

"(d) The North Carolina Medical Database Commission shall terminate and Article 11 of Chapter 131E of the General Statutes shall expire on ~~July 1, 1991.~~ August 1, 1991."

—WAKE COUNTY DETENTION FACILITY

Sec. 5.1. Effective July 1, 1991, the Department of Human Resources shall operate the Wake County Youth Detention Facility as a regional detention facility. Funds available to the Department shall be used for the operational expenses of the facility.

—COMMUNITY PENALTIES PROGRAM

Sec. 6. (a) All contracts or grants entered into pursuant to G.S. 7A-772 between the Department of Crime Control and Public Safety and the community penalties programs are extended, unless the programs object, for 30 days after the ratification of this act or the effective date of Senate Bill 465, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE COMMUNITY PENALTIES PROGRAM FROM THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO THE ADMINISTRATIVE OFFICE OF THE COURTS, if that bill is enacted by the 1991 General Assembly, whichever is sooner.

(b) The Department of Crime Control and Public Safety shall not restructure or reorganize the community penalties programs.

—EFFECTIVE DATE

Sec. 7. This act becomes effective July 1, 1991. This act expires July 6, 1991.

In the General Assembly read three times and ratified this the 28th day of June, 1991.

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James C. Gardner  
President of the Senate

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Daniel Blue, Jr.  
Speaker of the House of Representatives