



1           Sec. 3. The appropriations made by the 1993 General Assembly for capital  
2 improvements shall be disbursed for the purposes provided by this act. Expenditure of  
3 funds shall not be made by any State department, institution, or agency, until an  
4 allotment has been approved by the Governor as Director of the Budget. The allotment  
5 shall be approved only after full compliance with the Executive Budget Act, Article 1 of  
6 Chapter 143 of the General Statutes. Prior to the award of construction contracts for  
7 projects to be financed in whole or in part with self-liquidating appropriations, the  
8 Director of the Budget shall approve the elements of the method of financing of those  
9 projects including the source of funds, interest rate, and liquidation period. Provided,  
10 however, that if the Director of the Budget approves the method of financing a project,  
11 the Director shall report that action to the Joint Legislative Commission on  
12 Governmental Operations at its next meeting.

13           Where direct capital improvement appropriations include the purpose of  
14 furnishing fixed and movable equipment for any project, those funds for equipment  
15 shall not be subject to transfer into construction accounts except as authorized by the  
16 Director of the Budget. The expenditure of funds for fixed and movable equipment and  
17 furnishings shall be reviewed and approved by the Director of the Budget prior to  
18 commitment of funds.

19           Capital improvement projects authorized by the 1993 General Assembly shall  
20 be completed, including fixed and movable equipment and furnishings, within the limits  
21 of the amounts of the direct or self-liquidating appropriations provided, except as  
22 otherwise provided in this act.

#### 23 24 **PART 4. CAPITAL IMPROVEMENTS/GENERAL FUND**

25  
26           Sec. 4. Appropriations are made from the General Fund for the 1993-94  
27 fiscal year for use by the State departments, institutions, and agencies to provide for  
28 capital improvement projects according to the following schedule:

29  
30                                   1993-94

#### 31 DEPARTMENT OF ADMINISTRATION

#### 32 1. Reserve for Repairs/Renovations -

33           a. Old Education Building - Design for  
34           Maximum Level of Renovations       \$11,050,000

35           b. Old Revenue Building - Design for  
36           Maximum Level of Renovations       8,230,000

#### 37 2. State Veterans' Cemetery - Fort Bragg 38           Requirements       \$1,219,500

39           Receipts - Federal       751,100

40           State Appropriation       468,400

#### 41 3. Reserve for Veterans' Home -

42           State Share       3,000,000

#### 43 4. Eastern                   Processing                   Center                   -                   Design 44       900,000

1	5.	GPAC Prison Facility Consolidation -					
2		Planning and Design	2,000,000				
3	6.	Western Government Center		-		Planning	
4		1,000,000					
5	7.	Indian Cultural Center - Purchase of Land/					
6		Redesign of Center for Site Specific	750,000				
7	8.	Government Complex Mall		-		Supplement	
8		150,000					
9	TOTAL	- DEPARTMENT OF ADMINISTRATION					\$
10							
11		27,548,400					
12							
13		DEPARTMENT OF AGRICULTURE					
14	1.	Medical Waste Incinerators		-		Animal Labs	
15		\$712,900					
16	2.	Pesticide Storage Buildings - Research Stations					
17		and State Farms	399,200				
18	3.	Shop and Equipment Storage Facility - Upper					
19		Mountain Research Station					
20		Requirements	323,300				
21		Timber Receipts	323,300				
22		State Appropriation	0				
23	4.	Dairy Milking Parlor - Umstead Research Station					
24		Requirements	213,000				
25		Timber Receipts	213,000				
26		State Appropriation	0				
27	5.	Shop/Storage - Horticultural Crops Research Station					
28		Requirements	168,900				
29		Timber Receipts	168,900				
30		State Appropriation	0				
31	6.	Western Agricultural Center - Covered Show Ring/					
32		Parking Area/Construction of restrooms and showers					
33		and Development of N.C. Mountain Fair	1,080,000				
34	7.	Tidewater Research Station - Greenhouse					
35		and Headhouse Construction	500,000				
36	8.	Southeastern Farmers' Market and Agricultural					
37		Center Development	1,000,000				
38	9.	Western Farmers Market - Truck Shed, Wholesale					
39		Buildings and WNCDA Office on State					
40		Property Site Development	697,415				
41	10.	Triad Farmers' Market				Development	
42		1,000,000					

1 TOTAL - DEPARTMENT OF AGRICULTURE  
 2 \$

3 5,389,515

4  
 5 DEPARTMENT OF CORRECTION

6  
 7 1. Add Dayrooms - Odom Correctional Center  
 8 \$381,900

9 2. Water/Wastewater Improvements - Statewide  
 10 1,000,000

11 3. Black Mountain Correctional Center for Women -  
 12 Renovation of Facilities 412,000

13 TOTAL - DEPARTMENT OF CORRECTION  
 14 \$

15 1,793,900

16  
 17 DEPARTMENT OF COMMUNITY COLLEGES

18 1. Regional Truck Driver Training Facility  
 19 \$50,000

20 TOTAL - DEPARTMENT OF COMMUNITY COLLEGES  
 21 \$

22 50,000

23  
 24 DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

25 1. National Guard Armory Replacement - Kinston  
 26 Requirements 3,897,700

27 Receipts - Federal 2,848,300

28 Receipts - Local 524,700

29 State Appropriation 524,700

30 2. National Guard - Aerial Reserve Equipment  
 31 for Emergency Support Missions 275,000

32 3. National Guard - Underground Storage Tank  
 33 71,400

34 TOTAL - DEPARTMENT OF CRIME CONTROL  
 35 AND PUBLIC SAFETY \$871,100

36  
 37 DEPARTMENT OF CULTURAL RESOURCES

38 1. Museum of History - Core Exhibition Design  
 39 and Construction \$4,724,100

40 2. Somerset Place State Historic Site -  
 41 Development - Washington County 300,000

42 TOTAL - DEPARTMENT OF CULTURAL RESOURCES  
 43 \$

44 5,024,100

1  
2 DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES  
3 1. State Parks - Reserve for Construction Projects  
4 for Health, Safety, Access Improvements, and  
5 Land Acquisition \$2,100,000  
6 2. Small Watershed Grants  
7 1,180,000  
8 3. Forestry - District and County Headquarters  
9 Buildings/Equipment Sheds (Scotland, Henderson,  
10 Mitchell and Graham) 555,200  
11 4. Water Resources (Civil Works) - Reserve for  
12 Planning, Construction Projects, Operations  
13 and Maintenance Projects, and Feasibility  
14 Studies 2,000,000  
15 5. Hydrilla Eradication Funds - Lake Gaston  
16 100,000  
17 TOTAL - DEPARTMENT OF ENVIRONMENT, HEALTH,  
18 AND NATURAL RESOURCES \$5,935,200  
19  
20 DEPARTMENT OF HUMAN RESOURCES  
21 1. Reserve - Life Safety/Certification Improvements  
22 - Statewide \$1,000,000  
23 2. Dorothea Dix Hospital - Male Wing Completion  
24 1,457,300  
25 3. John Umstead Hospital - Sewer Plant Upgrade - Design  
26 250,000  
27 4. Eastern School for the Deaf - Student Activity/  
28 Recreation complex - Design 250,000  
29  
30 TOTAL - DEPARTMENT OF HUMAN RESOURCES  
31 \$  
32 2,957,300  
33  
34 DEPARTMENT OF JUSTICE  
35 1. Justice Academy - B-Dorm Repairs and Equipment  
36 Requirements 321,800  
37 Receipts 321,800  
38 State Appropriation 0  
39 2. SBI Lab - New Construction  
40 \$18,600,000  
41  
42 TOTAL - DEPARTMENT OF JUSTICE  
43 \$  
44 18,600,000

1  
 2 OFFICE OF STATE CONTROLLER  
 3 1. State Telecommunications System -  
 4 Communications Network Development \$4,400,000  
 5  
 6 TOTAL - OFFICE OF STATE CONTROLLER  
 7 \$  
 8 4,400,000  
 9

10 UNIVERSITY - BOARD OF GOVERNORS

11 1. North Carolina State University  
 12 a. Reserve for the Centennial Center,  
 13 not to be expended until approved  
 14 by the General Assembly \$5,000,000  
 15 b. Renovations and Equipment for Dearstyne  
 16 Building and Ricks Hall to Effect the  
 17 Transfer of Agricultural Education  
 18 Program to College of Agriculture and Life  
 19 Science 200,000  
 20 2. Reserve for Advance Planning  
 21 2,000,000  
 22 3. University of North Carolina - Chapel Hill -  
 23 Terrell Building Additions/Renovations for  
 24 N.C. High School Athletic Association 400,000  
 25 4. North Carolina State University - Agricultural Program  
 26 a. Horticultural Crops Research Station  
 27 at Fletcher - Improvements 258,000  
 28

29 TOTAL - UNIVERSITY BOARD OF GOVERNORS  
 30 \$  
 31 7,858,000  
 32

33 TOTAL - CAPITAL IMPROVEMENTS - GENERAL FUND  
 34 \$  
 35 80,427,515  
 36

37 **PART 5. CAPITAL IMPROVEMENTS/HIGHWAY FUND**

38  
 39 Sec. 5. (a) There is appropriated from the Highway Fund for the 1993-94  
 40 fiscal year the listed funds for use of the Department of Transportation to provide for  
 41 capital improvement projects according to the following schedule:  
 42

43 1993-94

44 1. Upgrade facilities to meet the Americans

1	With Disabilities Act Standards	\$1,678,600	
2	2. Replace the two elevators in the Highway		
3	Building in Raleigh	350,500	
4	3. Acquire 20 acres of land in Garner for		
5	location of DOT warehouse	250,000	
6	4. Renovate one floor of the Highway		
7	Building in Raleigh	400,000	
8	TOTAL - DEPARTMENTWIDE		\$2,679,100
9			
10	DIVISION OF HIGHWAYS		
11	1. Replace roofs statewide		391,000
12	2. Construct traffic service facility -		
13	Town of Union (Hertford County)	818,000	
14	3. Design a roadside environmental facility		
15	(office, warehouse, shed) in Sylva	31,000	
16	4. Construct equipment shop in Sandy Ridge		717,000
17	5. Construct maintenance facility in		
18	Nashville		
19	Requirements	768,000	
20	Receipts	222,000	
21	State Appropriations	546,000	
22	6. Construct equipment repair shop in		
23	Creswell	739,000	
24	7. Construct equipment shop in Spindale		747,000
25	TOTAL - DIVISION OF HIGHWAYS		\$3,989,000
26			
27	DIVISION OF MOTOR VEHICLES		
28	1. Replace roofs statewide		76,100
29	2. Resurface six parking lots statewide		120,900
30	3. Renovate DMV Office Building in Durham		197,000
31	4. Renovate DMV Office Building in Salisbury		197,000
32	5. Renovate the Division of Motor Vehicles		
33	Building in Raleigh	1,677,000	
34	TOTAL - DIVISION OF MOTOR VEHICLES		\$2,268,000
35			
36	HIGHWAY PATROL		
37	1. Replace underground storage tanks		\$350,000
38			
39	MAINTENANCE		
40	1. Increase Highway and Bridge		
41	Maintenance	\$2,641,000	
42			
43	RESERVES		
44	1. Create a Reserve for Promotion and		





1	1.	Rural	Tourism	Development	Grants
2		\$200,000			
3	2.	Center	for	Community	Self-Help
4		1,000,000			
5	3.	World		Trade	Center
6		100,000			
7	TOTAL		-		COMMERCE
8					\$
9		1,300,000			

10  
 11 DEPARTMENT OF COMMERCE -  
 12 RURAL ECONOMIC DEVELOPMENT CENTER

13	1.	Economic Development Programs			
14	a.	Grants to Community Development			
15		Corporations That Have Not Received			
16		State Funds	\$100,000		
17	b.	N.C. Community Development Initiatives,			
18		Inc. - Support for Mature CDC's; Will			
19		Leverage Additional \$4 Million Foundation			
20		Funds	2,000,000		
21	c.	Continue Support for Community Development			
22		Corporations Previously State Funded	1,300,000		
23	d.	Microenterprise Loan Program 650,000			
24	e.	Rural Economic Development Center			
25		Administrative Cost	50,000		
26	f.	Community Development Housing Counseling			
27		Demonstration Project	150,000		
28	g.	Minority Credit Union Support Center 300,000			
29	h.	N.C. Association of Community Development			
30		Corporations	200,000		
31	TOTAL	-	RURAL	ECONOMIC	DEVELOPMENT CENTER
32					\$
33		4,750,000			

34  
 35 DEPARTMENT OF COMMERCE - BIOTECHNOLOGY CENTER

36	1.	Fund Biotechnology Program for Public			
37		Historically Black Universities and Pembroke			
38		State University	\$1,000,000		
39	2.	Supplement	for	Grant Programs	- One-Time Grant
40		1,000,000			
41	TOTAL	-		BIOTECHNOLOGY	CENTER
42					\$
43		2,000,000			

1	DEPARTMENT OF COMMERCE - MCNC			
2	1.	MCNC Reserve for Capital Needs and Communications		
3		a.	Conduct a Joint Telecommunications	
4			Research and Development Project with	
5			MCI Corporation	\$2,000,000
6		b.	Purchase and Installation of Upgraded	
7			Equipment for the MCNC Supercomputer,	
8			the Telecommunications Network, and the	
9			Microelectronics Program	2,500,000
10		c.	Funds to Connect the 6 Remaining State-	
11			Owned Campuses to the MCNC CONCERT	
12			Telecommunications Network (Pembroke State, ECSU,	
13			WCU, FSU, NCCU, UNC-G)	2,118,000
14	TOTAL		-	MCNC
15				\$
16	6,618,000			
17				
18	CONTINGENCY FUND			
19	1.	Support for Reimbursements to Local Boards		
20		of Elections for Expenses Incurred with		
21		Sale of Bond Elections		
22	TOTAL	-	CONTINGENCY	FUND
23				\$
24	1,000,000			
25				
26	DEPARTMENT OF CULTURAL RESOURCES			
27	1.	Reserve for Grants To Local Historical		
28		And Cultural Organizations	\$1,000,000	
29	TOTAL	-	DEPARTMENT	OF CULTURAL RESOURCES
30				\$
31	1,000,000			
32				
33	DEPARTMENT OF ENVIRONMENT,			
34	HEALTH, AND NATURAL RESOURCES			
35	1.	Reserve	for	Falls Lake Watershed Study
36		\$150,000		
37	2.	Wildlife Resources Commission - Extend Beaver		
38		Control Pilot Program for One Year		
39	3.	Western North Carolina Genetic Center -		
40		Start-up Costs	355,000	
41	4.	Technical Assistance Grants of \$100,000 Each to		
42		Richmond, Chatham, and Wake Counties for Their		
43		Site Designation Review Committee		
44	TOTAL - DEPARTMENT OF ENVIRONMENT,			

1 HEALTH, AND NATURAL RESOURCES \$951,000  
2  
3 GENERAL ASSEMBLY  
4 1. LRC's (\$200,000)  
5 Independent Studies (\$300,000) \$500,000  
6 2. Reserve Increase  
7 1,000,000  
8 3. Courts Commission - Support for Staff, Travel  
9 54,438  
10 4. Swine Study  
11 15,000  
12 5. Study on Economic Incentives to Lure Industry  
13 100,000  
14 TOTAL - GENERAL ASSEMBLY  
15 \$  
16 1,669,438  
17  
18 OFFICE OF THE GOVERNOR  
19 1. Housing Trust Fund \$  
20 3,000,000  
21 2. Industrial Recruitment - Restricted  
22 Reserve for Automobile Manufacturing  
23 Company Relocation 35,000,000  
24 TOTAL - OFFICE OF THE GOVERNOR  
25 \$  
26 38,000,000  
27  
28 DEPARTMENT OF HUMAN RESOURCES  
29 1. Medicaid Planning Funds - Funds to Support  
30 Planning and Design of the Eligibility  
31 Information System in the event of expanded  
32 coverage for the uninsured \$200,000  
33 2. Senior Citizens' Funds - Funds for Senior  
34 Citizen Centers' Maintenance, Renovation,  
35 and Upkeep. Funds shall be allocated based  
36 on need. No Center shall receive more than  
37 \$10,000 300,000  
38 3. Headstart Funds - Funds for 5 additional  
39 Headstart Parent and Child Centers 1,100,000  
40 4. Sheltered Workshops Capital Funds -  
41 Funds for Capital Needs at Community-Based  
42 Facilities that Operate Vocational Rehabilitation  
43 Services or Adult Developmental Activity Programs  
44 (ADAP). \$76.28 Per Slot for 6,554 Slots. Each



1	TOTAL	-	DEPARTMENT	OF	JUSTICE	
2						\$
3	545,000					
4						
5	DEPARTMENT OF LABOR					
6	1. Reserve	for	Computerized		Network	
7	\$750,000					
8	TOTAL	-	DEPARTMENT	OF	LABOR	
9						\$
10	750,000					
11						
12	PUBLIC EDUCATION					
13	1. Department of Public Instruction					
14	a.	Advanced Placement - Pilot Program to Match				
15		Costs of Taking Advanced Placement Exams			\$550,000	
16	b.	Cued Speech Center of Wake County for				
17		Transition Services	95,000			
18	2. Aid to Local School Administrative Units					
19	a.	Funds to Hold Ashe and Jackson County Schools				
20		Harmless in the Small School Formula	600,565			
21	b.	Education Technology Equipment for Libraries			5,000,000	
22	TOTAL	-	PUBLIC		EDUCATION	
23						\$
24	6,245,565					
25						
26	DEPARTMENT OF SECRETARY OF STATE					
27	1. Business License Office - Computer System					
28		Development and Equipment	\$350,000			
29	TOTAL	-	SECRETARY	OF	STATE	
30						\$
31	350,000					
32						
33	OFFICE OF STATE BUDGET AND MANAGEMENT					
34	1. Science	and	Math	Alliance	-	Development
35	\$800,000					
36	2. Children's Home Society of N.C., Inc. -					
37		Grant to Establish an Adoption Resource Center	500,000			
38	3. N. C. Future Farmers of America, Inc., -					
39		Matching Grant	300,000			
40	TOTAL - OFFICE OF STATE BUDGET					
41		AND MANAGEMENT	\$1,600,000			
42						
43	OFFICE OF STATE CONTROLLER					
44	1. Reserve to Continue the Implementation					

1	of the State Accounting System	\$4,200,000			
2	TOTAL OFFICE OF STATE			CONTROLLER	
3					\$
4	4,200,000				
5					
6	DEPARTMENT OF TRANSPORTATION				
7	1. North Carolina Global TransPark				
8	Development Zone - Development of				
9	Infrastructure	\$10,000,000			
10	TOTAL - DEPARTMENT		OF	TRANSPORTATION	
11					\$
12	10,000,000				
13					
14	UNIVERSITY - BOARD OF GOVERNORS				
15	1. North Carolina State University - To Study				
16	the Abatement of Odors from Swine Farms				
17	and the Impact of Swine Farms on Ground				
18	and Surface Water Supplies	\$85,000			
19	2. North Carolina A&T - One-Time Funds for				
20	Agricultural Research and Extension Development,				
21	Including Matching Funds for Federal Grants		500,000		
22	3. University of North Carolina at Chapel Hill -				
23	Funds to Support the Bicentennial Observance		250,000		
24	4. UNC-Chapel Hill - One-Time Funds for Work				
25	of Educational Consortium	150,000			
26	5. UNC-Chapel Hill - One-Time funds to Infectious				
27	Disease Control Program in School of Medicine				
28	to Assist Health Facilities with Training of				
29	Disease Control Coordinators	75,000			
30	6. North Carolina State University-				
31	One-Time Funds for Expansion				
32	of Turfgrass Research	250,000			
33	7. Fayetteville State University - One-Time Funds				
34	for Process Leadership Training Program		50,000		
35	8. Teacher Training		Task		Force
36	10,000				
37	9. Freshmen Scholars Program		at	Five	Campuses
38	1,000,000				
39	10. Board of Governors - Planning Grant for Reopening				
40	of Chinqua-Penn Plantation	75,000			
41	TOTAL - UNIVERSITY - BOARD		OF	GOVERNORS	
42					\$
43	2,445,000				
44					

1 TOTAL NONRECURRING - GENERAL FUND  
 2 \$  
 3 93,815,436  
 4

5 **PART 7. GENERAL PROVISIONS**  
 6

7 Requested by: Representatives Nesbitt and Diamont

8 **HIGHWAY FUND AVAILABILITY INCREASE**

9 Sec. 7. Section 18 of Chapter 321 of the 1993 Session Laws reads as  
 10 rewritten:

11 "Sec. 18. The Highway Fund appropriations availability used in developing the  
 12 1993-95 Highway Fund budget is shown below:

	(\$Million)	(\$Million)
	<u>1993-94</u>	<u>1994-95</u>
13 Beginning Credit Balance		\$ <del>9,032</del> <u>21.03</u> -
14		
15 Estimated Revenues:		
16		
17 Transfer from Equipment Fund	944.6	\$ 961.3
18 Transfer to Highway Trust Fund	10.0	-
19	-	(9.6)
20		
21 Total Highway Fund Availability		<del>\$963.63</del> <u>975.63</u> \$951.7."
22		

23 Requested by: Representatives Nesbitt and Diamont

24 **BUDGET REFORM STATEMENTS**

25 Sec. 8. (a) Section 17 of Chapter 321 of the 1993 Session Laws is repealed.

26 (b) The General Fund and availability used in developing the 1993-95 budget is  
 27 as shown below:

28 (1) Composition of the 1993-94 beginning availability:

29 a. Revenues collection in 1992-93 in	
30 excess of authorized estimates	\$201,740,000
31 b. Unexpended appropriations	
32 during 1992-93 (reversions)	171,190,000
33 c. Disproportionate share payments	
34 received in 1992-93	<u>158,680,000</u>
35 Subtotal	\$531,610,000
36 d. Transfer to Savings Reserve	132,902,500
37 e. Transfer to Reserve	
38 for Repair and	
39 Renovations	57,000,000
40	
41 Ending Fund Balance	\$341,707,500
42	

43 1993-94 1994-95  
 44 (2) Beginning Unrestricted

1	Fund Balance	\$ 341,707,500	-
2			
3	Revenues Existing Tax		
4	Structure	\$8,649,700,000	\$9,212,100,000
5			
6	Changes:		
7			
8	1. Accelerated Growth with		
9	Implementation of GPAC		
10	recommendation	5,400,000	5,400,000
11			
12	2. Retain in General Fund		
13	interest previously paid to		
14	Highway Trust Fund		
15	(G.S. 105-187.9(b))	7,000,000	7,000,000
16			
17	3. Increase Court Fees	5,900,000	5,900,000
18			
19	5. Transfer from Department of		
20	Insurance Fund	(474,580)	(1,132,000)
21			
22	6. Treasurer's Banking Fees/Local		
23	Government Operation	634,300	1,106,000
24			
25	7. Disproportionate Share		
26	Receipts	93,200,000	-
27			
28	8. Highway Fund Transfer		
29	Reduction Related to		
30	Sales Tax Exemption	(200,000)	(200,000)
31			
32	9. Transfer from Savings Reserve	121,000,000	-
33			
34	10. Cotton Promotion Transfer	600,000	
35	Total Changes	233,059,720	18,074,000
36			
37	Revised Revenues	8,882,759,720	9,230,174,000
38			
39	Total Availability	9,224,464,220	9,230,174,000
40			
41	Revenue Growth Rates:		
42	Economic Basis	6.2%	6.5%
43	Less Impact of Special Factors .9%	-2.6%	
44	Actual Basis	7.1%	3.9%



- 1  
2 (3) Estimate of Disproportionate Share Receipts to be deposited as a  
3 nontax revenue and reserved by the State Controller:  
4 1993-94 \$114,200,000.  
5

6 Requested by: Representative Diamont

7 **CASWELL COUNTY COMMUNICATIONS TOWER FUNDS SHALL BE USED**  
8 **FOR AN EMERGENCY MANAGEMENT BUILDING**

9 Sec. 9. The following funds, which were appropriated in prior fiscal years,  
10 shall be used by Caswell County to house 911 communications equipment:

- 11 (1) The sum of ten thousand dollars (\$10,000), which was appropriated to  
12 Caswell County in Paragraph S1435 of Section 6 of Chapter 830 of the  
13 1987 Session Laws to purchase an emergency services  
14 communications tower;  
15 (2) The sum of two thousand dollars (\$2,000), which was appropriated to  
16 Caswell County in Paragraph H2600 of Section 1 of Chapter 1085 of  
17 the 1987 Session Laws for a central communications tower;  
18 (3) The sum of eight thousand dollars (\$8,000), which was appropriated to  
19 Caswell County in Paragraph H2642 of Section 1 of Chapter 1085 of  
20 the 1987 Session Laws to purchase a central communications tower;  
21 (4) The sum of seventeen thousand dollars (\$17,000), which was  
22 appropriated to Caswell County in Paragraph S1770 of Section 1 of  
23 Chapter 1094 of the 1987 Session Laws for the purchase and  
24 construction of a communications tower and system for use in law  
25 enforcement, fire protection, and emergency services.

26 The 911 communications equipment may be used to construct a facility that is used for  
27 other purposes so long as these funds are used only for that portion of the facility that  
28 houses the 911 communications equipment.  
29

30 **PART 8. TECHNICAL CORRECTIONS**

31  
32 Requested by: Representatives Nesbitt and Diamont

33 **TECHNICAL CORRECTIONS/CHAPTER 321-CURRENT OPERATIONS**  
34 **APPROPRIATIONS ACT OF 1993**

35 Sec. 10. MEDICAL SCHOOL ASSISTANCE FUNDING

36 Section 78(b) of Chapter 321 of the 1993 Session Laws reads as rewritten:

37 "(b) The Board of Governors of The University of North Carolina shall set goals  
38 for the Schools of Medicine at the University of North Carolina at Chapel Hill and the  
39 School of Medicine at East Carolina University for increasing the percentage of  
40 graduates who enter residencies and careers in primary care. A minimum goal should  
41 be at least fifty percent (50%) of graduates entering primary care disciplines. Each  
42 school shall submit a plan with strategies to reach these goals of increasing the number  
43 of graduates entering primary care disciplines to the Board by April 15, 1994. The  
44 Board of Governors shall report to the Joint Legislative Education Oversight Committee

1 by May 15, 1994, on the status of these efforts to strengthen primary health care in  
2 North Carolina.

3 Primary care shall include the disciplines of ~~family~~, family medicine, general  
4 pediatric medicine, general internal medicine, internal medicine/pediatrics, and  
5 obstetrics/gynecology."

6 Sec. 11. UNC LIBRARIES FUNDING

7 Section 91 of Chapter 321 of the 1993 Session Laws reads as rewritten:

8 "Sec. 91. Of the funds appropriated in this act to the Board of Governors of The  
9 University of North Carolina for Institutional Programs, the Board of Governors shall  
10 allocate at least eleven million eighty-four thousand dollars (\$11,084,000) for the 1993-  
11 94 fiscal year and at least two million six hundred five thousand six hundred seventy-  
12 seven dollars (\$2,605,677) for the 1994-95 fiscal year for Lines 2 and 4 of the Schedule  
13 of Priorities, to enhance library networks and library operations."

14 Sec. 12. ECONOMIC DEVELOPMENT BOARD

15 G.S. 143B-434(b) as rewritten by Section 313(a) of Chapter 321 of the 1993  
16 Session Laws reads as rewritten:

17 "(b) Membership. – The Economic Development Board shall consist of 36  
18 members. The Secretary of Commerce shall serve ex officio as a member and as the  
19 secretary of the Economic Development Board. Four members of the House of  
20 Representatives appointed by the ~~General Assembly upon the recommendation of the~~  
21 ~~Speaker of the House of Representatives~~, four members of the Senate appointed by the  
22 ~~General Assembly upon the recommendation of the~~ President Pro Tempore of the  
23 Senate, the President of The University of North Carolina, or designee, the President of  
24 the North Carolina Community College System, or designee, the Secretary of State, and  
25 the Lieutenant Governor, shall serve as members of the Board. The Governor shall  
26 appoint the remaining 23 members of the Board, provided that effective with the terms  
27 beginning July 1, 1997, one of those appointees shall be a representative of a nonprofit  
28 organization involved in economic development and two of those appointees shall be  
29 county economic development representatives. The Governor shall designate a chair  
30 and a vice-chair from among the members of the Board. Appointments to the Board  
31 made by the Governor for terms beginning July 1, 1997, and appointments to the Board  
32 made by the ~~General Assembly~~ Speaker of the House of Representatives and the  
33 President Pro Tempore of the Senate for terms beginning July ~~1, 9,~~ 1993, should reflect  
34 the ethnic and gender diversity of the State as nearly as practical.

35 The initial appointments to the Board shall be for terms beginning on ~~the date of~~  
36 ~~ratification of the Current Operations Appropriations Act of 1993.~~ July 9, 1993. Of the  
37 initial appointments made by the Governor, the terms shall expire July 1, 1997. Of the  
38 initial appointments made by the ~~General Assembly~~, ~~two terms made upon the~~  
39 ~~recommendation of the~~ Speaker of the House of Representatives and ~~two terms made~~  
40 ~~upon the recommendation of~~ by the President Pro Tempore of the Senate two  
41 appointments of each shall be designated to expire on July 1, 1995; the remaining terms  
42 shall expire July 1, 1997. Thereafter, all appointments shall be for a term of four years.

1 The ~~Governor~~ appointing officer shall make a replacement appointment to serve for  
2 the unexpired term in the case of a ~~vacancy, provided that a vacancy in a term appointed~~  
3 ~~by the General Assembly shall be filled in accordance with G.S. 120-122.~~ vacancy.

4 The members of the Economic Development Board shall receive per diem and  
5 necessary travel and subsistence expenses payable to members of State Boards and  
6 agencies generally pursuant to G.S. 138-5 and 138-6, as the case may be. The members  
7 of the Economic Development Board who are members of the General Assembly shall  
8 not receive per diem but shall receive necessary travel and subsistence expenses at rates  
9 prescribed by G.S. 120-3.1."

10 Sec. 13. EARLY CHILDHOOD EDUCATION AND DEVELOPMENT  
11 INITIATIVES

12 Section 254(b) of Chapter 321 of the 1993 Session Laws reads as rewritten:

13 "(b) Of the funds appropriated to the Department of Human Resources, the sum of  
14 twenty million dollars (\$20,000,000) for the 1993-94 fiscal year and the sum of ~~twenty-~~  
15 ~~eight million four hundred forty thousand dollars (\$28,440,000)~~ twenty-seven million  
16 six hundred forty thousand dollars (\$27,640,000) for the 1994-95 fiscal year to  
17 implement subsection (a) of this section. From the funds appropriated by this  
18 subsection, the Department shall provide funds for services prescribed in subsection (a)  
19 of this section, for necessary State, regional, and local administration of this Part, and  
20 for the activities of the North Carolina Partnership for Children, Inc., consistent with the  
21 provisions of subsection (a) of this section."

22 Sec. 14. CHILD PROTECTIVE SERVICES

23 Section 234(a) of Chapter 321 of the 1993 Session Laws reads as rewritten:

24 "(a) Funds appropriated to the Division of Social Services, Department of Human  
25 Resources, in this act for Child Protective Services shall be allocated for the 1993-94  
26 fiscal year and for the 1994-95 fiscal year as follows:

27 (1) Each county department of social services shall receive an amount  
28 based on a formula that takes into consideration the number of Child  
29 Protective Services cases in that county and the number of Child  
30 Protective Services workers required to meet a ratio of no more than  
31 20 active cases per one Child Protective Services worker. The  
32 allocation of these funds to each county shall not be less than that  
33 county's allocation in the 1992-93 fiscal year unless the General  
34 Assembly appropriates less funds for the 1993-94 fiscal year and the  
35 1994-95 fiscal year for Child Protective Services than it appropriated  
36 in the 1992-93 fiscal year; and

37 (2) Each county department of social services shall receive a portion of the  
38 remainder of these funds, if any, on a proportional basis determined by  
39 the amount of funds necessary in that county to enable that county to  
40 achieve the caseload prescribed in subdivision (1) of this subsection.  
41 Counties that have achieved the caseload ratios prescribed by  
42 subdivision (1) of this section ~~pursuant to funds allocated in that~~  
43 ~~subdivision~~ in either the 1993-94 fiscal year or the 1994-95 fiscal year

1 shall not receive any funds pursuant to this subdivision in that fiscal  
2 year."

3 Sec. 15. JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON EARLY  
4 CHILDHOOD EDUCATION AND DEVELOPMENT INITIATIVES

5 G.S. 120-70.91, as enacted by Section 259 of Chapter 321 of the 1993  
6 Session Laws, reads as rewritten:

7 "**§ 120-70.91. Purpose and powers of Committee.**

8 (a) The Committee shall examine, on a continuing basis, the Early Childhood  
9 Education and Development Initiatives established by Section 254 of ~~this act~~, Chapter  
10 321 of the 1993 Session Laws, in order to make ongoing recommendations to the  
11 General Assembly on ways to improve the provision of these programs and services. In  
12 this examination, the Committee shall study the budgets, programs, and policies of the  
13 12 local projects, their development and implementation by the North Carolina  
14 Partnership for Children, Inc., and their oversight by the Department of Human  
15 Resources, to determine whether to recommend that the General Assembly should  
16 continue the Initiatives, expand them, or make them statewide and, if the Initiatives are  
17 continued, expanded, or made statewide, continue to study the budgets, programs, and  
18 policies of the Initiatives, their continued development and their oversight, to determine  
19 how to enable the Initiatives to provide the best, most cost-effective, and most equitable  
20 early childhood education and development services within the scope of the Initiatives'  
21 services and programs.

22 (b) At the same times and intervals the Department reports to the General  
23 Assembly pursuant to Section 257 of ~~this act~~, Chapter 321 of the 1993 Session Laws,  
24 the Department shall report to the Committee on the implementation of the Initiatives.  
25 After the final report presented pursuant to Section 257, the Department shall continue  
26 to report to the Committee every three months. If the Initiatives are discontinued, the  
27 Committee terminates.

28 (c) The Committee may make interim reports to the General Assembly on  
29 matters for which it may report to a regular session of the General Assembly. A report  
30 to the General Assembly may contain any legislation needed to implement a  
31 recommendation of the Committee."

32 Sec. 16. REPAIRS AND RENOVATIONS RESERVE ACCOUNT

33 G.S. 143-15.3A(b), as enacted by Section 17.1(b) of Chapter 321 of the 1993  
34 Session Laws, reads as rewritten:

35 "(b) The funds in the Repairs and Renovations Reserve Account shall be used  
36 only for the repair and renovation of State ~~buildings~~ facilities and related infrastructure  
37 that are supported from the General Fund. The Director of the Budget shall not use  
38 funds in the Repairs and Renovations Reserve Account unless the use has been  
39 approved by an act of the General Assembly."

40 Sec.17. INITIAL MEETINGS OF REGIONAL ECONOMIC  
41 DEVELOPMENT COMMISSIONS

42 (a) G.S. 158-8.1, as added by Section 309 of Chapter 321 of the 1993 Session  
43 Laws, is amended by adding a new subsection to read:

1       "(c1) The initial meeting shall be called by the Secretary of the Department of  
2 Commerce."

3               (b) G.S. 158-8.2, as added by Section 309.1 of Chapter 321 of the 1993  
4 Session Laws, is amended by adding a new subsection to read:

5       "(d1) The initial meeting shall be called by the Secretary of the Department of  
6 Commerce."

7               (c) G.S. 158-8.3, as added by Section 309.2 of Chapter 321 of the 1993  
8 Session Laws, is amended by adding a new subsection to read:

9       "(c1) The initial meeting shall be called by the Secretary of the Department of  
10 Commerce."

11               Sec. 18. SICK LEAVE CONVERSION TECHNICAL CORRECTION

12       (a) G.S. 126-8, as rewritten by Section 73(f) of Chapter 321 of the 1993 Session  
13 Laws reads as rewritten:

14       "**§ 126-8. Minimum leave granted State employees.**

15       The amount of vacation leave granted to each full-time State employee subject to the  
16 provisions of this Chapter shall be determined in accordance with a graduated scale  
17 established by the State Personnel Commission which shall allow the equivalent rate of  
18 not less than two weeks' vacation per calendar year, prorated monthly, cumulative to at  
19 least 30 days. ~~Any~~ On December 31 of each year, any State employee who has vacation  
20 leave in excess of the allowed accumulation shall have that leave converted to sick  
21 leave. Sick leave allowed as needed to such State employees shall be at a rate not less  
22 than 10 days for each calendar year, cumulative from year to year. Notwithstanding any  
23 other provisions of this section, no full-time State employee subject to the provisions of  
24 Chapter 126, as the same appears in the Cumulative Supplement to Volume 3B of the  
25 General Statutes, on May 23, 1973, shall be allowed less than the equivalent of three  
26 weeks' vacation per calendar year, cumulative to at least 30 days."

27               (b) This section becomes effective June 30, 1993.

28  
29       **PART 9. GENERAL ASSEMBLY**

30  
31       Requested by: Representatives Nesbitt and Diamont

32       **GPAC RECOMMENDATIONS**

33               Sec. 19. In applying G.S. 143-16.3, bills implementing recommendations of  
34 the Government Performance Audit Committee shall not be considered.

35  
36       Requested by: Representatives Wainwright and Crawford

37       **FISCAL NOTE REQUIREMENT AMENDED**

38               Sec. 20. G.S. 120-36.7(c) reads as rewritten:

39       "(c) Proposed New Programs. – Upon the request of a member of the General  
40 Assembly, the Fiscal Research Division shall prepare a fiscal analysis of proposed  
41 legislation to create a new State program. The analysis shall identify and estimate all  
42 personnel costs of the proposed new program for the first five fiscal years it will  
43 operate. The analysis shall also include a five-year estimate of space requirements, an  
44 indication of whether those requirements can be satisfied using existing State-owned

1 facilities, and estimated costs of occupying leased space where State-owned space is not  
2 available."

3

4 **PART 10. OFFICE OF STATE BUDGET AND MANAGEMENT**

5

6 Requested by: Representatives Nesbitt and Diamont

7 **EXPENDITURE OF FUNDS FROM RESERVE FOR REPAIRS AND**  
8 **RENOVATIONS**

9       Sec. 21. Of the funds in the Reserve for Repairs and Renovations for the  
10 1993-94 fiscal year, fifty-five percent (55%) shall be allocated to the Board of  
11 Governors of The University of North Carolina for repairs and renovations to General  
12 Fund supported facilities and related infrastructure in The University of North Carolina,  
13 including the North Carolina School of Science and Math, and forty-five percent (45%)  
14 shall be allocated to the Office of State Budget and Management for necessary repairs  
15 and renovations to all other General Fund supported facilities and related infrastructure.  
16 From this Reserve the Board of Governors may expend thirty-one million three hundred  
17 fifty thousand dollars (\$31,350,000), and the Office of State Budget and Management  
18 may expend twenty-five million six hundred fifty thousand dollars (\$25,650,000) for  
19 repairs and renovation, improvements to roads and walks, architectural barrier removal,  
20 and North Carolina Occupational Safety and Health Act projects.

21       The Board of Governors and the Office of State Budget and Management  
22 shall submit to the Joint Legislative Commission on Governmental Operations and to  
23 the Fiscal Research Division of the Legislative Services Office, for their review, the  
24 proposed allocation of these funds. Subsequent changes in the proposed allocations  
25 shall be reported prior to expenditure to the Joint Legislative Commission on  
26 Governmental Operations and to the Fiscal Research Division of the Legislative  
27 Services Office.

28

29 Requested by: Representatives Gottovi, DeVane, Bowman

30 **LOCAL WATER/SEWER FUNDS**

31       Sec. 22. (a) Notwithstanding the provisions of Section 3 of Chapter 321 of the  
32 1993 Session Laws, the Office of State Budget and Management shall transfer from the  
33 funds appropriated to the Reserve for Local Government Shared Tax Revenue for the  
34 1993-94 fiscal year, to the Clean Water Revolving Loan and Grant Fund created in G.S.  
35 159G-5, the amount necessary to match for the 1993-94 fiscal year the federal  
36 wastewater or water supply assistance funds deposited in the Clean Water Pollution  
37 Control Revolving Fund or another fund. The amount transferred pursuant to this  
38 subsection shall not, however, exceed the sum of six million eight hundred thousand  
39 dollars (\$6,800,000).

40       (b) Notwithstanding the provisions of G.S. 105-116, the Secretary of Revenue  
41 shall reduce the amount to be transferred to municipalities on or before December 15,  
42 1993, pursuant to G.S. 105-116(d), by an amount equal to sixty-five percent (65%) of  
43 the amount to be transferred pursuant to subsection (a) of this section. The Secretary of  
44 Revenue shall allocate this reduction on a pro rata basis among the municipalities

1 entitled to receive a quarterly installment pursuant to G.S. 105-116(d) on or before  
2 December 15, 1993.

3 (c) Notwithstanding the provisions of G.S. 105-113.82, the Secretary of Revenue  
4 shall reduce the amount to be distributed to counties and cities for the 1993-94 fiscal  
5 year pursuant to G.S. 105-113.82 by an amount equal to thirty-five percent (35%) of the  
6 amount to be transferred pursuant to subsection (a) of this section. The Secretary of  
7 Revenue shall allocate this reduction on a pro rata basis among the counties and cities  
8 entitled to receive a distribution pursuant to G.S. 105-113.82 for the 1993-94 fiscal year.

9 (d) The General Assembly finds that the purpose of the allocation provided in  
10 this section is to meet the funding needs of local governments for water supply and  
11 wastewater treatment facilities, as requested by local governmental units.

12 (e) This section becomes effective only if:

13 (1) Senate Bill 14, which provides in part that a portion of the water  
14 and sewer bond proceeds may be used to make the match  
15 provided for in this section is not ratified in the 1993 Regular  
16 Session; or

17 (2) Senate Bill 14 is ratified in the 1993 Regular Session but, after  
18 the election to be held in November 1993, the State Board of  
19 Elections certifies that a majority of those voting on the  
20 question of the issuance of water and sewer bonds in the  
21 election did not vote in favor of the issuance of the bonds.  
22

23 Requested by: Representatives Nesbitt and Diamont

#### 24 **CONTINGENCY FUND FOR BOND ELECTION EXPENSES ONLY**

25 Sec. 24. The funds appropriated to the Contingency and Emergency Fund by  
26 this act shall be used only to reimburse the counties for the necessary expenses of  
27 conducting the election called by Senate Bill 14 of the 1993 Session, as provided by that  
28 bill.  
29

#### 30 **PART 10.1. OFFICE OF THE GOVERNOR**

31

32 Requested by: Representatives Nesbitt, Diamont, Bowman, DeVane

#### 33 **AUTOMOBILE MANUFACTURING FACILITY FUNDS**

34 Sec. 24.1. (a) The thirty-five million dollars (\$35,000,000) in nonrecurring  
35 State funds appropriated in this act from the General Fund to the Office of the Governor  
36 for the 1993-94 fiscal year shall be placed in a Restricted Reserve for Automobile  
37 Manufacturing Company Relocation. Funds from the restricted reserve shall be  
38 expended only for purposes directly related to the recruitment, relocation, and retention  
39 in North Carolina of a facility for the manufacture and assembly of automobiles by a  
40 major automobile manufacturing company. Funds from the restricted reserve shall not  
41 be expended until the following conditions have been fully satisfied:

42 (1) The Governor has prepared and submitted to the Joint Legislative  
43 Commission on Governmental Operations, for its review, an  
44 implementation plan detailing the major activities and costs involved

1 in recruiting, relocating, and retaining a major facility for the  
2 manufacture and assembly of automobiles in North Carolina. These  
3 activities may include plans for providing advanced skills training in  
4 automobile manufacturing technology to North Carolina's work force.  
5 The implementation plan shall also indicate the status of relocation  
6 efforts and level of commitment by a major automobile manufacturing  
7 company to construct a new automobile manufacturing facility in  
8 North Carolina, and shall provide the information required under  
9 subsection (b) of this section; and

- 10 (2) The Governor has received a written, legally binding commitment  
11 from a major automobile manufacturing company that the company  
12 will construct and operate a major facility for the manufacture and  
13 assembly of automobiles in North Carolina.

14 (b) In addition to the information required under subsection (a)(1) of this section,  
15 the Governor's implementation plan shall include the following:

- 16 (1) Anticipated number and type of jobs to be created in North Carolina,  
17 including number of jobs created for residents of North Carolina, by  
18 operation of the automobile manufacturing and assembly facility;  
19 (2) Information on proposed advanced skills training that will be available  
20 to North Carolina workers, including proposed curriculum and costs  
21 and benefits of advanced skills training;  
22 (3) The long-range recurring and nonrecurring costs to the State associated  
23 with the operation of the automobile manufacturing facility and with  
24 advanced skills training over a five-year period beginning in 1994-95;  
25 and  
26 (4) Information on the involvement of the community college system in  
27 providing advanced skills training and skilled workers for the  
28 automobile manufacturing facility.

29 (c) The Office of the Governor shall provide quarterly reports beginning with the  
30 first quarter subsequent to submission of the Governor's implementation plan required  
31 under this section, on the status and activities associated with the recruitment,  
32 relocation, and retention of the automobile manufacturing facility. These quarterly  
33 reports shall be provided to the Joint Legislative Commission on Governmental  
34 Operations and to the Joint Legislative Education Oversight Committee, and shall  
35 include all of the information required under subsections (a) and (b) of this section as  
36 well as the amount of funds expended from the restricted reserve and the purposes for  
37 which the funds have been expended.

38 (d) No commitment shall be made which obligates the State to appropriate funds  
39 for recurring expenditures related to the recruitment, relocation, and retention of the  
40 automobile manufacturing facility and related training and recruitment activities.

41 (e) If all of the conditions specified under subsection (a) of this section have  
42 not been fully satisfied by June 30, 1994, then funds in the restricted reserve shall revert  
43 to the General Fund on that date.

44



**PART 11. DEPARTMENT OF ADMINISTRATION**

Requested by: Representatives Black and Rogers

**EVALUATION OF DESIGN AND CONTRACT WORK FOR COMMUNITY COLLEGE BUILDINGS**

Sec. 26. G.S. 143-135.26(4) reads as rewritten:

"(4) To develop procedures for evaluating the work performed by designers and contractors on State capital improvement projects and those community college buildings, as defined in G.S. 143-336, requiring the estimated expenditure for construction or repair work for which public bidding is required under G.S. 143-129, and for use of the evaluations as a factor affecting designer selections and determining qualification of contractors to bid on State capital improvement ~~projects.~~ projects and community college buildings."

Requested by: Representatives Nesbitt, Diamont, Wainwright, Crawford, Easterling, Holt

**DOMESTIC VIOLENCE CENTER FUNDS**

Sec. 27. Section 31 of Chapter 321 of the 1993 Session Laws reads as rewritten:

"Sec. 31. The funds appropriated ~~in this act~~ to the Department of Administration, the North Carolina Council for Women, for the 1993-94 fiscal year and for the 1994-95 fiscal year for domestic violence centers shall be allocated equally among domestic violence centers in operation on July 1, ~~1990, 1993,~~ that offer services including a hotline, transportation services, community education programs, daytime services, and call forwarding during the night and that fulfill other criteria established by the Department of Administration. Grants shall be awarded based on criteria established by the Department of Administration and disbursed on a quarterly basis. The North Carolina Coalition against Domestic Violence, Incorporated, is eligible for a grant of ten thousand dollars (\$10,000) under this section."

Requested by: Representatives Nesbitt, Diamont, Wainwright, Crawford

**STATE VETERANS HOME**

Sec. 28. Funds appropriated in this act for the State Veterans Home in Fayetteville shall be used to construct at least 150 beds at the facility. It is the intent of the General Assembly that this appropriation be the complete appropriation for this facility and that no additional State capital funds be appropriated.

Requested by: Representatives Sutton, Bowman, DeVane, Wainwright, Crawford

**INDIAN CULTURAL CENTER FUNDS**

Sec. 29. (a) Of the funds appropriated from the General Fund to the Department of Administration, the sum of seven hundred fifty thousand dollars (\$750,000) for the 1993-94 fiscal year shall be used for the purchase of land as necessary, an environmental study, and design as necessary, of the North Carolina

1 Indian Cultural Center in Robeson County. Up to fifty thousand dollars (\$50,000) of  
2 these funds may be used by the North Carolina Indian Cultural Center, Inc., for  
3 administrative and operating expenses.

4 (b) Subsection (a) of Section 22 of Chapter 900 of the 1991 Session Laws  
5 reads as rewritten:

6 "(a) Of the funds appropriated to the Department of Administration in Section 3 of  
7 Chapter 689 of the 1991 Session Laws, the sum of one thousand five hundred dollars  
8 (\$1,500) shall be expended for maintenance of the following State lands located in  
9 Robeson County:

- 10 (1) 386.69 acres contained in the deed dated April 14, 1983, and recorded  
11 in Deed Book 533, page 164, Robeson County Registry;
- 12 (2) 386.69 acres contained in the deed dated August 24, 1984, and  
13 recorded in Deed Book 563, page 254, Robeson County Registry;
- 14 (3) 99.62 acres contained in the deed dated March 20, 1985, and recorded  
15 in Deed Book 575, page 523, Robeson County Registry; and
- 16 (4) 10.00 acres contained in the deed dated September 11, 1985, and  
17 recorded in Deed Book 586, page 142, Robeson County Registry.

18 The public golf course known as the Riverside Golf Course, and any Indian Cultural  
19 Center developed or constructed on the above referenced lands shall be included in  
20 lands for which funds may be expended for maintenance under this section. No Indian  
21 Cultural Center developed or constructed on any of the above referenced lands shall be  
22 ~~built on a public golf course, in a manner that will materially affect the operation of the~~  
23 ~~Riverside Golf Course, including the clubhouse, parking areas, and access to the course,~~  
24 unless prior approval is granted by the General Assembly. ~~No lease on the public golf~~  
25 ~~course known as the Riverside Golf Course shall be entered into by the Department of~~  
26 ~~Administration for a lease term in excess of 12 months unless prior approval is granted~~  
27 ~~by the General Assembly.~~

28 Nothing in this provision shall be construed as being inconsistent with the provisions  
29 of Section 18 of Chapter 1074 of the 1989 Session Laws.

30 Any lease of the lands and buildings comprising the public golf course known as the  
31 Riverside Golf Course entered into by the State of North Carolina and any entity other  
32 than the North Carolina Indian Cultural Center, Inc., shall by its terms continue the use  
33 of the lands and buildings as a public golf course."

34 (c) Subsection (a) of Section 18 of Chapter 1074 of the 1989 Session Laws, as  
35 amended by subsection (e) of Section 22 of Chapter 900 of the 1991 Session Laws, as  
36 amended by Section 1 of Chapter 88 of the 1993 Session Laws, reads as rewritten:

37 "(a) The State of North Carolina shall lease out to the North Carolina Indian  
38 Cultural Center, Inc., for a period of 99 years at a monetary consideration of \$1.00 per  
39 year all the real property it acquired for the Indian Cultural Center, except that portion  
40 containing the Riverside Golf Course, but no part of Phase I of the project may be  
41 constructed either by the State or for the lessee until an environmental impact  
42 assessment is completed on Phase I of the property, and if required pursuant to Article 1  
43 of Chapter 113A of the General Statutes, an environmental impact statement is  
44 prepared. The State shall enter into a lease agreement in accordance with this section

1 not later than December 31, 1993. If the State and the North Carolina Indian Cultural  
2 Center, Inc., do not enter into a lease agreement by December 31, 1993, then the  
3 property may be used for any public purpose.

4 Any lease agreement entered into by the State with the North Carolina Indian  
5 Cultural Center, Inc., shall include but not be limited to the following terms:

- 6 (1) An environmental impact assessment pursuant to Article 1 of Chapter  
7 113A of the General Statutes is completed on Phase I of the property.
- 8 (2) The lease shall include a reversionary clause stipulating that the North  
9 Carolina Indian Cultural Center, Inc., must raise funds or receive  
10 pledges totalling the \$4,160,000 necessary to complete Phase I of this  
11 project within three years from the date of execution of the lease  
12 agreement.
- 13 (3) If the funds or pledges are not obtained within three years from the  
14 date of execution, then this lease agreement will automatically  
15 terminate.
- 16 (4) The North Carolina Indian Cultural Center, Inc., as lessee, may  
17 conduct no construction of Phase I on the premises until it has fulfilled  
18 the terms of the lease agreement.
- 19 ~~(5) The North Carolina Indian Cultural Center, Inc., as lessee, shall enter  
20 into a sublease agreement with the operator of the land and buildings  
21 known as the Riverside Golf Course to continue the operation and  
22 maintenance of the Riverside Golf Course under the same terms as the  
23 lease agreement between the State and the operator of the Riverside  
24 Golf Course. The sublease agreement shall be renewable annually  
25 until such time as the terms of the lease agreement as required under  
26 subdivisions (1) through (4) of this subsection have been fulfilled."~~

27 (d) The second line of Section 1 of Chapter 88 of the 1993 Session Laws is  
28 amended by inserting the phrase "of Section 22" between "Subsection (e)" and "of  
29 Chapter 900".

## 30 **PART 12. DEPARTMENT OF CULTURAL RESOURCES**

31  
32  
33 Requested by: Representatives Nesbitt, Diamont, Crawford, Wainwright

### 34 **LOCAL HISTORICAL ORGANIZATIONS GRANTS**

35 Sec. 30. Funds appropriated in this act for the 1993-94 fiscal year to the  
36 Department of Cultural Resources for Local Historical Organizations shall be  
37 distributed as grants-in-aid to nonprofit historical organizations or local governmental  
38 entities on a competitive basis in accordance with administrative guidelines issued by  
39 the Secretary of the Department of Cultural Resources. The purpose of the grants shall  
40 be to encourage, through the use of grants-in-aid, the protection, preservation, and  
41 interpretation of historic assets with local or regional significance. Priority  
42 consideration shall be given to the local historical organization's educational objectives.  
43 Grants shall be limited to amounts of fifty thousand dollars (\$50,000) or less.

44

1 Requested by: Representatives Nesbitt, Diamont, Crawford, Wainwright

2 **LOCAL CULTURAL ORGANIZATIONS**

3           Sec. 31. Of the funds appropriated in this act to the Department of Cultural  
4 Resources, the sum of five hundred thousand dollars (\$500,000) shall be allocated to  
5 local cultural organizations under the General Support Program of the North Carolina  
6 Arts Council. Priority consideration shall be given to the local cultural organization's  
7 educational objectives.

8

9 Requested by: Representatives Diamont, Nesbitt, Wainwright, Crawford, Culpepper,  
10 James, Blue, Fitch, Black, Gray, Ellis

11 **SOMERSET PLACE FUNDS/MEMORIAL**

12           Sec. 32. Notwithstanding G.S. 100-8, of the funds appropriated in this act to  
13 the Department of Cultural Resources for Somerset Place for the 1993-94 fiscal year,  
14 the sum of two thousand dollars (\$2,000) shall be allocated to provide an appropriate  
15 memorial at Somerset Place.

16

17 **PART 13. DEPARTMENT OF INSURANCE**

18

19 Requested by: Representatives McAllister, Wainwright, Crawford

20 **MINORITY BOND STUDY**

21           Sec. 33. (a) The Department of Insurance shall study the need to develop a  
22 program to provide surety bonds to minority contractors. The Department of Insurance  
23 shall consider the following issues in its study and any other relevant issues:

- 24           (1) The specific criteria for a minority bonding program.  
25           (2) Staff resources within State government that are available to provide  
26 prescreening of applications for bonding applicants.  
27           (3) How to better provide opportunities for small and disadvantaged  
28 minority contractors to secure bonding assistance.  
29           (4) Monitoring procedures for projects and financial plan development in  
30 program criteria.  
31           (5) Procedures to develop and promote joint ventures and partnerships  
32 where appropriate to facilitate bondability.

33           (b) The Department shall seek the views and opinions of the public and private  
34 sectors with regard to the development of a surety bond program for minority  
35 businesses. The Department of Insurance shall report its findings and  
36 recommendations to the 1993 General Assembly, 1994 Regular Session.

37

38 Requested by: Representatives Nesbitt, Wainwright, Crawford

39 **SAFETY GRANTS COORDINATOR**

40           Sec. 34. The Commissioner of Insurance shall establish the position of Safety  
41 Grants Coordinator, together with one supporting clerical position, within Fund Code  
42 1110, Department of Insurance. The State Treasurer shall transfer one hundred twenty-  
43 five thousand dollars (\$125,000) for the 1993-94 fiscal year and one hundred twenty-  
44 five thousand dollars (\$125,000) for the 1994-95 fiscal year from the Department of

1 Insurance Fund to the Department of Insurance to support these positions. The transfers  
2 shall be accounted as departmental receipts and shall be budgeted for expenditures in  
3 addition to amounts approved for the Department of Insurance under Chapter 321 of the  
4 1993 Session Laws.

## 6 PART 13.1. SECRETARY OF STATE

8 Requested by: Representative Redwine

### 9 BUSINESS LICENSE OFFICE/MASTER APPLICATION SYSTEM

10 Sec. 34.1. (a) G.S. 147-54.16 reads as rewritten:

#### 11 "§ 147-54.16. Master application system.

12 ~~The Office shall develop an operating plan for an automated master application~~  
13 ~~system, shall determine the software and hardware needs of the system, and shall~~  
14 ~~determine the staffing levels and space required for the system. The plan shall be~~  
15 ~~developed with the assistance of the departments that issue business licenses and with~~  
16 ~~due regard to privacy statutes. In making the determinations and developing an~~  
17 ~~operating plan for an automated master application system, the Office shall identify the~~  
18 ~~business licenses appropriate for inclusion in a master application system and shall~~  
19 ~~develop a master application form that consolidates the information needed for the~~  
20 ~~various State agencies to issue the licenses. Environmental licenses may not be~~  
21 ~~included in a master application form.~~

22 The Office shall implement and administer an automated master application system.  
23 The Office shall determine the licenses appropriate for inclusion in the master  
24 application system. The Office may not include environmental licenses in the master  
25 application system.

26 The appropriate agency shall continue to determine whether a requested license shall  
27 be issued and to issue the license if the application is approved by the agency. An  
28 applicant who receives written notification by the Office that a license requested  
29 through the Office is being issued by the appropriate agency may proceed with the  
30 licensed business activity without having physical possession of the issued license.

31 The Office shall collect from each applicant the total amount of the fees for the  
32 licenses applied for through the Office. The Office is the repository for an original  
33 signed application form submitted through the Office for a license that is included in the  
34 master application system. If, based on the information supplied by the applicant to the  
35 Office, the Office fails to make application for a required license, and the applicant did  
36 not know such a license was required, the applicant shall not be liable for any civil or  
37 criminal penalties or disciplinary action for failure to have the license. If the failure to  
38 obtain the license is reported to the applicant by either the Office or the agency issuing  
39 the license, the applicant must make application within 30 days or be subject to the  
40 penalties or disciplinary action.'

41 (b) The Business License Information Office shall implement a master  
42 application system as described in Article 4B of Chapter 147 of the General Statutes.  
43 The master application system shall be implemented in two phases as described below  
44 over a period of two years. The first phase of the process to implement the master

1 application system shall be completed by July 1, 1994. The Department of the  
2 Secretary of State shall evaluate the first phase of the implementation of the master  
3 application system and shall report to the Joint Legislative Commission on  
4 Governmental Operations by October 1, 1995, regarding the evaluation. The second  
5 phase of the process to implement the master application system shall be completed by  
6 January 1, 1996.

7 (1) Phase I. Applicant Tracking Module.

8 This phase shall consist of the following automated functions:  
9 recording and tracking of inquiries regarding business licenses,  
10 identification of required licenses, and monitoring of the status of the  
11 resulting applications. The original signed license applications  
12 received by the Office during this phase shall be forwarded by the  
13 Office to the appropriate licensing agency.

14 (2) Phase II. Application Generation Module.

15 During this phase the Office shall implement the centralized  
16 application process so that a master application may be generated for  
17 those licenses deemed appropriate by the Office for inclusion in the  
18 master application system. The Office shall retain the original signed  
19 license applications for licenses requested through the Office that are  
20 included in the master application system.

21 (c) Of the funds appropriated in this act from the General Fund to the  
22 Department of the Secretary of State the sum of three hundred fifty thousand dollars  
23 (\$350,000) for the 1993-94 fiscal year shall be used to implement the master application  
24 system as provided in G.S. 147-54.16.

25 (d) This section becomes effective September 1, 1993.

26  
27 **PART 14. SALARIES AND BENEFITS**

28  
29 Requested by: Representative Diamont

30 **STATE FICA SAVINGS USE EXTENSION**

31 Sec. 35. Section 14(i) of Chapter 1044 of the 1991 Session Laws reads as  
32 rewritten:

33 "(i) Subsections (a) through (d) of this section are effective January 1, 1990.  
34 Subsections (e) through (h) of this section are effective January 1, 1991. Subsections  
35 (a) through (h) of this section shall expire December 31, ~~1993-1994.~~"

36  
37 **PART 15. COLLEGES AND UNIVERSITIES**

38  
39 Requested by: Representatives Barnes and Jeffus

40 **UNC-CHAPEL HILL EDUCATIONAL CONSORTIUM**

41 Sec. 36. Of the funds appropriated to the Board of Governors of The  
42 University of North Carolina in this act, the sum of one hundred fifty thousand dollars  
43 (\$150,000) in the 1993-94 fiscal year shall be allocated by the Board to establish a new  
44 cooperative educational consortium at the University of North Carolina at Chapel Hill.

1 This consortium shall link elementary and secondary education, higher education, and  
2 leadership in the business sector to:

- 3 (1) Improve education practices and enhance economic development;
- 4 (2) Focus research capabilities on educational issues and economic  
5 problems;
- 6 (3) Provide momentum for restructuring of public education to meet the  
7 requirements of the modern era;
- 8 (4) Seek grants and other funds for model projects on promising  
9 educational practices;
- 10 (5) Provide training, educational, and leadership development  
11 opportunities; and
- 12 (6) Provide other initiatives leading to improvements in education and  
13 economic development.

14  
15 Requested by: Representatives Rogers and Black

#### 16 **UNC EDUCATIONAL CONSORTIA**

17 Sec. 37. The Board of Governors of The University of North Carolina shall  
18 require each constituent institution that has received an allocation of State funds under  
19 Section 206.3 of Chapter 689, 1991 Session Laws, Section 101.2, Chapter 321, 1993  
20 Session Laws, or in this act for educational consortia and the purposes stated in these  
21 sections to provide a report to the Joint Legislative Education Oversight Committee on  
22 the allocation and use of these funds, the amount and sources of non-State funds  
23 contributed to these efforts, activities supported by these funds, and an assessment of  
24 the educational value added by these efforts. The reports shall be submitted by May 15,  
25 1994, with copies to the Fiscal Research Division of the Legislative Services Office.

26  
27 Requested by: Representative H. Hunter

#### 28 **SWINE FARM ODOR ABATEMENT STUDY**

29 Sec. 38. (a) Of the funds appropriated in this act to the Board of Governors  
30 of The University of North Carolina for Agricultural Programs, the sum of eighty-five  
31 thousand dollars (\$85,000) for the 1993-94 fiscal year shall be used to perform a  
32 technical study on the cause, extent, and abatement of odors from swine farms and to  
33 compile information on the impact of swine farms on ground and surface water  
34 supplies. The study shall be conducted by the North Carolina Agricultural Research  
35 Service (NCARS) of the College of Agriculture and Life Sciences at North Carolina  
36 State University. Reports on the progress of the study shall be presented to the Chair of  
37 the House Agriculture Committee, and the Chair of the Senate Committee on  
38 Agriculture, Marine Resources, and Wildlife, and they shall report to their respective  
39 committees biannually. The study shall ascertain:

- 40 (1) The causes of odors from swine farms;
- 41 (2) Methods and technology to control, abate, and reduce the odors from  
42 swine farms in a manner that is economically feasible; and
- 43 (3) North Carolina's, other states', and other countries' efforts and research  
44 being conducted to reduce odors on swine farms.

- 1 (b) NCARS shall also:  
2 (1) Compile information regarding methods and technology available  
3 which address the impact of swine farms on ground and surface water  
4 supplies; and  
5 (2) Compile information from North Carolina, other states, and other  
6 countries on efforts and research being conducted on ground and  
7 surface water impacts of swine farms.
- 8 (c) The focus of the above research shall be:  
9 (1) To offer economically feasible solutions to existing operations for  
10 reduction of odor;  
11 (2) To offer economically feasible solutions that may be incorporated into  
12 new swine operations for reduction of odor;  
13 (3) To review the information available on the impact of swine farms on  
14 ground and surface water supplies and propose economically feasible  
15 solutions; and  
16 (4) To identify those areas needing further research to ensure the  
17 availability of economically feasible solutions for odor reduction and  
18 wastewater supplies created by swine farms.

19 NCARS shall file its final report and recommendations on or before the  
20 convening of the 1995 General Assembly. The report shall be filed with the Offices of  
21 the Speaker of the House of Representatives, the President Pro Tempore of the Senate,  
22 the Chair of the House Agriculture Committee, the Chair of the Senate Committee on  
23 Agriculture, Marine Resources, and Wildlife, the Offices of the Principal Clerks of the  
24 Senate and the House of Representatives, and the Legislative Librarian.

25 (d) Of the funds appropriated to the General Assembly in the Current Operations  
26 Appropriations Act of 1993, Chapter 321, 1993 Session Laws, the sum of fifteen  
27 thousand dollars (\$15,000) for the 1993-94 fiscal year shall be used for the House  
28 Agriculture Committee and the Senate Committee on Agriculture, Marine Resources,  
29 and Wildlife to hold meetings and tour swine farms in the State for evaluating  
30 information on the issues of odors and wastewater supplies from swine farms. The  
31 Chairs of both Committees shall call the meetings and tours as they consider necessary.  
32

33 Requested by: Representatives Nesbitt and Fitch

34 **FRESHMEN SCHOLARS PROGRAM**

35 Sec. 39. Of the funds appropriated to the Board of Governors of The  
36 University of North Carolina in this act, one million dollars (\$1,000,000) shall be  
37 allocated in the 1993-94 fiscal year equally among five constituent institutions for a  
38 pilot Freshmen Scholars Program. The five constituent institutions to receive funds are  
39 Fayetteville State University, North Carolina Agricultural and Technical State  
40 University, North Carolina Central University, Pembroke State University, and  
41 Winston-Salem State University.

42 These funds shall not revert and are to be used by the campuses in recruiting  
43 new students to enroll in the future who might not be able to attend college without this



1 incentive. The funds shall be placed in trust funds accounts, with the investment  
2 earnings to be used for this program as well.

3 The funds shall be used to guarantee high school students tuition, fees, and  
4 books for their freshman year of college. Students shall be eligible if they meet the  
5 standards established by each campus; the standards shall include minimum grade point  
6 average, minimum admission standards, additional coursework required by the campus,  
7 and behavioral guidelines.

8 The institutions receiving these funds shall establish standards for eligibility  
9 by September 30, 1993, and shall recruit students in regional high schools. The  
10 scholarship guarantees are for one year only, and may be combined with other financial  
11 aid when the students enroll in college.

12 The five campuses receiving these grants shall report to the General  
13 Assembly by February 1, 1995, on their guidelines for receiving these scholarship funds  
14 and the progress of students in this pilot program. The success of these pilot efforts in  
15 attracting students who otherwise might not have enrolled at each campus or in any  
16 higher education institution shall be evaluated by the Board of Governors of The  
17 University of North Carolina, with a report to the Joint Legislative Education Oversight  
18 Committee by May 15, 1996.

## 19 20 **PART 16. DEPARTMENT OF COMMUNITY COLLEGES**

21  
22 Requested by: Representative Easterling

### 23 **CERTAIN REFUGEES STATE RESIDENTS FOR COMMUNITY COLLEGE** 24 **TUITION PURPOSES, CONTINUED**

25 Sec. 40. (a) Subsection (d) of Section 25 of Chapter 1044 of the 1991  
26 Session Laws is repealed.

27 (b) This section becomes effective June 30, 1993.

28  
29 Requested by: Representatives Black and Rogers

### 30 **BOOKS AND EQUIPMENT APPROPRIATIONS/CHANGES IN** 31 **SPECIFICATIONS REGARDING REVERTING**

32 Sec. 41. Section 113 of Chapter 321 of the 1993 Session Laws reads as  
33 rewritten:

34 "Sec. 113. Appropriations to the Department of Community Colleges for equipment  
35 and library books are made for each year of the fiscal biennium. All unencumbered  
36 appropriations for library books shall revert to the General Fund 12 months after the  
37 close of each fiscal year for which they were appropriated. All equipment funds shall  
38 revert to the General Fund 48 months after the close of each fiscal year for which they  
39 were appropriated. Equipment funds shall not be spent for any other purpose.  
40 Encumbered balances outstanding at the end of each period shall be handled in  
41 accordance with existing State budget policies. The Department shall be able to identify  
42 to the Office of State Budget and Management which appropriations will revert at the  
43 end of the 12 months after the close of each fiscal year."

**PART 17. PUBLIC SCHOOLS**

Requested by: Representative Diamont

**SMALL SCHOOL FORMULA/HOLD HARMLESS PROVISION**

Sec. 42. (a) The General Assembly finds that the data to enable the Department of Public Instruction to determine eligibility for small school system supplemental funding for the 1993-94 fiscal year was not available from the Department of Revenue until July 8, 1993; therefore, this determination was made well after the boards of county commissioners had acted on the boards of education budgets for the 1993-94 fiscal year. While considering the budgets for the Ashe and Jackson County School Administrative Units, the boards of county commissioners of those counties assumed that small school system supplemental funding would be available for the 1993-94 fiscal year. Therefore, for the 1993-94 fiscal year only, notwithstanding the provisions of Section 138.1 of Chapter 321 of the 1993 Session Laws, the State Board of Education shall allocate funds appropriated for small school system supplemental funding in this act to the Ashe and Jackson County School Administrative Units. Each of these county school administrative units shall receive for the 1993-94 fiscal year the same amount it received for the 1992-93 fiscal year.

(b) Section 138(j) of Chapter 321 of the 1993 Session Laws requires the Department of Revenue to provide to the Department of Public Instruction a final report prior to May 1 of each year of all data necessary to determine eligibility for small school system supplemental funding; therefore, (i) all boards of county commissioners will have this information when they consider the budgets for their county school administrative units, and (ii) the General Assembly does not intend to hold counties harmless in future fiscal years.

Requested by: Representatives Gottovi and Redwine

**NEW HANOVER COUNTY SCHOOLS PAY DATES CHANGED**

Sec. 43. Notwithstanding the provisions of G.S. 115C-302(a), G.S. 115C-316(a), or any other provision of law, all 10-month contract teachers and all 10-month contract teacher assistants of the New Hanover County Schools shall be paid on the fifteenth day of each month. Nothing in this section shall have the effect of changing the rate of pay for any employee of New Hanover County Schools.

This section shall not be construed to authorize prepayment of any employees by the New Hanover County Board of Education.

Requested by: Representatives Black, Rogers, Barnes, Nesbitt

**PAYMENT OF CAREER DEVELOPMENT BONUSES**

Sec. 44. Section 75.1(e) of Chapter 900 of the General Statutes reads as rewritten:

"(e) Any additional compensation received by an employee as a result of the unit's participation in the Program shall be paid as a bonus or supplement to the employee's regular salary. If an employee in a participating unit does not receive additional

1 compensation, such failure to receive additional compensation shall not be construed as  
2 a demotion, as that term is used in G.S. 115C-325.

3 Payments of bonuses or supplements shall be made no more frequently than once  
4 every calendar quarter: Provided, however, ~~prior to the 1994-95 school year,~~ payments  
5 in the career development pilot units may be made on a monthly basis."  
6

7 Requested by: Representative Green

#### 8 **CPR INSTRUCTION STUDY**

9 Sec. 45. The State Board of Education shall study the issue of whether local  
10 boards of education are providing for the efficient teaching at appropriate grade levels  
11 of cardio-pulmonary resuscitation (CPR) and the Heimlich maneuver, as required by  
12 G.S. 115C-81(c). The State Board shall report the results of its study to the Joint  
13 Legislative Education Oversight Committee prior to May 1, 1994.  
14

15 Requested by: Representatives Black, Rogers, Barnes

#### 16 **DIFFERENTIATED PAY FUNDS/REVERSION**

17 Sec. 46. (a) G.S. 115C-238.4 is amended by adding a new subsection to read:

18 "(a1) All State-differentiated pay funds shall become available for expenditure July  
19 1 of each fiscal year. These funds shall remain available for expenditure for:

20 (1) Bonuses and supplements to implement local differentiated pay plans  
21 until November 30 of the subsequent fiscal year; and

22 (2) Staff development to implement local differentiated pay plans until  
23 August 31 of the subsequent fiscal year: Provided, however, if funds  
24 allocated for bonuses and supplements under a local differentiated pay  
25 plan are not spent for that purpose because of a failure to meet local  
26 goals, these funds shall remain available until November 30 of the  
27 subsequent fiscal year to provide for staff development in accordance  
28 with that local plan."

29 (b) This section applies to all fiscal years beginning with the 1992-93 fiscal year.  
30

31 Requested by: Representative Colton

#### 32 **NONCERTIFIED SCHOOL EMPLOYEE STUDY**

33 Sec. 48. The Joint Legislative Education Oversight Committee may study  
34 the methods by which local boards of education employ, train, evaluate, and dismiss  
35 noncertified employees, including, but not limited to, the issues of recruitments,  
36 standards, salary, job protection, and due process, and may report its findings and  
37 recommendations to the 1994 Session of the General Assembly.  
38

39 Requested by: Representatives Barnes, Black, Rogers

#### 40 **TEACHER TRAINING TASK FORCE**

41 Sec. 49. (a) Section 2 of Chapter 971 of the 1991 Session Laws reads as  
42 rewritten:

43 "Sec. 2. Membership. The Task Force shall consist of ~~20~~23 members as follows:

1 (a) The President Pro Tempore of the Senate and the Speaker of the House of  
2 Representatives shall each appoint one member of the Joint Legislative Education  
3 Oversight Committee to serve on the Task Force.

4 (b) The Superintendent of Public Instruction, or a designee.

5 (c) The nine members of the Joint Committee on Teacher Education of the Board  
6 of Governors of The University of North Carolina and the State Board of Education. In  
7 the event that a State Board or Board of Governors member's term expires, and that  
8 person serves as a Joint Committee member to the Task Force, the appointing board  
9 may elect to reappoint the expired member to continue to serve on the Task Force.

10 (c1) Four teachers currently employed in the North Carolina public schools,  
11 appointed by the cochairs of the Task Force in accordance with this subsection. One  
12 teacher shall be chosen from each of the following types of school systems: small,  
13 urban, rural, and low-wealth. At least one of the four teachers shall have graduated  
14 from a North Carolina teacher training program since 1989. Insofar as possible, teacher  
15 members shall represent gender, ethnic, and racial diversity. New teacher members  
16 shall be chosen by the cochairs from a list compiled by the State Superintendent of  
17 several suggested candidates in each category. If a teacher member was previously  
18 appointed under subsection (d) of this section, that person may continue to serve, and  
19 may become the representative of one of the types of school systems listed in this  
20 subsection. Task Force members appointed by the cochairs to serve on an ad hoc basis  
21 prior to the effective date of this legislation shall, with the approval of the cochairs, be  
22 entitled to per diem, subsistence, and travel allowances retroactively and in accordance  
23 with G.S. 138-5, 138-6, or 120-3.1.

24 (d) The Board of Governors of The University of North Carolina and the State  
25 Board of Education shall jointly appoint ~~eight~~seven members from a list of  
26 recommended members to be suggested by the Joint Committee on Teacher Education  
27 of the Board of Governors of The University of North Carolina and the State Board of  
28 Education. Members may be recommended from among representatives of practicing  
29 public school teachers and personnel; public school administrators; the deans of schools  
30 of education; the chancellors of the constituent institutions of The University of North  
31 Carolina and the chief officers of private institutions of higher education. Other  
32 qualified persons may be recommended by the Joint Committee and approved by the  
33 Boards. Task Force members shall receive per diem, subsistence, and travel allowances  
34 in accordance with G.S. 138-5, 138-6, or 120-3.1, as appropriate. Appointments to the  
35 Task Force shall be made no later than September 1, 1992. If a vacancy occurs in the  
36 membership, the appointing authority shall appoint another person to serve for the  
37 balance of the unexpired term."

38 (b) Sec. 3.1 of Chapter 971 of the 1991 Session Laws reads as rewritten:

39 "Sec. 3.1. Cochairs. The State Board of Education and the Board of Governors of  
40 The University of North Carolina shall each appoint a cochair from the nine members of  
41 the Joint Committee on Teacher Education of the Board of Governors of The University  
42 of North Carolina and the State Board of Education. The Task Force shall meet upon  
43 the call of the cochairs. In the event that a State Board or Board of Governors member's

1 term expires, and that person serves as a cochair of the Task Force, the appointing board  
2 may reappoint the expired member to continue to serve as cochair of the Task Force."

3 (c) Of the funds appropriated in this act to the Board of Governors of The  
4 University of North Carolina, the sum of ten thousand dollars (\$10,000) for the 1993-94  
5 fiscal year shall be used to complete the activities of the Teacher Training Task Force,  
6 reconvened pursuant to Chapter 971 of the 1991 Session Laws, Regular Session 1992,  
7 as recommended by the Teacher Training Task Force and the Joint Legislative  
8 Education Oversight Committee.

9  
10 Requested by: Representatives Nesbitt, Diamont, Black, Rogers

11 **PUBLIC SCHOOL LIBRARY TECHNOLOGY FUNDS**

12 Sec. 50. The funds appropriated to Aid to Local School Administrative Units  
13 for public school library technology shall be allocated to local school administrative  
14 units by the State Board of Education on the basis of average daily membership and  
15 shall be used only to enhance the availability of technology in public school libraries.

16  
17 Requested by: Representatives Black, Rogers, Nye, James, Wilkins

18 **NORTH CAROLINA FUTURE FARMERS OF AMERICA CENTER FUNDS**

19 Sec. 51. Of the funds appropriated in this act to the Office of State Budget  
20 and Management, three hundred thousand dollars (\$300,000) for the 1993-94 fiscal year  
21 shall be allocated to the North Carolina Future Farmers of America Foundation,  
22 Incorporated, for the North Carolina Future Farmers of America Center, for  
23 development, repairs, and renovations. These funds shall be matched by local funds on  
24 a dollar-for-dollar basis.

25  
26 Requested by: Representatives Black and Rogers

27 **FLEXIBILITY IN REORGANIZING DEPARTMENT OF PUBLIC**  
28 **INSTRUCTION POSITIONS**

29 Sec. 52. The Superintendent of Public Instruction, with the approval of the  
30 State Board of Education, may request that the Director of the Budget (i) transfer  
31 federal funds from the Department of Public Instruction to Aid to Local School  
32 Administrative Units and (ii) offset that transfer by transferring a like amount of  
33 General Fund appropriations from Aid to Local School Administrative Units to the  
34 Department of Public Instruction. The Director of the Budget may authorize these  
35 transfers to the extent not prohibited by federal law or the conditions of federal grants.

36  
37 Requested by: Representatives Black and Rogers

38 **ADVANCED PLACEMENT PILOT PROGRAM/MATCHING REQUIREMENT**

39 Sec. 53. Funds appropriated in this act to the Department of Public  
40 Instruction for the advanced placement pilot program shall be allocated by the  
41 Superintendent of Public Instruction. These funds shall be matched on the basis of one  
42 non-state dollar for every State dollar.

43  
44 Requested by: Representatives Black, Rogers, Nesbitt, Diamont

**PAYROLL DEDUCTION CLARIFICATION CONTINUED**

Sec. 53.1. (a) G.S. 143-3.3(g) reads as rewritten:

"(g) Payroll Deduction for Payments to Certain Employees' Associations Allowed.  
– An employee of the State or any of its institutions, departments, bureaus, agencies or commissions, or any of its local boards of education or community colleges, who is a member of a domiciled employees' association that has at least 2,000 members, the majority of whom are employees of the State or public school employees, may authorize, in writing, the periodic deduction each payroll period from the employee's salary or wages a designated lump sum to be paid to the employees' association. The authorization shall remain in effect until revoked by the employee. A plan of payroll deductions pursuant to this subsection for employees of the State and other association members shall become void if the employees' association engages in collective bargaining with the State, any political subdivision of the State, or any local school administrative unit. This subsection does not apply to county or municipal governments or any local governmental unit, except for local boards of education."

(b) An authorization made under Section 80 of Chapter 900 of the 1991 Session Laws is considered to have been made under G.S. 143-3.3(g), as amended by subsection (a) of this section.

**PART 18. DEPARTMENT OF TRANSPORTATION**

Requested by: Representatives Nye, McAllister, McLaughlin

**DOT TO DEVELOP CRITERIA FOR NONBETTERMENT CONTRIBUTIONS**

Sec. 54. The Department of Transportation shall study and implement a program for the payment of nonbetterment costs for the relocation of water and sewer lines within existing State highway rights-of-way required by G.S. 136-27.1 and shall develop criteria for State participation in the relocation of water and sewer lines owned by units of local government, special districts, and municipal corporations based on:

- (1) Their ability to pay;
- (2) The per capita income of the populations served; and
- (3) The supporting tax base.

The Department of Transportation shall report on the criteria developed to the Joint Legislative Highway Oversight Committee and the Fiscal Research Division of the Legislative Services Office by October 1, 1993.

Requested by: Representatives McAllister and McLaughlin

**SMALL HIGHWAY FUND AND HIGHWAY TRUST FUND PROJECT BIDDING**

Sec. 55. (a) Notwithstanding the provisions of G.S. 136-28.4(b), for Highway Fund or Highway Trust Fund projects of three hundred thousand dollars (\$300,000) or less, the Board of Transportation may, after soliciting at least three informal bids in writing from Small Business Enterprises, award contracts to the lowest responsible bidder. The Department of Transportation may identify projects likely to attract increased participation by Small Business Enterprises, and restrict the solicitation

1 and award to those bidders. The Board of Transportation may delegate full authority to  
2 award contracts, adopt necessary rules, and administer the provisions of this section to  
3 the Secretary of Transportation.

4 (b) The letting of contracts under this section is not subject to any of the  
5 provisions of G.S. 136-28.1 relating to the letting of contracts. The Department may  
6 waive the bonding requirements of Chapter 44A of the General Statutes and the  
7 licensing requirements of Chapter 87 for contracts awarded under this section.

8 (c) The Secretary of Transportation shall report quarterly to the Joint Legislative  
9 Transportation Oversight Committee on the implementation of this section.

10  
11 Requested by: Representatives McAllister and McLaughlin

12 **MANAGEMENT ASSESSMENT AND COMPLIANCE POSITIONS**  
13 **RECREATED**

14 Sec. 56. From funds available to the Department of Transportation from  
15 funding codes 84210, 84220, and 84260, the Department of Transportation may recreate  
16 three positions in Management Assessment and Compliance that were eliminated in the  
17 Current Operations Appropriations Act of 1993, Chapter 321 of the 1993 Session Laws.

18  
19 Requested by: Representatives McAllister and McLaughlin

20 **RESERVE FOR PROMOTION AND DEVELOPMENT OF INTERNATIONAL**  
21 **AIR SERVICE**

22 Sec. 57. Of the funds appropriated in this act to the Reserve for Promotion  
23 and Development of International Air Service, the sum of five million dollars  
24 (\$5,000,000) shall be used to acquire, promote, and develop international air routes and  
25 service.

26  
27 Requested by: Representatives McAllister and McLaughlin

28 **GLOBAL TRANSPARK ZONE INFRASTRUCTURE FUNDS**

29 Sec. 58.1. The funds appropriated in this act from the General Fund to the  
30 Global TransPark Development Zone created pursuant to Article 4 of Chapter 158 of  
31 the General Statutes, as enacted by Senate Bill 853, 1993 General Assembly, shall be  
32 used for economic development projects and infrastructure construction projects as  
33 provided in Article 4 of Chapter 158 of the General Statutes. These funds shall be  
34 credited to the interest-bearing trust account created pursuant to G.S. 158-42, as enacted  
35 by Senate Bill 853, 1993 General Assembly, and shall be subject to the restrictions on  
36 funds in that account provided in G.S. 158-42. Upon credit to the trust account, the  
37 funds become an asset of the Zone subject to all provisions of Article 4 of Chapter 158  
38 governing Zone assets. These funds shall not revert to the General Fund but shall  
39 remain available until used for the purposes authorized in this section. If the Zone  
40 terminates, the funds may revert as provided in G.S. 158-41.

41  
42 **PART 19. DEPARTMENT OF CORRECTION**

43  
44 Requested by: Representatives Michaux, Holt, Gist

**CREDIT FOR SAFEKEEPER MEDICAL EXPENSE PAYMENTS**

Sec. 59. Section 2 of Chapter 983 of the 1991 Session Laws reads as rewritten:

"Sec. 2. Notwithstanding any other provision of law, counties shall not be liable for extraordinary medical expenses of safekeepers incurred prior to the effective date of this act; however, counties that reimbursed the Department of Correction for extraordinary medical expenses of safekeepers prior to the effective date of this act shall be given credit for that payment. The Department of Correction shall implement the credit by applying it against extraordinary medical expenses of safekeepers incurred on and after July 1, 1993. ~~no county that has reimbursed the Department of Correction for extraordinary medical expenses of safekeepers prior to the effective date of this act has the right to a refund or credit for such payment.~~"

Requested by: Representatives Holt and Gist

**REPAIR AND RENOVATION FUNDS**

Sec. 60. Section 170 of Chapter 321 of the 1993 Session Laws reads as rewritten:

"Sec. 170. ~~From the funds appropriated to the Department of Correction in the certified budget for the 1993-94 fiscal year, the Department may transfer within its budget~~ The Department of Correction may use up to five million dollars (\$5,000,000) from the Repair and Renovation Reserve in the Office of State Budget and Management for repair and renovation of its facilities. The use of these funds shall be subject to the prior approval of the Office of State Budget and Management. The Department of Correction shall have a verifiable ten percent (10%) goal for participation by minority and women contractors in these projects. If necessary, the Department may transfer within its budget up to six hundred fifty thousand dollars (\$650,000) in each fiscal year to match federal grant funds received by the Department.

The Department of Correction shall submit a schedule of repairs and renovations funded pursuant to this section and shall provide information on the use of minority and women contractors for those projects in a quarterly report to the Joint Legislative Commission on Governmental Operations and to the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety."

Requested by: Representatives Holt and Gist

**CLARIFY POLICY CONCERNING CORRECTION ENTERPRISES**

Sec. 61. The Department of Administration, Purchase and Contracts Division, in consultation with the Department of Correction, the North Carolina Citizens for Business and Industry, the North Carolina Association of County Commissioners, the North Carolina School Boards Association, and the North Carolina League of Municipalities, shall develop policy concerning the manufacture of goods and the provision of services by Correction Enterprises. The policy shall be for distribution to all State agencies and departments and shall:

- (1) Address the appropriate levels of production and services by Correction Enterprises;



- 1 (2) Provide guidelines for purchase by State agencies from Correction  
2 Enterprises whenever Correction Enterprises offers lower prices for  
3 quality products than other potential vendors; and  
4 (3) Identify the potential benefits to prisoner rehabilitation as a result of  
5 the Correction Enterprises program.

6 The Department of Administration shall submit the policy for approval by the  
7 General Assembly by March 15, 1994.

8  
9 Requested by: Representatives Holt and Gist

#### 10 **RENOVATION OF POLK YOUTH INSTITUTION**

11 Sec. 62. When the replacement facility for Polk Youth Institution has been  
12 completed and the inmates have been relocated, the existing Polk Youth Institution shall  
13 be renovated for use as a minimum custody facility.

#### 14 15 **PART 20. JUDICIAL DEPARTMENT**

16  
17 Requested by: Representative Nesbitt

#### 18 **COMMUNITY PENALTIES PROGRAMS**

19 Sec. 64. Section 189 of Chapter 321 of the 1993 Session Laws reads as  
20 rewritten:

21 "Sec. 189. (a) Of the funds appropriated from the General Fund to the Judicial  
22 Department for the 1993-95 biennium to conduct the community penalties programs,  
23 the sum of one million nine hundred eighteen thousand nine hundred twelve dollars  
24 (\$1,918,912) for the 1993-94 fiscal year and the sum of one million nine hundred  
25 eighteen thousand nine hundred twelve dollars (\$1,918,912) for the 1994-95 fiscal year  
26 may be allocated by the Judicial Department in any amount among existing community  
27 penalties ~~programs~~ programs, including State-operated programs, or may be used to  
28 establish new community penalties programs.

29 (b) The Judicial Department shall report annually to the Senate and House  
30 Appropriations Subcommittees on Justice and Public Safety and to the Fiscal Research  
31 Division on the administrative expenditures of the community penalties programs."

32  
33 Requested by: Representatives R. Hunter and Holt

#### 34 **INDIGENT ATTORNEY CONTRACTS**

35 Sec. 65. (a) G.S. 7A-344 reads as rewritten:

36 "**§ 7A-344. Special duties of Director concerning representation of indigent**  
37 **persons.**

38 In addition to the duties prescribed in G.S. 7A-343, the Director shall also:

- 39 (1) Supervise and coordinate the operation of the laws and regulations  
40 concerning the assignment of legal counsel for indigent persons under  
41 Subchapter IX of this Chapter to the end that all indigent persons are  
42 adequately represented;

- 1 (2) Advise and cooperate with the offices of the public defenders as  
2 needed to achieve maximum effectiveness in the discharge of the  
3 defender's responsibilities;
- 4 (3) Collect data on the operation of the assigned counsel and the public  
5 defender systems, and make such recommendations to the General  
6 Assembly for improvement in the operation of these systems as appear  
7 to him to be appropriate; and
- 8 (4) Accept and utilize federal or private funds, as available, to improve  
9 defense services for the indigent, including indigent juveniles alleged  
10 to be delinquent or undisciplined. To facilitate processing of juvenile  
11 and other indigent cases, cases and civil cases in which a party is  
12 entitled to counsel, the administrative officer is further authorized, in  
13 any district or set of districts as defined in 7A-41.1(a), with the  
14 approval of the chief district court judge for cases in the district court  
15 division and the approval of the senior resident superior court judge for  
16 cases in the superior court division, to engage the services of a  
17 particular attorney or attorneys to provide specialized representation  
18 on a full-time or part-time basis."

19 (b) The Director of the Administrative Office of the Courts may conduct a pilot  
20 program in up to six judicial districts selected by the Director with the approval of the  
21 senior resident superior court judge and the chief district court judge of each district. To  
22 facilitate the processing of all cases, the Director shall, in each pilot area, engage the  
23 services of a particular attorney or attorneys to provide specialized representation to  
24 indigent persons on a full-time or part-time basis. The pilot program shall terminate on  
25 June 30, 1994, and the Administrative Office of the Courts shall provide a written  
26 evaluation of the pilot program to the North Carolina Courts Commission on or before  
27 October 1, 1994.

28  
29 Requested by: Representative Richardson

### 30 JUVENILE JUSTICE PILOT PROGRAM

31 Sec. 66. (a) Of the funds appropriated to the Judicial Department in this act, the  
32 sum of thirty thousand dollars (\$30,000) for the 1993-94 fiscal year shall be used by the  
33 Cumberland County Dispute Resolution Center for the development and  
34 implementation of the programs described in subsection (c) of this section. These funds  
35 shall be matched by non-State funds on a dollar-for-dollar basis.

36 (b) The Administrative Office of the Courts shall distribute the funds in quarterly  
37 payments beginning July 1993, and ending April 1994. The Cumberland County  
38 Dispute Resolution Center shall provide the Administrative Office of the Courts with  
39 quarterly reports as to the expenditure of funds and relevant statistical data.

40 (c) The Cumberland County Dispute Resolution Center shall develop and  
41 implement the following programs to meet the objectives of this section:

- 42 (1) Development and implementation of a "Teen Court" Program as a  
43 community resource for the 12th Judicial District of North Carolina.  
44 Cases in which a juvenile has allegedly committed an offense in the

1 12th Judicial District that does not involve violence or personal injury,  
2 and that would constitute an infraction or misdemeanor if committed  
3 by an adult, may be diverted by Intake Services to "Teen Court" to be  
4 "sentenced" by a jury of the juvenile's peers. "Sentences" shall include  
5 extensive amounts of counseling and community service;

6 (2) "Teen Court" model programs made available to all junior and senior  
7 high schools in the 12th Judicial District to handle problems that  
8 develop at school but that have not been turned over to the juvenile  
9 authorities;

10 (3) Alternative sentencing programs implemented and made available to  
11 the juvenile court judges, including house arrest, monitored telephone  
12 curfew, Victim-Offender Reconciliation Programs (VORP), and  
13 mediation referrals;

14 (4) School-based mediation programs made available to schools within the  
15 12th Judicial District, with students being trained as peer mediators  
16 and with teachers and administrators being trained in conflict  
17 resolution and mediation; and

18 (5) Curriculum supplements to the standard course of study made  
19 available to educators to teach conflict resolution and related topics to  
20 all students.

21 (d) The Cumberland County Dispute Resolution Center shall report at least  
22 annually to the Administrative Office of the Courts and to officials of the 12th Judicial  
23 District. The Administrative Office of the Courts shall evaluate the effectiveness of the  
24 programs and report its findings and any recommendations by March 15, 1995, to the  
25 Joint Legislative Commission on Governmental Operations and to the Chairs of the  
26 House and Senate Appropriations Subcommittees on Justice and Public Safety.

## 27 28 **PART 21. DEPARTMENT OF JUSTICE**

29  
30 Requested by: Representatives Holt and Gist

### 31 **CENTRALIZED UTILIZATION OF LEGAL PUBLICATIONS**

32 Sec. 67. The Attorney General and the Director of the Budget shall conduct a  
33 review of the proliferation of legal publications used by State agencies, departments,  
34 and institutions to determine:

35 (1) The most efficient utilization of legal publications; and

36 (2) The feasibility of providing centralized access to legal publications,  
37 including the fiscal impact of providing for the centralized use and  
38 availability of legal publications.

39 The Attorney General and the Director of the Budget shall report their  
40 findings and recommendations to the General Assembly by March 31, 1994, by  
41 submitting a copy of the report to the Speaker of the House of Representatives, the  
42 President Pro Tempore of the Senate, and the Fiscal Research Division.

43  
44 Requested by: Representatives Diamont, Nesbitt, Warner

**LAW ENFORCEMENT HALL OF HONOR FUNDS**

Sec. 67.1. Of the funds appropriated in this act to the North Carolina Law Enforcement Hall of Honor Foundation, the sum of forty-five thousand dollars (\$45,000) shall be used for the 1993-94 fiscal year for the support of activities relative to the promotion, planning, construction, administration, and maintenance of the Hall of Honor.

Requested by: Representatives Holt and Gist

**BANKING COMMISSION LEGAL COUNSEL TECHNICAL CORRECTION**

Sec. 67.2. G.S. 53-96 as rewritten by Section 206(b) of Chapter 321 of the 1993 Session Laws reads as rewritten:

**"§ 53-96. Salary of Commissioner; legal assistance.**

The salary of the Commissioner of Banks shall be fixed by the General Assembly in the Current Operations Appropriations Act. The Attorney General shall assign an attorney on his staff to work full time with the Banking Commission. The attorney shall be subject to all provisions of Chapter 126 of the General Statutes relating to the State Personnel System. The Commission shall fully reimburse the Department of Justice for the compensation, secretarial support, equipment, supplies, records, and other property to support this attorney."

**PART 22. DEPARTMENT OF HUMAN RESOURCES**

Requested by: Representatives Easterling and Nye

**MEDICAID PLANNING FUNDS**

Sec. 68. Of the funds appropriated in this act from the General Fund to the Department of Human Resources for the 1993-94 fiscal year, the sum of two hundred thousand dollars (\$200,000) may be used to plan and design an eligibility system to provide Medicaid coverage to all Supplemental Security Income recipients, elderly, and disabled persons with incomes below seventy-five percent (75%) of the federal poverty guidelines, and additional children. Nothing in this section shall be construed to obligate the State to provide Medicaid coverage to these individuals without further State appropriations for that purpose.

Requested by: Representatives Easterling and Nye

**CHILDREN'S GRANTS FUNDS**

Sec. 69. Of the funds appropriated in this act to the Department of Human Resources, the sum of two hundred thousand dollars (\$200,000) for the 1993-94 fiscal year shall be allocated to counties for county programs that specifically provide services to children at risk and for capital needs relating to child day care services. Programs receiving funds pursuant to this section shall serve disadvantaged children and their families. These programs shall include juvenile delinquency prevention programs and services designed to prevent youth suicide. The Department shall develop requests for proposals for these grants and shall provide technical assistance to county programs needing assistance in making requests for these grants. Grants to individual county

1 programs shall not exceed fifty thousand dollars (\$50,000) but the grants shall not be  
2 limited only to those existing county programs funded by State, federal, or local  
3 sources.

4  
5 Requested by: Representative Easterling

6 **COMMITMENT OF FOREIGN NATIONAL/CONSULAR NOTICE**

7 Sec. 70. (a) G.S. 122C-344 reads as rewritten:

8 **"§ 122C-344. Citizens of other countries.**

9 In addition to the provisions of G.S. 122C-341 through G.S. 122C-343, if a 24-hour  
10 facility determines that a client is not a citizen of the United States, the facility shall  
11 notify the Governor of this State of the name of the client, the country and place of his  
12 residence in the country and other facts in the case as can be obtained, together with a  
13 copy of pertinent medical records. The Governor shall send the information to the  
14 Secretary of State at Washington D.C., nearest consular office of the committed foreign  
15 national, with the request that ~~he~~ the consular office tell the minister resident or  
16 plenipotentiary of the country of which the client is alleged to be a citizen."

17 (b) This section is effective upon ratification and applies to commitments  
18 made on or after that date.

19  
20 Requested by: Representatives Easterling and Nye

21 **JUVENILE SECURE CUSTODY STUDY**

22 Sec. 71. The Division of Youth Services, Department of Human Resources,  
23 in cooperation with the Administrative Office of the Courts, the Juvenile Law Study  
24 Commission, and the Juvenile Code Revision Commission, if reestablished, shall study  
25 the issue of secure custody facilities to determine how best to ensure that only those  
26 juveniles that meet the criteria set forth in G.S. 7A-574(b) and (c) are placed in secure  
27 custody and that the secure custody facilities available are not overcrowded and are as  
28 safe as possible for all the juveniles in secure custody. This study shall include:

- 29 (1) An analysis of all 1993 secure custody orders, to permit an evaluation  
30 of the criteria used, and the appropriateness of the criteria, for each  
31 order;
- 32 (2) A determination of the number of these orders made for juveniles to be  
33 adjudicated for offenses that would be crimes against the person or  
34 against property, if committed by an adult, for violation of probation,  
35 and for running away; and
- 36 (3) An evaluation of all secure custody facilities used in 1993, including  
37 the total length of custody for each juvenile, to determine the number  
38 of juveniles in the facilities on a regular basis, and to determine the  
39 number of juveniles each facility can safely contain on a regular basis.  
40 This determination shall include an analysis of the relationship of the  
41 number of juveniles that may be safely contained at any one time in  
42 any one facility to the offenses for which these juveniles are being  
43 adjudicated.

1 The Division shall report the results of this study to the 1993 General  
2 Assembly by May 1, 1994, together with any proposals that would be of benefit in  
3 ensuring the best and safest use of secure custody.

4  
5 Requested by: Representatives Nye and Easterling

6 **CERTAIN ICF/MR FACILITIES' CERTIFICATE OF NEED BED**  
7 **LIMITATION EXEMPTION EXTENDED**

8 Sec. 72. Those existing facilities that were granted a Certificate of Need to  
9 develop no more than 30 beds and that have applied for a Certificate of Need to expand  
10 to 32 beds prior to July 1, 1993, are exempt from the 30-bed limitation and may be  
11 issued a Certificate of Need for no more than 32 beds each. These additional beds for  
12 those facilities shall not be taken into account in deciding Certificate of Need  
13 allocations to other applicants in the same service area during the 1993 calendar year.

14  
15 Requested by: Representative Colton

16 **COMMISSION FOR BLIND CHANGES**

17 Sec. 73. (a) G.S. 143B-157 reads as rewritten:

18 **"§ 143B-157. Commission for the Blind – creation, powers and duties.**

19 There is ~~hereby~~ recreated the Commission for the Blind of the Department of  
20 Human Resources with the power and duty to adopt rules ~~and regulations to be followed~~  
21 ~~in governing~~ the conduct of the State's rehabilitative programs for the blind ~~with the~~  
22 ~~power and duty to adopt, amend and rescind rules and regulations under and not~~  
23 ~~inconsistent with the laws of the State that are necessary to carry out the provisions and~~  
24 purposes of this Article.

25 (1) ~~The Commission for the Blind is authorized and empowered to adopt~~  
26 ~~such rules and regulations that may be~~ shall adopt rules that are  
27 necessary and desirable for the programs administered by the  
28 Department of Human Resources as provided in Chapter 111 of the  
29 General Statutes of North Carolina.

30 (2) ~~The Commission for the Blind shall have the power and duty to~~  
31 ~~establish standards and adopt rules and regulations for aid to the needy~~  
32 ~~blind as contained in Chapter 111 of the General Statutes of North~~  
33 ~~Carolina.~~

34 (3) ~~The Commission is authorized and empowered to adopt~~  
35 ~~such rules and regulations,~~ shall adopt rules, not inconsistent with  
36 the laws of this State, ~~as may be~~ that are required by the federal  
37 government for grants-in-aid for rehabilitative purposes for the blind  
38 ~~which~~ that may be made available ~~for~~ to the State ~~by~~ from the  
39 federal government. This section is to be liberally construed in order  
40 that the State and its citizens may benefit from such grants-in-aid.

41 (3a) The Commission shall review, analyze, and advise the Department  
42 regarding the performance of its responsibilities under the federal  
43 rehabilitation program in which the State participates, as it relates to

1           the provision of services to the blind, particularly its responsibilities  
2           relating to the following:

3           a.     Eligibility for the program;

4           b.     The extent, scope, and effectiveness of the services provided;  
5           and

6           c.     The functions performed by the Department that affect, or that  
7           have the potential to affect, the ability of individuals who are  
8           blind or visually impaired to achieve rehabilitative goals and  
9           objectives under the federal rehabilitation program;

10          (3b)  The Commission shall advise the Department regarding preparation of  
11          applications, the State Plan, the strategic plan, amendments to these  
12          plans, the State needs assessments, and the evaluations required by the  
13          federal rehabilitation program;

14          (3c)  The Commission shall, to the extent feasible, conduct a review and  
15          analysis (i) of the effectiveness of, and consumer satisfaction with, the  
16          functions performed by the Department and other public and private  
17          entities responsible for performing functions for individuals who are  
18          blind or visually impaired, and (ii) of vocational rehabilitation services  
19          provided or paid for from funds made available through other public or  
20          private sources and provided by State agencies and other public and  
21          private entities responsible for providing vocational rehabilitation  
22          services to individuals who are blind or visually impaired;

23          (3d)  The Commission shall prepare and submit an annual report to the  
24          Governor, the Secretary, and the federal rehabilitation program, and  
25          make the report available to the public;

26          (3e)  The Commission shall coordinate with other councils within the State,  
27          including the statewide Independent Living Council established under  
28          section 705 of the federal Rehabilitation Act, 294 U.S.C. §§ 720, et  
29          seq., the advisory panel established under section 613(a)(12) of the  
30          Individuals with Disabilities Education Act, 20 U.S.C. § 1413(A)(12),  
31          the State Planning Council described in section 124 of the  
32          Developmental Disabilities Assistance and Bill of Rights Act, 42  
33          U.S.C. § 6024, and the State Mental Health Planning Council  
34          established pursuant to section 1916(e) of the Public Health Service  
35          Act, 42, U.S.C. § 300x-4(e);

36          (3f)  The Commission shall advise the Department and provide for  
37          coordination with, and establishment of working relationships  
38          between, the Department and the Independent Living Council;

39          (3g)  The Commission shall prepare, in conjunction with the Department, a  
40          plan for the provision of those resources, including staff and other  
41          personnel, that are necessary to carry out the Commission's function  
42          under this Part. The resource plan shall, to the maximum extent  
43          possible, rely on the use of resources in existence during the period of  
44          implementation of the plan. The agreed-upon resources shall be

1 provided pursuant to G.S. 143B-14. To the extent that there is a  
2 disagreement between the Commission and the Department with  
3 regard to the resources necessary to carry out the functions of the  
4 Commission required by this Part, the Governor shall resolve the  
5 disagreement. The Department or other State agency shall not assign  
6 any other duties to the staff and other personnel who are assisting the  
7 Commission in carrying out its duties that would create a conflict of  
8 interest;

9 (4) ~~The Commission for the Blind shall adopt rules and regulations shall~~  
10 adopt rules consistent with the provisions of this Chapter. All rules  
11 ~~and regulations~~ not inconsistent with the provisions of this Chapter  
12 heretofore adopted by the North Carolina State Commission for the  
13 Blind shall remain in full force and effect unless and until repealed or  
14 superseded by action of the recreated Commission for the Blind. All  
15 rules ~~and regulations~~ adopted by the Commission shall be enforced by  
16 the Department of Human Resources."

17 (b) G.S. 143B-158 reads as rewritten:

18 "**§ 143B-158. Commission for the Blind – members; selection; quorum;**  
19 **compensation.**

20 The Commission for the Blind of the Department of Human Resources shall consist  
21 of 11 members appointed by the Governor. ~~The initial members of the Commission~~  
22 ~~shall include the members of the existing Commission for the Blind who shall serve for~~  
23 ~~a period equal to the remainder of their current terms on the existing Commission for~~  
24 ~~the Blind, three of whose appointments expire July 2, 1974, three of whose~~  
25 ~~appointments expire July 2, 1975, and three of whose appointments expire July 2, 1977.~~  
26 No physician, no optometrist, no optician, no oculist, nor any other person who receives  
27 services or funds regulated by the Commission shall be qualified to serve on the  
28 Commission for the Blind. Any person who is presently a member of the Commission  
29 and is disqualified by reason of the preceding sentence shall be deemed to have resigned  
30 his position on the Commission. The Governor shall appoint a successor for the balance  
31 of the unexpired term. At all times at least ~~two~~ six members of the Commission shall be  
32 persons who are visually handicapped to the minimum extent of being legally blind. ~~At~~  
33 ~~the end of the respective terms of office of the initial members of the Commission, their~~  
34 ~~successors~~ The members of the Commission shall be appointed for terms of six years  
35 and until their successors are appointed and qualify. Any appointment to fill a vacancy  
36 on the Commission created by the resignation, dismissal, death, or disability of a  
37 member shall be for the balance of the unexpired term.

38 The Governor shall have the power to remove any member of the Commission from  
39 office for misfeasance, malfeasance, or nonfeasance in accordance with the provisions  
40 of G.S. 143B-13 of the Executive Organization Act of 1973.

41 The members of the Commission shall receive per diem and necessary travel and  
42 subsistence expenses in accordance with the provisions of G.S. 138-5.

43 A majority of the Commission shall constitute a quorum for the transaction of  
44 business.



1 All clerical and other services required by the Commission shall be supplied by the  
2 Secretary of Human Resources."

3 (c) This section becomes effective August 1, 1993.  
4

5 Requested by: Representatives Nye and Easterling

6 **AREA AUTHORITY PLAN**

7 Sec. 74. To the maximum extent possible, Area Mental Health Authorities are  
8 encouraged to develop service implementation plans in accordance with the long-range  
9 plans of the Mental Health Study Commission and with the involvement of local  
10 affected organizations. These plans may be used as the basis for future budget requests  
11 submitted by the Division.

12 The plans shall be ready for review by the Department and the Mental Health  
13 Study Commission by November 1, 1993, February 1, 1994, and May 1, 1994.  
14

15 Requested by: Representative Nye

16 **CONSENT JUDGEMENT/FOCUS CLASS AGREEMENT/THOMAS S.**

17 Sec. 74.1. (a) Notwithstanding G.S. 114-2.1, the State may enter into the  
18 Focus Class/Evaluation Alternative Test Agreement in the case of Thomas S. v.  
19 Flaherty, 699 F. Supp. 1178 (W.D.N.C. 1988).

20 (b) The consent judgment authorized under subsection (a) of this section is  
21 subject to G.S. 114-2.2.  
22

23 Requested by: Representative Nye

24 **CAROLINA ACCESS CHANGE REPEALED**

25 Sec. 74.2. Section 238 of Chapter 321 of the 1993 Session Laws is repealed.  
26

27 **PART 23. DEPARTMENT OF AGRICULTURE**  
28

29 Requested by: Representatives Nesbitt, Fitch, Bowman, DeVane

30 **REALLOCATION OF 1988 FUNDS FOR ROCKY MOUNT'S FARMER'S**  
31 **MARKET FOR ROCKY MOUNT BUSINESS DEVELOPMENT**

32 Sec. 75. (a) The seven hundred thousand dollars (\$700,000) appropriated to the  
33 Rocky Mount Business Development Authority for the agricultural complex located at  
34 Fountain Park in Section 137(a) of Chapter 738 of the 1987 Session Laws, as amended  
35 by Section 154 of Chapter 1086 of the 1987 Session Laws and Section 34 of Chapter  
36 1100 of the 1987 Session Laws, the sum of seven hundred thousand dollars (\$700,000)  
37 may be loaned to a city which is located in two counties so as to allow that city to  
38 establish a Farmer's Market in the vicinity of the old Fenner's Warehouse No. 1 on the  
39 North Church Street corridor.

40 (b) This no-interest loan shall be repaid by the city to the Rocky Mount Business  
41 Development Authority (RMBDA) over the next seven years at the rate of one hundred  
42 thousand dollars (\$100,000) per year or at a rate necessary to support the cash flow  
43 requirement for planning and constructing a processing facility at Fountain Park.

1 (c) The Rocky Mount Business Development Authority (RMBDA) shall provide  
2 a grant of all interest accrued to date, less expenses, on the seven hundred thousand  
3 dollar (\$700,000) appropriation to the Rocky Mount/Edgecombe Community  
4 Development Corporation (RMECDC) for the South Washington Street Revitalization  
5 Project.

6 (d) The City of Rocky Mount shall organize the Rocky Mount Business  
7 Development Authority (RMBDA) such that the Authority assists in planning and  
8 construction of a vegetable and fruit processing facility in Fountain Park before January  
9 1, 2001. This processing facility shall have the capability to, at least: cool, wash, wax,  
10 grade, sort, package, and store for transit the commercial produce of local farm families.  
11 The facility shall provide facilities for unloading harvested farm fruits and vegetables,  
12 loading surface transport with packaged fruits and vegetables, and supporting brokerage  
13 operations. RMBDA may use the funds repaid to it under subsection (b) of this section  
14 for the purposes of this subsection.

15  
16 Requested by: Representatives Bowman and DeVane

17 **WAREHOUSE ACT FUNDS**

18 Sec. 76. (a) G.S. 106-435 reads as rewritten:

19 **"§ 106-435. Fund for support of system; collection and investment.**

20 In order to provide a sufficient indemnifying or guarantee fund to cover any loss not  
21 covered by the bonds hereinbefore mentioned, in order to provide the financial backing  
22 which is essential to make the warehouse receipt universally acceptable as collateral,  
23 and in order to provide that a State warehouse system intended to benefit all cotton  
24 growers in North Carolina shall be supported by the class it is designed to benefit, it is  
25 hereby declared: that on each bale of cotton ginned in North Carolina during the period  
26 from the ratification of this bill until June 30, 1922, twenty-five cents (25¢) shall be  
27 collected through the ginner of the bale and paid into the State treasury, to be held there  
28 as a special guarantee or indemnifying fund to safeguard the State warehouse system  
29 against any loss not otherwise covered. The State Tax Commission shall provide and  
30 enforce the machinery for the collection of this tax, which shall be held in the State  
31 treasury to the credit of the State warehouse system. Not less than ten per centum (10%)  
32 of the entire amount collected from the per bale tax shall be invested in United States  
33 government or farm loan bonds or North Carolina bonds, and the remainder may be  
34 invested in amply secured first mortgage notes or bonds to aid and encourage the  
35 establishment of warehouses operating under this system, and to aid and encourage the  
36 establishment of farm markets designed to serve the marketing, packaging, and grading  
37 needs for the sale and distribution of unprocessed farm commodities when adequate  
38 markets are not otherwise provided. Such investments shall be made by the Board of  
39 Agriculture, with the approval of the Governor and Attorney General: Provided, such  
40 first mortgages shall be for not more than one-half the actual value of the warehouse  
41 property covered by such mortgages, and run not more than 10 years: Provided further,  
42 that the interest received from all investments shall be available for appropriation for  
43 capital projects and nonrecurring expenditures as provided in the bill making the  
44 appropriation, and for the administrative expense of carrying into effect the provisions

1 of this law, including the employment of such persons and such means as the State  
2 Board of Agriculture in its discretion may deem necessary: Provided further, that the  
3 guarantee fund, raised under the provisions of sections 4907 to 4925 of the Consolidated  
4 Statutes of 1919, shall become to all intents and purposes a part of guarantee fund to be  
5 raised under this law and subject to all the provisions hereof."

6 (b) Of the funds available in accumulated interest from the North Carolina  
7 Warehouse Act Fund, the sum of six hundred thousand dollars (\$600,000) shall be  
8 deposited into the General Fund as nontax revenues for the 1993-94 fiscal year to be  
9 used to support expenditures for capital projects or nonrecurring expenditures as  
10 provided in this act.

11 (c) There is appropriated from the North Carolina Warehouse Act Fund to the  
12 Department of Agriculture for fiscal year 1993-94 the sum of four hundred thousand  
13 dollars (\$400,000) in accumulated interest, for non-recurring cotton promotion projects  
14 and activities in fiscal year 1993-94.

15  
16 Requested by: Representatives Bowen, DeVane, Bowman

17 **REALLOCATE FUNDS APPROPRIATED FOR AGRICULTURAL**  
18 **FACILITIES**

19 Sec. 77. Of the funds appropriated to the Department of Agriculture in  
20 Section 4 of Chapter 1044 of the 1991 Session Laws for the Southeastern Farmers'  
21 Market - Shipping Point Facility, the sum of ninety thousand dollars (\$90,000) shall be  
22 used as a grant-in-aid to the Town of Roseboro for water and sewer services and the  
23 sum of nine hundred ten thousand dollars (\$910,000) shall be used as a grant-in-aid to  
24 Sampson County to be used for construction of a livestock sale facility.

25  
26 Requested by: Representatives Redwine, DeVane, Bowman

27 **AUTHORIZE THE AGRICULTURAL FINANCE AUTHORITY TO USE THE**  
28 **INTEREST FROM THE RESERVE FOR FARM LOANS FOR**  
29 **ADMINISTRATIVE EXPENSES**

30 Sec. 78. Section 3 of Chapter 1011 of the 1985 Session Laws reads as  
31 rewritten:

32 "Sec. 3. Funds appropriated in Section 2 of House Bill 2055 of the 1985 Session  
33 Laws to the Department of Agriculture, Reserve for Farm Loans shall be used for the  
34 purposes set out in this act, other than the administration of Chapter 122D of the  
35 General Statutes. Interest on these funds and interest received from loans of these funds  
36 may be used for any of the purposes set out in this act, including the administration of  
37 Chapter 122D of the General Statutes."

38  
39 **PART 24. DEPARTMENT OF COMMERCE**

40  
41 Requested by: Representatives Bowman, DeVane, Jenkins, Dockham

42 **RURAL TOURISM DEVELOPMENT FUNDS**

43 Sec. 79. Of the funds appropriated in this act from the General Fund to the  
44 Department of Commerce for the 1993-94 fiscal year, the sum of two hundred thousand

1 dollars (\$200,000) shall be used for the Rural Tourism Development Grant Program.  
2 The Department shall establish and implement this Program to provide grants to local  
3 governments and nonprofit organizations to encourage the development of new tourism  
4 projects and activities in rural areas of the State. Grant funds shall not be allocated for  
5 projects or activities eligible to receive funds from the Department's Tourism Promotion  
6 Grant Program. The Secretary shall establish guidelines for eligibility to receive grants  
7 under the Rural Tourism Development Grant Program. No recipient or new tourism  
8 project shall receive a total of more than fifty thousand dollars (\$50,000) of these grant  
9 funds for the 1993-94 fiscal year.

10  
11 Requested by: Representatives H. Hunter, Bowman, DeVane

### 12 **BIOTECHNOLOGY FUNDS FOR MINORITY UNIVERSITIES**

13 Sec. 80. Of the funds appropriated in this act from the General Fund to the  
14 North Carolina Biotechnology Center for the 1993-94 fiscal year, the sum of one  
15 million dollars (\$1,000,000) shall be used to develop a special biotechnology program  
16 initiative for North Carolina's Public Historically Black Universities and Pembroke  
17 State University. This program initiative is a means to get more funds to these  
18 institutions of higher education in the short run to help them develop their  
19 biotechnology programs and a means to develop a mechanism to improve these  
20 institutions' capacity over the long term. The Center's special initiative shall, at a  
21 minimum, provide for:

- 22 (1) A range of program activities, including grants, designed to enhance  
23 the existing strengths and capabilities of Pembroke University, and the  
24 public Historically Black Universities;
- 25 (2) A Facilities and Infrastructure Review Committee to advise the Center  
26 on major program elements and priority projects that would be most  
27 helpful to these institutions; and
- 28 (3) A Program Advisory Panel with representation from these institutions  
29 to advise and make recommendations to the Center's President and  
30 Board of Directors on funding proposals under this initiative.

31 The Center shall report to the General Assembly by March 15, 1994, on the  
32 development and implementation of this special initiative.

33 In awarding grant funds pursuant to this section, the Center shall ensure that  
34 the grant funds are distributed equally among the eligible universities.

35  
36 Requested by: Representatives Wainwright, Bowman, DeVane

### 37 **PROMOTE TOURISM THROUGHOUT THE STATE**

38 Sec. 81. Section 307 of Chapter 321 of the 1993 Session Laws reads as  
39 rewritten:

40 "Sec. 307. The Department of Commerce shall review its tourism advertising  
41 program and shall ensure that the program addresses the promotion of tourism in ~~rural~~  
42 all areas of the State—State and particularly the State's minority communities. In  
43 expending funds appropriated for tourism advertising promotion, the Department shall  
44 ensure that minority-owned businesses are given appropriate consideration. The

1 Department shall report quarterly to the Joint Legislative Commission on Governmental  
2 Operations on the use of these funds.

3  
4 Requested by: Representatives H. Hunter, Bowman, DeVane

5 **MCNC CAPITAL EQUIPMENT**

6 Sec. 82.1. (a) Of the funds appropriated in this act from the General Fund to  
7 MCNC, the sum of four million five hundred thousand dollars (\$4,500,000) for the  
8 1993-94 fiscal year shall be allocated as follows:

- 9 (1) \$900,000 for the Telecommunications Program for video and data  
10 network equipment.
- 11 (2) \$1,000,000 for the Microelectronics Program for design and test  
12 equipment and for computer chip fabrication and packaging  
13 equipment.
- 14 (3) \$600,000 for the Supercomputer Program for additional computer  
15 work stations and peripheral equipment.
- 16 (4) \$2,000,000 to conduct joint research and development projects on  
17 networking technology with the MCI Communications Corporation  
18 and with N.C. State University and Duke University. Of this amount,  
19 \$1,000,000 shall be held in a reserve in the Office of State Budget and  
20 Management. Release of the funds in this reserve shall be contingent  
21 upon the location of MCI Communications Corporation's Billing  
22 Center in North Carolina by June 30, 1994. If the condition for the  
23 release of funds from the reserve is not met, those funds shall revert to  
24 the General Fund.

25 (b) MCNC shall provide the Joint Legislative Commission on Governmental  
26 Operations with quarterly reports on the following:

- 27 (1) Use and benefits of the funds appropriated under this section, and
- 28 (2) Status of the relocation activity of the MCI Communications  
29 Corporation's Billing Center.

30 The reports required under this subsection shall be included in the MCNC quarterly  
31 reports to the Joint Legislative Commission on Governmental Operations required under  
32 Section 295 of Chapter 321 of the 1993 Session Laws.

33  
34 Requested by: Representatives Nesbitt, DeVane, Bowman

35 **STUDY EXPANSION OF ECONOMIC DEVELOPMENT COMMISSIONS**

36 Sec. 82.2. (a) The General Assembly makes the following findings:

- 37 (1) The economic development of the State as a whole will be enhanced if  
38 all counties participate in economic development efforts conducted on  
39 a regional basis, and if the unique economic needs of the State's  
40 minority communities are identified and addressed;
- 41 (2) Regional economic development commissions have been established  
42 to assess the economic needs unique to the regions of the State they  
43 serve and to determine the economic development efforts appropriate  
44 to meet those needs;

- 1 (3) The General Assembly has funded and intends to continue support for  
2 economic development in the eastern region of the State through the  
3 Global TransPark;
- 4 (4) State funding for regional economic development commissions should  
5 be distributed in such a way as to ensure equity in economic growth  
6 potential among all regions and minority communities of the State. To  
7 that end, a funding formula should be developed based in part on  
8 distress factors established under G.S. 143B-437A(b).
- 9 (b) In view of the findings stated in subsection (a) of this section, the  
10 Department of Commerce shall do the following:
- 11 (1) Survey existing regional economic development commissions and  
12 determine the need for additional regional commissions to ensure that  
13 all areas of the State are appropriately served;
- 14 (2) Develop a plan to:
- 15 a. Create additional regional economic development commissions  
16 necessary to serve the State;
- 17 b. Establish a statewide economic development commission to  
18 identify and address the economic needs of minority  
19 communities of the State; and
- 20 c. Establish linkages between the statewide minority economic  
21 development commission and the regional commissions, and  
22 among the regional commissions.
- 23 (3) Establish a formula for funding regional economic development  
24 commissions based in part on the distress factors established under  
25 G.S. 143B-437A(b).

26 The Secretary shall submit the plan required by this section to the General Assembly not  
27 later than March 1, 1994, by providing a copy to the Speaker of the House of  
28 Representatives and to the President Pro Tempore of the Senate.

29  
30 Requested by: Representatives Nesbitt, Diamont, Bowman, DeVane

31 **STUDY ON ECONOMIC INCENTIVES TO LURE INDUSTRY**

32 Sec. 82.3. (a) There is created the Legislative Study Commission on  
33 Economic Incentives to Lure Industry. The Commission shall consist of 10 members:  
34 five Representatives appointed by the Speaker of the House of Representatives and five  
35 Senators appointed by the President Pro Tempore of the Senate.

36 (b) The Speaker of the House of Representatives shall designate one  
37 Representative as cochair and the President Pro Tempore of the Senate shall designate  
38 one Senator as cochair.

39 (c) The Commission shall study the use of economic incentives to lure  
40 industry to the State. In the course of its study, the Commission shall consider:

- 41 (1) The experience of this State and other states in using economic  
42 incentives to lure industry;
- 43 (2) The long- and short-term impacts of using economic incentives to lure  
44 industry;

- 1 (3) The costs and benefits of using economic incentives to lure industry;
- 2 (4) Whether some industries may be moving from state to state solely to
- 3 receive the economic incentives;
- 4 (5) What rules would be appropriate to provide adequate State control
- 5 over a program for using economic incentives to lure industry;
- 6 (6) Complications inherent in a program that requires that public business
- 7 be carried on in private negotiations;
- 8 (7) The amount of State resources that should be dedicated to these
- 9 programs;
- 10 (8) The impact that erosion of the tax base from tax incentives will have
- 11 on the State's fiscal condition and taxing structure;
- 12 (9) Ways to ensure that economic incentives to lure industry are used to
- 13 attract industry equitably throughout the State;
- 14 (10) Ways to ensure that economic incentives to lure industry are used to
- 15 attract industries that pay high wages; and
- 16 (11) The extent to which incentives may require future recurring or
- 17 operating budget appropriations by the State.

18 (d) The Commission shall submit a final report of its findings and  
19 recommendations to the General Assembly on or before April 15, 1994, by filing the  
20 report with the Speaker of the House of Representatives and the President Pro Tempore  
21 of the Senate. Upon filing its final report, the Commission shall terminate.

22 (e) The Commission, while in the discharge of official duties, may exercise  
23 all the powers provided for under the provisions of G.S. 120-19, and G.S. 120-19.1  
24 through G.S. 120-19.4. The Commission may meet at any time upon the joint call of  
25 the cochairmen. The Commission may meet in the Legislative Building or the  
26 Legislative Office Building.

27 (f) Members of the Commission shall receive subsistence and travel  
28 expenses at the rates set forth in G.S. 120-3.1.

29 (g) The Commission may contract for professional, clerical, or consultant  
30 services as provided by G.S. 120-32.02. The Legislative Services Commission, through  
31 the Legislative Administrative Officer, shall assign professional staff to assist in the  
32 work of the Commission. The House of Representatives and the Senate supervisors of  
33 clerks shall assign clerical staff to the commission or committee, upon the direction of  
34 the Legislative Services Commission. The expenses relating to clerical employees shall  
35 be borne by the Commission established by this section.

36 (h) When a vacancy occurs in the membership of the Commission, the  
37 vacancy shall be filled by the same appointing officer who made the initial appointment.

38 (i) All State departments and agencies and local governments and their  
39 subdivisions shall furnish the Commission with any information in their possession or  
40 available to them.

41 (j) The Legislative Services Commission may use one hundred thousand  
42 dollars (\$100,000) of the funds appropriated to the General Assembly for the 1993-94  
43 fiscal year for the expenses of the Commission.

44

1 Requested by: Representatives Bowman, DeVane, H. Hunter

2 **ECONOMIC DEVELOPMENT FUNDS**

3 Sec. 82.4. (a) Definition. – For purposes of this section, the term "community  
4 development corporation" means a nonprofit corporation:

- 5 (1) Chartered pursuant to Chapter 55A of the General Statutes;
- 6 (2) Tax-exempt pursuant to section 501(c)(3) of the Internal Revenue  
7 Code of 1986;
- 8 (3) Whose primary mission is to develop and improve low-income  
9 communities and neighborhoods through economic and related  
10 development;
- 11 (4) Whose activities and decisions are initiated, managed, and controlled  
12 by the constituents of those local communities; and
- 13 (5) Whose primary function is to act as deal-maker and packager of  
14 projects and activities that will increase their constituencies'  
15 opportunities to become owners, managers, and producers of small  
16 businesses, affordable housing, and jobs designed to produce positive  
17 cash flow and curb blight in the target community.

18 (b) Community Development Grants. – Of the funds appropriated in this act from  
19 the General Fund to the Rural Economic Development Center, Inc., the sum of one  
20 million five hundred fifty thousand dollars (\$1,550,000) for the 1993-94 fiscal year shall  
21 be used to support community development projects and activities within the State's  
22 minority community. Any community development corporation as defined in this  
23 section is eligible to apply for funds under this section. The Rural Economic  
24 Development Center shall establish and implement performance-based criteria for  
25 determining which community development corporations will receive a grant and the  
26 grant amounts.

27 The Rural Economic Development Center shall allocate these funds as  
28 follows:

- 29 (1) \$1,300,000 for direct grants to the local community development  
30 corporations that have previously received State funds for this purpose  
31 to support operations and project activities;
- 32 (2) \$100,000 for direct grants to local community development  
33 corporations that have not previously received State funds for this  
34 purpose to support operations and project activities; and
- 35 (3) \$150,000 for the Community Development Housing Counseling  
36 Demonstration Project.

37 The North Carolina Rural Economic Development Center, Inc., shall  
38 establish and implement performance-based criteria for determining which community  
39 development corporations will receive a grant and the grant amounts. The North  
40 Carolina Rural Economic Development Center shall report quarterly on the use of these  
41 funds.

42 (c) North Carolina Community Development Initiative, Inc. – Of the funds  
43 appropriated in this act from the General Fund to the Rural Economic Development  
44 Center for the 1993-94 fiscal year, the sum of two million dollars (\$2,000,000) shall be



1 allocated to the North Carolina Community Development Initiative, Inc. The Initiative  
2 shall provide operating and project activity grants to mature community development  
3 corporations that have demonstrated project and organizational capacity.

4 The North Carolina Community Development Initiative, Inc., shall report  
5 quarterly to the Joint Legislative Commission on Governmental Operations on the use  
6 of these funds.

7 (d) North Carolina Association of Community Development Corporations. – Of  
8 the funds appropriated in this act from the General Fund to the Rural Economic  
9 Development Center, the sum of two hundred thousand dollars (\$200,000) for the 1993-  
10 94 fiscal year shall be allocated to the North Carolina Association of Community  
11 Development Corporations to provide training, technical assistance, resource  
12 development, project assistance, and support for local community development  
13 corporations statewide. The North Carolina Association of Community Development  
14 Corporations shall report quarterly to the Joint Legislative Commission on  
15 Governmental Operations on the use of these funds.

16 (e) North Carolina Minority Credit Union Support Center, Inc. – Of the  
17 funds appropriated in this act from the General Fund to the Rural Economic  
18 Development Center, Inc., the sum of three hundred thousand dollars (\$300,000) for the  
19 1993-94 fiscal year shall be allocated to the North Carolina Minority Credit Union  
20 Support Center, Inc., to provide technical assistance to community-based credit unions.  
21 The Rural Economic Development Center, Inc., shall report quarterly to the Joint  
22 Legislative Commission on Governmental Operations on the use of these funds.

23 (f) Microenterprise Loan Program. – Of the funds appropriated in this act  
24 from the General Fund to the Rural Economic Development Center, Inc., the sum of six  
25 hundred fifty thousand dollars (\$650,000) for the 1993-94 fiscal year shall be used to  
26 support the loan fund and operations of the Microenterprise Loan Program. The Rural  
27 Economic Development Center, Inc., shall report quarterly to the Joint Legislative  
28 Commission on Governmental Operations on the use of these funds.

29 (g) Administrative costs. – Of the funds appropriated in this act from the  
30 General Fund to the Rural Economic Development Center, Inc., the sum of fifty  
31 thousand dollars (\$50,000) for the 1993-94 fiscal year shall be used to cover expenses in  
32 administering this act.

33 (h) Center for Community Self-Help. – Of the funds appropriated in this act  
34 from the General Fund to the Department of Commerce for the 1993-94 fiscal year, the  
35 sum of one million dollars (\$1,000,000) shall be allocated to the Center for Community  
36 Self-Help for the same purposes and with the same restrictions and requirements, except  
37 for the requirement to match funds dollar-for-dollar, as provided in Section 308 of  
38 Chapter 321 of the 1993 Session Laws. Funds allocated pursuant to this section shall be  
39 in addition to those allocated under Section 308 of Chapter 321 of the 1993 Session  
40 Laws. The Department of Commerce shall disburse this appropriation within 15  
41 working days of the receipt of a request for the funds from the Center for Community  
42 Self-Help.

43 (i) The Office of State Budget and Management, the Department of  
44 Commerce, and the Rural Economic Development Center, Inc., shall ensure that funds

1 allocated under this section to the following organizations are disbursed within 15  
2 working days of the receipt of a request for the funds from the organization:

- 3 (1) North Carolina Community Development Initiative, Inc.,
- 4 (2) North Carolina Association of Community Development  
5 Corporations,
- 6 (3) The Center for Community Self-Help,
- 7 (4) Community Development Housing Counseling Demonstration  
8 Project,
- 9 (5) North Carolina Minority Credit Union Support Center, Inc., and
- 10 (6) The Microenterprise Loan Program.

11  
12 **PART 25. DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL**  
13 **RESOURCES**

14  
15 Requested by: Representatives Gottovi, Bowman, DeVane, Nye

16 **AGRICULTURE COST SHARE PROGRAM FUNDS**

17 Sec. 83. Of the funds appropriated to the Department of Environment,  
18 Health, and Natural Resources, Division of Soil and Water Conservation, for the  
19 Agriculture Cost Share Program for Nonpoint Source Pollution Control for the 1993-94  
20 fiscal year, the sum of forty thousand dollars (\$40,000) shall be used to install best  
21 management practices to protect water quality, including tide gates, water control  
22 structures, and waste management measures in rural environs, in the subbasin of the  
23 Cape Fear River and Atlantic drainage east of Cypress Creek and north of Walden  
24 Creek, under the Rural Clean Water Demonstration Program and in accordance with the  
25 match and program requirements specified in G.S. 143-215.74(b)(6).

26  
27 Requested by: Representatives Hackney, Barnes, DeVane, Bowman

28 **TECHNICAL ASSISTANCE GRANTS**

29 Sec. 84. Notwithstanding the limitations of G.S. 104G-19(d), funds  
30 appropriated in this act to the Department of Environment, Health, and Natural  
31 Resources may be used to provide technical assistance grants in the amount of one  
32 hundred thousand dollars (\$100,000) each to Richmond, Chatham, and Wake Counties  
33 for their site designation review committee.

34  
35 Requested by: Representatives Gottovi, DeVane, Bowman

36 **WATER RESOURCES DEVELOPMENT PROJECTS FUNDS**

37 Sec. 85. (a) Of the funds appropriated in this act to the Department of  
38 Environment, Health, and Natural Resources for the 1993-94 fiscal year the sum of two  
39 million one hundred thousand dollars (\$2,100,000) shall be used for water resources  
40 development projects and the sum of one million one hundred eighty thousand dollars  
41 (\$1,180,000) shall be used for small watershed projects. The Department shall allocate  
42 funds as indicated:

- 43 (1) Reserve for Planning,
- 44 Construction Projects,

1		Operations and Maintenance	
2		Projects, and Feasibility	
3		Studies	\$2,000,000
4			
5	(2)	Hydrilla Eradication	
6		at Lake Gaston	100,000
7			
8	(3)	Limestone Creek	180,000
9		(Duplin County)	
10			
11	(4)	Deep Creek	250,000
12		(Yadkin County)	
13			
14	(5)	Town Fork	400,000
15		(Stokes County)	
16			
17	(6)	Meadow Branch	350,000.
18		(Robeson County)	

19 (b) Funds not expended or encumbered for the purposes of this section shall  
20 revert to the General Fund at the end of the 1994-95 fiscal year.

21 (c) Beginning October 1, 1993, the Department shall make quarterly reports on  
22 the use of these funds to the Joint Legislative Commission on Governmental  
23 Operations, the Fiscal Research Division, and the Office of State Budget and  
24 Management. Each report shall include:

- 25 (1) All projects authorized in this section;
- 26 (2) The estimated cost of each project;
- 27 (3) The date that work on each project began or is expected to begin;
- 28 (4) The date that work on each project was completed or is expected to be  
29 completed; and
- 30 (5) The actual cost of each project.

31 The quarterly reports shall also show those projects advanced in schedule, those projects  
32 delayed in schedule, and an estimate of the amount of funds expected to revert to the  
33 General Fund.

34

35 Requested by: Representatives Bowman, DeVane, J. Preston

### 36 **BOARDS OF HEALTH FUNDS**

37 Sec. 85.1. The Department of Environment, Health, and Natural Resources  
38 may, for the 1993-94 fiscal year, use up to one hundred thousand dollars (\$100,000) for  
39 a grant-in-aid to the Association of North Carolina Boards of Health for continuing  
40 board of health orientation, leadership, and educational development programs. The  
41 allocation authorized under this section shall be made from funds appropriated to the  
42 Department in Section 3 of Chapter 900 of the 1991 Session Laws for the purposes  
43 specified in Section 168(e) of that Chapter.

44

1 Requested by: Representatives Bowman and DeVane

2 **IMMUNIZATION PROGRAM FUNDING**

3 Sec. 85.2. (a) Of the funds appropriated in Chapter 321 of the 1993 Session Laws  
4 from the General Fund to the Department of Environment, Health, and Natural  
5 Resources for the 1993-94 fiscal year for childhood immunization programs for  
6 positions, operating support, equipment, and pharmaceuticals, the sum of up to one  
7 million dollars (\$1,000,000) may be used for projects and activities that are also  
8 designed to increase childhood immunization rates in North Carolina. These projects  
9 and activities shall include the following:

10 (1) Outreach efforts at the State and local levels to improve service  
11 delivery of vaccines. Outreach efforts may include educational  
12 seminars, media advertising, support services to parents to enable  
13 children to be transported to clinics, longer operating hours for clinics,  
14 and mobile vaccine units; and

15 (2) Continued development of an automated immunization registry.

16 (b) Funds authorized to be used for immunization efforts under subsection (a) of  
17 this section shall not be used to fund additional State positions in the Department of  
18 Environment, Health, and Natural Resources.

19 (c) The Department of Environment, Health, and Natural Resources shall not  
20 obligate or expend funds authorized for the purposes stated in subsection (a) of this  
21 section until the Department has prepared and submitted for review to the Joint  
22 Legislative Commission on Governmental Operations the eight-year plan for  
23 implementation of the statewide immunization program required under Section 287 of  
24 Chapter 321 of the 1993 Session Laws. In addition to the requirements of Section 287  
25 of Chapter 321 of the 1993 Session Laws, the eight-year plan shall address planned  
26 expenditures and immunization projects and activities identified under subsection (a) of  
27 this section.

28

29 Requested by: Representatives Redwine, Bowman, DeVane

30 **EXPAND/EXTEND BEAVER CONTROL PROGRAM**

31 Sec. 86. (a) Subsection (b) of Section 69 of Chapter 1044 of the 1991 Session  
32 Laws reads as rewritten:

33 "(b) The Beaver Damage Control Advisory Board shall develop a pilot program to  
34 control beaver damage on private and public lands. Bladen, Brunswick, Columbus,  
35 Pender, Robeson, and Sampson Counties shall participate in the pilot program. The  
36 Beaver Damage Control Advisory Board shall act in an advisory capacity to the  
37 Wildlife Resources Commission in the implementation of the program. In developing  
38 the program, the Board shall:

39 (1) Orient the program primarily toward public health and safety and  
40 toward landowner assistance, providing some relief to landowners  
41 through beaver control and management rather than eradication;

42 (2) Develop a priority system for responding to complaints about beaver  
43 damage;

- 1 (3) Develop a system for documenting all activities associated with beaver  
2 damage control, so as to facilitate evaluation of the program;  
3 (4) Provide educational activities as a part of the program, such as printed  
4 materials, on-site instructions, and local workshops;  
5 (5) Provide for the hiring of personnel necessary to implement beaver  
6 damage control activities, administer the pilot program, and set salaries  
7 of personnel;  
8 (6) Evaluate the costs and benefits of the program that might be applicable  
9 elsewhere in North Carolina.

10 Upon the conclusion of the pilot program on December 1, ~~1993~~, 1994, the Board  
11 shall issue a report to the Wildlife Resources Commission on the results of the program,  
12 including recommendations on the feasibility of continuing the program in participating  
13 counties and the desirability of expanding the program into other counties."

14 ♦ (b) Subsection (h) of Section 69 of Chapter 1044 of the 1991 Session Laws  
15 reads as rewritten:

16 "(h) Subsections (a) through (d) of this section expire December 1, ~~1993~~, 1994."

17 (c) Of the funds appropriated to the Wildlife Resources Commission in this act  
18 for the 1993-94 fiscal year, the sum of one hundred forty-six thousand dollars  
19 (\$146,000) shall be used to provide the State share necessary to continue the beaver  
20 damage control pilot program established by Section 69 of Chapter 1044 of the 1991  
21 Session Laws in Bladen, Brunswick, Columbus, Pender, Robeson, and Sampson  
22 Counties, provided the sum of twenty-five thousand dollars (\$25,000) in federal funds is  
23 available to provide the federal share. These funds shall be matched by four thousand  
24 dollars (\$4,000) of local funds from each of the six participating counties.  
25

26 Requested by: Representatives DeVane, Bowman, R. Hunter

### 27 **PARKS CAPITAL IMPROVEMENTS**

28 Sec. 87. Of the funds appropriated to the Department of Environment,  
29 Health, and Natural Resources in this act for the 1993-94 fiscal year, the sum of two  
30 million one hundred thousand dollars (\$2,100,000) shall be used for land acquisition,  
31 maintenance, repairs, renovation, and construction at the State parks and recreation  
32 areas. Land acquisition funded under this section shall be limited to the purchase of  
33 inholdings, corridor linkages, and critical areas within the existing park boundaries or  
34 buffer areas. Prior to expending or obligating any of the funds allocated by this section,  
35 the Department shall report to the Joint Legislative Commission on Governmental  
36 Operations and to the Office of State Budget and Management on the proposed use of  
37 the funds.  
38

39 Requested by: Representatives DeVane, Bowman, Ramsey

### 40 **FORESTRY HEADQUARTERS**

41 Sec. 89. Of the funds appropriated to the Department of Environment,  
42 Health, and Natural Resources in this act for the 1993-94 fiscal year, the sum of five  
43 hundred fifty-five thousand two hundred dollars (\$555,200) shall be used for county

1 forestry headquarters in Graham, Henderson, Mitchell, and Scotland Counties. The  
2 Department may use force account construction for the Graham County project.

3  
4 Requested by: Representatives DeVane and Bowman

5 **FIRE TOWER TRANSFER**

6 Sec. 90. Notwithstanding the provisions of G.S. 146-74, the Division of  
7 Forest Resources, Department of Environment, Health, and Natural Resources, shall  
8 transfer in fee simple by gift the East Robeson Fire Tower and the approximately  
9 .91827 acres of land on which the tower is located approximately eight miles east of  
10 Lumberton on Highway 41 in East Howellsville Township, Robeson County, this being  
11 the property described in the deed dated March 7, 1935, and recorded in Deed Book 8-  
12 N, page 219, Robeson County Registry to the East Howellsville Volunteer Fire  
13 Department, Inc. The transfer under this section shall be evidenced by a deed executed  
14 in accordance with G.S. 146-75 and registered in accordance with G.S. 146-77.

15  
16 Requested by: Representatives Colton, DeVane, Bowman

17 **TRANSFER MUSEUM OF NATURAL SCIENCES**

18 Sec. 90.1. (a) The statutory authority, powers, duties, and functions, records,  
19 personnel, property, and unexpended balances of appropriations, allocations, or other  
20 funds of (i) the North Carolina State Museum of Natural Sciences, and of (ii) the  
21 Advisory Commission established in Article 40 of Chapter 143 of the General Statutes  
22 for the North Carolina State Museum of Natural Sciences, are transferred from the  
23 Department of Agriculture to the Department of Environment, Health, and Natural  
24 Resources. This transfer has all of the elements of a Type I transfer as defined by G.S.  
25 143A-6.

26 (b) Article 40 of Chapter 143 of the General Statutes, G.S. 143-370 through G.S.  
27 143-373, is recodified as Part 29 of Article 7 of Chapter 143B of the General Statutes,  
28 G.S. 143B-344.18 through G.S. 143B-344.21.

29 (c) G.S. 143A-66 is repealed.

30 (d) G.S. 106-22(15) is repealed.

31 (e) G.S. 143B-279.2, as amended by Chapter 321 of the 1993 Session  
32 Laws, reads as rewritten:

33 **"§ 143B-279.2. Department of Environment, Health, and Natural Resources –**  
34 **duties.**

35 It shall be the duty of the Department:

36 (1) To provide for the protection of the environment;

37 (1a) To administer the State Outer Continental Shelf (OCS) Task Force and  
38 coordinate State participation activities in the federal outer continental  
39 shelf resource recovery programs as provided under the OCS Lands  
40 Act Amendments of 1978 (43 USC §§ 1801 **et seq.**) and the OCS  
41 Lands Act Amendments of 1986 (43 USC §§ 1331 **et seq.**).

42 (2) To provide for the protection and enhancement of the public health;  
43 ~~and~~

1           (2a) To provide and keep a museum or collection of the natural history of  
2           the State and to maintain the North Carolina Biological Survey; and

3           (3) To provide for the management of the State's natural resources."

4           (f) Part 29 of Article 7 of Chapter 143B of the General Statutes, as recodified  
5 in Section 2 of this act, reads as rewritten:

6                           **"PART 29. ADVISORY COMMISSION FOR**  
7                           **~~STATE MUSEUM OF NATURAL HISTORY.~~**

8                           **NORTH CAROLINA STATE MUSEUM OF NATURAL SCIENCES.**

9           **"§ 143B-344.18. Commission created; membership.**

10          There is hereby created an Advisory Commission for the ~~Museum of Natural History~~  
11 North Carolina State Museum of Natural Sciences which shall determine its own  
12 organization. It shall consist of at least nine members, which shall include the Director  
13 of the ~~Museum of Natural History, North Carolina State Museum of Natural Sciences,~~  
14 the Commissioner of Agriculture, the State Geologist and Secretary of Environment,  
15 Health, and Natural Resources, the Director of the Institute of Fisheries Research of the  
16 University of North Carolina, the Director of the Wildlife Resources Commission, the  
17 Superintendent of Public Instruction, or qualified representative of any or all of the  
18 above-named members, and at least three persons representing the East, the Piedmont,  
19 ~~and~~ and the Western areas of the State. Members appointed by the Governor shall  
20 serve for terms of two years with the first appointments to be made effective September  
21 1, 1961. Any member may be removed by the Governor for cause.

22           **"§ 143B-344.19. Duties of Commission; meetings, formulation of policies and**  
23           **recommendations to Governor and General Assembly.**

24          It shall be the duty of the Advisory Commission for the ~~Museum of Natural History~~  
25 North Carolina State Museum of Natural Sciences to meet at least twice each year, to  
26 formulate policies for the advancement of the ~~said~~ Museum, to make recommendations  
27 to the Governor and to the General Assembly concerning the Museum, and to assist in  
28 promoting and developing wider and more effective use of the ~~Museum of Natural~~  
29 History North Carolina State Museum of Natural Sciences as an educational, scientific  
30 and historical exhibit.

31           **"§ 143B-344.20. No compensation of members; reimbursement for expenses.**

32          Members of the Advisory Commission shall serve without compensation and shall  
33 be reimbursed for actual expenses incurred while in attendance at meetings of the  
34 Commission at the same rate as that established for reimbursement of State employees.  
35 Payment for such reimbursement for actual expense shall be made from the  
36 Contingency and Emergency Fund.

37           **"§ 143B-344.21. Reports to General Assembly.**

38          The Commission shall prepare and submit to the ~~1963-1995~~ General Assembly, and  
39 to each succeeding General Assembly, a report outlining the needs of the ~~State Museum~~  
40 of Natural History, North Carolina State Museum of Natural Sciences and their  
41 recommendation for improvement of the effectiveness of the ~~said State Museum of~~  
42 Natural History North Carolina State Museum of Natural Sciences for the purpose  
43 hereinabove set forth."

44           (g) G.S. 14-419 reads as rewritten:

1 **"§ 14-419. Investigation of suspected violations; seizure and examination of**  
2 **reptiles; disposition of reptiles.**

3 In any case in which any law-enforcement officer or animal control officer has  
4 reasonable grounds to believe that any of the provisions of this Article have been or are  
5 about to be violated, it shall be the duty of such officer and he is hereby authorized,  
6 empowered, and directed to immediately investigate such violation or impending  
7 violation and to forthwith seize the reptile or reptiles involved, and all such officers are  
8 hereby authorized and directed to deliver such reptiles to the ~~Museum of Natural~~  
9 ~~History~~ North Carolina State Museum of Natural Sciences or to its designated  
10 representative for examination and test for the purpose of ascertaining whether said  
11 reptiles contain venom and are poisonous. If the ~~Museum of Natural History~~ North  
12 Carolina State Museum of Natural Sciences or its designated representative finds that  
13 said reptiles are dangerously poisonous, the ~~Museum of Natural History~~ North Carolina  
14 State Museum of Natural Sciences or its designated representative shall be empowered  
15 to dispose of said reptiles in a manner consistent with the safety of the public; but if ~~said~~  
16 ~~the~~ Museum or its designated representative find that the reptiles are not dangerously  
17 poisonous, and are not and cannot be harmful to human life, safety, health or welfare,  
18 then it shall be the duty of such officers to return the said reptiles to the person from  
19 whom they were seized within five days."

20 (h) G.S. 14-420 reads as rewritten:

21 **"§ 14-420. Arrest of persons violating provisions of Article.**

22 If the examination and tests made by the ~~Museum of Natural History~~ North Carolina  
23 State Museum of Natural Sciences or its designated representative as provided herein  
24 show that such reptiles are dangerously poisonous, it shall be the duty of the officers  
25 making the seizure, in addition to destroying such reptiles, also to arrest all persons  
26 violating any of the provisions of this Article."

27 (i) G.S. 106-202.17(b) reads as rewritten:

28 "(b) The Scientific Committee shall consist of the Directors of The University of  
29 North Carolina at Chapel Hill Herbarium, the North Carolina State University  
30 Herbarium, the North Carolina Botanical Garden of The University of North Carolina at  
31 Chapel Hill, the ~~North Carolina Museum of Natural History~~ North Carolina State  
32 Museum of Natural Sciences and the North Carolina Natural Heritage Program of the  
33 Department of Environment, Health, and Natural Resources or their designees, a  
34 representative of the North Carolina Association of Nurserymen, Inc., appointed by the  
35 Commissioner, and a representative of the Garden Club of North Carolina,  
36 Incorporated, the North Carolina Chapter of the Nature Conservancy or the North  
37 Carolina Wild Flower Preservation Society, Inc., appointed by the Commissioner.  
38 Members shall serve for three-year terms and may succeed themselves."

39 (j) G.S. 147-50 reads as rewritten:

40 **"§ 147-50. Publications of State officials and department heads furnished to**  
41 **certain institutions, agencies, etc.**

42 Every State official and every head of a State department, institution or agency  
43 issuing any printed report, bulletin, map, or other publication shall, on request, furnish



1 copies of such reports, bulletins, maps or other publications to the following institutions  
2 in the number set out below:

3	University of North Carolina at Chapel Hill	25 copies;
4	University of North Carolina at Charlotte	2 copies;
5	University of North Carolina at Greensboro	2 copies;
6	North Carolina State University at Raleigh	2 copies;
7	East Carolina University at Greenville	2 copies;
8	Duke University	25 copies;
9	Wake Forest College	2 copies;
10	Davidson College	2 copies;
11	North Carolina Supreme Court Library	2 copies;
12	North Carolina Central University	5 copies;
13	Western Carolina University	2 copies;
14	Appalachian State University	2 copies;
15	University of North Carolina at Wilmington	2 copies;
16	North Carolina Agricultural and Technical	
17	State University	2 copies;
18	Legislative Library	2 copies;

19 and to governmental officials, agencies and departments and to other educational  
20 institutions, in the discretion of the issuing official and subject to the supply available,  
21 such number as may be requested: Provided that five sets of all such reports, bulletins  
22 and publications heretofore issued, insofar as the same are available and without  
23 necessitating reprinting, shall be furnished to the North Carolina Central University.  
24 The provisions in this section shall not be interpreted to include any of the appellate  
25 division reports or advance sheets distributed by the Administrative Office of the  
26 Courts. Except for reports, bulletins, and other publications issued for free distribution,  
27 this section shall not apply to the ~~Museum of Natural History~~. North Carolina State  
28 Museum of Natural Sciences."

29 (k) This section becomes effective August 1, 1993.

30

### 31 **PART 26. MISCELLANEOUS PROVISIONS**

32

33 Requested by: Representatives Nesbitt and Diamont

#### 34 **RESERVE FOR ADVANCE PLANNING**

35 Sec. 91. The Office of State Budget and Management shall report to the Joint  
36 Legislative Commission on Governmental Operations and to the Fiscal Research  
37 Division on how it intends to spend funds from the Reserve for Advance Planning at  
38 least 45 days before it spends the funds.

39 The Office of State Budget and Management shall also report the results of  
40 any project on which it uses funds from the Reserve for Advance Planning to the Joint  
41 Legislative Commission on Governmental Operations and to the Fiscal Research  
42 Division.

43

44 Requested by: Representatives Nesbitt and Diamont

**ENCUMBERED APPROPRIATIONS AND PROJECT RESERVE FUND**

Sec. 92. When each capital improvement project appropriated by the 1993 General Assembly, other than those projects under the Board of Governors of The University of North Carolina, is placed under construction contract, direct appropriations shall be encumbered to include all costs for construction, design, investigation, administration, movable equipment, and a reasonable contingency. Unencumbered direct appropriations remaining in the project budget shall be placed in a project reserve fund credited to the Office of State Budget and Management. Funds in the project reserve may be used for emergency repair and renovation projects at State facilities with the approval of the Director of the Budget. The project reserve fund may be used, at the discretion of the Director of the Budget, to allow for award of contracts where bids exceed appropriated funds, if those projects supplemented were designed within the scope intended by the applicable appropriation or any authorized change in it, and if, in the opinion of the Director of the Budget, all means to award contracts within the appropriation were reasonably attempted. At the discretion of the Director of the Budget, any balances in the project reserve fund shall revert to the original source.

Requested by: Representatives Nesbitt and Diamont

**PROJECT COST INCREASE**

Sec. 93. Upon the request of the administration of a State department or institution, the Director of the Budget may, when in the Director's opinion it is in the best interest of the State to do so, increase the cost of a capital improvement project. Provided, however, that if the Director of the Budget increases the cost of a project, the Director shall report that action to the Joint Legislative Commission on Governmental Operations at its next meeting. The increase may be funded from gifts, federal or private grants, special fund receipts, excess patient receipts above those budgeted at University of North Carolina Hospitals at Chapel Hill, or direct capital improvement appropriations to that department or institution.

Requested by: Representatives Nesbitt and Diamont

**NEW PROJECT AUTHORIZATION**

Sec. 94. Upon the request of the administration of any State department or institution, the Governor may authorize the construction of a capital improvement project not specifically authorized by the General Assembly if such project is to be funded by gifts, federal or private grants, special fund receipts, excess patient receipts above those budgeted at University of North Carolina Hospitals at Chapel Hill, or self-liquidating indebtedness. Provided, however, that if the Director of the Budget authorizes the construction of such a capital improvement project, the Director shall report that action to the Joint Legislative Commission on Governmental Operations at its next meeting.

Requested by: Representatives Nesbitt and Diamont

**ADVANCE PLANNING OF CAPITAL IMPROVEMENT PROJECTS**

1           Sec. 95. Funds which become available by gifts, excess patient receipts  
2 above those budgeted at University of North Carolina Hospitals at Chapel Hill, federal  
3 or private grants, receipts becoming a part of special funds by act of the General  
4 Assembly or any other funds available to a State department or institution may be  
5 utilized for advance planning through the working drawing phase of capital  
6 improvement projects, upon approval of the Director of the Budget. The Director of the  
7 Budget may make allocations from the Advance Planning Fund for advance planning  
8 through the working drawing phase of capital improvement projects, except that this  
9 revolving fund may not be utilized by the Board of Governors of The University of  
10 North Carolina or the State Board of Community Colleges.

11  
12 Requested by: Representatives Nesbitt and Diamont

13 **APPROPRIATIONS LIMITS/REVERSION OR LAPSE**

14           Sec. 96. Except as permitted in previous sections of this act, the  
15 appropriations for capital improvements made by the 1993 General Assembly may be  
16 expended only for specific projects set out by the 1993 General Assembly and for no  
17 other purpose. Construction of all capital improvement projects enumerated by the  
18 1993 General Assembly shall be commenced, or self-liquidating indebtedness with  
19 respect to them shall be incurred, within 12 months following the first day of the fiscal  
20 year in which the funds are available. If construction contracts on those projects have  
21 not been awarded or self-liquidating indebtedness has not been incurred within that  
22 period, the direct appropriation for those projects shall revert to the original source, and  
23 the self-liquidating appropriation shall lapse; except that direct appropriations may be  
24 placed in a reserve fund as authorized in this act. This deadline with respect to both  
25 direct and self-liquidating appropriations may be extended with the approval of the  
26 Director of the Budget up to an additional 12 months if circumstances and conditions  
27 warrant such extension.

28  
29 Requested by: Representatives Nesbitt and Diamont

30 **1993-94 APPROPRIATIONS LIMITATIONS AND DIRECTIONS APPLY**

31           Sec. 97. Except where expressly repealed or amended by this act, the  
32 provisions of Chapter 321 of the 1993 Session Laws remain in effect.

33  
34 Requested by: Representatives Nesbitt and Diamont

35 **EFFECTIVE DATE**

36           Sec. 98. Except as otherwise provided, this act becomes effective July 1,  
37 1993.