

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

2

SENATE BILL 463
Appropriations Committee Substitute Adopted 7/29/97

Short Title: Continuing Budget Authority.

(Public)

Sponsors:

Referred to:

March 24, 1997

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1997, AND TO EXTEND EXPIRING PROVISIONS OF LAW.

The General Assembly of North Carolina enacts:

FUNDS SHALL NOT REVERT

Section 1. Section 5 of S.L. 1997-256 reads as rewritten:" Section 5. If the provisions of Senate Bill 352, 3rd edition, Senate Bill 352, 5th edition, or both, direct that funds shall not revert, the funds shall not revert on June 30, 1997. Unless these funds are encumbered on or before June 30, 1997, these funds shall not be expended after June 30, 1997, except as provided by a statute that becomes effective after June 30, 1997. If no such statute is enacted prior to ~~August 1, 1997~~, September 1, 1997, these funds shall revert to the appropriate fund on that date."

EXTEND SENTENCING COMMISSION

Section 2. Section 6 of Chapter 1076 of the 1989 Session Laws, as amended by Chapters 812 and 816 of the 1991 Session Laws, Chapters 253, 321, and 591 of the

1 1993 Session Laws, Chapter 236 of the 1995 Session Laws, and Section 6 of S.L. 1997-
2 256 reads as rewritten:

3 "Sec. 6. This act is effective upon ratification, and shall expire ~~July 31, 1997.~~ August
4 31, 1997."

6 **EXTEND MORATORIUM ON FISHING LICENSES**

7 Section 3. Subsection (a) of Section 3 of Chapter 675 of the 1993 Session
8 Laws, Regular Session 1994, as amended by subsection (a) of Section 26.5 of Chapter
9 507 of the 1995 Session Laws and Section 7 of S.L. 1997-256, reads as rewritten:

10 "(a) Except as provided in subsections (b), (c), (c1), or (c2) of this section, the
11 Department shall not issue any new licenses for a period beginning July 1, 1994, and
12 ending ~~July 31, 1997.~~ August 31, 1997. under the following statutes:

- 13 (1) G.S. 113-152. Vessel licenses.
- 14 (2) G.S. 113-153.1. Crab license.
- 15 (3) G.S. 113-154. Shellfish license
- 16 (4) G.S. 113-154.1. Nonvessel endorsements to sell fish."

18 **AUTHORIZATION OF FICTITIOUS LICENSES AND REGISTRATION** 19 **PLATES ON PUBLICLY OWNED MOTOR VEHICLES**

20 Section 4. Section 23(c) of Chapter 18 of the Session Laws of the 1996
21 Second Extra Session, as rewritten by Section 8 of S.L. 1997-256, reads as rewritten:

22 "(c) Subsection (a) of this section expires ~~July 31, 1997.~~ August 31, 1997."

24 **LOWER NEUSE RIVER BASIN ASSOCIATION FUNDS**

25 Section 5. Section 27.8(a) of Chapter 18 of the Session Laws of the 1996
26 Second Extra Session, as rewritten by Section 9 of S.L. 1997-256, reads as rewritten:

27 "(a) Of the funds appropriated by this act to the Lower Neuse River Basin
28 Association for the 1996-97 fiscal year, the sum of two million dollars (\$2,000,000) shall
29 be allocated as grants to local government units in the Neuse River Basin to assist those
30 local government units in fulfilling their obligations under the Neuse River Nutrient
31 Sensitive Waters Management Strategy plan adopted by the Environmental Management
32 Commission. The funds are contingent upon the adoption of the plan by the
33 Environmental Management Commission. If the Environmental Management
34 Commission fails to adopt the plan by ~~July 31, 1997.~~ August 31, 1997. then the funds
35 shall revert to the General Fund."

37 **BEAVER DAMAGE CONTROL FUNDS**

38 Section 6. Subsection (h) of Section 69 of Chapter 1044 of the 1991 Session
39 Laws, as amended by Section 111 of Chapter 561 of the 1993 Session Laws, Section 27.3
40 of Chapter 769 of the 1993 Session Laws, Section 26.6 of Chapter 507 of the 1995
41 Session Laws, Section 27.15(c) of Chapter 18 of the Session Laws of the 1996 Second
42 Extra Session, and Section 10 of S.L. 1197-256, reads as rewritten:

1 "(h) Subsections (a) through (d) of this section expire ~~July 31, 1997.~~ August 31,
2 1997."

3 4 **CHANGES IN THE EXECUTION OF THE BUDGET**

5 Section 7. Section 11 of S.L. 1997-256 reads as rewritten:

6 "Section 11. The amendments to G.S. 143-27 that were enacted in Section 7.4(h)(2)
7 of Chapter 18 of the Session Laws of the 1996 Second Extra Session shall become
8 effective ~~August 1, 1997.~~ September 1, 1997."

9 10 **CORE SOUND/DESCRIPTION OF AREA A FOR SHELLFISH LEASE** 11 **MORATORIUM**

12 Section 8. Section 3 of Chapter 547 of the 1995 Session Laws (1996 Regular
13 Session) as amended by Section 1 of Chapter 633 of the 1995 Session Laws (1996
14 Regular Session) and as rewritten by Section 27.33 of Chapter 18 of the Session Laws of
15 the 1996 Second Extra Session and Section 12 of S.L. 1997-256, reads as rewritten:

16 "Sec. 3. Notwithstanding G.S. 113-202, a moratorium on new shellfish cultivation
17 leases shall be imposed in the remaining area of Core Sound not described in Section 1 of
18 this act. During the moratorium, a comprehensive study of the shellfish lease program
19 shall be conducted. The moratorium established under this section covers that part of
20 Core Sound bounded by a line beginning at a point on Cedar Island at 35°00'39"N -
21 76°17'48"W, thence 109°(M) to a point in Core Sound 35°00'00"N - 76°12'42"W,
22 thence 229°(M) to Marker No. 37 located 0.9 miles off Bells Point at 34°43'30"N -
23 76°29'00"W, thence 207°(M) to the Cape Lookout Lighthouse at 34°37'24"N -
24 76°31'30"W, thence 12°(M) to a point at Marshallberg at 34°43'07"N - 76°31'12"W,
25 thence following the shoreline in a northerly direction to the point of beginning except
26 that the highway bridges at Salters Creek, Thorofare Bay, and the Rumley Bay ditch shall
27 be considered shoreline. The moratorium shall expire ~~August 1, 1997.~~ September 1,
28 1997."

29 30 **EFFECTIVE DATE**

31 Section 9. (a) Section 13 of S.L. 1997-256 reads as rewritten:

32 "Section 13. This act becomes effective July 1, 1997, except that Sections 5 through
33 10 of this act become effective June 30, 1997. This act expires ~~August 1, 1997.~~
34 September 1, 1997."

35 (b) This act becomes effective July 31, 1997.