

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 1512

Short Title: Clean Water Trust Fund/Add'l Funds.

(Public)

Sponsors: Senators Robinson, Carter, Metcalf; Albertson, Carpenter, Clodfelter, Cochrane, Cooper, Dalton, Forrester, Garrou, Garwood, Gulley, Hagan, Harris, Hartsell, Hoyle, Jordan, Kerr, Kinnaird, Lee, Lucas, Martin of Guilford, Miller, Moore, Odom, Perdue, Plyler, Purcell, Rand, Reeves, Rucho, Shaw of Cumberland, Soles, Warren, and Weinstein.

Referred to: Appropriations/Base Budget.

May 30, 2000

A BILL TO BE ENTITLED

1 AN ACT TO INCREASE THE AMOUNT APPROPRIATED TO THE CLEAN
2 WATER MANAGEMENT TRUST FUND.
3

4 The General Assembly of North Carolina enacts:

5 Section 1.(a) Notwithstanding G.S. 143-15.3B(a), the State Controller shall not
6 reserve to the Clean Water Management Trust Fund any portion of the unreserved credit
7 balance remaining in the General Fund at the end of the 2000-2001 fiscal year.

8 Section 1.(b) Effective July 1, 2001, G.S. 143-15.3B(a) reads as rewritten:

9 "(a) The Clean Water Management Trust Fund is established in G.S. 113-145.3.
10 ~~The State Controller shall reserve to the Clean Water Management Trust Fund six and~~
11 ~~one-half percent (6.5%) of any unreserved credit balance remaining in the General Fund~~
12 ~~at the end of each fiscal year or thirty million dollars (\$30,000,000), whichever is greater.~~
13 The General Assembly finds that, due to the critical need in this State to clean up
14 pollution in the State's surface waters and to protect and conserve those waters that are
15 not yet polluted, it is imperative that the State provide a minimum of forty million dollars
16 (\$40,000,000) each calendar year to the Clean Water Management Trust Fund; therefore,

1 there is annually appropriated from the General Fund to the Clean Water Management
2 Trust Fund the sum of forty million dollars (\$40,000,000)."

3 Section 2. Effective July 1, 2002, G.S. 143-15.3B(a), as rewritten by Section 1
4 of this act, reads as rewritten:

5 "(a) The Clean Water Management Trust Fund is established in G.S. 113-145.3.
6 The General Assembly finds that, due to the critical need in this State to clean up
7 pollution in the State's surface waters and to protect and conserve those waters that are
8 not yet polluted, it is imperative that the State provide a minimum of ~~forty million dollars~~
9 ~~(\$40,000,000)~~ seventy million dollars (\$70,000,000) each calendar year to the Clean
10 Water Trust Fund; therefore, there is annually appropriated from the General Fund to the
11 Clean Water Management Trust Fund the sum of ~~forty million dollars (\$40,000,000)~~
12 seventy million dollars (\$70,000,000)."

13 Section 3. Effective July 1, 2003, G.S. 143-15.3B(a), as rewritten by Sections
14 1 and 2 of this act, reads as rewritten:

15 "(a) The Clean Water Management Trust Fund is established in G.S. 113-145.3.
16 The General Assembly finds that, due to the critical need in this State to clean up
17 pollution in the State's surface waters and to protect and conserve those waters that are
18 not yet polluted, it is imperative that the State provide a minimum of ~~seventy million~~
19 ~~dollars (\$70,000,000)~~ one hundred million dollars (\$100,000,000) each calendar year to the
20 Clean Water Management Trust Fund; therefore, there is annually appropriated from the
21 General Fund to the Clean Water Management Trust Fund the sum of ~~seventy million~~
22 ~~dollars (\$70,000,000)~~ one hundred million dollars (\$100,000,000)."

23 Section 4. G.S. 143-15.2 reads as rewritten:

24 "**§ 143-15.2. Use of General Fund credit balance; priority uses.**

25 (a) As used in G.S. 143-15.3, 143-15.3A, and 143-15.3B, the term 'unreserved
26 credit balance' means the credit balance amount, as determined on a cash basis, before
27 funds are reserved by the State Controller to the Savings Reserve ~~Account, the Account or~~
28 ~~the Repairs and Renovations Reserve Account, or the Clean Water Management Trust Fund~~
29 Account pursuant to G.S. 143-15.3, 143-15.3A, and 143-15.3B. G.S. 143-15.3 and G.S. 143-
30 15.3A.

31 (b) The State Controller shall transfer funds from the unreserved credit balance to
32 the Savings Reserve Account in accordance with G.S. 143-15.3(a).

33 (c) The State Controller shall transfer funds from the unreserved credit balance to
34 the Repairs and Renovation Reserve Account in accordance with G.S. 143-15.3A(a).

35 ~~(d) The State Controller shall transfer funds from the unreserved credit balance to~~
36 ~~the Clean Water Management Trust Fund in accordance with G.S. 143-15.3B(a).~~

37 (e) The General Assembly may appropriate that part of the anticipated General
38 Fund credit balance not expected to be reserved only for capital improvements or other
39 one-time expenditures."

40 Section 5. G.S. 143-15.3(a) reads as rewritten:

41 "(a) There is established a Savings Reserve Account as a restricted reserve in the
42 General Fund. The State Controller shall reserve to the Savings Reserve Account one-
43 fourth of any unreserved credit balance remaining in the General Fund at the end of each

1 fiscal year until the account contains funds equal to five percent (5%) of the amount
2 appropriated the preceding year for the General Fund operating budget, including local
3 government tax-sharing funds, that were directly appropriated. In the event that the one-
4 fourth exceeds the amount necessary to reach the five percent (5%) level, only funds
5 necessary to reach that level shall be reserved. If there are insufficient funds in the
6 unreserved credit balance for the Savings Reserve Account, ~~the Account and the Repairs~~
7 ~~and Renovations Reserve Account, and the Clean Water Management Trust Fund,~~ then the
8 requirements of this section shall be complied with first, and any remaining funds shall
9 be reserved to the Repairs and Renovations Reserve Account, in accordance with ~~G.S.~~
10 ~~143-15.3A, and the Clean Water Management Trust Fund, in accordance with G.S. 143-15.3B.~~
11 G.S. 143-15.3A."

12 Section 6. Except as otherwise provided in this act, this act becomes effective
13 June 30, 2001.