

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

4

HOUSE BILL 900
Committee Substitute Favorable 4/23/97
Senate Appropriations Committee Substitute Adopted 9/29/98
Fourth Edition Engrossed 9/30/98

Short Title: Federal Match Required-9/30/98.

(Public)

Sponsors:

Referred to:

April 8, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS FOR FEDERAL MATCHING FUNDS FOR
3 THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY AND
4 WASTEWATER AND WATER SUPPLY MATCHING FUNDS FOR THE
5 DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, TO
6 APPROPRIATE FUNDS FOR CAPITAL APPROPRIATIONS FOR THE
7 DEPARTMENT OF ADMINISTRATION AND THE DEPARTMENT OF
8 ENVIRONMENT AND NATURAL RESOURCES, TO AUTHORIZE A
9 TRANSFER OF FUNDS TO MEET TANF MAINTENANCE OF EFFORT
10 REQUIREMENTS, TO PROVIDE THAT IT IS THE INTENT OF THE GENERAL
11 ASSEMBLY THAT EXCESS TANF FUNDS BE USED TO CONTINUE THE
12 IMPLEMENTATION OF FIRST STOP EMPLOYMENT ASSISTANCE, TO
13 APPROPRIATE FEDERAL BLOCK GRANT FUNDS FOR THE WELFARE TO
14 WORK FORMULA GRANT PLAN, TO PROVIDE FOR WATER RESOURCES
15 DEVELOPMENT PROJECTS, TO AMEND THE CARING PROGRAM FOR
16 CHILDREN STATUTE ON THE UNINSURED, AND TO PROVIDE A MENTAL
17 HEALTH RESERVE MATCH FOR MEDICAID.

1 The General Assembly of North Carolina enacts:

2
3 **CURRENT OPERATIONS APPROPRIATION/GENERAL FUND**

4 Section 1. Appropriations from the General Fund of the State for the
5 maintenance of the State departments, institutions, and agencies, and for other purposes
6 as enumerated are made for the fiscal year ending June 30, 1999, according to the
7 schedule that follows.

8
9 Current Operations - General Fund 1998-99

| | | |
|----|---|-----------------------|
| 10 | | |
| 11 | Department of Crime Control and Public | |
| 12 | Safety – Matching Funds for the National | |
| 13 | Guard Tarheel Challenge Program | \$ 542,000 NR |
| 14 | | |
| 15 | Department of Environment and Natural Resources | |
| 16 | 01. Federal Wastewater Assistance – | |
| 17 | Matching Funds 4,860,532 NR | |
| 18 | 02. Federal Water Supply Assistance – | |
| 19 | Matching Funds 2,571,880 NR | |
| 20 | TOTAL – Department of Environment and Natural Resources | 7,432,412 NR |
| 21 | | |
| 22 | TOTAL: Current Operations - General Fund | \$7,974,412 NR |
| 23 | | |

24 **CAPITAL APPROPRIATIONS/GENERAL FUND**

25 Section 2. Appropriations are made from the General Fund of the State for the
26 1998-99 fiscal year for use by the State departments, institutions, and agencies to provide
27 for capital improvement projects according to the following schedule:

28
29 Capital Improvements - General Fund
30 1998-99

| | | |
|----|--|-------------|
| 31 | Department of Administration, Reserve for | |
| 32 | State Veterans Nursing Home – Salisbury | |
| 33 | Renovation of a 100-bed nursing care unit | \$1,000,000 |
| 34 | | |
| 35 | Department of Environment and Natural Resources | |
| 36 | 01. State Match-Water Resources Projects – Funds | |
| 37 | for the State share of federal civil works | |
| 38 | projects \$5,240,000 | |
| 39 | | |
| 40 | 02. Channel Widening/Deepening-Wilmington Port – | |
| 41 | Funds to improve navigation for shipping terminals | |
| 42 | and industries \$4,800,000 | |

- 1
2 03. B. Everett Jordan Lake Water Supply – repayment of
3 State cost-share funds for federal funds
4 previously expended \$ 110,000
5

6 **TOTAL:** Capital Improvements - General Fund \$11,150,000
7

8 **AUTHORIZE TRANSFER TO MEET TANF MAINTENANCE OF EFFORT**
9 **REQUIREMENTS**

10 Section 3. Notwithstanding any other provision of law to the contrary, to the
11 extent necessary to meet federal maintenance of effort requirements for Temporary
12 Assistance for Needy Families (TANF), the Department of Health and Human Services
13 may, for the first quarter of the 1998-99 fiscal year only, use State funds for the TANF
14 Work First Family Assistance.
15

16 **FIRST STOP EMPLOYMENT ASSISTANCE/ APPROPRIATE FEDERAL**
17 **BLOCK GRANT FUNDS FOR WELFARE TO WORK FORMULA GRANT**
18 **PLAN**

19 Section 4. (a) It is the intent of the General Assembly that excess Temporary
20 Assistance for Needy Families (TANF) funds up to twenty-five million three hundred
21 thirty-two thousand one hundred seventy-three dollars (\$25,332,173) be used to continue
22 the implementation of First Stop Employment Assistance, established pursuant to G.S.
23 108A-29. The Employment Security Commission shall implement this initiative in
24 consultation with the Department of Commerce, the Department of Health and Human
25 Services, and the Department of Community Colleges.

26 (b) Section 12.20A(b) of S.L. 1997-443 reads as rewritten:

27 "(b) The Department of Commerce, the Employment Security Commission, and the
28 Department of Health and Human Services shall develop a plan to implement the
29 Welfare-to-Work initiative in this State, develop performance goals and measures for this
30 initiative, and estimate the cost impact on the State budget for the next five years of
31 implementing the initiative. The Department of Commerce, the Employment Security
32 Commission, and the Department of Health and Human Services shall report to the
33 General Assembly its findings and recommendations by April 1, 1998. ~~The Department of~~
34 ~~Commerce shall not expend any State or federal funds for the Welfare-to-Work initiative until~~
35 ~~the amended State Plan is submitted to the General Assembly and the amended State Plan~~
36 ~~becomes law."~~

37 (c) There is appropriated to the Department of Commerce from federal Welfare to
38 Work Block Grant funds for the fiscal year ending June 30, 1999, the sum of twenty-five
39 million three hundred thirty-two thousand one hundred seventy-three dollars
40 (\$25,332,173). The Office of State Budget and Management may identify potential
41 sources of State and local funds that may be used as a match for the federal Welfare-to-
42 Work Block Grant, except that funds identified may be used as a match only to the extent
43 that the funds are not needed to meet federal TANF maintenance of effort requirements

1 and only to the extent that the funds will not reduce funds obligated or appropriated for
2 Work First County Block Grants and child welfare services.

3
4 **WATER RESOURCES DEVELOPMENT PROJECTS FUNDS**

5 Section 5. (a) The Department of Environment and Natural Resources shall
6 allocate the funds appropriated in this act for water resources development projects to the
7 following projects whose estimated costs are as indicated:

8
9 Name of Project

| | | |
|----|---|--------------|
| 10 | | |
| 11 | 1. Morehead City Harbor Turning Basin | \$ 2,000,000 |
| 12 | | |
| 13 | 2. Wilmington Harbor Maintenance Dredging | 200,000 |
| 14 | | |
| 15 | 3. Wilmington Harbor Long-Term Disposal | 1,400,000 |
| 16 | | |
| 17 | 4. Beaufort Harbor Maintenance Dredging | 80,000 |
| 18 | | |
| 19 | 5. Manteo Shallowbag Bay Maintenance Dredging | 200,000 |
| 20 | | |
| 21 | 6. Rollinson Channel Maintenance Dredging | |
| 22 | (Dare County) 400,000 | |
| 23 | | |
| 24 | 8. Pine Knolls Shores Protection (Carteret Co.) | 200,000 |
| 25 | | |
| 26 | 9. Tar River Road Streambank Protection | 50,000 |
| 27 | (City of Greenville) | |
| 28 | | |
| 29 | 10. Battery Island Bird Habitat Restoration | 140,000 |
| 30 | (Brunswick County) | |
| 31 | | |
| 32 | 11. Dare County Beaches Feasibility Study | 70,000 |
| 33 | | |
| 34 | 12. Deep Creek Watershed Project (Yadkin Co.) | 500,000 |
| 35 | | |
| 36 | Total | \$ 5,240,000 |

37 (b) Where the actual costs are different from the estimated costs under subsection
38 (a) of this section, the Department may adjust the allocations among projects as needed.
39 If any projects listed in subsection (a) of this section are delayed and the budgeted State
40 funds cannot be used during the 1998-99 fiscal year, or if the projects listed in subsection
41 (a) of this section are accomplished at a lower cost, the Department may use the resulting
42 fund availability to fund any of the following:

- 43 (1) Corps of Engineers project feasibility studies.

1 (2) Corps of Engineers projects whose schedules have advanced and require
2 State matching funds in fiscal year 1998-99.
3 (3) State-local water resources development projects.
4 Funds not expended or encumbered for these purposes shall revert to the
5 General Fund at the end of the 1999-2000 fiscal year.

6 (c) The Department shall make quarterly reports on the use of these funds to the
7 Joint Legislative Commission on Governmental Operations, the Fiscal Research
8 Division, and the Office of State Budget and Management. Each report shall include all
9 of the following:

- 10 (1) All projects listed in this section.
11 (2) The estimated cost of each project.
12 (3) The date that work on each project began or is expected to begin.
13 (4) The date that work on each project was completed or is expected to be
14 completed.
15 (5) The actual cost of each project.

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

19 20 **CARING PROGRAM FOR CHILDREN**

21 Section 6. G.S. 108A-70.18(8), as enacted by Section 1 of S.L. 1998-1 Extra
22 Session, reads as rewritten:

23 "(8) 'Uninsured' means the applicant for Program benefits was not covered
24 under any private or employer-sponsored comprehensive health
25 insurance plan for the six-month period immediately preceding the date
26 ~~the Program becomes effective. of application for Program benefits.~~
27 ~~Effective six months from date the Program becomes effective, April 1,~~
28 1999, 'uninsured' means the applicant is and was not covered under any
29 private or employer-sponsored comprehensive health insurance plan for
30 60 days immediately preceding the date of application. The waiting
31 periods required under this subdivision shall be waived if the child has
32 been enrolled in Medicaid and has lost Medicaid eligibility due to a
33 change in family income eligibility, has lost health care benefits due to
34 cessation of a nonprofit organization program that provides health care
35 benefits to low-income children, or has lost employer-sponsored
36 comprehensive health care coverage due to termination of employment,
37 cessation by the employer of employer-sponsored health coverage, or
38 cessation of the employer's business."
39

40 **MENTAL HEALTH RESERVE FOR MEDICAID MATCH**

41 Section 7. There is appropriated from the General Fund to the Department of
42 Health and Human Services the sum of thirty-eight million dollars (\$38,000,000) for the
43 1998-99 fiscal year. These funds shall be placed in a Mental Health Restricted Reserve

1 in the Office of the Controller of the Department of Health and Human Services. In
2 addition to these funds, the Department shall transfer to the Mental Health Restricted
3 Reserve from the Division of Mental Health, Developmental Disabilities, and Substance
4 Abuse Services, the total amount of funds in the Division's budget allocated as matching
5 funds for Medicaid payments to area mental health authorities for the 1998-99 fiscal year.
6 Funds in the Reserve that are unexpended and unencumbered as of June 30, 1999, shall
7 revert to the General Fund. This appropriation shall become part of the continuation
8 budget.

9
10 **MOST TEXT APPLIES ONLY TO 1998-99**

11 Section 8. Except for statutory changes or other provisions that clearly
12 indicate an intention to have effects beyond the 1998-99 fiscal year, the textual provisions
13 of this act apply only to funds appropriated for, and activities occurring during, the 1998-
14 99 fiscal year.

15
16 **1997-98 APPROPRIATIONS LIMITATIONS AND DIRECTIONS APPLY**

17 Section 9. (a) Except where expressly repealed or amended by this act, the
18 provisions of S.L. 1997-443, S.L. 1998-1 Extra Session, S.L. 1998-9, S.L. 1998-23, and
19 S.L. 1998-153 remain in effect.

20 (b) Notwithstanding any modifications by this act in the amounts appropriated,
21 except where expressly repealed or amended, the limitations and directions for the 1998-
22 99 fiscal year in S.L. 1997-443, S.L. 1998-1 Extra Session, S.L. 1998-9, S.L. 1998-23,
23 and S.L. 1998-153 that applied to appropriations to particular agencies or for particular
24 purposes apply to the newly enacted appropriations of this act for those same particular
25 purposes.

26
27 **EFFECT OF HEADINGS**

28 Section 10. The headings to the sections of this act are a convenience to the
29 reader and are for reference only. The headings do not expand, limit, or define the text of
30 this act.

31
32 **SEVERABILITY CLAUSE**

33 Section 11. If any section or provision of this act is declared unconstitutional
34 or invalid by the courts, it does not affect the validity of this act as a whole or any part
35 other than the part so declared to be unconstitutional or invalid.

36
37 **EFFECTIVE DATE**

38 Section 12. Except as otherwise provided, this act becomes effective July 1,
39 1998.