

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 473
Appropriations Committee Substitute Adopted 6/26/97

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:

BUDGET CONTINUATION

Section 1. The Director of the Budget may continue to allocate funds for expenditure for current operations by State departments, institutions, and agencies at a level not to exceed the level at which those operations were authorized by the General Assembly as of June 30, 1997. The Director of the Budget shall not allocate funds for any of the purposes set out in the base budget reductions contained in Senate Bill 352, 3rd edition, and Senate Bill 352, 5th edition, that are not in controversy.

To the extent necessary to implement this authorization, there is appropriated from the appropriate State funds and cash balances, federal receipts, and departmental receipts for the 1997-98 fiscal year, funds necessary to carry out this section.

This appropriation and this authorization to allocate and spend funds shall remain in effect until ratification of the Current Operations and Capital Improvements

1 Appropriations Act of 1997, at which time that act shall become effective and shall
2 govern appropriations and expenditures. Upon ratification of the Current Operations and
3 Capital Improvements Appropriations Act of 1997, the Director of the Budget shall
4 adjust allocations to give effect to that act from July 1, 1997.

5 Except as otherwise provided by this act, the limitations and directions for the
6 1996-97 fiscal year in Chapters 324 and 507 of the 1995 Session Laws and Chapter 18 of
7 the Session Laws of the 1996 Second Extra Session remain in effect. Session laws that
8 applied to appropriations to particular agencies or for particular purposes apply to the
9 funds appropriated and authorized for expenditure under this section.

11 EMPLOYEE SALARIES

12 Section 2. The salary schedules and specific salaries established for fiscal year
13 1996-97 by or under Chapters 324 and 507 of the 1995 Session Laws and Chapter 18 of
14 the Session Laws of the 1996 Second Extra Session for offices and positions shall remain
15 in effect until the effective date of the Current Operations and Capital Improvements
16 Appropriations Act of 1997.

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

21 SALARY-RELATED CONTRIBUTIONS/EMPLOYERS

22 Section 3. The State's employer contribution rates budgeted for retirement and
23 related benefits for the 1997-98 fiscal year shall remain the same as they are on June 30,
24 1997.

26 CASH FLOW HIGHWAY FUND AND HIGHWAY TRUST FUND 27 APPROPRIATIONS

28 Section 4. The General Assembly authorizes and certifies anticipated revenues
29 of the Highway Fund as follows:

30	FY 1999-2000	\$1,182.2 million
31	FY 2000-2001	\$1,211.2 million
32	FY 2001-2002	\$1,241.2 million
33	FY 2002-2003	\$1,271.9 million.

34 The General Assembly authorizes and certifies anticipated revenues of the
35 Highway Trust Fund as follows:

36	FY 1999-2000	\$861.7 million
37	FY 2000-2001	\$891.0 million
38	FY 2001-2002	\$921.6 million
39	FY 2002-2003	\$953.3 million.

41 FUNDS SHALL NOT REVERT

42 Section 5. If the provisions of Senate Bill 352, 3rd edition, Senate Bill 352,
43 5th edition, or both, direct that funds shall not revert, the funds shall not revert on June

1 30, 1997. Unless these funds are encumbered on or before June 30, 1997, these funds
2 shall not be expended after June 30, 1997, except as provided by a statute that becomes
3 effective after June 30, 1997. If no such statute is enacted prior to August 1, 1997, these
4 funds shall revert to the appropriate fund on that date.

6 **EXTEND SENTENCING COMMISSION**

7 Section 6. Section 8 of Chapter 1076 of the 1989 Session Laws, as amended
8 by Chapters 812 and 816 of the 1991 Session Laws, Chapters 253, 321, and 591 of the
9 1993 Session Laws, and Chapter 236 of the 1995 Session Laws, reads as rewritten:

10 "Sec. 8. This act is effective upon ratification, and shall expire ~~July 1, 1997.~~ July 31,
11 1997."

13 **EXTEND MORATORIUM ON FISHING LICENSES**

14 Section 7. Subsection (a) of Section 3 of Chapter 675 of the 1993 Session
15 Laws, Regular Session 1994, as amended by subsection (a) of Section 26.5 of Chapter
16 507 of the 1995 Session Laws, reads as rewritten:

17 "(a) Except as provided in subsections (b), (c), (c1), or (c2) of this section, the
18 Department shall not issue any new licenses for a period beginning July 1, 1994, and
19 ending ~~June 30, 1997,~~ July 31, 1997, under the following statutes:

- 20 (1) G.S. 113-152. Vessel licenses.
- 21 (2) G.S. 113-153.1. Crab license.
- 22 (3) G.S. 113-154. Shellfish license
- 23 (4) G.S. 113-154.1. Nonvessel endorsements to sell fish."

25 **AUTHORIZATION OF FICTITIOUS LICENSES AND REGISTRATION 26 PLATES ON PUBLICLY OWNED MOTOR VEHICLES**

27 Section 8. Section 23(c) of Chapter 18 of the Session Laws of the 1996
28 Second Extra Session reads as rewritten:

29 "(c) Subsection (a) of this section expires ~~June 30, 1997.~~ July 31, 1997."

31 **LOWER NEUSE RIVER BASIN ASSOCIATION FUNDS**

32 Section 9. Section 27.8(a) of Chapter 18 of the Session Laws of the 1996
33 Second Extra Session reads as rewritten:

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

1 BEAVER DAMAGE CONTROL FUNDS

2 Section 10. Subsection (h) of Section 69 of Chapter 1044 of the 1991 Session
3 Laws, as amended by Section 111 of Chapter 561 of the 1993 Session Laws, Section 27.3
4 of Chapter 769 of the 1993 Session Laws, Section 26.6 of Chapter 507 of the 1995
5 Session Laws, and Section 27.15(c) of Chapter 18 of the Session Laws of the 1996
6 Second Extra Session reads as rewritten:

7 "(h) Subsections (a) through (d) of this section expire ~~June 30, 1997.~~ July 31,
8 1997."

10 CHANGES IN THE EXECUTION OF THE BUDGET

11 Section 11. The amendments to G.S. 143-27 that were enacted in Section
12 7.4(h)(2) of Chapter 18 of the Session Laws of the 1996 Second Extra Session shall
13 become effective August 1, 1997.

**15 CORE SOUND/DESCRIPTION OF AREA A FOR SHELLFISH LEASE
16 MORATORIUM**

17 Section 12. Section 3 of Chapter 547 of the 1995 Session Laws (1996 Regular
18 Session) as amended by Section 1 of Chapter 633 of the 1995 Session Laws (1996
19 Regular Session) and as rewritten by Section 27.33 of Chapter 18 of the Session Laws of
20 the 1996 Second Extra Session reads as rewritten:

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

34 EFFECTIVE DATE

35 Section 13. This act becomes effective July 1, 1997, except that Sections 5
36 through 10 of this act become effective June 30, 1997. This act expires August 1, 1997.