

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 709

Short Title: Recovery of Discretionary Funds.

(Public)

Sponsors: Senators Webster; Carpenter, Carrington, Clark, East, Forrester, Foxx, Garwood, Hartsell, Ledbetter, McDaniel, and Rucho.

Referred to: Appropriations.

April 7, 1997

A BILL TO BE ENTITLED

1 AN ACT TO RECOVER ALL DISCRETIONARY FUNDS AND TO URGE
2 ORGANIZATIONS SEEKING FINANCIAL ASSISTANCE FROM THE STATE
3 TO APPLY FOR GRANTS-IN-AID.
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Whereas, secret discretionary spending of funds from the 1996-97 fiscal year has only recently come to the attention of all members of the North Carolina General Assembly; and

Whereas, the General Assembly did not approve the distribution of discretionary funds in the manner in which it occurred; and

Whereas, this secret distribution of taxpayer dollars from the State treasury is unfair to worthy groups that seek assistance through a competitive grant process or through a specific appropriation in an act of the General Assembly; and

Whereas, this distribution of funds may be in violation of G.S. 143-15.3A and G.S. 143-16.3 and is in violation of Section 6.6 of Chapter 324 of the 1995 Session Laws; Now, therefore,

5 The General Assembly of North Carolina enacts:

6 Section 1. The Attorney General with the assistance of the Office of State
7 Budget and Management shall, except as prohibited by the North Carolina Constitution
8 or the United States Constitution, recover all funds that have been distributed pursuant to:

- 1 (1) Section 5.3(a) of Chapter 18 of the Session Laws of the Second Extra
2 1996 Session of the General Assembly to local governments and to
3 private nonprofit corporations from the Reserve for Repairs and
4 Renovations;
5 (2) Section 5.3(b) of Chapter 18 of the Session Laws of the Second Extra
6 1996 Session of the General Assembly; and
7 (3) Section 23.11E of Chapter 507 of the 1995 Session Laws.