

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 940

Finance Committee Substitute Adopted 4/29/97

House Committee Substitute Favorable 9/29/98

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

(Public)

Sponsors:

Referred to:

April 17, 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 FOR WATER RESOURCES DEVELOPMENT
11 PROJECTS, TO AMEND THE CARING PROGRAM FOR CHILDREN LAW ON
12 THE UNINSURED, AND TO PROVIDE A MENTAL HEALTH RESERVE
13 MATCH FOR MEDICAID.

14 The General Assembly of North Carolina enacts:
15

16 **CURRENT OPERATIONS APPROPRIATION/GENERAL FUND**

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

<u>Current Operations - General Fund</u>	<u>1998-99</u>
8 Department of Crime Control and Public	
9 Safety – Matching Funds for the National	
10 Guard Tarheel Challenge Program	\$ 542,000 NR
11	
12 Department of Environment and Natural	
13 Resources	
14 01. Federal Wastewater Assistance –	
15 Matching Funds 4,860,532 NR	
16 02. Federal Water Supply Assistance –	
17 Matching Funds 2,571,880 NR	
18 TOTAL – Department of Environment and	
19 Natural Resources	7,432,412 NR
20	
21 TOTAL: Current Operations - General Fund	\$7,974,412 NR

CAPITAL APPROPRIATIONS/GENERAL FUND

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

<u>Capital Improvements - General Fund</u>	<u>1998-99</u>
30 Department of Administration, Reserve for	
31 State Veterans Nursing Home – Salisbury	
32 Renovation of a 100-bed nursing care unit	\$1,000,000
33	
34 Department of Environment and Natural Resources	
35 01. State Match-Water Resources Projects – Funds	
36 for the State share of federal civil works	
37 projects \$5,240,000	
38	
39 02. Channel Widening/Deepening-Wilmington Port –	
40 Funds to improve navigation for shipping terminals	
41 and industries \$4,800,000	
42	
43 03. B. Everett Jordan Lake Water Supply–repayment	

1 of State cost-share funds for federal funds
 2 previously expended 110,000

3
 4 **TOTAL:** Capital Improvements - General Fund \$11,150,000

5
 6 **AUTHORIZE TRANSFER TO MEET TANF MAINTENANCE OF EFFORT**
 7 **REQUIREMENTS**

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

13
 14 **WATER RESOURCES DEVELOPMENT PROJECTS FUNDS**

15 Section 4. (a) The Department of Environment and Natural Resources shall
 16 allocate the funds appropriated in this act for water resources development projects to the
 17 following projects whose estimated costs are as indicated:

18
 19 Name of Project

20		
21	1. Morehead City Harbor Turning Basin	\$ 2,000,000
22		
23	2. Wilmington Harbor Maintenance Dredging	200,000
24		
25	3. Wilmington Harbor Long-Term Disposal	1,400,000
26		
27	4. Beaufort Harbor Maintenance Dredging	80,000
28		
29	5. Manteo Shallowbag Bay Maintenance Dredging	200,000
30		
31	6. Rollinson Channel Maintenance Dredging	
32	(Dare County) 400,000	
33		
34	8. Pine Knolls Shores Protection (Carteret Co.)	200,000
35		
36	9. Tar River Road Streambank Protection	50,000
37	(City of Greenville)	
38		
39	10. Battery Island Bird Habitat Restoration	140,000
40	(Brunswick County)	
41		
42	11. Dare County Beaches Feasibility Study	70,000
43		

1 12. Deep Creek Watershed Project (Yadkin Co.) 500,000

2
3 Total \$ 5,240,000

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

10 (1) Corps of Engineers project feasibility studies.

11 (2) Corps of Engineers projects whose schedules have advanced and require
12 State matching funds in fiscal year 1998-99.

13 (3) State-local water resources development projects.

14 Funds not expended or encumbered for these purposes shall revert to the
15 General Fund at the end of the 1999-2000 fiscal year.

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

20 (1) All projects listed in this section.

21 (2) The estimated cost of each project.

22 (3) The date that work on each project began or is expected to begin.

23 (4) The date that work on each project was completed or is expected to be
24 completed.

25 (5) The actual cost of each project.

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

30 CARING PROGRAM FOR CHILDREN

31 Section 5. G.S. 108A-70.18(8), as enacted by Section 1 of S.L. 1998-1 Extra
32 Session, reads as rewritten:

33 "(8) 'Uninsured' means the applicant for Program benefits was not covered
34 under any private or employer-sponsored comprehensive health
35 insurance plan for the six-month period immediately preceding the date
36 ~~the Program becomes effective. of application for Program benefits.~~
37 ~~Effective six months from date the Program becomes effective, April 1,~~
38 1999, 'uninsured' means the applicant is and was not covered under any
39 private or employer-sponsored comprehensive health insurance plan for
40 60 days immediately preceding the date of application. The waiting
41 periods required under this subdivision shall be waived if the child has
42 been enrolled in Medicaid and has lost Medicaid eligibility due to a
43 change in family income-eligibility, has lost health care benefits due to

1 cessation of a nonprofit organization program that provides health care
2 benefits to low-income children, or has lost employer-sponsored
3 comprehensive health care coverage due to termination of employment,
4 cessation by the employer of employer-sponsored health coverage, or
5 cessation of the employer's business."
6

7 **MENTAL HEALTH RESERVE FOR MEDICAID MATCH**

8 Section 6. There is appropriated from the General Fund to the Department of
9 Health and Human Services the sum of thirty-eight million dollars (\$38,000,000) for the
10 1998-99 fiscal year. These funds shall be placed in a Mental Health Restricted Reserve
11 in the Office of the Controller of the Department of Health and Human Services. In
12 addition to these funds, the Department shall transfer to the Mental Health Restricted
13 Reserve from the Division of Mental Health, Developmental Disabilities, and Substance
14 Abuse Services, the total amount of funds in the Division's budget allocated as matching
15 funds for Medicaid payments to area mental health authorities. Funds placed in the
16 Reserve may only be used as a State match for Medicaid payments to area mental health
17 authorities for the 1998-99 fiscal year. Funds in the Reserve that are unexpended and
18 unencumbered as of June 30, 1999, shall revert to the General Fund. This appropriation
19 shall become part of the continuation budget.
20

21 **MOST TEXT APPLIES ONLY TO 1998-99**

22 Section 7. Except for statutory changes or other provisions that clearly
23 indicate an intention to have effects beyond the 1998-99 fiscal year, the textual provisions
24 of this act apply only to funds appropriated for, and activities occurring during, the 1998-
25 99 fiscal year.
26

27 **1997-98 APPROPRIATIONS LIMITATIONS AND DIRECTIONS APPLY**

28 Section 8. (a) Except where expressly repealed or amended by this act, the
29 provisions of S.L. 1997-443, S.L. 1998-1 Extra Session, S.L. 1998-9, S.L. 1998-23, and
30 S.L. 1998-153 remain in effect.

31 (b) Notwithstanding any modifications by this act in the amounts appropriated,
32 except where expressly repealed or amended, the limitations and directions for the 1998-
33 99 fiscal year in S.L. 1997-443, S.L. 1998-1 Extra Session, S.L. 1998-9, S.L. 1998-23,
34 and S.L. 1998-153 that applied to appropriations to particular agencies or for particular
35 purposes apply to the newly enacted appropriations of this act for those same particular
36 purposes.
37

38 **EFFECT OF HEADINGS**

39 Section 9. The headings to the sections of this act are a convenience to the
40 reader and are for reference only. The headings do not expand, limit, or define the text of
41 this act.
42

43 **SEVERABILITY CLAUSE**

1 Section 10. If any section or provision of this act is declared unconstitutional
2 or invalid by the courts, it does not affect the validity of this act as a whole or any part
3 other than the part so declared to be unconstitutional or invalid.

4

5 **EFFECTIVE DATE**

6 Section 11. Except as otherwise provided, this act becomes effective July 1,
7 1998.