

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

S

D

SENATE DRS35417-MHx-127 (03/11)

Short Title: Modify Appropriations Act of 2009. (Public)

Sponsors: Senators Swindell, Garrou, Dannelly, and Albertson.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL  
3 APPROPRIATIONS ACT OF 2009 AND FOR OTHER PURPOSES.  
4 The General Assembly of North Carolina enacts:

5  
6 **PART I. INTRODUCTION AND TITLE OF ACT**

7  
8 **INTRODUCTION**

9 **SECTION 1.1.** The appropriations made in this act are for maximum amounts  
10 necessary to provide the services and accomplish the purposes described in the budget. Savings  
11 shall be effected where the total amounts appropriated are not required to perform these  
12 services and accomplish these purposes and, except as allowed by the State Budget Act, or this  
13 act, the savings shall revert to the appropriate fund at the end of each fiscal year as provided in  
14 G.S. 143C-1-2(b).

15  
16 **TITLE**

17 **SECTION 1.2.** This act shall be known as "The Current Operations and Capital  
18 Improvements Appropriations Act of 2010."

19  
20 **PART II. CURRENT OPERATIONS AND EXPANSION/GENERAL FUND**

21  
22 **CURRENT OPERATIONS AND EXPANSION/GENERAL FUND**

23 **SECTION 2.1.** Appropriations from the General Fund of the State for the  
24 maintenance of the State departments, institutions, and agencies, and for other purposes as  
25 enumerated, are adjusted for the fiscal year ending June 30, 2011, according to the schedule  
26 that follows. Amounts set out in brackets are reductions from General Fund appropriations for  
27 the 2010-2011 fiscal year.

28  
29 **GENERAL FUND AVAILABILITY STATEMENT**

30 **SECTION 2.2.(a)** Section 2.2(a) of S.L. 2009-451 is repealed. The General Fund  
31 availability used in adjusting the 2010-2011 budget is shown below:

32  
33 **PART III. CURRENT OPERATIONS/HIGHWAY FUND**

34  
35 **CURRENT OPERATIONS AND EXPANSION/HIGHWAY FUND**



1           **SECTION 3.1.** Appropriations from the State Highway Fund for the maintenance  
2 and operation of the Department of Transportation and for other purposes as enumerated are  
3 adjusted for the fiscal year ending June 30, 2011, according to the following schedule.  
4 Amounts set out in brackets are reductions from Highway Fund Appropriations for the  
5 2010-2011 fiscal year.

6  
7 **HIGHWAY FUND AVAILABILITY STATEMENT**

8           **SECTION 3.2.** Section 3.2 of S.L. 2009-451 is repealed. The Highway Fund  
9 availability used in adjusting the 2010-2011 fiscal year budget is shown below:

10  
11 **PART IV. HIGHWAY TRUST FUND APPROPRIATIONS**

12  
13 **HIGHWAY TRUST FUND**

14           **SECTION 4.1.** Appropriations from the State Highway Trust Fund for the  
15 maintenance and operation of the Department of Transportation and for other purposes as  
16 enumerated are adjusted for the fiscal year ending June 30, 2011, according to the following  
17 schedule. Amounts set out in brackets are reductions from Highway Trust Fund Appropriations  
18 for the 2010-2011 fiscal year.

19  
20 **HIGHWAY TRUST FUND AVAILABILITY STATEMENT**

21           **SECTION 4.2.** Section 4.2 of S.L. 2009-451 is repealed. The Highway Trust Fund  
22 availability used in adjusting the 2010-2011 fiscal year budget is shown below:

23  
24 **PART V. OTHER APPROPRIATIONS**

25  
26 **CIVIL FORFEITURE FUNDS**

27           **SECTION 5.1.(a)** Section 5.1(a) of S.L. 2009-451 reads as rewritten:

28  
29 **PART VI. BLOCK GRANTS**

30  
31 **DHHS BLOCK GRANTS**

32           **SECTION 6.1.(a)** Appropriations from federal block grant funds are made for the  
33 fiscal year ending June 30, 2011, according to the following schedule:

34  
35 **NER BLOCK GRANTS**

36           **SECTION 6.2.(a)** Appropriations from federal block grant funds are made for  
37 fiscal year ending June 30, 2011, according to the following schedule:

38  
39 **PART VII. MISCELLANEOUS PROVISIONS**

40  
41 **STATE BUDGET ACT APPLIES**

42           **SECTION 7.1.** The provisions of the State Budget Act, Chapter 143C of the  
43 General Statutes, are reenacted and shall remain in full force and effect and are incorporated in  
44 this act by reference.

45  
46           **SECTION 7.2.** The budget enacted by the General Assembly shall also be  
47 interpreted in accordance with G.S. 143C-5-5, the special provisions in this act, and other  
48 appropriate legislation.

49           In the event that there is a conflict between the line-item budget certified by the  
50 Director of the Budget and the budget enacted by the General Assembly, the budget enacted by  
51 the General Assembly shall prevail.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

**MOST TEXT APPLIES ONLY TO 2010-2011**

**SECTION 7.3.** Except for statutory changes or other provisions that clearly indicate an intention to have effects beyond the 2010-2011 fiscal year, the textual provisions of this act apply only to funds appropriated for, and activities occurring during, the 2010-2011 fiscal year.

**EFFECT OF HEADINGS**

**SECTION 7.4.** The headings to the parts and sections of this act are a convenience to the reader and are for reference only. The headings do not expand, limit, or define the text of this act, except for effective dates referring to a part.

**SEVERABILITY CLAUSE**

**SECTION 7.5.** If any section or provision of this act is declared unconstitutional or invalid by the courts, it does not affect the validity of this act as a whole or any part other than the part so declared to be unconstitutional or invalid.

**EFFECTIVE DATE**

**SECTION 7.6.** Except as otherwise provided, this act becomes effective July 1, 2010.