

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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SENATE BILL 1368

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

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

Referred to: Appropriations/Base Budget.

May 26, 2010

A BILL TO BE ENTITLED
AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL
APPROPRIATIONS ACT OF 2009 AND FOR OTHER PURPOSES.

The General Assembly of North Carolina enacts:

PART I. INTRODUCTION AND TITLE OF ACT

INTRODUCTION

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

TITLE

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

PART II. CURRENT OPERATIONS AND EXPANSION/GENERAL FUND

CURRENT OPERATIONS AND EXPANSION/GENERAL FUND

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

GENERAL FUND AVAILABILITY STATEMENT

SECTION 2.2.(a) Section 2.2(a) of S.L. 2009-451 is repealed.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

PART III. CURRENT OPERATIONS/HIGHWAY FUND

CURRENT OPERATIONS AND EXPANSION/HIGHWAY FUND

SECTION 3.1. Appropriations from the State Highway Fund for the maintenance and operation of the Department of Transportation and for other purposes as enumerated are



1 adjusted for the fiscal year ending June 30, 2011, according to the following schedule.
2 Amounts set out in brackets are reductions from Highway Fund Appropriations for the
3 2010-2011 fiscal year.

4 5 **HIGHWAY FUND AVAILABILITY STATEMENT**

6 **SECTION 3.2.** Section 3.2 of S.L. 2009-451 is repealed.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

8 9 **PART IV. HIGHWAY TRUST FUND APPROPRIATIONS**

10 11 **HIGHWAY TRUST FUND**

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

17 18 **HIGHWAY TRUST FUND AVAILABILITY STATEMENT**

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

21 22 **PART V. OTHER APPROPRIATIONS**

23 24 **CIVIL FORFEITURE FUNDS**

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

26 27 **PART VI. BLOCK GRANTS**

28 29 **DHHS BLOCK GRANTS**

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

32 33 **NER BLOCK GRANTS**

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

36 37 **PART VII. MISCELLANEOUS PROVISIONS**

38 39 **STATE BUDGET ACT APPLIES**

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

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

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

50 51 **MOST TEXT APPLIES ONLY TO 2010-2011**

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

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6 **EFFECT OF HEADINGS**

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

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11 **SEVERABILITY CLAUSE**

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

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16 **EFFECTIVE DATE**

17 **SECTION 7.6.** Except as otherwise provided, this act becomes effective July 1,
18 2010.