

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 1989**

**S**

**2**

SENATE BILL 1427  
Appropriations Committee Substitute Adopted 7/13/90

Short Title: Capital Appropriations/1990-91.

(Public)

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Sponsors:

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Referred to:

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May 30, 1990

1                                   A BILL TO BE ENTITLED  
2 AN ACT TO MAKE APPROPRIATIONS TO PROVIDE CAPITAL  
3 IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND  
4 AGENCIES AND TO MAKE OTHER CHANGES IN THE BUDGET  
5 OPERATION OF THE STATE.

6 The General Assembly of North Carolina enacts:

7  
8                   Requested by: Senator Royall

9 ---TITLE OF ACT

10                   Section 1. This act shall be known as the "Capital Improvement  
11 Appropriations Act of 1990."

12                                   \*\*\*\*\*

13                   An outline of the provisions of the act follows this section. The outline  
14 shows the heading "---CONTENTS/INDEX---"and it lists by general category the  
15 descriptive captions for the various sections and groups of sections that make up the act.

16                                   ---CONTENTS/INDEX---

17                   (This outline is designed for reference only, and the outline and the  
18 corresponding entries throughout the act in no way limit, define, or prescribe the scope  
19 or application of the text of the act.)

20

21 ---TITLE OF ACT

22 PART I.—GENERAL FUND APPROPRIATIONS

23 ---CAPITAL IMPROVEMENTS/AMOUNTS DELAYED OR REVERTED

1

3

3

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1				
2	2.	Education Building - Furnishings	907,980	-
3				
4	3.	New Steam Plant - Government		
5		Complex	6,594,500	6,594,500
6				
7	4.	Reserve for Asbestos Removal	750,000	-
8				
9	5.	New Revenue Building	18,000,000	14,159,455
10				
11	6.	Veterans Cemetery Funds	400,000	400,000
12				
13	7.	Indian Cultural Center - Planning	150,000	150,000
14				

### Department of Agriculture

15				
16				
17	(Total)		10,162,994	8,789,394
18				
19	1.	Watercraft Museum	499,700	499,700
20				
21	2.	Western North Carolina		
22		Agricultural Center - Land	350,000	350,000
23				
24	3.	Mountain Research Station -		
25		Building	140,000	-
26				
27	4.	Southeastern Farmers Market	1,500,000	1,500,000
28				
29	5.	New Agronomics Lab	6,852,694	6,439,694
30				
31	6.	Garden Center Building -		
32		Charlotte	320,600	-
33				
34	7.	Piedmont Triad Market	500,000	-
35				

### Board of Governors - University of North Carolina

36				
37				
38				
39	(Total)		63,451,300	46,354,257
40				
41	1.	1987 University-wide Construction	2,855,678	2,855,678
42				
43	2.	1987 Advance Planning	350,000	350,000
44				

1	3.	1988 Major Renovations and Repairs	4,865,660	4,793,242
2				
3	4.	1988 Utilities Repairs and		
4		Improvements	1,692,000	1,598,657
5				
6	5.	1988 Land Acquisition	689,920	689,920
7				
8	6.	1988 University-wide Construction	5,352,932	5,062,150
9				
10	7.	1988 Mitchell 4-H Camp - Repairs	214,000	214,000
11				
12	8.	1988 UNC - Asheville -		
13		Conference Center	2,200,000	2,200,000
14				
15	9.	1988 North Carolina Arboretum	1,062,810	1,062,810
16				
17	10.	N. C. State University -		
18	a.	Engineering Graduate Center	6,000,000	3,000,000
19	b.	Centennial Center	2,000,000	1,000,000
20				
21	11.	East Carolina University -		
22	a.	Joyner Library Addition	6,000,000	2,000,000
23	b.	Center for Regional Advancement	1,000,000	500,000
24				
25	12.	University of North Carolina at		
26		Chapel Hill -		
27	a.	School of Business	6,500,000	5,000,000
28	b.	Social Work Building	4,140,500	1,500,000
29				
30	13.	UNC - Asheville -		
31	a.	Conference Center	2,000,000	500,000
32	b.	Conference Center	2,000,000	500,000
33				
34	14.	Fayetteville State University -		
35		Health/Physical Educ. Building	8,677,800	8,677,800
36				
37	15.	Appalachian State University -		
38	a.	Student Activities Center	2,000,000	1,000,000
39	b.	Academic Support Building	500,000	500,000
40				
41	16.	N. C. Arboretum	1,250,000	1,250,000
42				
43	17.	Board of Governors - Land	1,000,000	1,000,000
44				

1       18.   Area Health Education Centers -  
2           Construction Grants    1,100,000    1,100,000

3  
4   **Department of Community Colleges**

5  
6       (Total)   6,000,000    -

7  
8       1.       Anson Community College/Stanly  
9           Community College - Union Satellite 900,000    -

10  
11      2.       Cape Fear Community College -  
12           Classroom           500,000    -

13  
14      3.       Craven Community College -  
15           Student Activity Center 750,000    -

16  
17      4.       Fayetteville Technical Community  
18           College - Center for Applied  
19           Technology - Equipment    899,952    -

20  
21      5.       Isothermal Community College -  
22           Fine Arts Center 320,000    -

23  
24      6.       Johnston Community College -  
25           Renovate Library        90,000-

26  
27      7.       Pitt Community College -  
28           Vocational Building    28,577-

29  
30      8.       Roanoke-Chowan Community College -  
31           Technology/Small Business Center 368,645    -

32  
33      9.       Rockingham Community College -  
34           Lab/Classroom Building    1,032,826    -

35  
36      10.     Wake Technical Community College -  
37           Health Education Building   1,110,000    -

38  
39   **Department of Correction**

40  
41       (Total)   1,955,600    1,955,600

42  
43      1.       Reserve for Repairs - Statewide    347,800    347,800

1	2.	Wastewater and Water System		
2		Improvements	133,400	133,400
3				
4	3.	Plumbing Repairs at 51 Units	517,600	517,600
5				
6	4.	Substance Abuse Facility		
7		(Correctional Center for Women)	62,800	62,800
8				
9	5.	DWI Treatment Facility (Goldsboro)	894,000	894,000

10

11 **Department of Cultural Resources**

12

13 (Total) 950,000 -

14

15 1. Ziegler House - Renovation 400,000 -

16

17 2. C. H. Brown State Historic Site -  
18 Improvements 400,000 -

19

20 3. Spencer Shops - Round House  
21 Renovations 150,000 -

22

23 **Department of Economic and**  
24 **Community Development**

25

26 (Total) 7,000,000 1,000,000

27

28 1. Biotechnology Center -  
29 Construction Grant 1,000,000 1,000,000

30

31 2. State Ports Authority - Expansion,  
32 Modernization, and Development 2,844,043 -

33

34 3. State Ports Authority Development  
35 a. Morehead City Port 2,130,263 -  
36 b. Wilmington Port 1,025,694 -

37

38 **Department of Environment, Health,**  
39 **and Natural Resources**

40

41 (Total) 9,550,000 6,700,000

42

43 1. State Park System - Repairs and  
44 Renovations/Improvements 2,000,000 -

1				
2	2.	State Park System - Land		
3		Purchases 400,000	-	
4				
5	3.	Headquarters - Forest Resources		
6		County Headquarters	900,000	450,000
7				
8	4.	North Carolina Zoological Park -		
9		North American Phase	6,250,000	6,250,000

10

11 **Department of Justice**

12

13 (Total) 18,508,000 -

14

15 1. State Bureau of Investigation  
16 Complex 18,508,000 -

17

18 **NC Solid Waste Mgt Capital Projects**  
19 **Financing Agency**

20

21 (Total) 5,000,000 500,000

22

23 1. Solid Waste Revolving Fund 5,000,000 500,000

24

25 **Office of State Budget and Management**

26

27 (Total) 52,736,698 43,660,094

28

29 1. Clean Water and Sewer Program 11,000,000 10,500,000

30

31 2. Emergency Prison Construction  
32 Program 27,160,094 27,160,094

33

34 3. Low-Level Radioactive Waste Site  
35 Selection 6,000,000 6,000,000

36

37 4. Satellite Jail/Work Release  
38 Units 8,576,604 -

39

40 GRAND TOTAL \$202,817,072 \$130,263,300

41

42 (b) Except where expressly repealed or amended by this act, the provisions of  
43 law relating to the capital projects set out in subsection (a) of this section,

- 1 (1) Are not affected by language in subsection (a) repealing the amounts  
 2 appropriated and appropriating new funds for the projects and  
 3 (2) Apply to the funds appropriated in subsection (a).  
 4

5 ---ADDITIONAL APPROPRIATIONS FOR CAPITAL PROJECTS

6 Sec. 3. Appropriations are made from the General Fund for use by the State  
 7 departments, institutions, and agencies to provide for capital improvement projects  
 8 according to the following schedule:  
 9

10 **Agency/Project**

**1990-91**

11  
 12 **Department of Administration**

- 13  
 14 1. New Museum of Natural Science - Planning \$ 90,000  
 15

16 **Department of Agriculture**

- 17  
 18 1. Southeastern Farmers' Market -  
 19 Wastewater Treatment Facility 140,000  
 20

21 **Board of Governors - University of North Carolina**

22  
 23 (Total) 1,353,000  
 24

- 25 1. University of North Carolina at Chapel  
 26 Hill - Living and Learning Center for  
 27 Autistic Adults 1,078,000  
 28  
 29 2. N. C. State University - Agriculture Programs -  
 30 Castle Hayne Horticultural Research Station -  
 31 Greenhouse and Support Facilities 275,000  
 32

33 **Department of Crime Control and Public Safety**

- 34  
 35 1. Construction of Armories at Clinton  
 36 and Goldsboro  
 37 Total Requirements 5,409,300  
 38 Federal Matching 3,941,500  
 39 Local Matching 733,900  
 40 State Matching 733,900  
 41

42 **Department of Cultural Resources**

- 43  
 44 1. Museum of the Albemarle - Continued Planning 75,000

**Department of Economic and Community Development**

(Total) 2,600,000

1. State Ports Development - Long Range Planning 100,000
2. National Institute of Statistical Sciences  
(Research Triangle Park) 2,500,000

**Department of Environment, Health, and  
Natural Resources**

(Total) 925,000

1. Coastal Reserves - Buxton Woods -  
Federal Matching 125,000
2. Reserve for Water Resources -  
Federal Matching 800,000

**Department of Human Resources**

1. Murdoch Center - Renovate Parkview Cottage 1,400,000

**Office of State Budget and Management**

(Total) 57,643,822

1. Reserve for Repairs and Renovations 5,543,822
2. Clean Water Program - Federal Match 5,600,000
3. Public School Construction Funds:
  - a. ADM Fund Allocations 36,500,000
  - b. Critical Needs Allocations 10,000,000

GRAND TOTAL \$ 64,960,722

Requested by: Senator Royall

—CONTINGENT APPROPRIATIONS FOR CAPITAL PROJECTS

1 Sec. 4. (a) Appropriations are made from the General Fund for use by the  
 2 State departments, institutions, and agencies to provide for capital improvement projects  
 3 according to the following schedule:

4  
 5 **Department of Justice**

6  
 7 1. New State Bureau of Investigation Complex \$18,508,000  
 8

9 **Department of Environment, Health, and**  
 10 **Natural Resources**

11  
 12 1. North Carolina Zoological Park -  
 13 Completion of the North American Phase 4,953,000  
 14

15 2. Water Resources Development Projects  
 16 a. Carolina Beach Renourishment - Federal Match 800,000  
 17 b. Colington Bay Navigation 200,000  
 18

19 GRAND TOTAL - GENERAL FUND 24,461,000  
 20

21 (b) Subsection (a) of this section shall become effective only if the Director  
 22 of the Budget certifies that adequate nonrecurring revenue is available to support these  
 23 expenditures and that adequate revenue is otherwise available to meet budgeted  
 24 expenditures. The Director of the Budget may consult with the Advisory Budget  
 25 Commission prior to making this certification.  
 26

27 **—NONRECURRING OPERATING APPROPRIATIONS**

28 Sec. 5. Appropriations from the General Fund of the State for the  
 29 maintenance of the State departments, institutions, and agencies, and for other purposes  
 30 as enumerated are made for the fiscal year ending June 30, 1991, according to the  
 31 schedule that follows. The amounts set out in the schedule are in addition to other  
 32 appropriations from the General Fund for these purposes for the 1990-91 fiscal year.  
 33 Amounts set out in brackets are reductions from General Fund appropriations for the  
 34 1990-91 fiscal year.  
 35

36 **Current Operations - General Fund** **1990-91**

37  
 38 **State Controller's Office**

39  
 40  
 41 1. Continue Implementation of Statewide  
 42 Accounting System 2,000,000  
 43

44 **Department of Community Colleges**

1  
2  
3 1. Equipment and Book Purchases 6,000,000  
4

5 GRAND TOTAL \$8,000,000  
6  
7

8 Requested by: Senator Royall

9 ---BUDGET STABILIZATION RESERVE

10 Sec. 6. There is appropriated from the General Fund to the Office of State  
11 Budget and Management the sum of \$141,000,000 for the 1990-91 fiscal year for the  
12 initial establishment of a Budget Stabilization Reserve. The purpose of the Reserve is  
13 to provide a mechanism to stabilize the annual funding availability for carrying out  
14 State programs and providing financial assistance to local government units.

15 It is the intent of the General Assembly that the Economic Future Study  
16 Commission develop recommended rules governing the creation and maintenance of a  
17 permanent Reserve and that the 1991 General Assembly enact laws establishing the  
18 permanent Reserve.

19 It is also the intent of the General Assembly that the Reserve will be financed  
20 from General Fund revenues that would otherwise be expended and that the monies  
21 placed in the Reserve will be used to offset unanticipated reductions in funding  
22 availability resulting from changes in the economic outlook, federal tax changes,  
23 corporate financial actions, judicial decisions, federal spending mandates, and natural  
24 disasters.

25 The funds in the Reserve shall not be spent during the 1990-91 fiscal year  
26 without the prior approval of the General Assembly.  
27

28 ---NONRECURRING STATE AID APPROPRIATIONS

29 Sec. 7. Appropriations from the General Fund of the State to State  
30 departments, institutions, and agencies for aid to certain governmental and  
31 nongovernmental units as enumerated are made for the fiscal year ending June 30, 1991,  
32 according to the following schedule:  
33

34 **Project**

**1**

35  
36 **990-91**  
37

38 **Department of Agriculture**  
39

40 1. Grant-in-Aid to the North Carolina  
41 Strawberry Association, Inc., for  
42 strawberry marketing and research \$25,000  
43

44 **Department of Economic and**

**Community Development**

(Total) 2,500,000

1. Industrial Economic Development  
Fund 1,500,000
2. North Carolina Housing Trust Fund 1,000,000

**Board of Governors - University of  
North Carolina**

1. North Carolina State University-  
Research Triangle World Trade  
Center 50,000

**Department of Human Resources**

1. HUD Group Homes - For start-up  
and operational costs of 15 group homes  
for the developmentally disabled and 2 group  
homes and 2 apartment projects for the mentally  
ill as approved in the 1989 Section 202  
allocation by the U. S. Department of Housing  
and Urban Development 1,525,978

**Department of Environment, Health, and  
Natural Resources**

1. United Cerebral Palsy Group Homes  
and Developmental Centers 200,000

**Office of State Budget and  
Management**

(Total) 3,505,000

1. North Carolina Performing Arts  
Center - Charlotte 2,100,000
2. Grant-in-Aid - Autistic Foundation  
of N.C. for development of camp and  
conference center 300,000

1	3.	Water and Sewer Development -	
2		Caswell County	500,000
3			
4	4.	Economic Development -	
5		Hyde County	100,000
6			
7	5.	North Carolina Poverty Project,	
8		Inc. - Grant-in-Aid	55,000
9			
10	6.	Rural Economic Development Center, Inc. -	
11		Grants to Community Development Corporations	
12		incorporated under Chapter 55A of the General	
13		Statutes	325,000
14			
15	7.	The Pack Place Education, Arts and Service	
16		Center (Asheville)	125,000
17			
18		GRAND TOTAL	\$7,805,978

21 ---APPROPRIATIONS OF FUNDS IN ACCORDANCE WITH HOUSE BILL 2377

22 Sec. 8. Appropriations from the General Fund of the State for the fiscal year  
 23 ending June 30, 1991, are made, in accordance with Chapter 813 of the 1989 Session  
 24 Laws, House Bill 2377, according to the following schedule:

26 **Local Tax Sharing Reserve**

- 27 01. Appropriation of franchise tax revenues,
- 28 pursuant to G.S. 105-116 and G.S. 105-120 \$121,900,000
- 29 02. Appropriation of intangibles tax revenues,
- 30 pursuant to G.S. 105-213 99,700,000
- 31 03. Appropriation of beverage tax revenues,
- 32 pursuant to G.S. 105-113.82 21,100,000

34 ---CURRENT OPERATIONS/RECURRING EXPENSES

35 Sec. 9. Appropriations from the General Fund of the State for maintenance of  
 36 State departments, institutions, and agencies, and for other purposes as enumerated are  
 37 made for the fiscal year ending June 30, 1991, according to the schedule that follows.  
 38 The amounts set out in the schedule are in addition to other appropriations from the  
 39 General Fund for these purposes for the 1990-91 fiscal year. Amounts set out in  
 40 brackets are reductions from General Fund appropriations for the 1990-91 fiscal year.

42 **General Fund**

**1990-91**

1 Department of the Secretary of State \$  
 2 772,320

3  
 4 Department of State Treasurer  
 5 of 15  
 6 0,000

7  
 8 **Department of Environment, Health, and**  
 9 Natural Resources  
 10 530,146

11  
 12 **Department of Human Resources**

13  
 14 1. Black Mountain Center - Alzheimer's unit 735,814

15  
 16 2. Division of Social Services 1,319,394

17  
 18 3. Division of Blind Services 9,450

19  
 20 4. Division of Maternal and Child Health 100,000

21  
 22 Total Department of Human Resources  
 23 2,164,658

24  
 25 Department of Revenue  
 26 of 1,  
 27 252,678

28  
 29 Debt Service  
 30 75  
 31 ,000

32  
 33 GRAND TOTAL \$4,944,802

34  
 35 PART II.—HIGHWAY FUND

36  
 37 —CAPITAL IMPROVEMENTS

38 Sec. 10. Appropriations are made from the Highway Fund for use of the  
 39 Department of Transportation to provide for capital improvement projects according to  
 40 the following schedule:

41  
 42 **Agency/Project** **1990-91**

43  
 44 **Division of Highways**

- 1
- 2 1. Salt Storage Facilities \$500,000
- 3
- 4 2. Division of Highways Roof Replacements 226,500
- 5
- 6 3. Land Acquisition and Sub-Maint.-Jonas Ridge 177,300
- 7
- 8 4. Division Office Annex-Ahoskie 400,000
- 9
- 10 5. Division Office Annex-Greenville 360,000
- 11
- 12 6. Site Completion-Taylorsville 359,700
- 13
- 14 7. Central Warehouse Expansion-Raleigh 226,225
- 15

**Division of Motor Vehicles**

- 17
- 18 1. Reserve for Repairs to Parking Lots 97,000
- 19
- 20 2. Reserve for Roof Replacements 94,300
- 21
- 22 3. Land purchase and building design-Asheville 180,000
- 23
- 24 GRAND TOTAL \$2,621,025
- 25

## PART III.—GENERAL PROVISIONS

27

28 Requested by: Senator Royall

## —PROJECTS ON DELAYED STATUS

30 Sec. 11. Because adequate funds are not available for the 1990-91 fiscal year  
31 to meet all of the State's critical needs for capital projects and to appropriate funds for  
32 all projects that were placed on delayed status by the Governor, the General Assembly  
33 is unable to restore all of the funds for the projects or to meet other critical capital  
34 needs. The General Assembly urges the Governor to give highest priority to funds for  
35 these projects when he prepares his proposed budget for the 1991-93 fiscal biennium.

36

37 Requested by: Senator Royall

## —RESTRICTION ON CAPITAL IMPROVEMENT EXPENDITURES

39 Sec. 12. Notwithstanding any other provision of law, capital improvement  
40 projects for which funds are appropriated in Sections 2, 3, and 4 of this act shall not be  
41 available for expenditure prior to January 1, 1991, and until the Director of the Budget  
42 has certified that nonrecurring revenue sufficient to support these expenditures has been  
43 realized or is anticipated to be realized prior to June 30, 1991. Prior to certification of

1 funds as required under this section, the Director of the Budget may seek the advice of  
2 the Advisory Budget Commission.

3 This section is not applicable to any projects (i) on which construction  
4 contracts have been awarded; (ii) where federal, local, or private funds are available to  
5 match State funds; (iii) where agents of the State have made commitments to provide  
6 waste disposal facilities; or (iv) where necessary repairs must be made to State facilities.

7  
8 Requested by: Senator Royall

9 —USE OF REPAIRS AND RENOVATIONS RESERVE FUNDS

10 Sec. 13. Notwithstanding G.S. 143-16.3, funds from the Repairs and  
11 Renovations Reserve may be used for repair and renovation of capital facilities for  
12 which the General Assembly considered but did not enact an appropriation of funds for  
13 the 1990-91 fiscal year.

14  
15 Requested by: Senator Royall

16 —INTANGIBLES TAX DISTRIBUTION

17 Sec. 14. Notwithstanding G.S. 105-213(a), as amended by Chapter 813 of the  
18 1989 Session Laws, the distribution required to be made in the 1990-91 fiscal year by  
19 that subsection shall be made by September 15, 1990, instead of by August 30, 1990.

20  
21 PART IV.—GENERAL GOVERNMENT

22  
23 Requested by: Senator Royall

24 —CHARGES FOR OVERDRAFT IN STATE TREASURER'S DISBURSING  
25 ACCOUNT

26 Sec. 15. G.S. 143-3.2 reads as rewritten:

27 "**§ 143-3.2. Issuance of warrants upon State Treasurer.**

28 (a) The State Controller shall have the exclusive responsibility for the issuance of  
29 all warrants for the payment of money upon the State Treasurer. All warrants upon the  
30 State Treasurer shall be signed by the State Controller, who before issuing them shall  
31 determine the legality of payment and the correctness of the accounts.

32 When the State Controller finds it expedient to do so because of a State agency's size  
33 and location, the State Controller may authorize a State agency to make expenditures  
34 through a disbursing account with the State Treasurer. The State Controller shall  
35 authorize the Judicial Department and the General Assembly to make expenditures  
36 through such disbursing accounts. All deposits in these disbursing accounts shall be by  
37 the State Controller's warrant. A copy of each voucher making withdrawals from these  
38 disbursing accounts and any supporting data required by the State Controller shall be  
39 forwarded to the Office of the State Controller monthly or as otherwise required by the  
40 State Controller.

41 A central payroll unit operating under the Office of the State Controller may make  
42 deposits and withdrawals directly to and from a disbursing account. The disbursing  
43 account shall constitute a revolving fund for servicing payrolls passed through the  
44 central payroll unit.

1 The State Controller may use a facsimile signature machine in affixing his signature  
2 to warrants.

3 (b) The State Treasurer shall impose a fee of fifteen dollars (\$15.00) for each  
4 check drawn against a disbursing account that causes the balance in the account to be in  
5 overdraft or while the account is in overdraft. The fee shall be paid from non-State  
6 funds to the General Fund to the credit of the miscellaneous revenue account."

7  
8 Requested by: Senator Parnell

9 —INDIAN CULTURAL CENTER FUNDS

10 Sec. 16. (a) The State of North Carolina shall lease out for a period of 99  
11 years at a monetary consideration of \$1 per year all the real property it acquired for the  
12 Indian Cultural Center, but no part of Phase I of the project may be constructed either  
13 by the State or by or for the lessee until an environmental impact assessment is  
14 completed as to Phase I.

15 (b) Of the funds appropriated to the Department of Administration for fiscal year  
16 1990-91 in Section 2 of this act for the Indian Cultural Center, the sum of \$100,000  
17 shall be used for an environmental impact assessment and construction of the Indian  
18 Cultural Center and the sum of \$50,000 may be used for administrative costs of the  
19 center.

20

21 Requested by: Senator Swain

22 —OLD FORT BRANCH MUSEUM FUNDS

23 Sec. 17. Funds appropriated in the amount of \$50,000 to the Department of  
24 Cultural Resources in Section 4 of Chapter 1014 of the 1985 Session Laws, 1986  
25 Regular Session, may be used for capital improvements for Old Fort Branch Museum  
26 (Mountain Gateway Museum).

27

28 Requested by: Senator Royall

29 —PERFORMING ARTS CENTER FUNDS

30 Sec. 18. Funds in the amount of \$2,100,000 are appropriated in Section 7 of  
31 this act to the Office of State Budget and Management as a grant-in-aid for the  
32 Performing Arts Center in Charlotte.

33 It is the intent of the General Assembly to give highest priority to an  
34 appropriation of an additional \$1,400,000 for the 1991-93 fiscal biennium for the  
35 Performing Arts Center to fulfill the State's commitment to this project.

36

37 PART V.—JUSTICE AND PUBLIC SAFETY

38

39 Requested by: Senator Royall

40 —DEPARTMENT OF CORRECTION EXPANSION FUNDS

41 Sec. 19. (a) Section 80 of The Current Operations Appropriations Act of  
42 1990 is repealed.

43 (b) The additional funds from the General Fund necessitated by the repeal of  
44 Section 80 of The Current Operations Appropriations Act of 1990 shall be funded from

1 additional funds from the General Fund, to the extent that the Director of the Budget,  
2 after consultation with the Office of State Budget and Management and the Fiscal  
3 Research Division of the Legislative Services Office, finds that General Fund revenues  
4 for the 1990-91 fiscal year exceed the General Fund revenues estimated in the budget  
5 enacted by the General Assembly for the 1990-91 fiscal year. If sufficient funds are not  
6 available from that source, there is created in the Office of State Management and  
7 Budget a negative General Fund Reserve for the 1990-91 fiscal year in an amount equal  
8 to the remaining amount necessary to fund those additional expenditures. That reserve  
9 shall be funded by reductions in the General Fund in the discretion of the Director of the  
10 Budget.

11  
12 Requested by: Senator Marvin

13 —LAW ENFORCEMENT DRIVING TRACK FUNDS

14 Sec. 20. Section 27 of Chapter 754 of the 1989 Session Laws reads as  
15 rewritten:

16 "Sec. 27. Of the unexpended funds appropriated for the 1987-88 fiscal year to the  
17 Department of Crime Control and Public Safety in Section 5 of Chapter 795 of the 1987  
18 Session Laws for the law enforcement precision driving track, \$239,400 shall be used  
19 for the construction of a ~~control tower~~ support building that houses a control tower,  
20 classroom facilities, and maintenance bays to be located at the driving track."

21  
22 PART VI.—EDUCATION

23  
24 Requested by: Senator Speed

25 —VANCE-GRANVILLE COMMUNITY COLLEGE/FRANKLIN COUNTY  
26 SATELLITE FUNDS

27 Sec. 21. (a) The balance of \$133,592.20 in the North Carolina Clean Water  
28 Revolving Loan and Grant Program-Administrative Account is hereby reverted to the  
29 General Fund.

30 (b) There is appropriated from the General Fund to the Department of  
31 Community Colleges the sum of \$133,592 for the 1990-91 fiscal year for repairs and  
32 renovation at the Franklin County satellite of Vance-Granville Community College.

33  
34 Requested by: Senator Conder

35 —SCHOOL SUPPLEMENTAL INSTRUCTIONAL MATERIAL/  
36 DIFFERENTIATED PAY PLANS

37 Sec. 22. (a) G.S. 115C-98(b) reads as rewritten:

38 "(b) Local boards of education shall adopt written policies concerning the  
39 procedures to be followed in their local school administrative units for the selection and  
40 procurement of supplementary textbooks, library books, periodicals, audio-visual  
41 materials, and other supplementary instructional materials needed for instructional  
42 purposes in the public schools of their units.

43 Local boards of education shall have sole authority to select and procure  
44 supplementary instructional materials, whether or not the materials contain commercial

1 advertising, to determine if the materials are related to and within the limits of the  
2 prescribed curriculum, and to determine when the materials may be presented to  
3 students during the school day. Supplementary materials and contracts for  
4 supplementary materials are not subject to approval by the State Board of Education.

5 Supplementary books and other instructional materials shall neither displace nor be  
6 used to the exclusion of basic textbooks."

7 (b) G.S. 115C-47 is amended by adding a new subdivision to read:

8 "(33) Local boards of education shall have sole authority to select and  
9 procure supplementary instructional materials, whether or not the  
10 materials contain commercial advertising, pursuant to the  
11 provisions of G.S. 115C-98(b)."

12 (c) G.S. 115C-238.4 is amended by adding a new subsection to read:

13 "(f) If a local school administrative unit bases its differentiated pay plan on a  
14 locally designed school-based performance program, pursuant to subdivision (a)(3) of  
15 this section, the plan shall provide that following the attainment of the local school  
16 goals, the local board of education shall make a determination of which certified staff  
17 members contributed to the attainment of those goals. Differentiated pay bonuses shall  
18 then be distributed to those designated employees. The local board of education shall  
19 make the determination as designated in the local differentiated pay plan."

20  
21 Requested by: Senator Kaplan

22 ---PARENTAL INVOLVEMENT IN SCHOOLS/STUDY

23 Sec. 23. The Education Study Commission, which was created in Part V of  
24 Chapter 802 of the 1989 Session Laws, shall study the concept of requiring parents to  
25 spend time at school with their children. During the course of this study, the Education  
26 Study Commission shall consider the legislation proposed in the first edition of Senate  
27 Bill 1524 of the 1989 Session.

28  
29 Requested by: Senator Royall

30 ---SCHOOL ADMINISTRATOR SALARY SCHEDULE

31 Sec. 24. (a) Section 38(a1) of Chapter 752 of the 1989 Session Laws is  
32 repealed.

33 (b) Section 38(a2) of Chapter 752 of the 1989 Session Laws reads as  
34 rewritten:

35 "(a2) Superintendents, Assistant Superintendents, Associate Superintendents,  
36 Supervisors, Directors, Coordinators, Evaluators, Program Administrators, Principals,  
37 and Assistant Principals--1990-91. The Director of the Budget may transfer from the  
38 salary increase reserve fund created in Section 3 of this act for fiscal year 1990-91 funds  
39 necessary to provide an average annual salary increase of six percent (6%), including  
40 funds for the employer's retirement and Social Security contributions, commencing July  
41 1, 1990, for all superintendents, assistant superintendents, associate superintendents,  
42 supervisors, directors, coordinators, evaluators, program administrators, principals, and  
43 assistant principals whose salaries are supported from the State's General Fund. ~~These~~  
44 ~~funds shall be allocated to individuals according to rules adopted by the State Board of~~

1 ~~Education and the Superintendent of Public Instruction so as to begin the first year of~~  
2 ~~the implementation schedule of the salary schedule developed pursuant to subsection~~  
3 ~~(a1) of this section.—These funds may not be used for any purpose other than for the~~  
4 ~~salary increase and necessary employer contributions provided by this subsection."~~

5  
6 Requested by: Senator Royall

7 —EDUCATION GOVERNANCE STUDY

8 Sec. 25. The Task Force on Excellence in Secondary Education of the  
9 Department of Public Instruction shall study the method of selecting education officials  
10 and the educational governance structure at the State level. The Task Force shall report  
11 the results of its study and its recommendations to the General Assembly prior to  
12 January 15, 1991.

13  
14 PART VII.—HUMAN RESOURCES

15  
16 Requested by: Senator Royall

17 —PRESCRIPTION DRUG REIMBURSEMENT CHANGE

18 Sec. 26. (a) Section 70(a)(6), of Chapter 500 of the 1989 Session Laws, as  
19 rewritten by Section 139(a) of Chapter 752 of the 1989 Session Laws of the 1989  
20 Session Laws, reads as rewritten:

21 "(6) **Drugs** - Drug costs as allowed by federal regulations plus ~~four dollars~~  
22 ~~twenty four cents (\$4.24)~~ four dollars forty-five cents (\$4.45)  
23 professional services fee per month excluding refills for the same drug  
24 or generic equivalent during the same month. Reimbursement shall be  
25 available for up to six prescriptions per recipient, per month, including  
26 refills. Payments for drugs are subject to the provisions of subsection  
27 (g) of this section and to the provisions at the end of subsection (a) of  
28 this section, or in accordance with a plan adopted by the Department of  
29 Human Resources consistent with federal reimbursement regulations."

30 (b) Effective upon the reduction of the estimated drug acquisition cost below the  
31 Average Wholesale Price, Section 70(a)(6) of Chapter 500 of the 1989 Session Laws, as  
32 rewritten by Section 139(a) of Chapter 752 of the 1989 Session Laws, and as further  
33 rewritten by subsection (a) of this section, reads as rewritten:

34 "(6) **Drugs** - Drug costs as allowed by federal regulations plus ~~four dollars~~  
35 ~~eighty five cents (\$4.85)~~ five dollars ten cents (\$5.10) professional  
36 services fee per month excluding refills for the same drug or generic  
37 equivalent during the same month. Reimbursement shall be available  
38 for up to six prescriptions per recipient, per month, including refills.  
39 Payments for drugs are subject to the provisions of subsection (g) of  
40 this section and to the provisions at the end of subsection (a) of this  
41 section, or in accordance with a plan adopted by the Department of  
42 Human Resources consistent with federal reimbursement regulations."

43 (c) Section 139(b) of Chapter 752 of the 1989 Session Laws is repealed.

1 (d) Subsections (a), (b), and (c) of this section shall become effective only if  
2 the Department identifies funds available to it sufficient to implement the increases  
3 established pursuant to these subsections.

4  
5 Requested by: Senator Daniel

6 ---DOMICILIARY RATE INCREASE

7 Sec. 27. Section 81 of Chapter 500 of the 1989 Session Laws, as rewritten  
8 by Section 131 of Chapter 752 of the 1989 Session Laws, reads as rewritten:

9 "Sec. 81. Effective January 1, 1990, the maximum monthly rate for ambulatory  
10 residents in domiciliary care facilities shall be ~~seven hundred twenty four dollars~~  
11 ~~(\$724.00)~~ \$724.00 and the maximum monthly rate for semi-ambulatory residents shall  
12 be ~~seven hundred sixty dollars~~ ~~(\$760.00)~~ \$760.00. Effective January 1, 1991, the  
13 maximum monthly rates for ambulatory residents shall be increased to ~~seven hundred~~  
14 ~~thirty four dollars~~ ~~(\$734.00)~~ \$756.00 and for semi-ambulatory residents ~~seven hundred~~  
15 ~~seventy dollars~~ ~~(\$770.00)~~ \$793.00."

16  
17 Requested by: Senator Raynor

18 ---VETERANS HOME STUDY

19 Sec. 28. The Legislative Research Commission's Committee on Care  
20 Provided by Rest Homes, Intermediate Care Facilities, and Skilled Nursing Homes,  
21 Necessity for Certificates of Need, and Continuing Care Issues, may study the need for  
22 a veterans home in North Carolina. The Committee may consider Senate Bill 1379,  
23 introduced by Senator Raynor, in determining the nature, scope, and aspects of the  
24 study.

25  
26 Requested by: Senators Walker and Marvin

27 ---HEAD START/ELDERLY AND NEEDY PROGRAM FUNDS

28 Sec. 29. (a) Of the funds appropriated in Section 7 of the Current Operations  
29 Appropriations Act of 1990 under the Social Services Block Grant for day care services,  
30 the sum of \$200,000 shall be allocated to the Department of Human Resources,  
31 Division of Economic Opportunity, for the continuation of Head Start programs and  
32 services for children eligible for these programs and services, and for the continuation  
33 of the services to the elderly and needy funded in Section 47 of Chapter 754 of the 1989  
34 Session Laws.

35 (b) There is appropriated from the General Fund to the Department of Human  
36 Resources, Division of Economic Opportunity, the sum of \$50,000 for the 1990-91  
37 fiscal year to continue funding for those Head Start programs and services and those  
38 services to the elderly and needy described in subsection (a) of this section.

39  
40 PART VIII.—NATURAL AND ECONOMIC RESOURCES

41  
42 Requested by: Senator Plyler

43 ---NC AGRICULTURAL FINANCE AUTHORITY

1           Sec. 30. (a) Section 109 of Chapter 500 of the 1989 Session Laws is  
2 repealed, except that such repeal reenacts Chapter 122D of the General Statutes only as  
3 provided by subsection (b) of this section.

4           (b) Chapter 122D of the General Statutes is reenacted, with the exception of  
5 G.S. 122D-6(12), 122D-6(15), 122D-10, 122D-12, 122D-14, 122D-15, and 122D-17.

6           (c) G.S. 120-123(47) is reenacted.

7           (d) The amendment made to G.S. 53-234(6)(d) by Section 109(f) of Chapter  
8 500, Session Laws of 1989, is repealed.

9           (e) Of the funds that were in the Reserve for Farm Loans on June 30, 1990, a  
10 sum not to exceed \$204,627 may be reallocated to the North Carolina Agricultural  
11 Finance Authority for the 1990-91 fiscal year for the administration of Chapter 122D of  
12 the General Statutes, notwithstanding any provision of law to the contrary.

13  
14 Requested by: Senator Hunt

15 ~~—COMMUNITY DEVELOPMENT CORPORATIONS FUNDS~~

16       Sec. 31. (a) Of the funds appropriated to the Department of Economic and  
17 Community Development for the 1990-91 fiscal year for the Rural Economic  
18 Development Center, Inc., the sum of \$325,000 shall be used for grants to be disbursed  
19 to community development corporations which are incorporated under Chapter 55A of  
20 the General Statutes and which currently serve minority and underdeveloped  
21 communities.

22       (b) The Rural Economic Development Center, Inc., shall make a written report  
23 by May 1, 1991, to the General Assembly on the use of the funds appropriated under  
24 subsection (a) of this section.

25       (c) No funds allocated under subsection (a) of this section shall be used for  
26 administrative expenses of the Rural Economic Development Center, Inc., and any  
27 interest earned on unexpended funds shall be used for grants pursuant to subsection (a)  
28 of this section.

29  
30 Requested by: Senator Soles

31 ~~—SALE OF SOUTHPORT SMALL BOAT HARBOR~~

32       Sec. 32. (a) The North Carolina State Ports Authority may convey to the City  
33 of Southport for monetary consideration a fee simple determinable interest only in the  
34 parcel of land, together with improvements, located in the City of Southport, Brunswick  
35 County, which is described in the deed from the City of Southport to the North Carolina  
36 State Ports Authority filed for registration May 29, 1964, and recorded in Deed Book  
37 178, page 446, Brunswick County Registry, and other lands of the North Carolina State  
38 Ports Authority adjacent thereto, all of which are collectively known as the Southport  
39 Small Boat Harbor. The fee simple determinable interest so conveyed shall continue so  
40 long as the City of Southport does not convey its interest in all or any part of this  
41 property. Should the City of Southport convey its interest, the City's interest shall  
42 terminate by operation of law and automatically revert to the State.

43       (b) The transfer authorized by subsection (a) of this section shall be evidenced by  
44 deeds or other instruments of conveyance as may be necessary to effectuate the transfer,

1 executed by the State Ports Authority in accordance with the provisions of G.S. 143B-  
2 455.

3 (c) The deeds or other instruments of conveyance of the Southport Small Boat  
4 Harbor shall include language which conveys the fee simple determinable interest  
5 described in subsection (a) of this section.

6  
7 Requested by: Senator Martin of Pitt

8 ---WATER RESOURCES DEVELOPMENT PROJECTS

9 Sec. 33. (a) Of the funds appropriated to the Department of Environment,  
10 Health, and Natural Resources for the 1990-91 fiscal year, the sum of \$800,000 shall be  
11 used for water resources development projects. The Department shall fund the  
12 following projects, whose estimated costs are as indicated:

- 13 (1) Morehead City Harbor  
14 Maintenance Dredging \$ 50,000  
15 (2) Beaufort Harbor  
16 Maintenance Dredging 80,000  
17 (3) Lower Creek (City of Lenoir)  
18 Flood Control 169,000  
19 (4) Aquatic Weed Control Projects 37,000  
20 (5) Great Coharie Creek (Sampson  
21 County) Flood Control 75,000  
22 (6) State/Local Water  
23 Development Projects 389,000  
24 (7) Corps of Engineers Feasibility  
25 Studies as funds available.

26  
27 (b) Where the actual costs are different from the estimated costs under subsection  
28 (a) of this section, the Department may adjust the allocations among projects as needed.  
29 If any projects listed in subsection (a) of this section are delayed and the budgeted State  
30 funds cannot be used during the 1990-91 fiscal year, or if the projects listed in  
31 subsection (a) are accomplished at a lower cost, the Department may use the resulting  
32 fund availability to fund:

- 33 (1) Corps of Engineers project feasibility studies, or  
34 (2) Corps of Engineers projects whose schedules have advanced and  
35 require State matching funds in fiscal year 1990-91.

36 Funds not expended or encumbered for these purposes shall revert to the General Fund  
37 at the end of the 1991-92 fiscal year.

38 (c) Beginning October 1, 1990, the Department shall make quarterly reports on  
39 the use of these funds to the Joint Legislative Commission on Governmental  
40 Operations, the Director of the Fiscal Research Division, and the Office of State Budget  
41 and Management. Each report shall include:

- 42 (1) All projects listed in subsection (a) of this section;  
43 (2) The estimated cost of each project;  
44 (3) The date work on each project began or is expected to begin;

1 (4) The date work on each project was completed or is expected to be  
2 completed; and

3 (5) The actual cost of each project.

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

7  
8 Requested by: Senator Tally

9 —LAKE RIM FUNDS

10 Sec. 34. Section 38 of Chapter 754 of the 1989 Session Laws, as rewritten by  
11 Section 24 of The Current Operations Appropriations Act of 1990, reads as rewritten:

12 "Sec. 38. The Wildlife Resources Commission may use no more than ~~\$315,000~~  
13 \$315,297 for the 1990-91 fiscal year to repair the dam at the Lake Rim Fish Hatchery in  
14 Cumberland County."

15

16 Requested by: Senator Basnight

17 —LEGISLATIVE SERVICES COMMISSION TO PAY FOR CHAIRMAN OF  
18 SENATE NATURAL AND ECONOMIC RESOURCES APPROPRIATIONS  
19 COMMITTEE TO ATTEND HIGHWAY OVERSIGHT COMMITTEE MEETINGS

20 Sec. 35. The Legislative Services Commission shall pay the costs of the  
21 attendance of the Chairman of the Senate Appropriations Committee on Natural and  
22 Economic Resources at all meetings of the Joint Legislative Highway Oversight  
23 Committee. These subsistence and travel expenses shall be as provided in G.S. 120-3.1.

24

25 Requested by: Senators Basnight and Martin of Pitt

26 —SPECIAL APPROPRIATIONS FOR HIGHWAYS REDUCTION FOR CAPITAL  
27 IMPROVEMENTS

28 Sec. 36. (a) The funds appropriated for the Special Appropriations for  
29 Highways in The Current Operations Appropriations Act are hereby reduced by  
30 \$2,621,025 which shall be used for capital improvements as appropriated in this act.

31 (b) Section 98 of Chapter 752 of the 1989 Session Laws reads as rewritten:

32 "Sec. 98. Of the funds appropriated to the Department of Transportation for special  
33 appropriations for highways in Chapter 500 of the 1989 Session Laws, The Current  
34 Operations Appropriations Act of 1989, and this act, sixty-six million dollars  
35 (\$66,000,000) for fiscal year 1989-90 and ~~sixty-six million dollars (\$66,000,000)~~ seven  
36 thousand five hundred twenty-four dollars (\$7,524) for fiscal year 1990-91 may be used  
37 for:

38 (1) Supplemental funding for highway construction, reconstruction, and  
39 rehabilitation projects for State and Federal Aid road systems;

40 (2) Supplemental funding for the planning, design, and engineering of  
41 highways and acquisition of highway rights-of-way;

42 (3) Matching funds for unanticipated federal-aid construction funds;

43 (4) Payment for all or any portion of the interest or principal on bonds  
44 issued by the State for road and highway purposes; and

1 (5) A means of maintaining a uniform seasonal pace of highway  
2 construction, including scheduled ferry replacement.  
3 Construction funds shall be allocated equitably each year among the 14 Highway  
4 Divisions. Notwithstanding any other provision of Chapter 136 of the General Statutes,  
5 the Department shall make allocations under this section in a manner that assures that at  
6 the end of the second year each of the 14 Highway Divisions, over the two year period,  
7 has been allocated an equal amount, insofar as possible, of all funds allocated under this  
8 section, including those for scheduled ferry replacement. The Secretary shall report in  
9 writing, on a monthly basis, in accordance with G.S. 136-17.2A. The Department of  
10 Transportation shall report to the Joint Legislative Commission on Governmental  
11 Operations—Highway Oversight Committee and the Fiscal Research Division on the  
12 projects that have been funded, and those projects that he reasonably expects to be  
13 funded under this section. The report shall set out the reasons this method of funding  
14 serves the best interest of the State's transportation improvement programs. That report  
15 shall include, among other things, the cost savings realized, and the manner in which the  
16 cost savings have been realized by the use of the funds allocated under this section in  
17 accordance with G.S. 120-70.51(a)(1)."  
18

19 Requested by: Senators Basnight and Plyler

20 —D.O.T. CONTRACT RETAINAGE DEPOSITS

21 Sec. 37. Chapter 136 of the General Statutes is amended by adding a new  
22 section to read:

23 "**§ 136-28.9. Retainage - construction contracts.**

24 Notwithstanding the provisions of G.S. 147-69.1, 147-77, 147-80, 147-86.10, and  
25 147-86.11, or any other provision of the law, the Department of Transportation is  
26 authorized to enter into trust agreements with banks and contractors for the deposit of  
27 retainage and for the payment to contractors of income on these deposits, in connection  
28 with highway construction contracts, in trust accounts with banks in accordance with  
29 Department of Transportation regulations, including deposit insurance and collateral  
30 requirements. The Department of Transportation may contract with those banks without  
31 trust departments in addition to those with trust departments. Funds deposited in any  
32 trust account shall be invested only in bonds, securities, certificates of deposits, or other  
33 forms of investment authorized by G.S. 147-69.1 for the investment of State funds. The  
34 trust agreement may also provide for interest to be paid on uninvested cash balances."  
35

36 PART IX.—EMPLOYEE BENEFITS

37  
38 Requested by: Senator Royall

39 —UNIVERSITY EMPLOYEES' OPTIONAL RETIREMENT PROGRAM

40 Sec. 38. Section 42(c) of Chapter 752 of the 1989 Session Laws reads as  
41 rewritten:

42 "(c) The State's employer contribution rates budgeted for retirement and related  
43 benefits as a percentage of covered salaries for the 1990-91 fiscal year are (i) eleven and  
44 seventy-four hundredths percent (11.74%) - Teachers and State Employees; (ii) sixteen

1 and seventy-four hundredths percent (16.74%) - State Law Enforcement Officers; (iii)  
2 ~~eight and twenty-seven hundredths percent (8.27%)~~ eight and thirty-seven hundredths  
3 percent (8.37%) - University Employees' Optional Retirement Program; (iv) thirty-one  
4 and thirty-six hundredths percent (31.36%) - Consolidated Judicial Retirement System;  
5 and (v) thirty-eight and eighty-five hundredths percent (38.85%) - Legislative  
6 Retirement System. Each of the foregoing contribution rates includes one and sixty-five  
7 hundredths percent (1.65%) for hospital and medical benefits. The rate for State Law  
8 Enforcement Officers includes five percent (5%) for the Supplemental Retirement  
9 Income Plan. The rates for Teachers and State Employees, State Law Enforcement  
10 Officers, and for the University Employees' Optional Retirement Program includes  
11 fifty-two hundredths percent (0.52%) for the Disability Income Plan."  
12

### 13 PART X.—MISCELLANEOUS PROVISIONS

14  
15 Requested by: Senator Royall

#### 16 —EXECUTIVE BUDGET ACT APPLIES

17 Sec. 39. The provisions of the Executive Budget Act, Chapter 143, Article 1  
18 of the General Statutes are reenacted and shall remain in full force and effect and are  
19 incorporated in this act by reference.  
20

21 Requested by: Senator Royall

#### 22 —COMMITTEE REPORT

23 Sec. 40. The July 11, 1990, Report of the Senate Appropriations Committee  
24 which was distributed in the Senate and used to explain this act, shall indicate action by  
25 the General Assembly on this act and shall therefore be used to construe this act, as  
26 provided in G.S. 143-15 of the Executive Budget Act, and for such purposes shall be  
27 considered a part of this act.  
28

29 Requested by: Senator Royall

#### 30 —MOST TEXT APPLIES ONLY TO 1990-91

31 Sec. 41. Except for statutory changes or other provisions that clearly indicate  
32 an intention to have effects beyond the 1990-91 fiscal year, the textual provisions of this  
33 act apply only to funds appropriated for, and activities occurring during, the 1990-91  
34 fiscal year.  
35

36 Requested by: Senator Royall

#### 37 —1989-90 APPROPRIATIONS LIMITATIONS AND DIRECTIONS APPLY

38 Sec. 42. Except where expressly repealed or amended by this act, the  
39 provisions of Chapters 500, 752, 754, 795, and 799 of the 1989 Session Laws, as  
40 amended, and The Current Operations Appropriations Act of 1990, as amended, remain  
41 in effect.

42 Sec. 43. Notwithstanding any modifications by this act in the amounts  
43 appropriated, except where expressly repealed or amended, the limitations and  
44 directions for the 1990-91 fiscal year in Chapters 500, 752, 754, 795, and 799 of the

1 1989 Session Laws, as amended, and The Current Operations Appropriations Act of  
2 1990, as amended, that applied to appropriations to particular agencies or for particular  
3 purposes apply to the newly enacted appropriations and budget reductions of this act for  
4 those same particular purposes.

5

6 Requested by: Senator Royall

7 —EFFECT OF HEADINGS

8           Sec. 44. The headings to the parts and sections of this act are a convenience  
9 to the reader and are for reference only. The headings do not expand, limit, or define  
10 the text of this act.

11

12 Requested by: Senator Royall

13 —SEVERABILITY CLAUSE

14           Sec. 45. If any section or provision of this act is declared unconstitutional or  
15 invalid by the courts, it does not affect the validity of this act as a whole or any part  
16 other than the part so declared to be unconstitutional or invalid.

17

18 Requested by: Senator Royall

19 —EFFECTIVE DATE

20           Sec. 46. Except as otherwise provided, this act shall become effective July 1,  
21 1990.