

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

**S**

**4**

SENATE BILL 1427  
Appropriations Committee Substitute Adopted 7/13/90  
Third Edition Engrossed 7/13/90  
House Committee Substitute Favorable 7/27/90

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

A BILL TO BE ENTITLED

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

6 The General Assembly of North Carolina enacts:

7  
8 Requested by: Representative Diamont, 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.

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16  
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

1

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12  
 13 PART I.—GENERAL FUND APPROPRIATIONS

14  
 15 —CAPITAL IMPROVEMENTS/AMOUNTS DELAYED OR REVERTED

16           Sec. 2. (a) The Governor, acting pursuant to Article III, Section 5(3), of the  
 17 Constitution to effect the necessary economies in State expenditures to balance the  
 18 budget for the 1989-91 fiscal biennium, has placed all or part of the funds appropriated  
 19 by the General Assembly for the projects set out on the following chart on a  
 20 "delayed" status or reverted them.

21           The appropriations of funds in the amounts set out in the chart in the column  
 22 headed "**Amount Delayed or Reverted**" are hereby repealed.

23           Appropriations are made from the General Fund for the 1990-91 fiscal year  
 24 for use by State departments, institutions, and agencies for capital improvement  
 25 projects, to replace the amounts delayed or reverted by the Governor and repealed  
 26 herein by the General Assembly, according to the column headed "**1990-91**  
 27 **Appropriation**" in the following schedule:

| Agency/Project                             | Amount Delayed<br>or Reverted | 1990-91<br>Appropriation |
|--|-------------------------------|--------------------------|
| <b>Department of Administration</b>        |                               |                          |
| (Total)                                    | \$ 28,002,480                 | \$ 21,253,955            |
| 1. Museum of Art - Landscaping             | 700,000                       | -                        |
| 2. Education Building - Furnishings        | 1,407,980                     | -                        |
| 3. New Steam Plant - Government<br>Complex | 6,594,500                     | 6,594,500                |
| 4. Reserve for Asbestos Removal            | 750,000                       | -                        |

|   |    |                                   |            |            |
|---|----|-----------------------------------|------------|------------|
| 1 | 5. | New Revenue Building              | 18,000,000 | 14,159,455 |
| 2 |    |                                   |            |            |
| 3 | 6. | Veterans Cemetery Funds           | 400,000    | 400,000    |
| 4 |    |                                   |            |            |
| 5 | 7. | Indian Cultural Center - Planning | 150,000    | 100,000    |
| 6 |    |                                   |            |            |

**Department of Agriculture**

|    |         |                             |            |           |
|----|---------|-----------------------------|------------|-----------|
| 7  |         |                             |            |           |
| 8  |         |                             |            |           |
| 9  | (Total) |                             | 10,162,994 | 8,789,394 |
| 10 |         |                             |            |           |
| 11 | 1.      | Watercraft Museum           | 499,700    | 499,700   |
| 12 |         |                             |            |           |
| 13 | 2.      | Western North Carolina      |            |           |
| 14 |         | Agricultural Center - Land  | 350,000    | 350,000   |
| 15 |         |                             |            |           |
| 16 | 3.      | Mountain Research Station - |            |           |
| 17 |         | Building                    | 140,000    | -         |
| 18 |         |                             |            |           |
| 19 | 4.      | Southeastern Farmers Market | 1,500,000  | 1,500,000 |
| 20 |         |                             |            |           |
| 21 | 5.      | New Agronomics Lab          | 6,852,694  | 6,439,694 |
| 22 |         |                             |            |           |
| 23 | 6.      | Garden Center Building -    |            |           |
| 24 |         | Charlotte                   | 320,600    | -         |
| 25 |         |                             |            |           |
| 26 | 7.      | Piedmont Triad Market       | 500,000    | -         |
| 27 |         |                             |            |           |

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

|    |         |                                    |            |            |
|----|---------|------------------------------------|------------|------------|
| 28 |         |                                    |            |            |
| 29 |         |                                    |            |            |
| 30 |         |                                    |            |            |
| 31 | (Total) |                                    | 63,451,300 | 45,354,257 |
| 32 |         |                                    |            |            |
| 33 | 1.      | 1987 University-wide Construction  | 2,855,678  | 2,855,678  |
| 34 |         |                                    |            |            |
| 35 | 2.      | 1987 Advance Planning              | 350,000    | 350,000    |
| 36 |         |                                    |            |            |
| 37 | 3.      | 1988 Major Renovations and Repairs | 4,865,660  | 4,793,242  |
| 38 |         |                                    |            |            |
| 39 | 4.      | 1988 Utilities Repairs and         |            |            |
| 40 |         | Improvements                       | 1,692,000  | 1,598,657  |
| 41 |         |                                    |            |            |
| 42 | 5.      | 1988 Land Acquisition              | 689,920    | 689,920    |
| 43 |         |                                    |            |            |
| 44 | 6.      | 1988 University-wide Construction  | 5,352,932  | 5,062,150  |

|    |     |                                  |           |           |
|----|-----|----------------------------------|-----------|-----------|
| 1  |     |                                  |           |           |
| 2  | 7.  | 1988 Mitchell 4-H Camp - Repairs | 214,000   | 214,000   |
| 3  |     |                                  |           |           |
| 4  | 8.  | 1988 UNC - Asheville -           |           |           |
| 5  |     | Conference Center                | 2,200,000 | 2,200,000 |
| 6  |     |                                  |           |           |
| 7  | 9.  | 1988 North Carolina Arboretum    | 1,062,810 | 1,062,810 |
| 8  |     |                                  |           |           |
| 9  | 10. | N. C. State University -         |           |           |
| 10 | a.  | Engineering Graduate Center      | 6,000,000 | 3,000,000 |
| 11 | b.  | Centennial Center                | 2,000,000 | -         |
| 12 |     |                                  |           |           |
| 13 | 11. | East Carolina University -       |           |           |
| 14 | a.  | Joyner Library Addition          | 6,000,000 | 2,000,000 |
| 15 | b.  | Center for Regional Advancement  | 1,000,000 | -         |
| 16 |     |                                  |           |           |
| 17 | 12. | University of North Carolina at  |           |           |
| 18 |     | Chapel Hill -                    |           |           |
| 19 | a.  | School of Business               | 6,500,000 | 2,500,000 |
| 20 | b.  | Social Work Building             | 4,140,500 | 2,500,000 |
| 21 |     |                                  |           |           |
| 22 | 13. | UNC - Asheville -                |           |           |
| 23 | a.  | Conference Center                | 2,000,000 | 2,000,000 |
| 24 | b.  | Conference Center                | 2,000,000 | -         |
| 25 |     |                                  |           |           |
| 26 | 14. | Fayetteville State University -  |           |           |
| 27 |     | Health/Physical Educ. Building   | 8,677,800 | 8,677,800 |
| 28 |     |                                  |           |           |
| 29 | 15. | Appalachian State University -   |           |           |
| 30 | a.  | Student Activities Center        | 2,000,000 | 2,000,000 |
| 31 | b.  | Academic Support Building        | 500,000   | 500,000   |
| 32 |     |                                  |           |           |
| 33 | 16. | N. C. Arboretum                  | 1,250,000 | 1,250,000 |
| 34 |     |                                  |           |           |
| 35 | 17. | Board of Governors - Land        | 1,000,000 | 1,000,000 |
| 36 |     |                                  |           |           |
| 37 | 18. | Area Health Education Centers -  |           |           |
| 38 |     | Construction Grants              | 1,100,000 | 1,100,000 |
| 39 |     |                                  |           |           |

**Department of Community Colleges**

|    |         |                                |           |           |
|----|---------|--------------------------------|-----------|-----------|
| 40 |         |                                |           |           |
| 41 |         |                                |           |           |
| 42 | (Total) |                                | 6,000,000 | 2,905,000 |
| 43 |         |                                |           |           |
| 44 | 1.      | Anson Community College/Stanly |           |           |

|    |     |                                     |           |           |
|----|-----|-------------------------------------|-----------|-----------|
| 1  |     | Community College - Union Satellite | 900,000   | -         |
| 2  |     |                                     |           |           |
| 3  | 2.  | Cape Fear Community College -       |           |           |
| 4  |     | Classroom                           | 500,000   | -         |
| 5  |     |                                     |           |           |
| 6  | 3.  | Craven Community College -          |           |           |
| 7  |     | Student Activity Center             | 750,000   | -         |
| 8  |     |                                     |           |           |
| 9  | 4.  | Fayetteville Technical Community    |           |           |
| 10 |     | College - Center for Applied        |           |           |
| 11 |     | Technology - Equipment              | 899,952   | 899,952   |
| 12 |     |                                     |           |           |
| 13 | 5.  | Isothermal Community College -      |           |           |
| 14 |     | Fine Arts Center                    | 320,000   | -         |
| 15 |     |                                     |           |           |
| 16 | 6.  | Johnston Community College -        |           |           |
| 17 |     | Renovate Library                    | 90,000    | 90,000    |
| 18 |     |                                     |           |           |
| 19 | 7.  | Pitt Community College -            |           |           |
| 20 |     | Vocational Building                 | 28,577    | 28,577    |
| 21 |     |                                     |           |           |
| 22 | 8.  | Roanoke-Chowan Community College -  |           |           |
| 23 |     | Technology/Small Business Center    | 368,645   | 368,645   |
| 24 |     |                                     |           |           |
| 25 | 9.  | Rockingham Community College -      |           |           |
| 26 |     | Lab/Classroom Building              | 1,032,826 | 407,826   |
| 27 |     |                                     |           |           |
| 28 | 10. | Wake Technical Community College -  |           |           |
| 29 |     | Health Education Building           | 1,110,000 | 1,110,000 |

**Department of Correction**

|    |         |                                 |           |           |
|----|---------|---------------------------------|-----------|-----------|
| 31 |         |                                 |           |           |
| 32 |         |                                 |           |           |
| 33 | (Total) |                                 | 1,955,600 | 1,955,600 |
| 34 |         |                                 |           |           |
| 35 | 1.      | Reserve for Repairs - Statewide | 347,800   | 347,800   |
| 36 |         |                                 |           |           |
| 37 | 2.      | Wastewater and Water System     |           |           |
| 38 |         | Improvements                    | 133,400   | 133,400   |
| 39 |         |                                 |           |           |
| 40 | 3.      | Plumbing Repairs at 51 Units    | 517,600   | 517,600   |
| 41 |         |                                 |           |           |
| 42 | 4.      | Substance Abuse Facility        |           |           |
| 43 |         | (Correctional Center for Women) | 62,800    | 62,800    |
| 44 |         |                                 |           |           |

|    |   |                                     |           |           |
|----|---|-------------------------------------|-----------|-----------|
| 1  | 5.  | DWI Treatment Facility (Goldsboro)  | 894,000   | 894,000   |
| 2  |   |                                     |           |           |
| 3  | <b>Department of Cultural Resources</b>   |                                     |           |           |
| 4  |   |                                     |           |           |
| 5  | (Total)                                   | 950,000                             | -         |           |
| 6  |   |                                     |           |           |
| 7  | 1.  | Ziegler House - Renovation          | 400,000   | -         |
| 8  |   |                                     |           |           |
| 9  | 2.  | C. H. Brown State Historic Site -   |           |           |
| 10 |   | Improvements                        | 400,000   | -         |
| 11 |   |                                     |           |           |
| 12 | 3.  | Spencer Shops - Round House         |           |           |
| 13 |   | Renovations                         | 150,000   | -         |
| 14 |   |                                     |           |           |
| 15 | <b>Department of Economic and</b>         |                                     |           |           |
| 16 | <b>Community Development</b>              |                                     |           |           |
| 17 |   |                                     |           |           |
| 18 | (Total)                                   | 7,000,000                           | 1,000,000 |           |
| 19 |   |                                     |           |           |
| 20 | 1.  | Biotechnology Center -              |           |           |
| 21 |   | Construction Grant                  | 1,000,000 | 1,000,000 |
| 22 |   |                                     |           |           |
| 23 | 2.  | State Ports Authority - Expansion,  |           |           |
| 24 |   | Modernization, and Development      | 2,844,043 | -         |
| 25 |   |                                     |           |           |
| 26 | 3.  | State Ports Authority Development   |           |           |
| 27 | a.  | Morehead City Port                  | 2,130,263 | -         |
| 28 | b.  | Wilmington Port                     | 1,025,694 | -         |
| 29 |   |                                     |           |           |
| 30 | <b>Department of Environment, Health,</b> |                                     |           |           |
| 31 | <b>and Natural Resources</b>              |                                     |           |           |
| 32 |   |                                     |           |           |
| 33 | (Total)                                   | 9,550,000                           | 7,700,000 |           |
| 34 |   |                                     |           |           |
| 35 | 1.  | State Park System - Repairs and     |           |           |
| 36 |   | Renovations/Improvements            | 2,000,000 | 1,000,000 |
| 37 |   |                                     |           |           |
| 38 | 2.  | State Park System - Land            |           |           |
| 39 |   | Purchases                           | 400,000   | -         |
| 40 |   |                                     |           |           |
| 41 | 3.  | Headquarters - Forest Resources     |           |           |
| 42 |   | County Headquarters - Beaufort,     |           |           |
| 43 |   | Rutherford, and Cumberland Counties | 900,000   | 450,000   |
| 44 |   |                                     |           |           |

1       4.     North Carolina Zoological Park -  
2             North American Phase 6,250,000   6,250,000

3  
4     **Department of Justice**

5  
6       (Total)   18,508,000   -

7  
8       1.     State Bureau of Investigation  
9             Complex 18,508,000   -

10  
11    **NC Solid Waste Mgt Capital Projects**  
12       **Financing Agency**

13  
14       (Total)   5,000,000   1,000,000

15  
16       1.     Solid Waste Revolving Fund 5,000,000   1,000,000

17  
18    **Office of State Budget and Management**

19  
20       (Total)   52,736,698   41,660,094

21  
22       1.     Clean Water and Sewer Program   11,000,000   8,500,000

23  
24       2.     Emergency Prison Construction  
25             Program 27,160,094   27,160,094

26  
27       3.     Low-Level Radioactive Waste Site  
28             Selection 6,000,000   6,000,000

29  
30       4.     Satellite Jail/Work Release  
31             Units 8,576,604 -

32  
33             GRAND TOTAL           \$203,317,072\$131,618,300

34  
35       (b) Except where expressly repealed or amended by this act, the provisions of  
36 law relating to the capital projects set out in subsection (a) of this section,

37       (1)    Are not affected by language in subsection (a) repealing the amounts  
38             appropriated and appropriating new funds for the projects and

39       (2)    Apply to the funds appropriated in subsection (a).

40  
41    ---ADDITIONAL APPROPRIATIONS FOR CAPITAL PROJECTS

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



|    |   |                |
|----|---|----------------|
| 1  |   |                |
| 2  | <b>Agency/Project</b>   | <b>1990-91</b> |
| 3  |   |                |
| 4  | <b>Department of Administration</b>                                       |                |
| 5  | (Total) \$ 1,590,000  |                |
| 6  |   |                |
| 7  | 1. New Museum of Natural Science - Planning                               | 90,000         |
| 8  | 2. SIPS Building - Complete Electrical/<br>HVAC RENOVATIONS               | 1,500,000      |
| 9  |   |                |
| 10 |   |                |
| 11 | <b>Department of Agriculture</b>  |                |
| 12 |   |                |
| 13 | 1. Southeastern Farmers' Market -<br>Wastewater Treatment Facility        | 140,000        |
| 14 |   |                |
| 15 |   |                |
| 16 | <b>Board of Governors - University of North Carolina</b>                  |                |
| 17 |   |                |
| 18 | 1. Board of Governors - Land Acquisition                                  | 500,000        |
| 19 |   |                |
| 20 | <b>Department of Crime Control and Public Safety</b>                      |                |
| 21 |   |                |
| 22 | 1. Construction of Armories at Clinton<br>and Goldsboro                   |                |
| 23 | Total Requirements  | 5,409,300      |
| 24 | Federal Matching  | 3,941,500      |
| 25 | Local Matching  | 733,900        |
| 26 | State Matching  | 733,900        |
| 27 |   |                |
| 28 |   |                |
| 29 | <b>Department of Economic and Community Development</b>                   |                |
| 30 |   |                |
| 31 | (Total) 2,900,000   |                |
| 32 |   |                |
| 33 |   |                |
| 34 | 1. State Ports Development - Long Range Planning                          | 100,000        |
| 35 |   |                |
| 36 | 2. National Institute of Statistical Sciences<br>(Research Triangle Park) | 2,500,000      |
| 37 |   |                |
| 38 | 3. I-95 Welcome Center - Northampton County                               | 300,000        |
| 39 |   |                |
| 40 | <b>Department of Environment, Health, and<br/>Natural Resources</b>       |                |
| 41 |   |                |
| 42 |   |                |
| 43 | (Total) 1,684,532   |                |
| 44 |   |                |

- 1  
2 1. Shellfish Sanitation Lab Facility,  
3 Wilmington 284,532  
4  
5 2. Reserve for Water Resources -  
6 Federal Matching 1,400,000  
7

8 **Department of Human Resources**  
9

- 10 1. Murdoch Center - Renovate Parkview Cottage 1,400,000  
11

12 **Department of Justice**  
13

- 14 1. Justice Academy - Classroom Building 2,000,000  
15

16 **Office of State Budget and Management**  
17

18 (Total) 13,093,872  
19

- 20 1. Reserve for Repairs and Renovations 5,543,872  
21  
22 2. Clean Water Program - Federal Match 7,550,000  
23

24 GRAND TOTAL \$ 24,042,304  
25

26 This section shall become effective only if the Director of the Budget certifies  
27 that adequate nonrecurring revenue is available to support these expenditures and that  
28 adequate revenue is otherwise available to meet budgeted expenditures. The Director of  
29 the Budget may consult with the Advisory Budget Commission prior to making this  
30 certification.  
31

32 **—NONRECURRING OPERATING APPROPRIATIONS**

33 Sec. 4. Appropriations from the General Fund of the State for the  
34 maintenance of the State departments, institutions, and agencies, and for other purposes  
35 as enumerated are made for the fiscal year ending June 30, 1991, according to the  
36 schedule that follows. The amounts set out in the schedule are in addition to other  
37 appropriations from the General Fund for these purposes for the 1990-91 fiscal year.  
38 Amounts set out in brackets are reductions from General Fund appropriations for the  
39 1990-91 fiscal year.  
40

41 **Current Operations - General Fund**

**1990-91**

42  
43 **Department of Community Colleges**  
44

1       1.     Equipment and Book Purchases       \$7,000,000

2

3               GRAND TOTAL       \$7,000,000

4

5     —NONRECURRING STATE AID APPROPRIATIONS

6               Sec. 5. Appropriations from the General Fund of the State to State  
7 departments, institutions, and agencies for aid to certain governmental and  
8 nongovernmental units as enumerated are made for the fiscal year ending June 30, 1991,  
9 according to the following schedule:

10

11     **Project**

1

12

13     **990-91**

14

15     **Department of Economic and  
16       Community Development**

17

18       (Total)   \$3,150,000

19

20       1.     Industrial Economic Development

21               Fund       1,500,000

22

23       2.     North Carolina Housing Trust Fund   1,000,000

24

25       3.     Rural Economic Development Center, Inc. -  
26               Grants to Community Development Corporations  
27               incorporated under Chapter 55A of the General  
28               Statutes       650,000

29

30     **Department of Human Resources**

31

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

39

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

42

43       (Total)   150,000

44

|   |    |                                   |             |
|---|----|-----------------------------------|-------------|
| 1 | 1. | United Cerebral Palsy Group Homes |             |
| 2 |    | and Developmental Centers         | 100,000     |
| 3 |    |                                   |             |
| 4 | 2. | Rural Water Association, Inc. -   |             |
| 5 |    | Grant-in-Aid for operations       | 50,000      |
| 6 |    |                                   |             |
| 7 |    | GRAND TOTAL                       | \$4,825,978 |

8  
9 —CURRENT OPERATIONS/RECURRING EXPENSES

10 Sec. 6. Appropriations from the General Fund of the State for maintenance of  
11 State departments, institutions, and agencies, and for other purposes as enumerated are  
12 made for the fiscal year ending June 30, 1991, according to the schedule that follows.  
13 The amounts set out in the schedule are in addition to other appropriations from the  
14 General Fund for these purposes for the 1990-91 fiscal year. Amounts set out in  
15 brackets are reductions from General Fund appropriations for the 1990-91 fiscal year.

|    |   |             |                |
|----|---|-------------|----------------|
| 16 |   |             |                |
| 17 | <b>General Fund</b>                           |             | <b>1990-91</b> |
| 18 |   |             |                |
| 19 | Department of State Auditor                   |             | \$(137,161)    |
| 20 |   |             |                |
| 21 | Department of State Treasurer                 |             | 150,000        |
| 22 |   |             |                |
| 23 | <b>Department of Environment, Health, and</b> |             |                |
| 24 | Natural Resources                             |             | 900,000        |
| 25 |   |             |                |
| 26 | Department of Public Education                |             | 5,000,000      |
| 27 |   |             |                |
| 28 | Department of Revenue                         |             | 1,252,678      |
| 29 |   |             |                |
| 30 | Department of Agriculture                     |             | 200,000        |
| 31 |   |             |                |
| 32 | GRAND TOTAL                                   | \$7,365,517 |                |

33  
34 PART II.—HIGHWAY FUND

35  
36 —CAPITAL IMPROVEMENTS

37 Sec. 7. Appropriations are made from the Highway Fund for use of the  
38 Department of Transportation to provide for capital improvement projects according to  
39 the following schedule:

|    |                             |  |                |
|----|-----------------------------|--|----------------|
| 40 |                             |  |                |
| 41 | <b>Agency/Project</b>       |  | <b>1990-91</b> |
| 42 |                             |  |                |
| 43 | <b>Division of Highways</b> |  |                |

|    |    |   |           |  |
|----|----|---|-----------|--|
| 1  | 1. | Salt Storage Facilities                     | \$696,437 |  |
| 2  |    |   |           |  |
| 3  | 2. | Division of Highways Roof Replacements      | 226,150   |  |
| 4  |    |   |           |  |
| 5  | 3. | Land Acquisition and Sub-Maint.-Jonas Ridge | 177,300   |  |
| 6  |    |   |           |  |
| 7  | 4. | Division Office Annex-Ahoskie               | 400,000   |  |
| 8  |    |   |           |  |
| 9  | 5. | Division Office Annex-Greenville            | 360,000   |  |
| 10 |    |   |           |  |
| 11 | 6. | Site Completion-Taylorsville                | 359,700   |  |
| 12 |    |   |           |  |
| 13 | 7. | Central Warehouse Expansion-Raleigh         | 226,225   |  |
| 14 |    |   |           |  |
| 15 | 8. | Miscellaneous Repairs, Supplemental-Durham  | 105,100   |  |
| 16 |    |   |           |  |

17 **Division of Motor Vehicles**

|    |    |   |             |  |
|----|----|---|-------------|--|
| 18 |    |   |             |  |
| 19 | 1. | Reserve for Repairs to Parking Lots         | 97,000      |  |
| 20 |    |   |             |  |
| 21 | 2. | Reserve for Roof Replacements               | 94,300      |  |
| 22 |    |   |             |  |
| 23 | 3. | Land purchase and building design-Asheville | 70,000      |  |
| 24 |    |   |             |  |
| 25 |    | GRAND TOTAL                                 | \$2,812,212 |  |
| 26 |    |   |             |  |

27 **PART III.—GENERAL PROVISIONS**

28  
29 Requested by: Representative Diamont

30 **—PROJECTS ON DELAYED STATUS**

31       Sec. 8. Because adequate funds are not available for the 1990-91 fiscal year  
32 to meet all of the State's critical needs for capital projects and to appropriate funds for  
33 all projects that were placed on delayed status by the Governor, the General Assembly  
34 is unable to restore all of the funds for the projects or to meet other critical capital  
35 needs. The General Assembly urges the Governor to give highest priority to funds for  
36 these projects when he prepares his proposed budget for the 1991-93 fiscal biennium.

37

38 Requested by: Representative Holmes

39 **—SEQUESTRATION OF FUNDS/NON-STATE AGENCIES**

40       Sec. 9. The Governor is urged, when performing his constitutional duty to  
41 balance the State budget, to consider sequestering State funds appropriated to non-State  
42 entities.

1           The Governor is urged, when performing his constitutional duty to balance  
2 the State budget, not to sequester funds appropriated to the Local Tax Reimbursement  
3 Reserve.

4  
5 Requested by: Representative Diamont

6 ---REVERSION OF CLEAN WATER REVOLVING LOAN/GRANT PROGRAM

7           Sec. 10. The balance of \$133,592.20 remaining in the North Carolina Clean  
8 Water Revolving Loan and Grant Program-Administrative Account is reverted to the  
9 General Fund.

10  
11 Requested by: Representative Holmes

12 ---REVERSION/REMAINDER \$120 MILLION WATER AND SEWER FUNDS

13           Sec. 11. Notwithstanding any other provision of law, funds appropriated to  
14 the Office of State Budget and Management as a Reserve for Clean Water Program by  
15 Section 4 of Chapter 480, Session Laws of 1985, (as limited by Section 5.12 of that act,  
16 as amended) that have not been contractually obligated by May 31, 1991, shall revert to  
17 the General Fund.

18  
19 Requested by: Representative Holmes

20 ---REPAIR AND RENOVATION PROJECTS

21           Sec. 12. Of the funds appropriated to the Office of State Budget and  
22 Management for the 1990-91 fiscal year for repair and renovation projects, the  
23 following funds may be allocated for the following purposes:

- 24           (1) Up to \$400,000 may be used for the Ziegler House for renovation;
- 25           (2) Up to \$400,000 may be used for the C. H. Brown State Historic Site  
26 for improvements;
- 27           (3) Up to \$150,000 may be used for Spencer Shops for Round House  
28 renovation; and
- 29           (4) Up to \$400,000 may be used for Broughton Hospital for steam plant  
30 modifications.

31  
32 Requested by: Representative Jones

33 ---SBI LABORATORY PRIORITY

34           Sec. 13. Because adequate funds are not available for the 1990-91 fiscal year  
35 to fund adequately the critically needed State Bureau of Investigation Laboratory, it is  
36 the intent of the General Assembly to give the capital funding of the State Bureau of  
37 Investigation Laboratory highest priority for funding for the 1991-93 fiscal biennium, if  
38 funds are available.

39  
40 PART IV.—GENERAL GOVERNMENT

41  
42 Requested by: Representative Holmes

43 ---INDIAN CULTURAL CENTER

1           Sec. 14. Of the \$100,000 appropriated to the Department of Administration  
2 for the 1990-91 fiscal year for the Indian Cultural Center, \$75,000 shall be used for an  
3 environmental impact statement for Phase 1 of the project and \$25,000 shall be a grant-  
4 in-aid to the North Carolina Indian Cultural Center, Inc., for operating expenses. The  
5 Secretary of Administration shall conduct a study of the economic impact the Indian  
6 Cultural Center will have on the State in general and on the specific region in which the  
7 facility will be located. The study shall reflect the economic impact at each phase of  
8 construction in addition to the economic impact upon completion of the approved  
9 master plan.

10  
11 Requested by: Representative Holmes

12 —COMPETITIVE SINGLE-PRIME BIDS

13           Sec. 15. G.S. 143-132(b) reads as rewritten:

14       "(b) For purposes of contracts bid in the alternative between the separate prime  
15 and single-prime contracts, pursuant to G.S. 143-128(b), a bid submitted by a single-  
16 prime contractor shall constitute a competitive bid in each of the four subdivisions or  
17 branches of work listed in ~~G.S. 143-128(a)~~ G.S. 143-128(a), and each full set of  
18 separate prime bids shall constitute a competitive single-prime bid in meeting the  
19 requirements of subsection (a) of this section."

20  
21 Requested by: Representatives Easterling, Hurley

22 —VETERANS HOME STUDY COMMISSION

23           Sec. 16. (a) The Veterans Home Study Commission is created. The  
24 Commission shall consist of 10 members appointed by the Speaker of the House of  
25 Representatives and the President Pro Tempore of the Senate. The Speaker of the  
26 House of Representatives and the President Pro Tempore of the Senate shall each  
27 appoint one member from his or her respective body of the legislature and from the  
28 North Carolina American Legion, the North Carolina Veterans of Foreign Wars, the  
29 North Carolina Disabled American Veterans, and the North Carolina American  
30 Veterans of World War II (AMVETS) from a list submitted to each of them from the  
31 governing body of each organization containing three recommendations for  
32 Commission membership.

33           (b) The Speaker of the House of Representatives shall designate one member  
34 of the Commission as cochairman and the President Pro Tempore of the Senate shall  
35 designate one member as cochairman. The cochairmen shall call the initial meeting of  
36 the Commission.

37           (c) The Commission shall study the construction of a State veterans home, the  
38 identification of a site for the home, and the operation, management, and ongoing costs  
39 for a State veterans home. The Commission shall formulate funding recommendations  
40 to be made to the General Assembly that will fully implement a State veterans home  
41 program to serve adequately the veterans in North Carolina. The Commission may  
42 assist the State in making an application to secure federal grant matching funds for the  
43 construction of a State veterans home, may visit veterans homes in other states, and may

1 contract with consultants, architects, engineers, contractors, and other experts in the  
2 field of veteran home construction.

3 (d) The Commission shall submit a report of its findings and  
4 recommendations to the 1991 General Assembly.

5 (e) Upon the approval of the Legislative Services Commission, the  
6 Legislative Services Officer shall assign professional staff to assist in the work of the  
7 Commission. Clerical staff shall be furnished to the Commission through the offices of  
8 House and Senate Supervisors of Clerks. The expenses of employment of the clerical  
9 staff shall be paid by the Commission. The Commission may employ professional staff  
10 as necessary to perform its duties. The Commission may meet in the Legislative  
11 Building or the Legislative Office Building, upon the approval of the Legislative  
12 Services Commission.

13 (f) Members of the Commission shall be paid subsistence and travel  
14 allowances as follows:

- 15 (1) Commission members who are also General Assembly members at the  
16 rate established in G.S. 120-3.1;
- 17 (2) Commission members, if any, who are also officials or employees of  
18 the State at the rate established in G.S. 138-6; and
- 19 (3) All other Commission members at the rate established in G.S. 138-5.
- 20 (g) The Commission may be funded from funds available to the Legislative  
21 Services Commission for the 1990-91 fiscal year.

22

## 23 PART V.—SALARIES AND BENEFITS

24

25 Requested by: Representative Lineberry

26 —LEO RETIREES/STATE HEALTH PLAN

27 Sec. 17. (a) G.S. 135-40.2(a) reads as rewritten:

28 "(a) The following persons are eligible for coverage under the Plan, on a  
29 noncontributory basis, subject to the provisions of G.S. 135-40.3:

30 (1) All permanent full-time employees of an employing unit who meet the  
31 following conditions:

32 a. Paid from general or special State funds, or

33 b. Paid from non-State funds and in a group for which his or her  
34 employing unit has agreed to provide coverage.

35 Employees of State agencies, departments, institutions, boards, and  
36 commissions not otherwise covered by the Plan who are employed in  
37 permanent job positions on a recurring basis and who work 30 or more  
38 hours per week for nine or more months per calendar year are covered  
39 by the provisions of this subdivision.

40 (1a) Permanent hourly employees as defined in G.S. 126-5(c4) who work at  
41 least one-half of the workdays of each pay period.

42 (2) Retired teachers, State employees, ~~and~~ members of the General  
43 ~~Assembly~~ Assembly, and retired State law enforcement officers who



retired under the Law Enforcement Officers' Retirement System prior to January 1, 1985.

(2a) Surviving spouses of:

a. Deceased retired employees, provided the death of the former plan member occurred prior to October 1, 1986; and

b. Deceased teachers, State employees, and members of the General Assembly who are receiving a survivor's alternate benefit under any of the State-supported retirement programs, provided the death of the former plan member occurred prior to October 1, 1986.

(3) Repealed by Session Laws 1985 (Reg. Sess., 1986), c. 1020, s. 29(b), effective January 1, 1988.

(3a) Employees of the General Assembly, not otherwise covered by this section, as determined by the Legislative Services Commission, except for legislative interns and pages.

(4) Members of the General Assembly."

(b) This section shall become effective the first day of the calendar month following ratification of this act, and applies to coverage in accordance with the provisions of G.S. 135-40.3.

Requested by: Representative Flaherty

—SHERIFFS' SUPPLEMENTAL PENSION FUND

Sec. 18. (a) G.S. 143-166.84 reads as rewritten:

**"§ 143-166.84. Eligibility.**

(a) Each county sheriff who has retired from the Local Governmental Employees' Retirement System or an equivalent locally sponsored plan on and before June 30, 1986, and who has attained the age of 55 years and who has completed at least 10 years of eligible service as sheriff is entitled to receive a monthly pension under this Article, beginning July 1, 1986.

(a1) Each county sheriff who withdrew any service standing to his credit in the Local Governmental Employees' Retirement System prior to July 1, 1986, and who has attained the age of 55 and who has completed at least 10 years of eligible service as sheriff is entitled to receive a monthly pension under this Article provided the sheriff is not eligible to receive any retirement benefit from any State or locally sponsored plan.

(b) Each eligible retired Sheriff as defined in subsection (a) of this section relating to age, service, and retirement status on January 1 of each calendar year shall be entitled to receive a monthly pension under this Article beginning with the month of January of the same calendar year."

(b) G.S. 143-166.85 reads as rewritten:

**"§ 143-166.85. Benefits.**

(a) An eligible retired sheriff shall be entitled to and receive an annual pension benefit, payable in equal monthly installments, equal to one share for each full year of eligible service as sheriff multiplied by his total number of years of eligible service. The amount of each share shall be determined by dividing the total number of years of

1 eligible service for all eligible retired sheriffs on December 31 of each calendar year  
2 into the amount to be disbursed as monthly pension payments in accordance with the  
3 provisions of G.S., 143-166.83(b). In no event however shall a monthly pension under  
4 this Article exceed an amount, which when added to a retired allowance at retirement  
5 from the Local Governmental Employees' Retirement System or an equivalent locally  
6 sponsored plan or to the amount he would have been eligible to receive if service had  
7 not been forfeited by the withdrawal of accumulated contributions, is greater than  
8 seventy-five percent (75%) of a sheriff's equivalent annual salary immediately  
9 preceding retirement computed on the latest monthly base rate, to a maximum amount  
10 of one thousand dollars (\$1,000).

11 (b) All monthly pensions payable under this Article shall be paid on the last  
12 business day of each month.

13 (c) Monthly pensions payable under this Article will cease at the death of the  
14 pensioner and no payment will be made to any beneficiaries or to the decedent's estate.

15 (d) Monthly pensions payable under this Article will cease upon the full-time  
16 reemployment of a pensioner with an employer participating in the Local Governmental  
17 Employees' Retirement System for as long as the pensioner is so reemployed.

18 (e) Pensions paid under the provisions of this Article shall be exempt from North  
19 Carolina income tax.

20 (f) Nothing contained in this Article shall preclude or in any way affect the  
21 benefits that a pensioner may be entitled to from any state, federal or private pension,  
22 retirement or other deferred compensation plan."

23 (c) This section shall become effective August 1, 1990.

## 24 25 PART VI.—EDUCATION

26  
27 Requested by: Representative Holmes

### 28 —UNC ENGINEERING GRADUATE RESEARCH CENTER FUNDS

29 Sec. 19. Notwithstanding any other provisions of law, funds appropriated for  
30 the 1990-91 fiscal year to the Board of Governors of The University of North Carolina  
31 for the Engineering Graduate Research Center at North Carolina State University may  
32 be released as needed for site preparation and infrastructure for this facility on North  
33 Carolina State University's Centennial Campus.

34  
35 Requested by: Representatives B. Ethridge, Chapin

### 36 —RESIDENTIAL SUMMER PROGRAMS FUNDS

37 Sec. 20. Of the funds appropriated to the Board of Governors of The  
38 University of North Carolina for the 1990-91 fiscal year, the sum of \$50,000 shall be  
39 used for the Residential Summer Programs at East Carolina University and Western  
40 Carolina University.

41  
42 Requested by: Representative Diamont

### 43 —SCHOOL ADMINISTRATOR SALARY SCHEDULE

1           Sec. 21. (a) Section 38(a1) of Chapter 752 of the 1989 Session Laws is  
2 repealed.

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

5           "(a2) Superintendents, Assistant Superintendents, Associate Superintendents,  
6 Supervisors, Directors, Coordinators, Evaluators, Program Administrators, Principals,  
7 and Assistant Principals—1990-91. The Director of the Budget may transfer from the  
8 salary increase reserve fund created in Section 3 of this act for fiscal year 1990-91 funds  
9 necessary to provide an average annual salary increase of six percent (6%), including  
10 funds for the employer's retirement and Social Security contributions, commencing July  
11 1, 1990, for all superintendents, assistant superintendents, associate superintendents,  
12 supervisors, directors, coordinators, evaluators, program administrators, principals, and  
13 assistant principals whose salaries are supported from the State's General Fund. ~~These  
14 funds shall be allocated to individuals according to rules adopted by the State Board of  
15 Education and the Superintendent of Public Instruction so as to begin the first year of  
16 the implementation schedule of the salary schedule developed pursuant to subsection  
17 (a1) of this section.~~—These funds may not be used for any purpose other than for the  
18 salary increase and necessary employer contributions provided by this subsection."  
19

20 Requested by: Representative Chapin

21 —YEAR-ROUND EDUCATION

22           Sec. 22. (a) The State Board of Education shall study the concept of year-  
23 round education and shall develop policies and procedures for local school  
24 administrative units that want to implement year-round education. The State Board of  
25 Education shall report the results of its study and any policies and procedures it  
26 develops to the General Assembly prior to the convening of the 1991 General  
27 Assembly.

28           The State Board shall also develop a grant program for local school  
29 administrative units to use in planning for the implementation of year-round education.

30           (b) The Department of Public Instruction shall develop the ability to offer  
31 technical expertise to local school administrative units that want to implement year-  
32 round education.

33           (c) The Department of Public Education shall fund this study from funds  
34 available to it.  
35

36 Requested by: Representative Diamont

37 —PUBLIC SCHOOL TESTING FUNDS

38           Sec. 23. Of the funds appropriated for aid to local school administrative units  
39 for the 1990-91 fiscal year, the State Board of Education may allocate \$375,000 to the  
40 Department of Public Instruction to implement and administer end-of-course tests in  
41 physical sciences and English II (essay) and to develop end-of-grade tests for grades  
42 three through eight, necessary to implement the School Improvement and  
43 Accountability Act of 1989.  
44

## 1 PART VII.—HUMAN RESOURCES

2

3 Requested by: Representative Diamont

## 4 —PRESCRIPTION DRUG REIMBURSEMENT CHANGE

5 Sec. 24. (a) Section 70(a)(6), of Chapter 500 of the 1989 Session Laws, as  
6 rewritten by Section 139(a) of Chapter 752 of the 1989 Session Laws of the 1989  
7 Session Laws, reads as rewritten:

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

17 (b) Effective upon the reduction of the estimated drug acquisition cost below the  
18 Average Wholesale Price, 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, and as further  
20 rewritten by subsection (a) of this section, reads as rewritten:

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

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

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

34

35 Requested by: Representative H. Hunter

## 36 —AREA MENTAL HEALTH PILOT PROGRAM

37 Sec. 25. The Secretary of Human Resources may designate as a pilot  
38 program one area mental health, developmental disabilities, and substance abuse  
39 authority to be covered by the provisions of G.S. 160A-20 as if it were a county. The  
40 area authority so designated may borrow an amount not to exceed \$100,000 as part of  
41 the transaction. No transaction may be entered into under this section after July 1, 1991.  
42 In applying this section, the Secretary shall use criteria to choose the area authority  
43 based on its readiness to proceed, and based on the ability of the proposal to provide

1 separation of a partial hospitalization program and a psychosocial program for severely  
2 and persistently mentally ill clients.

3  
4 Requested by: Representative B. Ethridge

5 —HEAD START/ELDERLY AND NEEDY PROGRAM FUNDS

6 Sec. 26. Of the funds appropriated in Section 7 of the Current Operations  
7 Appropriations Act of 1990 under the Social Services Block Grant for day care services,  
8 the sum of \$200,000 shall be allocated to the Department of Human Resources,  
9 Division of Economic Opportunity, for the continuation of Head Start programs and  
10 services for children eligible for these programs and services, and for the continuation  
11 of the services to the elderly and needy funded in Section 47 of Chapter 754 of the 1989  
12 Session Laws.

13  
14 Requested by: Representative Redwine

15 —SOUTHEASTERN AREA DETOXIFICATION FUNDS

16 Sec. 27. Of the funds appropriated to the Department of Human Resources,  
17 Developmental Disabilities, and Substance Abuse Services, for the 1990-91 fiscal year,  
18 for implementation of the North Carolina Drug Cabinet programs, the sum of \$158,280  
19 shall be allocated to the Southeastern Center for Mental Health, Developmental  
20 Disabilities, and Substance Abuse Services for its nonhospital, medical detoxification  
21 and treatment program.

22  
23 PART VIII.—NATURAL AND ECONOMIC RESOURCES

24  
25 Requested by: Representative Redwine

26 —NC AGRICULTURAL FINANCE AUTHORITY

27 Sec. 28. (a) Section 109 of Chapter 500 of the 1989 Session Laws is  
28 repealed, except that such repeal reenacts Chapter 122D of the General Statutes only as  
29 provided by subsection (b) of this section.

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

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

33 (d) The amendment made to G.S. 53-234(6)(d) by Section 109(f) of Chapter  
34 500, Session Laws of 1989, is repealed.

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

39  
40 Requested by: Representative Holmes

41 —WESTERN NORTH CAROLINA AGRICULTURAL CENTER/LAND  
42 PURCHASE

43 Sec. 29. Funds appropriated to the Department of Agriculture for the 1990-  
44 91 fiscal year for the purchase of land for the Western North Carolina Agricultural

1 Center shall not be used to purchase land at more than its appraised value. Any of these  
2 funds not expended for this purpose by June 30, 1991, shall revert to the General Fund.

3  
4 Requested by: Representative Holmes

5 ---INSTITUTE OF STATISTICAL SCIENCES MATCHING FUNDS

6 Sec. 30. Funds appropriated for the 1990-91 fiscal year to the Department of  
7 Economic and Community Development for the Institute of Statistical Sciences, which  
8 is presently considering North Carolina as the host site for the location of a facility to  
9 house its program, shall be disbursed only if North Carolina is chosen as the host site  
10 and are subject to a match on the basis of one State dollar for one non-State dollar. If  
11 North Carolina is not chosen as the host site by September 30, 1990, the funds  
12 appropriated shall revert to the General Fund.

13 No State funds shall be disbursed until the design or construction contracts  
14 are awarded for the Institute's facility.

15  
16 Requested by: Representative Holmes

17 ---I-95 WELCOME CENTER

18 Sec. 31. Funds appropriated for the 1990-91 fiscal year to the Department of  
19 Economic and Community Development for the I-95 Welcome Center to be located in  
20 Northampton County shall be used to provide the ten percent (10%) required match for  
21 federal funds. No State funds shall be expended until the federal funds are secured.

22  
23 Requested by: Representative Holmes

24 ---NORTH CAROLINA ZOO

25 Sec. 32. Funds appropriated to the Department of Environment, Health, and  
26 Natural Resources for the North American Phase of the North Carolina Zoological Park  
27 shall be matched on the basis of one dollar of non-State funds for every four dollars of  
28 State funds.

29  
30 Requested by: Representative Diamont

31 ---COMMUNITY DEVELOPMENT CORPORATIONS FUNDS

32 Sec. 33. (a) Of the funds appropriated to the Department of Economic and  
33 Community Development for the 1990-91 fiscal year for the Rural Economic  
34 Development Center, Inc., the sum of \$650,000 shall be used for grants to be disbursed  
35 to community development corporations which are incorporated under Chapter 55A of  
36 the General Statutes and which currently serve minority and underdeveloped  
37 communities.

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

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

1

2 Requested by: Representative Diamont

3 —WATER RESOURCES DEVELOPMENT PROJECTS

4 Sec. 34. (a) Of the funds appropriated to the Department of Environment,  
5 Health, and Natural Resources for the 1990-91 fiscal year, the sum of \$1,400,000 shall  
6 be used for water resources development projects. The Department shall fund the  
7 following projects, whose estimated costs are as indicated:

- 8 (1) Morehead City Harbor  
9 Maintenance Dredging \$ 50,000  
10 (2) Beaufort Harbor  
11 Maintenance Dredging 80,000  
12 (3) Lower Creek (City of Lenoir)  
13 Flood Control 169,000  
14 (4) Aquatic Weed Control Projects 37,000  
15 (5) Carolina Beach Renourishment 800,000  
16 (6) State/Local Water  
17 Development Projects 233,000  
18 (7) Wilmington Harbor Passing  
19 Lane Study 18,000  
20 (8) Wilmington Harbor Turns  
21 and Bends Study 13,000  
22 (9) Corps of Engineers Feasibility  
23 Studies as funds are available.

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

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

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

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

- 39 (1) All projects listed in subsection (a) of this section;  
40 (2) The estimated cost of each project;  
41 (3) The date work on each project began or is expected to begin;  
42 (4) The date work on each project was completed or is expected to be  
43 completed; and  
44 (5) The actual cost of each project.

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

4  
5 Requested by: Representatives B. Ethridge, Redwine  
6 —TRANSFER OF TRAVEL AND TOURISM FUNDS

7         Sec. 35. The Department of Economic and Community Development may  
8 transfer up to \$176,000 of the funds appropriated for the 1990-91 fiscal year for  
9 promotional advertising in the Division of Travel and Tourism to establish and maintain  
10 two positions for direct marketing and one position for media development.

11  
12 PART IX.—MISCELLANEOUS PROVISIONS

13  
14 Requested by: Representative Diamont  
15 —EXECUTIVE BUDGET ACT APPLIES

16         Sec. 36. The provisions of the Executive Budget Act, Chapter 143, Article 1  
17 of the General Statutes are reenacted and shall remain in full force and effect and are  
18 incorporated in this act by reference.

19  
20 Requested by: Representative Diamont  
21 —COMMITTEE REPORT

22         Sec. 37. The July 17, 1990, Report of the House Appropriations Committee  
23 which was distributed in the House of Representatives and used to explain this act, shall  
24 indicate action by the General Assembly on this act and shall therefore be used to  
25 construe this act, as provided in G.S. 143-15 of the Executive Budget Act, and for such  
26 purposes shall be considered a part of this act.

27  
28 Requested by: Representative Diamont  
29 —MOST TEXT APPLIES ONLY TO 1990-91

30         Sec. 38. Except for statutory changes or other provisions that clearly indicate  
31 an intention to have effects beyond the 1990-91 fiscal year, the textual provisions of this  
32 act apply only to funds appropriated for, and activities occurring during, the 1990-91  
33 fiscal year.

34  
35 Requested by: Representative Diamont  
36 —1989-90 APPROPRIATIONS LIMITATIONS AND DIRECTIONS APPLY

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

41         Sec. 40. Notwithstanding any modifications by this act in the amounts  
42 appropriated, except where expressly repealed or amended, the limitations and  
43 directions for the 1990-91 fiscal year in Chapters 500, 752, 754, 795, and 799 of the  
44 1989 Session Laws, as amended, and The Current Operations Appropriations Act of



1 1990, as amended, that applied to appropriations to particular agencies or for particular  
2 purposes apply to the newly enacted appropriations and budget reductions of this act for  
3 those same particular purposes.

4

5 Requested by: Representative Diamont

6 ---EFFECT OF HEADINGS

7           Sec. 41. 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  
9 the text of this act.

10

11 Requested by: Representative Diamont

12 ---SEVERABILITY CLAUSE

13           Sec. 42. If any section or provision of this act is declared unconstitutional or  
14 invalid by the courts, it does not affect the validity of this act as a whole or any part  
15 other than the part so declared to be unconstitutional or invalid.

16

17 Requested by: Representative Diamont

18 ---EFFECTIVE DATE

19           Sec. 43. Except as otherwise provided, this act shall become effective July 1,  
20 1990.