

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1362*

Short Title: Ensure Adequate Textbook Funds.

(Public)

Sponsors: Representatives Barnes, Black, Fussell, Gray, Hege, McAllister, Rhodes, Rogers; Anderson, Bowman, Ethridge, Gottovi, Hensley, Jeffus, Jordan, Justus, Miller, Oldham, and Russell.

Referred to: Education.

May 28, 1992

A BILL TO BE ENTITLED

1 AN ACT TO ENSURE THAT SUFFICIENT FUNDS ARE AVAILABLE TO
2 PROVIDE TEXTBOOKS TO PUBLIC SCHOOL STUDENTS.
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4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 115C-96 reads as rewritten:

6 "**§ 115C-96. Powers and duties of the State Board of Education in regard to**
7 **textbooks.**

8 The children of the public elementary and secondary schools of the State shall be
9 provided with free basic textbooks within the appropriation of the General Assembly for
10 that purpose. ~~The To implement this directive, the State Board of Education is directed to~~
11 shall evaluate annually the amount of money necessary to provide textbooks based on
12 the actual cost and availability of textbooks and shall request sufficient appropriations
13 from the General Assembly to implement this directive. ~~Assembly.~~

14 The State Board of Education shall administer a fund and establish rules and
15 regulations necessary to:

16 (1) Acquire by contract such basic textbooks as are or may be on the
17 adopted list of the State of North Carolina which the Board finds
18 necessary to meet the needs of the State public school system and to
19 carry out the provisions of this Part.

20 (2) Provide a system of distribution of these textbooks and distribute the
21 books that are provided without using any depository or warehouse
22 facilities other than those operated by the State Board of Education.

- 1 (3) Provide for the free use, with proper care and return, of elementary and
2 secondary basic textbooks. The title of said books shall be vested in
3 the State."

4 Sec. 2. G.S. 143-11 reads as rewritten:

5 **"§ 143-11. Survey of departments.**

6 On or before the fifteenth day of December, biennially in the even-numbered years,
7 the Director shall make a complete, careful survey of the operation and management of
8 all the departments, bureaus, divisions, officers, boards, commissions, institutions, and
9 agencies and undertakings of the State and all persons or corporations who use or
10 expend State funds, in the interest of economy and efficiency, and of obtaining a
11 working knowledge upon which to base recommendations to the General Assembly as
12 to appropriations for maintenance and special funds and capital expenditures for the
13 succeeding biennium. If the Director and the Commission shall agree in their
14 recommendations for the budget for the next biennial period, he shall prepare their
15 report in the form of a proposed budget, together with such comment and
16 recommendations as they may deem proper to make. If the Director and Commission
17 shall not agree in substantial particulars, the Director shall prepare the proposed budget
18 based on his own conclusions and judgment, and the Commission or any of its members
19 retain the right to submit separately to the General Assembly such statement of
20 disagreement and the particulars thereof as representing their views. The budget report
21 shall contain a complete and itemized plan of all proposed expenditures for each State
22 department, bureau, board, division, institution, commission, State agency or
23 undertaking, person or corporation who receives or may receive for use and expenditure
24 any State funds, in accordance with the classification adopted by the State Controller,
25 and of the estimated revenues and borrowings for each year in the ensuing biennial
26 period beginning with the first day of July thereafter. Opposite each item of the
27 proposed expenditures, the budget shall show in separate parallel columns the amount
28 expended for the last preceding appropriation year, for the current appropriation year,
29 and the increase or decrease. The budget shall clearly differentiate between general
30 fund expenditures for operating and maintenance, special fund expenditures for any
31 purpose, and proposed capital outlays.

32 The Director shall accompany the budget with:

- 33 (1) A budget message supporting his recommendations and outlining a
34 financial policy and program for the ensuing biennium. The message
35 will include an explanation of increase or decrease over past
36 expenditures, a discussion of proposed changes in existing revenue
37 laws and proposed bond issues, their purpose, the amount, rate of
38 interest, term, the requirements to be attached to their issuance and the
39 effect such issues will have upon the redemption and annual interest
40 charges of the State debt.
- 41 (2) State Controller reports including:
- 42 a. An itemized and complete financial statement for the State at
43 the close of the last preceding fiscal year ending June 30.
- 44 b. A statement of special funds.

- 1 (2a) A statement showing the itemized estimates of the condition of the
2 State treasury as of the beginning and end of each of the next two
3 appropriation years.
- 4 (3) A report on the fees charged by each State department, bureau,
5 division, board, commission, institution, and agency during the
6 previous fiscal year, the statutory or regulatory authority for each fee,
7 the amount of the fee, when the amount of the fee was last changed,
8 the number of times the fee was collected during the prior fiscal year,
9 and the total receipts from the fee during the prior fiscal year.
- 10 (4) A statement showing the State Board of Education's request, in
11 accordance with G.S. 115C-96, for sufficient funds to provide
12 textbooks to public school students.

13 It shall be a compliance with this section by each incoming Governor, at the first
14 session of the General Assembly in his term, to submit the budget report with the
15 message of the outgoing Governor, if he shall deem it proper to prepare such message,
16 together with any comments or recommendations thereon that he may see fit to make,
17 either at the time of the submission of the said report to the General Assembly, or at
18 such other time, or times, as he may elect and fix.

19 The function of the Advisory Budget Commission under this section applies only if
20 the Director of the Budget consults with the Commission in preparation of the budget."

21 Sec. 3. This act is effective upon ratification and applies to all budget
22 requests beginning with the budget request for the 1993-95 fiscal biennium.