

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE BILL 1496*

Short Title: State Emergency Response Fund. (Public)

Sponsors: Senators Nesbitt, Snow; Albertson, Apodaca, Atwater, Bland, Boseman, Brown, Dorsett, Hartsell, Holloman, Jenkins, Lucas, Presnell, and Shaw.

Referred to: Appropriations/Base Budget.

May 18, 2006

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE STATE EMERGENCY RESPONSE FUND AND TO APPROPRIATE FUNDS TO THE STATE EMERGENCY RESPONSE FUND, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

The General Assembly of North Carolina enacts:

SECTION 1. Article 1 of Chapter 166A is amended by adding a new section to read:

"§ 166A-6.02. State Emergency Response Fund.

(a) Fund Established. – The State Emergency Response Fund is established as a special revenue fund in the Office of State Budget and Management. The money in this Fund shall not revert to the General Fund and shall remain in this Fund to be used as provided by this section.

(b) Fund Balance. – The balance of the Fund at the beginning of each fiscal year shall be at least twenty million dollars (\$20,000,000). If the balance of the Fund at the end of a fiscal year is less than twenty million dollars (\$20,000,000), then there is appropriated to the Fund from the General Fund on July 1 an amount that is equal to the difference between twenty million dollars (\$20,000,000) and the balance of the Fund on June 30.

(c) Purpose and Spending Priority of Funds. – The Governor may spend money from the Fund for the purposes set forth in this section without further authorization of the General Assembly. Money from the Fund may be used to cover the start-up costs of State Emergency Response Team operations in anticipation of or in response to a Type I, Type II, or Type III disaster as defined by G.S. 166A-6. If money remains available after covering the start-up costs, then that money may be used to help provide the State matching funds required for disaster assistance for a Type I, Type II, or Type III disaster. All other types of disaster assistance authorized by G.S. 166A-6 shall continue to be financed by the funds made available under that section."

1 **SECTION 2.** G.S. 166A-4 is amended by adding the following subdivision:
2 "(5a) Fund. – The State Emergency Response Fund established in
3 G.S. 166A-6.02."

4 **SECTION 3.** There is appropriated from the General Fund to the State
5 Emergency Response Fund established in G.S. 166A-6.02 the sum of twenty million
6 dollars (\$20,000,000) for the 2006-2007 fiscal year.

7 **SECTION 4.** This act becomes effective July 1, 2006.