

1 **Chapter 143.**
2 **State Departments, Institutions, and Commissions**
3 **Article 1.**

4 **Executive Budget Act.**

5 **§ 143-1:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
6 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

7
8 **§ 143-2:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
9 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

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11 **§ 143-3:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
12 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

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14 **§ 143-3.1:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
15 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

16
17 **§ 143-3.2:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
18 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

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20 **§ 143-3.3:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
21 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

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23 **§ 143-3.4:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
24 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

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26 **§ 143-3.5:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
27 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

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29 **§ 143-3.6: Expired.**

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31 **§ 143-3.7: Repealed by Session Laws 1997-443, s. 23(b).**

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33 **§ 143-4:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
34 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

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36 **§ 143-4.1:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
37 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

38
39 **§ 143-5:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
40 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

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42 **§ 143-6:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
43 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

44
45 **§ 143-6.1:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
46 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

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48 **§ 143-6.2:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
49 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
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- 1 § **143-7:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
2 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
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- 4 § **143-8:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
5 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
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- 7 § **143-9:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
8 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
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- 10 § **143-10:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
11 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
12
- 13 **§ 143-10.1: Repealed by Session Laws 1991, c. 689, s. 342.**
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- 15 § **143-10.1A:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable
16 to the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
17
- 18 § **143-10.2:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
19 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
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- 21 **§§ 143-10.3 through 143-10.6:** Repealed by Session Laws 2001-424, s. 12.2(a), effective July
22 1, 2001.
23
- 24 § **143-10.7:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
25 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
26
- 27 § **143-11:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
28 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
29
- 30 **§ 143-11.1: Repealed by Session Laws 1983, c. 717, s. 55.**
- 31
- 32 § **143-12:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
33 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
34
- 35 § **143-12.1:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
36 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
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- 38 § **143-13:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
39 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
40
- 41 § **143-14:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
42 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
43
- 44 § **143-15:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
45 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
46
- 47 § **143-15.1:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
48 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
49
- 50 § **143-15.2:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
51 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

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§ 143-15.3: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

§ 143-15.3A: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

§ 143-15.3B: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

§ 143-15.3C: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

§ 143-15.3D: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

§ 143-15.3E: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

§ 143-15.4: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

§ 143-16: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

§ 143-16.1: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

§ 143-16.2: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

§ 143-16.3: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

§ 143-16.4: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

§ 143-16.5: Repealed by Session Laws 1999-237, s. 19a, effective June 30, 1999, and applicable to agreements entered on or after November 15, 1998.

§ 143-16.6: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

§ 143-16.7: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

§ 143-17: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

§ 143-18: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

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2 § 143-18.1: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
3 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
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5 § 143-19: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
6 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
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8 § 143-20: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
9 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
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11 § 143-20.1: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
12 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
13

14 § 143-21: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
15 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
16

17 § 143-22: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
18 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
19

20 § 143-23: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
21 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
22

23 **§ 143-23.1. Repealed by Session Laws 1985, c. 290, s. 4, effective July 1, 1985.**
24

25 § 143-23.2: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
26 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
27

28 § 143-23.3: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
29 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
30

31 § 143-24: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
32 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
33

34 § 143-25: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
35 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
36

37 § 143-26: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
38 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
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40 § 143-27: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
41 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
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43 **§ 143-27.1. Repealed by Session Laws 1979, 2nd Session, c. 1137, s. 43.**
44

45 **§ 143-27.2. (Recodified effective July 1, 2007) Discontinued service retirement allowance**
46 **and severance wages for certain State employees.**

47 (a) When the Director of the Budget determines that the closing of a State institution or
48 a reduction in force will accomplish economies in the State Budget, he shall pay either a
49 discontinued service retirement allowance or severance wages to any affected State employee,
50 provided reemployment is not available. As used in this section, "economies in the State
51 Budget" means economies resulting from elimination of a job and its responsibilities or from a

1 lack of funds to support the job. In determining whether to pay a discontinued service
2 retirement allowance or severance wages, the Director of the Budget shall consider the
3 recommendation of the department head involved and any recommendation of the State
4 Personnel Director. Severance wages shall not be paid to an employee who chooses a
5 discontinued service retirement. Severance wages shall not be subject to employer or employee
6 retirement contributions. Severance wages shall be paid according to the policies adopted by
7 the State Personnel Commission.

8 Notwithstanding any other provisions of the State's retirement laws, any employee of the
9 State who is a member of the Teachers' and State Employees' Retirement System or the
10 Law-Enforcement Officers' Retirement System and who has his job involuntarily terminated as
11 a result of economies in the State Budget may be entitled to a discontinued service retirement
12 allowance, subject to the approval of the employing agency and the availability of agency
13 funds. An unreduced discontinued service retirement allowance, not otherwise allowed, may be
14 approved for employees with 20 or more years of creditable retirement service who are at least
15 55 years of age; or a discontinued service retirement allowance, not otherwise allowed, may be
16 approved for employees with 20 or more years of creditable retirement service who are at least
17 50 years of age, reduced by one-fourth of one percent (1/4 of 1%) for each month that
18 retirement precedes his fifty-fifth birthday. In cases where a discontinued service retirement
19 allowance is approved, the employing agency shall make a lump sum payment to the
20 Administrator of the State Retirement Systems equal to the actuarial present value of the
21 additional liabilities imposed upon the System, to be determined by the System's consulting
22 actuary, as a result of the discontinued service retirement, plus an administrative fee to be
23 determined by the Administrator.

24 The salary used to determine severance wages under this section is the last annual salary
25 except that if the employee was promoted within the previous 12 months, the last annual salary
26 is that annual salary prior to the promotion. If the annual salary prior to the promotion is used,
27 it shall be adjusted to account for any across-the-board legislative salary increases. Excluded
28 from any calculation are any benefits such as, but not limited to, overtime pay, shift pay,
29 holiday premium, or longevity pay.

30 (b) Any employee separated from State government and paid severance wages under
31 this section shall not be employed under a contractual arrangement by any State agency, other
32 than the constituent institutions of The University of North Carolina and the constituent
33 institutions of the North Carolina Community College System, until 12 months have elapsed
34 since the separation. This subsection does not affect any reduction in force rights that the
35 employee may have. (1979, c. 838, s. 22; 1983, c. 761, s. 225; c. 923, s. 217(R); 1983 (Reg.
36 Sess., 1984), c. 1034, s. 251; 1985 (Reg. Sess., 1986), c. 981, s. 1; c. 1024, s. 20; 1987, c. 177,
37 s. 2; 1989 (Reg. Sess., 1990), c. 1066, s. 36(a); 1998-212, s. 28.28(a); 2006-203, s. 6.)

38
39 **§ 143-28:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
40 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

41
42 **§ 143-28.1:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
43 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

44
45 **§ 143-29:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
46 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

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48 **§ 143-30:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
49 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
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- 1 § **143-31:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
2 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
3
- 4 § **143-31.1:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
5 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
6
- 7 § **143-31.2. (Recodified effective July 1, 2007) Appropriation, allotment, and expenditure**
8 **of funds for historic and archeological property.**
9 The Department of Cultural Resources may not expend any State funds for the acquisition,
10 preservation, restoration, or operation of historic or archeological real and personal property,
11 and the Director of the Budget may not allot any appropriations to the Department of Cultural
12 Resources for a particular historic site until (i) the property or properties shall have been
13 approved for such purpose by the Department of Cultural Resources according to criteria
14 adopted by the North Carolina Historical Commission, (ii) the report and recommendation of
15 the North Carolina Historical Commission has been received and considered by the Department
16 of Cultural Resources, and (iii) the Department of Cultural Resources has found that there is a
17 feasible and practical method of providing funds for the acquisition, restoration and/or
18 operation of such property. (1963, c. 210, s. 3; 1973, c. 476, s. 48; 1985 (Reg. Sess; 1986), c.
19 1014, s. 171(e); 2006-203, s.7.)
20
- 21 § **143-31.3:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
22 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
23
- 24 § **143-31.4:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
25 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
26
- 27 § **143-31.5:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
28 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
29
- 30 § **143-32:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
31 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
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- 33 § **143-33:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
34 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
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- 36 § **143-34:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
37 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
38
- 39 § **143-34.1:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
40 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
41
- 42 § **143-34.2:** Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
43 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
44
- 45 § **143-34.3. Repealed by Session Laws 1977, c. 802, s. 15.20.**
46
- 47 § **143-34.4: Recodified as § 120-36.6 by Session Laws 1983 (Regular Session 1984), c.**
48 **1034, s. 177.1.**
49
- 50 § **143-34.5: Repealed by Sessions Laws 1985, c. 479, s. 160.**
51

- 1 § 143-34.6: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
2 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
3
- 4 § 143-34.7: Repealed by Session Laws 2006-203, s. 1, effective July 1, 2007, and applicable to
5 the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
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- 7 § 143-34.8. **Reserved for future codification purposes.**
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- 9 § 143-34.9. **Reserved for future codification purposes.**