

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1993**

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SENATE BILL 1500*

Short Title: Governor's 1994 Operating Approp.

(Public)

Sponsors: Senators Daniel and Plyer.

Referred to: Appropriations.

May 25, 1994

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE APPROPRIATIONS FOR CURRENT OPERATIONS
OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE
APPROPRIATIONS FOR OTHER PURPOSES AND TO MAKE OTHER
CHANGES IN THE BUDGET OPERATION OF THE STATE.

The General Assembly of North Carolina enacts:

INTRODUCTION

Section 1. The appropriations made in this act are for maximum amounts necessary to provide the services and accomplish the purposes described in the budget. Savings shall be effected where the total amounts appropriated are not required to perform these services and accomplish these purposes and, except as allowed by the Executive Budget Act, or this act, the savings shall revert to the appropriate fund at the end of each fiscal year.

TITLE OF ACT

Sec. 2. This act shall be known as "The Current Operations Appropriations Act of 1994."

TITLE I. - CURRENT OPERATIONS

PART 1. GENERAL FUND APPROPRIATIONS - CONTINUING OPERATIONS

CURRENT OPERATIONS/STATE GOVERNMENT

Sec. 3. Appropriations from the General Fund of the State for the maintenance of the State departments, institutions, and agencies, and for other purposes as enumerated, are made for the fiscal year ending June 30, 1995, according to the

1 schedule that follows. The amounts set out in the schedule are in addition to other
2 appropriations from the General Fund for these purposes for the 1994-95 fiscal year.
3 Amounts set out in brackets are reductions from General Fund appropriations for the
4 1994-95 fiscal year.

<u>Current Operations/State Government</u>	<u>1994-95</u>
Judicial Department	\$ (1,048,424)
Office of the Governor	
01. Office of the Governor	244,978
02. Office of State Budget and Management	60,280
03. Office of State Planning	208,236
Department of Secretary of State	140,987
Department of State Auditor	59,417
Department of State Treasurer	381,173
Public Education	9,242,526
Department of Justice	(386,569)
Department of Administration	(765,270)
Department of Agriculture	92,362
Department of Labor	(159,546)
Department of Insurance	368,923
Department of Environment, Health, and Natural Resources	(152,511)
Department of Human Resources	
01. Secretary's Office	(800,331)
02. Division of Aging	(12,524)
03. Schools for the Deaf and Hard of Hearing	271,496
04. Social Services	3,441,042
05. Medical Assistance	(80,766,097)
06. Services for the Blind	93,224
07. Division of Mental Health, Developmental Disabilities, and Substance Abuse Services	18,462,771
08. Division of Facility Services	28,037,099

1	09. Division of Vocational Rehabilitation Services	(46,633)
2	10. Division of Youth Services	(55,304)
3	Total Department of Human Resources	(31,375,257)
4		
5	Department of Correction	11,121,938
6		
7	Department of Commerce	
8	01. Commerce	5,948,704
9	02. MCNC	1,900,000
10	03. Rural Economic Development Center	4,250,000
11		
12	Department of Revenue	5,731,445
13		
14	Department of Cultural Resources	(187,163)
15		
16	Department of Crime Control and Public Safety	(168,331)
17		
18	Office of the State Controller	2,699,712
19		
20	University of North Carolina - Board of Governors	
21	01. University of North Carolina:	
22	a. General Administration	(72,774)
23	b. Lump-sum - Institutional Programs	4,241,124
24	c. Related Educational Programs	4,167,480
25	02. University of North Carolina at Chapel Hill	
26	a. Academic Affairs	(139,414)
27	b. Health Affairs	(298,411)
28	c. Area Health Education Centers	(16,156)
29	03. North Carolina State University at Raleigh	
30	a. Academic	(578,153)
31	b. Agricultural Research Service	289,141
32	c. Agricultural Extension Services	(34,614)
33	04. University of North Carolina at Greensboro	(177,883)
34	05. University of North Carolina at Charlotte	(97,383)
35	06. University of North Carolina at Asheville	422,619
36	07. University of North Carolina at Wilmington	(89,517)
37	08. East Carolina University	
38	a. Academic	(212,044)
39	b. Health Affairs	(279,533)
40	09. North Carolina Agricultural and Technical State University	(163,092)
41	10. Western Carolina University	(129,056)
42	11. Appalachian State University	(167,867)
43	12. Pembroke State University	(13,901)
44	13. Winston-Salem State University	(61,457)

1	14. Elizabeth City State University	(55,560)
2	15. Fayetteville State University	35,681
3	16. North Carolina Central University	(107,250)
4	17. North Carolina School of the Arts	(33,054)
5	18. North Carolina School of Science and Mathematics	809,794
6	19. University of North Carolina Hospitals at Chapel Hill	(201,782)
7	Total University of North Carolina - Board of Governors	7,036,938
8		
9	Department of Community Colleges	9,602,824
10		
11	State Board of Elections	326,921
12		
13	Office of State Budget and Management	
14	01. Reserve for Salary Increases	
15	a. 4% Salary Increase	210,600,000
16	b. Reduction in balance of 2% Salary Increase	(1,757,024)
17	c. Locally Operated Programs	13,229,184
18	02. Reserve for Salary Adjustments	3,500,000
19	03. Reserve for Retiree 30% Reduction	(16,318)
20	04. Debt Service	25,723,695
21		
22	GRAND TOTAL CURRENT OPERATIONS/GENERAL FUND	\$ 276,453,830

PART 2. NONRECURRING APPROPRIATIONS/GENERAL FUND

CURRENT OPERATIONS/STATE GOVERNMENT - NONRECURRING

Sec. 4. Appropriations are made from the General Fund for the 1994-95 fiscal year for use by the State departments, institutions, and agencies, to provide for one-time expenditures according to the following schedule:

	<u>1994-95</u>	
31	<u>Current Operations/State Government - Nonrecurring</u>	
32		
33	Office of the Governor	
34	01. Office of the Governor	\$1,050,000
35	02. Housing Finance Agency	3,650,000
36		
37	Department of State Treasurer	214,000
38		
39	Public Education	47,750,000
40		
41	Department of Administration	492,303
42		
43	Department of Agriculture	250,000
44		

1	Department of Environment, Health, and Natural Resources	10,591,435
2		
3	Department of Correction	1,393,690
4		
5	Department of Commerce	
6	01. Commerce	13,172,459
7	02. Biotechnology Reserve	2,000,000
8	03. MCNC	4,000,000
9	04. Rural Economic Development Center	2,000,000
10		
11	Department of Revenue	5,000,000
12		
13	Office of the State Controller	10,300,000
14		
15	University of North Carolina - Board of Governors	
16	01. University Institutional Programs	8,789,869
17	02. University of North Carolina at Chapel Hill	
18	a. Academic Affairs	(161,642)
19	03. North Carolina State University at Raleigh	
20	a. Cooperative Extension Service	1,440,000
21	Total University of North Carolina - Board of Governors	10,068,227
22		
23	Department of Community Colleges	13,000,000
24		
25	Office of State Budget and Management	
26	01. Reserve for Compensation Bonus	57,400,000
27	02. Reserve for Restoring Paydate	120,000,000
28	03. Reserve for Computers	3,000,000
29	04. Reserve for OSHA - Bloodborne Pathogens Standard	1,000,000
30	05. Reserve for Match Statewide Programs	3,000,000
31		
32	GRAND TOTAL CURRENT OPERATIONS/GENERAL FUND -	
33	NONRECURRING	\$ 309,332,114

PART 3. HIGHWAY FUND APPROPRIATIONS

CURRENT OPERATIONS/HIGHWAY FUND

Sec. 5. Appropriations from the Highway Fund of the State for the maintenance and operation of the Department of Transportation, and for other purposes as enumerated, are made for the fiscal year ending June 30, 1995, according to the schedule that follows. The amounts set out in the schedule are in addition to other appropriations from the Highway Fund for these purposes for the 1994-95 fiscal year.

44	<u>Current Operations/Highway Fund</u>	<u>1994-95</u>
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1		
2	Department of Transportation	
3	01. Administration	\$ 269,000
4	02. Division of Highways	
5	a. Ferry Operations	1,800,000
6	03. Division of Motor Vehicles	1,531,000
7	04. Reserve for Salary Increases	14,400,000
8	GRAND TOTAL CURRENT OPERATIONS/HIGHWAY FUND	\$18,000,000

9

10 **PART 4. HIGHWAY FUND APPROPRIATIONS - NONRECURRING**

11

12 **CURRENT OPERATIONS/HIGHWAY FUND - NONRECURRING**

13 **APPROPRIATIONS/HIGHWAY FUND**

14 Sec. 6. Appropriations are made from the Highway Fund of the 1994-95

15 fiscal year for use by the Department of Transportation, and for other purposes to

16 provide for one-time expenditures according to the following schedule:

17

18 Current Operations/Highway Fund - Nonrecurring 1994-95

19		
20	Department of Transportation	
21	01. Administration	\$ 332,000
22	02. Division of Highways	
23	a. State Construction	
24	(01) Secondary Construction	3,600,000
25	b. State Maintenance	
26	(01) Primary	3,027,294
27	(02) Secondary	5,305,273
28	(03) Urban	796,620
29	c. Ferry Operations	951,000
30	03. Division of Motor Vehicles	2,917,813
31	04. State Aid to Municipalities	3,600,000
32	05. State Aid for Public Transportation	5,800,000
33	06. State Aid for Railroads	400,000
34	07. Reserve for Salary Increases	3,600,000
35	08. Battery Dump Site Cleanup	300,000
36		
37	Appropriations for Other State Agencies	
38	01. Crime Control and Public Safety	500,000
39	02. Revenue	71,968
40	03. Environment, Health, and Natural Resources	928,032
41	04. Global TransPark Authority	<u>2,870,000</u>
42	GRAND TOTAL CURRENT OPERATIONS/HIGHWAY FUND -	
43	NONRECURRING	\$35,000,000

1 **PART 5. GENERAL PROVISIONS**

2
3 **PERMIT DEVIATION FROM EXPENDITURE OF FUNDS RESTRICTION**

4 Sec. 7. For the 1994-95 fiscal year only, G.S. 143-16.3 does not apply to the
5 extent that the Director of the Budget finds that compliance is impossible and that
6 deviation is necessary because of complications in the budget process that were not
7 contemplated when the budget for the 1993-95 fiscal biennium was enacted.

8 The Director of the Budget shall report on a quarterly basis for the first six
9 months of the 1994-95 fiscal year and monthly thereafter, to the Joint Legislative
10 Commission on Governmental Operations and to the Fiscal Research Division of the
11 Legislative Services Office on any deviations from G.S. 143-16.3, the reasons that
12 compliance was impossible, and the complications in the budget process that were not
13 contemplated when the budget for the 1993-95 fiscal biennium was enacted that made
14 compliance impossible.

15
16 **AUTHORIZED TRANSFERS/SALARY ADJUSTMENT FUNDS**

17 Sec. 8. The Director of the Budget may transfer to General Fund budget
18 codes from the General Fund salary adjustment appropriation, and may transfer to
19 Highway Fund budget codes from the Highway Fund salary adjustment appropriation,
20 amounts required to support approved salary adjustments made necessary by difficulties
21 in recruiting and holding qualified employees in State government. The funds may be
22 transferred only when the use of salary reserve funds in individual operating budgets is
23 not feasible.

24
25 **RESTORATION OF THE JUNE 30 PAYDATE**

26 Sec. 9. The funds appropriated in Section 4 of this act to the Office of State
27 Budget and Management for a Reserve for Paydate Restoration in the amount of one
28 hundred twenty million dollars (\$120,000,000) shall be used to restore the twelfth
29 month of teacher payroll for school teachers paid from the General Fund.

30 In no event shall any allotments made pursuant to this section exceed the
31 actual General Fund requirements.

32
33 **PART 6. OFFICE OF THE GOVERNOR**

34
35 **COMMISSION ON NATIONAL AND COMMUNITY SERVICE**

36 Sec. 10. Of the funds appropriated to the Office of the Governor, the sum of
37 seventeen thousand eighty-five dollars (\$17,085) shall be used to provide State match
38 for federal funds from the Federal Corporation for National and Community Service for
39 the State Commission on National and Community Service.

40
41 **MILITARY BASE CLOSURES**

42 Sec. 11. Of the funds appropriated to the Office of the Governor the sum of
43 three hundred thousand dollars (\$300,000) shall be used to create a Military Liaison
44 Office to represent the interest of North Carolina relative to federal efforts to realign and

1 close military bases in North Carolina and provide staff support for the Governor's
2 Advisory Commission on Military Affairs.

4 **HEALTH PLANNING COMMISSION DEADLINE EXTENSION**

5 Sec. 12. Section 2.1(b), Chapter 529 of the 1993 Session Laws is amended as
6 follows:

7 "(b) The Governor shall present to the General Assembly no later than ~~April 1,~~
8 February 1, 1995, a plan for consolidating all of the State health functions into
9 one State Department of Health. The plan shall be based upon and shall address the
10 principles and elements outlined in subsections (c) and (d) of this section."

12 **OUTWARD BOUND**

13 Sec. 13. Of the funds appropriated to the Office of the Governor, the sum of
14 two hundred fifty thousand dollars (\$250,000) shall be used to implement the North
15 Carolina Partnership for Excellence in Education through the North Carolina Outward
16 Bound School. Funds shall be used to contract with North Carolina Outward Bound
17 School to implement a three-part effort, including a summer scholarship program to
18 focus on the needs of at-risk children, preservice training to focus on future teachers,
19 and in-service training to focus on the professional needs of current educators.

21 **TOTAL QUALITY EDUCATION**

22 Sec. 14. Of the funds appropriated to the Office of the Governor, the sum of
23 seven hundred fifty thousand dollars (\$750,000) shall be used for a grant to the North
24 Carolina Business Committee for Education to expand the Total Quality Education
25 (TQE) project currently sponsored by the North Carolina Business Committee for
26 Education. Funds shall be used to provide matching grants for up to 20 school systems
27 who apply to be a part of the TQE initiative. Funds appropriated by the General
28 Assembly will be matched by State businesses, industries, and State/national
29 foundations.

31 **PART 7. OFFICE OF THE STATE CONTROLLER**

33 **CARRY-FORWARD INFORMATION HIGHWAY**

34 Sec. 15. Of the funds appropriated in the 1993-94 fiscal year to the Office of
35 the State Controller for the North Carolina Information Highway, three million six
36 hundred thousand dollars (\$3,600,000) shall be carried forward to the 1994-95 fiscal
37 year and used as directed by the 1993 General Assembly, Regular Session 1994.

39 **INFORMATION HIGHWAY**

40 Sec. 15.1. (a) G.S. 143B-426.39 is amended by adding a new subdivision to
41 read:

42 "(16) In order to promote the general welfare by enhancing public access to
43 broadband telecommunications services, permit in addition to State
44 agencies, cities, counties, and other local government units, the

1 following organizations and entities to share on not-for-profit basis the
2 NCIH set forth in subdivision (14)a.9. of this section:

- 3 a. Nonprofit educational institutions;
4 b. The Microelectronics Center of North Carolina ('MCNC');
5 c. Research affiliates of MCNC for use only in connection with
6 research activities sponsored or funded, in whole or in part, by
7 MCNC, if such research activities related to health care or
8 education in North Carolina;
9 d. Agencies of the United States government operating in North
10 Carolina for use only in connection with activities that relate to
11 health care or education in North Carolina; or
12 e. Hospitals, clinics, and other health care facilities for use only in
13 connection with activities that relate to health care or education
14 in North Carolina.

15 Provided, however, that sharing of the NCIH by State agencies with
16 entities or organizations in the categories set forth herein shall not
17 cause the State, the Office of State Controller, or the MCNC to be
18 classified as a public utility as that term is defined in G.S. 62-3(23)a.6.
19 Nor shall the State, the Office of State Controller, or the MCNC
20 engage in any activities that may cause those entities to be classified as
21 a common carrier as that term is defined in the federal
22 Communications Act of 1934, 47 U.S.C. § 153(h). Provided further,
23 authority to share the NCIH with the non-State agencies set forth
24 above shall terminate one year from the effective date of a tariff that
25 makes the broadband services comparable to those of the NCIH
26 available to the parties sharing the NCIH."

27 (b) G.S. 62-3(23) is amended by adding a new subparagraph as follows:

- 28 "h. The term public utility shall not include the State, the Office of
29 the State Controller, or the Microelectronics Center of North
30 Carolina in the provision or sharing of the North Carolina
31 Information Highway with non-State entities or organizations of
32 the kind or type set forth in G.S. 143B-426.39."

33 34 **PART 8. OFFICE OF STATE PERSONNEL**

35 36 **SALARY INEQUITIES**

37 Sec. 16. Salary increases for the purpose of adjusting inequitable
38 compensation differences as defined in the administrative rules promulgated by the
39 State Personnel Commission, may be granted utilizing salary reserves available within
40 departments and institutions for whom salary increases are granted. The granting of all
41 such increases shall be in compliance with the administrative rule promulgated by the
42 State Personnel Commission.
43

44 **PART 9. OFFICE OF STATE BUDGET AND MANAGEMENT**

1
2 **RESERVE FOR COMPUTERS**

3 Sec. 17. The funds appropriated in Section 4 of this act to the Office of State
4 Budget and Management for a reserve for computers shall be used by the Office of State
5 Budget and Management to address computer needs of State departments and
6 institutions when no alternative source of funds is available. The Reserve for Computers
7 shall be disbursed under the guidelines and authorization of the Information Resource
8 Management Commission.
9

10 **RESERVE OF IMPLEMENTATION OF OSHA BLOODBORNE PATHOGEN**
11 **STANDARD**

12 Sec. 18. The funds appropriated in Section 4 of this act to the Office of State
13 Budget and Management for a Reserve for Implementation of OSHA Bloodborne
14 Pathogen Standard shall be used by the Office of State Personnel to implement the
15 OSHA Standards. The funds in the Reserve shall be allocated for implementation of the
16 standard under the guidelines established by the Office of State Personnel in
17 conjunction with recommendations outlined by the Office of State Budget and
18 Management.
19

20 **PART 10. SALARIES AND BENEFITS**

21
22 **APPROPRIATIONS**

23 Sec. 19. (a) Of the funds appropriated in Sections 3 and 4 of this act from the
24 General Fund to the Reserves for Salary Increases, the sum of one hundred thirty-eight
25 million nine hundred forty-three thousand four hundred ninety-five dollars
26 (\$138,943,495) for the 1994-95 fiscal year shall be used to provide a four percent (4%)
27 permanent salary increase and a one percent (1%) pay bonus for State employees and
28 other school personnel and teachers, consistent with the Comprehensive Compensation
29 Plan enacted in Chapter 388 of the 1993 Session Laws.

30 (b) Of the funds appropriated in Sections 5 and 6 of this act from the
31 Highway Fund to the Reserve for Salary Increases, the sum of eighteen million dollars
32 (\$18,000,000) for the 1994-95 fiscal year shall be used to provide a four percent (4%)
33 permanent salary increase and a one percent (1%) pay bonus for State employees,
34 consistent with the Comprehensive Compensation Plan enacted in Chapter 388 of the
35 1993 Session Laws.

36 (c) Of the funds appropriated in Section 3 of this act from the General Fund
37 to the Reserve for Salary Increases, the sum of thirteen million two hundred twenty-nine
38 thousand one hundred eight-four dollars (\$13,229,184) for the 1994-95 fiscal year shall
39 be allocated for employees in locally operated State-funded programs as provided in this
40 act.
41

42 **GOVERNOR'S SALARY INCREASE**

43 Sec. 20. G.S. 147-11(a) reads as rewritten:

1 "(a) The salary of the Governor shall be ~~ninety three thousand seven hundred~~
2 ~~seventy seven dollars (\$93,777)~~ ninety-seven thousand five hundred twenty-eight
3 dollars (\$97,528) annually, payable monthly."
4

5 **COUNCIL OF STATE/SALARY INCREASE**

6 Sec. 21. The annual salaries for members of the Council of State, payable
7 monthly, for the 1994-95 fiscal year are:
8

9 <u>Council of State</u>	<u>Annual Salary</u>
10	
11 Lieutenant Governor	\$80,381
12 Attorney General	80,381
13 Secretary of State	80,381
14 State Treasurer	80,381
15 State Auditor	80,381
16 Superintendent of Public Instruction	80,381
17 Agriculture Commissioner	80,381
18 Insurance Commissioner	80,381
19 Labor Commissioner	80,381
20	

21 **NONELECTED DEPARTMENT HEAD/SALARY INCREASES**

22 Sec. 22. In accordance with G.S. 143B-9, the maximum annual salaries,
23 payable monthly, for the nonelected heads of the principal State departments for the
24 1994-95 fiscal year are:
25

26 <u>Nonelected Department Heads</u>	<u>Annual Salary</u>
27	
28 Secretary of Administration	\$80,381
29 Secretary of Correction	80,381
30 Secretary of Crime Control and Public Safety	80,381
31 Secretary of Cultural Resources	80,381
32 Secretary of Commerce	80,381
33 Secretary of Environment, Health, and Natural Resources	80,381
34 Secretary of Human Resources	80,381
35 Secretary of Revenue	80,381
36 Secretary of Transportation	80,381
37	

38 **CERTAIN EXECUTIVE BRANCH OFFICIALS/SALARY INCREASES**

39 Sec. 23. (a) The annual salaries, payable monthly, for the 1994-95 fiscal year
40 for the following executive branch officials are:
41

42 <u>Executive Branch Officials</u>	<u>Annual Salary</u>
43	
44 Chairman, Alcoholic Beverage Control Commission	\$ 77,365

1	State Controller	125,113
2	Commissioner of Motor Vehicles	77,365
3	Commissioner of Banks	77,365
4	Chairman, Employment Security Commission	77,365
5	State Personnel Director	80,381
6	Chairman, Parole Commission	70,643
7	Members of the Parole Commission	65,220
8	Chairman, Industrial Commission	69,510
9	Members of the Industrial Commission	67,817
10	Executive Director, Agency for Public Telecommunications	65,220
11	General Manager, Ports Railway Commission	58,893
12	Director, Museum of Art	79,274
13	Executive Director, Wildlife Resources Commission	66,773
14	Executive Director, North Carolina Housing Finance Agency	95,746
15	Executive Director, North Carolina Agricultural	
16	Finance Authority	75,302
17	Director, Office of Administrative Hearings	68,301

18 (b) Any person carrying on the functions of a position listed in subsection (a)
19 of this section shall be paid only the salary set out in that subsection, and the mere
20 classification of the position to be some other position does not allow the salary of that
21 position to be set in some other manner.

22 **LEGISLATORS/SALARY AND EXPENSES INCREASE**

23 Sec. 24. Effective upon convening of the 1995 Regular Session of the General
24 Assembly, G.S. 120-3 reads as rewritten:

25 **"§ 120-3. Pay of members and officers of the General Assembly.**

26 (a) The Speaker of the House shall be paid an annual salary of ~~thirty-six~~
27 ~~thousand three hundred thirty-four dollars (\$36,334),~~ thirty-seven thousand seven
28 hundred eighty-seven dollars (\$37,787) payable monthly, and an expense allowance of
29 one thousand three hundred forty-six dollars (\$1,346) per month. The President Pro
30 Tempore of the Senate shall be paid an annual salary of ~~thirty-six thousand three~~
31 ~~hundred thirty-four dollars (\$36,334),~~ thirty-seven thousand seven hundred eighty-
32 seven dollars (\$37,787), payable monthly, and an expense allowance of one thousand
33 three hundred forty-six dollars (\$1,346) per month. The Speaker Pro Tempore of the
34 House shall be paid an annual salary of ~~twenty thousand seven hundred four dollars~~
35 ~~(\$20,494)~~ twenty-one thousand five hundred thirty-two dollars (\$21,532) payable
36 monthly, and an expense allowance of seven hundred ninety-six dollars (\$796.00) per
37 month. The Deputy President Pro Tempore of the Senate shall be paid an annual salary
38 of ~~twenty thousand seven hundred four dollars (\$20,704)~~ twenty-one thousand five
39 hundred thirty-two dollars (\$21,532) payable monthly, and an expense allowance of
40 seven hundred ninety-six dollars (\$796.00) per month. The majority and minority
41 leaders in the House and the majority and minority leaders in the Senate shall be paid an
42 annual salary of ~~sixteen thousand two hundred thirty-six dollars (\$16,236)~~ sixteen
43 thousand five hundred thirty-two dollars (\$16,236)

1 thousand eight hundred eighty-five dollars (\$16,885), payable monthly, and an expense
2 allowance of six hundred thirty-four dollars (\$634.00) per month.

3 (b) Every other member of the General Assembly shall receive increases in
4 annual salary only to the extent of and in the amounts equal to the average increases
5 received by employees of the State, effective upon convening of the next Regular
6 Session of the General Assembly after enactment of these increased amounts.
7 Accordingly, upon convening of the ~~1993-1995~~ Regular Session of the General
8 Assembly, every other member of the General Assembly shall be paid an annual salary
9 of ~~thirteen thousand two hundred eighty-seven dollars (\$13,287)~~ thirteen thousand eight
10 hundred eighteen dollars (\$13,818) payable monthly, and an expense allowance of five
11 hundred thirty-two dollars (\$532.00) per month.

12 (c) The salary and expense allowances provided in this section are in addition to
13 any per diem compensation and any subsistence and travel allowance authorized by any
14 other law with respect to any regular or extra session of the General Assembly, and
15 service on any State board, agency, commission, standing committee and study
16 commission."
17

18 **GENERAL ASSEMBLY PRINCIPAL CLERKS/SALARY INCREASES**

19 Sec. 25. G.S. 120-37(c) reads as rewritten:

20 (c) The principal clerks shall be full-time officers. Each principal clerk shall be
21 entitled to other benefits available to permanent legislative employees and shall be paid
22 an annual salary of ~~forty seven thousand six hundred twenty dollars (\$47,620)~~
23 forty-nine thousand five hundred twenty-five dollars (\$49,525) payable monthly. The
24 Legislative Services Commission shall review the salary of the principal clerks prior to
25 submission of the proposed operating budget of the General Assembly to the Governor
26 and Advisory Budget Commission and shall make appropriate recommendations for
27 changes in those salaries. Any changes enacted by the General Assembly shall be by
28 amendment to this paragraph.
29

30 **SERGEANT-AT-ARMS AND READING CLERKS/SALARY INCREASES**

31 Sec. 26. G.S. 120-37(b) reads as rewritten:

32 "(b) The sergeant-at-arms and the reading clerk in each house shall be paid a
33 salary of ~~two hundred twenty three dollars (\$223.00)~~ two hundred thirty-two dollars
34 (\$232.00) per week, plus subsistence at the same daily rate provided for members of the
35 General Assembly, plus mileage at the rate provided for members of the General
36 Assembly for one round trip only from their homes to Raleigh and return. The
37 sergeants-at-arms shall serve during sessions of the General Assembly and at such time
38 prior to the convening of, and subsequent to adjournment or recess of, sessions as may
39 be authorized by the Legislative Services Commission. The reading clerks shall serve
40 during sessions only."
41

42 **LEGISLATIVE EMPLOYEES/SALARY INCREASES**

43 Sec. 27. The Legislative Administrative Officer may increase the salaries of
44 nonelected employees of the General Assembly in effect for fiscal year 1994-95 by an

1 amount equal to four percent (4%). Nothing in this act limits any of the provisions of
2 G.S. 120-32.

4 JUDICIAL BRANCH OFFICIALS/SALARY INCREASE

5 Sec. 28. (a) The annual salaries, payable monthly, for specified judicial
6 branch officials for fiscal year 1994-95 are:

8 <u>Judicial Branch Officials</u>	9 <u>Annual Salary</u>
10 Chief Justice, Supreme Court	\$97,528
11 Associate Justice, Supreme Court	95,529
12 Chief Judge, Court of Appeals	92,487
13 Judge, Court of Appeals	90,476
14 Judge, Senior Regular Resident Superior Court	83,016
15 Judge, Superior Court	80,381
16 Chief Judge, District Court	70,986
17 Judge, District Court	68,301
18 District Attorney	74,844
19 Assistant District Attorney - an average of	48,608
20 Administrative Officer of the Courts	83,016
21 Assistant Administrative Officer of the Courts	67,766
22 Public Defender	74,844
23 Assistant Public Defender - an average of	48,608.

24 If an acting senior regular resident superior court judge is appointed under the
25 provisions of G.S. 7A-41, he shall receive the salary of Judge, Senior Regular Resident,
26 Superior Court, until his temporary appointment is vacated, and the judge he replaces
27 shall receive the salary indicated for Judge, Superior Court.

28 The district attorney or public defender of a judicial district, with the approval
29 of the Administrative Officer of the Courts, shall set the salaries of assistant district
30 attorneys or assistant public defenders, respectively, in that district such that the average
31 salaries of assistant district attorneys or assistant public defenders in that district do not
32 exceed forty-eight thousand six hundred eight dollars (\$48,608), and the minimum
33 salary of any assistant district attorney or assistant public defender is at least
34 twenty-four thousand eight hundred sixteen dollars (\$24,816) effective July 1, 1994.

35 (b) The salaries in effect for fiscal year 1994-95 for permanent, full-time
36 employees of the Judicial Department, except for those whose salaries are itemized in
37 this act, shall be increased by four percent (4%), commencing July 1, 1994.

38 (c) The salaries in effect for fiscal year 1994-95 for all permanent, part-time
39 employees of the Judicial Department shall be increased on and after July 1, 1994, by
40 pro rata amounts of the four percent (4%).

42 CLERK OF SUPERIOR COURT SALARY DETERMINATION/INCREASE

43 Sec. 29. (a) G.S. 7A-101 (a) reads as rewritten:

"(a) The clerk of superior court is a full-time employee of the State and shall receive an annual salary, payable in equal monthly installments, based on the population of the county as determined in subsection (a) of this section, according to the following schedule:

Population	Annual Salary	
Less than 100,000	\$48,391	<u>\$50,327</u>
100,000 to 149,999	54,621	<u>56,837</u>
150,000 to 249,999	62,247	<u>64,737</u>
250,000 and above	68,256	<u>70,986</u>

When a county changes from one population group to another, the salary of the clerk shall be changed, on July 1 of the fiscal year for which the change is reported, to the salary appropriate for the new population group, except that the salary of an incumbent clerk shall not be decreased by any change in population group during his continuance in office."

(b) The increase required for the new annual salaries provided in subsection (a) of this section shall be funded from funds available to the Administrative Office of the Courts for fiscal year 1994-95.

ASSISTANT AND DEPUTY CLERKS OF COURT/SALARY INCREASE

Sec. 30. G.S. 7A-102(c) reads as rewritten:

"(c) Notwithstanding the provisions of subsection (a), the Administrative Officer of the Courts shall establish an incremental salary plan for assistant clerks and for deputy clerks based on a series of salary steps corresponding to the steps contained in the Salary Plan for State Employees adopted by the Office of State Personnel, subject to a minimum and a maximum annual salary as set forth below. On and after July 1, 1985, each assistant clerk and each deputy clerk shall be eligible for an annual step increase in his salary plan based on satisfactory job performance as determined by each clerk. Notwithstanding the foregoing, if an assistant or deputy clerk's years of service in the office of superior court clerk would warrant an annual salary greater than the salary first established under this section, that assistant or deputy clerk shall be eligible on and after July 1, 1984, for an annual step increase in his salary plan. Furthermore, on and after July 1, 1985, that assistant or deputy clerk shall be eligible for an increase of two steps in his salary plan, and shall remain eligible for a two-step increase each year as recommended by each clerk until that assistant or deputy clerk's annual salary corresponds to his number of years of service. Any person covered by this subsection who would not receive a step increase in fiscal year ~~1993-94~~ 1994-95 because that person is at the top of the salary range as it existed for fiscal year ~~1992-93~~ 1993-94 shall receive a salary increase to the maximum annual salary provided by subsection (c) of this section."

Sec. 31. G.S. 7A-102(c) reads as rewritten:

"(c) A full-time assistant clerk or a full-time deputy clerk shall be paid an annual salary subject to the following minimum and maximum rates:

Assistant Clerks	Annual Salary	
Minimum	\$20,712	<u>\$21,540</u>

1	Maximum	35,967	<u>37,406</u>
2			
3	Deputy Clerks	Annual Salary	
4	Minimum	\$16,560	<u>\$17,222</u>
5	Maximum	27,705	<u>28,813."</u>
6			

MAGISTRATES/SALARY INCREASE

Sec. 32. G.S. 7A-171.1(a)(1) reads as rewritten:

"(1) A full-time magistrate, so designated by the Administrative Officer of the Courts, shall be paid the annual salary indicated in the table below according to the number of years he has served as a magistrate. The salary steps shall take effect on the anniversary of the date the magistrate was originally appointed:

Table of Salaries of Full-Time Magistrates

Number of Prior Years of Service	Annual Salary	
	1992-93	<u>1994-95</u>
Less than 1	\$17,399	<u>\$18,095</u>
1 or more but less than 3	18,293	<u>19,025</u>
3 or more but less than 5	20,092	<u>20,896</u>
5 or more but less than 7	22,075	<u>22,958</u>
7 or more but less than 9	24,290	<u>25,262</u>
9 or more but less than 11	26,702	<u>27,770</u>
11 or more	29,333.	<u>30,506.</u>

A 'Full-time magistrate' is a magistrate who is assigned to work an average of not less than 40 hours a week during his term of office.

Notwithstanding any other provision of this subdivision, a full-time magistrate, who was serving as a magistrate on December 31, 1978, and who was receiving an annual salary in excess of that which would ordinarily be allowed under the provisions of this subdivision, shall not have the salary, which he was receiving reduced during any subsequent term as a full-time magistrate. That magistrate's salary shall be fixed at the salary level from the table above which is nearest and higher than the latest annual salary he was receiving on December 31, 1978, and, thereafter, shall advance in accordance with the schedule in the table above."

COMMUNITY COLLEGES PERSONNEL/SALARY INCREASES

Sec. 33. The Director of the Budget shall transfer from the Reserve for Salary Increases created in Sections 3 and 4 of this act for fiscal year 1994-95 funds to the Department of Community Colleges necessary to provide an average annual salary increase of four percent (4%), including funds for the employer's retirement and Social

1 Security contributions, commencing July 1, 1994, for all permanent full-time
2 community college institutional personnel supported by State funds. In addition,
3 nonrecurring funds amounting to one percent (1%) of community colleges institutional
4 personnel supported by State funds, including funds for employer's retirement and
5 Social Security contributions shall also be transferred to the Department of Community
6 Colleges to provide a one-time bonus of one percent (1%) for all institutional personnel.
7 The State Board of Community Colleges shall establish guidelines for providing their
8 salary increases to community college institutional personnel.
9

10 **UNIVERSITY OF NORTH CAROLINA SYSTEM - EPA SALARY INCREASES**

11 Sec. 34. The Director of the Budget shall transfer to the Board of Governors
12 of The University of North Carolina sufficient funds from the Reserve for Salary
13 Increases created in Sections 3 and 4 of this act for fiscal year 1994-95 to provide an
14 annual average salary increase of four percent (4%), including funds for the employer's
15 retirement and Social Security contributions, commencing July 1, 1994, for all
16 employees of The University of North Carolina, as well as employees of the North
17 Carolina School of Science and Mathematics, supported by State funds and whose
18 salaries are exempt from the State Personnel Act (EPA). In addition, nonrecurring funds
19 amounting to one percent (1%) of total general fund supported EPA University salaries
20 and EPA employees of the North Carolina School of Science and Mathematics shall
21 also be transferred to the Board of Governors, including funds for employer's retirement
22 and Social Security contributions. These funds shall be allocated to individuals
23 according to the rules adopted by the General Assembly, the Board of Governors, or the
24 Board of Trustees of the North Carolina School of Science and Mathematics, as
25 appropriate, and may not be used for any purpose other than for salary increases and
26 necessary employer contributions provided by this section.
27

28 **MOST STATE EMPLOYEES/SALARY INCREASES/1994-95**

29 Sec. 35. (a) The salaries in effect June 30, 1994, of all permanent full-time
30 State employees whose salaries are set in accordance with the State Personnel Act and
31 who are paid from the General Fund or the Highway Fund shall be increased, on or after
32 July 1, 1994, unless otherwise provided by this act, within funds authorized by this act
33 consistent with the "Comprehensive Compensation Plan" enacted in Chapter 388
34 (Senate Bill 84) by the 1993 General Assembly.

35 (b) Except as otherwise provided in this act, salaries in effect June 30, 1994,
36 for permanent full-time State officials and persons in exempt positions that are
37 recommended by the Governor or the Governor and the Advisory Budget Commission
38 and set by the General Assembly shall be increased by four percent (4%), commencing
39 July 1, 1994.

40 (c) The salaries in effect June 30, 1994, for all permanent part-time State
41 employees shall be increased on and after July 1, 1994, by pro rata amounts of the
42 salary increases provided for permanent full-time employees covered under subsection
43 (a) of this section.

1 (d) The Director of the Budget may allocate out of special operating funds or
2 from other sources of the employing agency, except tax revenues, sufficient funds to
3 allow a salary increase, on and after July 1, 1994, in accordance with subsections (a),
4 (b), or (c) of this section, including funds for the employer's retirement and Social
5 Security contributions, of the permanent full-time and part-time employees of the
6 agency.

7 (e) Within regular Executive Budget Act procedures as limited by this act, all
8 State agencies and departments may increase on an equitable basis the rate of pay of
9 temporary and permanent hourly State employees, subject to availability of funds in the
10 particular agency or department, by pro rata amounts of the four percent (4%) salary
11 increase provided for permanent full-time employees covered by the provisions of
12 subsection (a) of this section, commencing July 1, 1994.

13 (f) The provisions of this section do not apply to employees whose salaries
14 are determined in accordance with G.S. 7A-102 or G.S. 20-187.3(a), except for those
15 employees who would not receive a salary increment for the 1994-95 fiscal year under
16 G.S. 7A-102 or G.S. 20-187.3(a) because they are at the top of their salary range.

17 18 **SALARY INCREASE FOR STATE-FUNDED LOCAL PROGRAMS**

19 Sec. 36. Of the funds appropriated from the General Fund for the Reserve for
20 Salary Increases in Section 3 of this act for the 1994-95 fiscal year, funds shall be made
21 available for employees in locally operated State-funded programs in an amount
22 equivalent to a four percent (4%) across-the-board salary increase. These employees do
23 not receive the compensation bonus provided in this act.

24 25 **PUBLIC SCHOOL EMPLOYEES' SALARY INCREASE**

26 Sec. 37. Funds appropriated in Sections 3 and 4 of this act in the amount of
27 one hundred twenty-nine million fifty-six thousand five hundred five dollars
28 (\$129,056,505) are provided for salary increases, including retirement and Social
29 Security contributions, averaging four percent (4%) plus a nonrecurring one percent
30 (1%) across-the-board bonus for all public school employees. For teachers, the increase
31 would be a two percent (2%) increase in the salary schedule, the two percent (2%)
32 experience increment included in the teacher salary schedule, and a one percent (1%)
33 across-the-board bonus; school-based administrators (principals and assistant principals)
34 will receive funds to implement the school-based administrator salary schedule started
35 in 1993-94 (Section 132, Chapter 321, 1993 Session Laws) and a one percent (1%)
36 across-the-board bonus; all other public school employee categories, which include
37 superintendents, central office administrators, finance officers, clerical workers, teacher
38 assistants, custodians, bus drivers, bus mechanics, and maintenance supervisors will
39 receive funds for a four percent (4%) across-the-board increase and a one percent (1%)
40 across-the-board bonus.

41 42 **ALL STATE-SUPPORTED PERSONNEL/SALARY INCREASES**

43 Sec. 38. (a) Salaries and related benefits for positions that are funded
44 partially from the General Fund or Highway Fund and partially from sources other than

1 the General Fund or Highway Fund shall be increased from the General Fund or
2 Highway Fund appropriation only to the extent of the proportionate part of the salaries
3 paid from the General Fund or Highway Fund.

4 (b) The granting of the salary increases under this act does not affect the
5 status of eligibility for salary increments for which employees may be eligible unless
6 otherwise required by this act.

7 (c) The salary increases provided in this Part are to be effective July 1, 1994,
8 do not apply to persons separated from State service due to resignation, dismissal,
9 reduction in force, death, or retirement, whose last workday is prior to July 1, 1994, or
10 to employees involved in final written disciplinary procedures. The employee shall
11 receive the increase on a current basis when the final written disciplinary procedure is
12 resolved.

13 Payroll checks issued to employees after July 1, 1994, which represent
14 payment of services provided prior to July 1, 1994, shall not be eligible for salary
15 increases provided for in this act. This subsection shall apply to all employees, subject
16 to or exempt from the State Personnel Act, paid from State funds, including public
17 schools, community colleges, and The University of North Carolina.

18 (d) Notwithstanding the provisions of Section 19.1 of Chapter 1137 of the
19 1979 Session Laws, as amended by Chapter 1053 of the 1981 Session Laws, G.S.
20 115C-12(9)a., 115C-12(16), 126-7, or any other provision of law other than G.S. 20-
21 187.3(a) and G.S. 7A-102(c), no employee or officer of the public school system shall
22 receive an automatic increment, and no State employee or officer shall receive a merit
23 increment during the 1994-95 fiscal year, except as otherwise permitted by this act/or as
24 permitted by the rules of the State Personnel Commission.

25 (e) The Director of the Budget shall transfer from the Reserve for Salary
26 Increases in Sections 3 and 4 of this act for fiscal year 1994-95 all funds necessary for
27 the salary increases provided by this act, including funds for the employer's retirement
28 and Social Security contributions.

29 (f) Nothing in this act authorizes the transfer of funds between the General
30 Fund and the Highway Fund for salary increases.

31 **SALARY-RELATED CONTRIBUTIONS/EMPLOYERS**

32 Sec. 39 Required employer salary-related contributions for employees
33 whose salaries are paid from department, office, institution, or agency receipts shall be
34 paid from the same source as the source of the employees' salary. If an employee's
35 salary is paid in part from the General Fund or Highway Fund and in part from
36 department, office, institution, or agency receipts, required employer salary-related
37 contributions may be paid from the General Fund or Highway Fund only to the extent of
38 the proportionate part paid from the General Fund or Highway Fund in support of the
39 salary of the employee, and the remainder of the employer's requirements shall be paid
40 from the source that supplies the remainder of the employee's salary. The requirements
41 of this section as to source of payment are also applicable to payments on behalf of the
42 employee for hospital-medical benefits, longevity pay, unemployment compensation,
43

1 accumulated leave, workers' compensation, severance pay, separation allowances, and
2 applicable disability income and disability salary continuation benefits.

3
4 **PART 11. COLLEGES AND UNIVERSITIES**

5
6 **UNIVERSITY OF NORTH CAROLINA COMPETITIVE FACULTY SALARY**
7 **LEVELS**

8 Sec. 40. Of the funds appropriated in Section 3 of this act to the Board of
9 Governors of The University of North Carolina for University Institutional Programs,
10 the sum of eight million thirty-seven thousand seven hundred seventy-one dollars
11 (\$8,037,771) for the 1994-95 fiscal year shall be allocated by the Board of Governors
12 for the enhancement of teaching faculty salaries as the Board of Governors considers
13 appropriate. These funds represent approximately one and one-half (1.5%) of teaching
14 salary funds for those whose salaries are exempt from the State Personnel Act (EPA),
15 including funds for employer retirement and Social Security contributions, and are in
16 addition to the seven million one hundred thousand dollars (\$7,100,000) appropriated in
17 Chapter 321, Section 3 of the 1993 Regular Session (also see Section 101.1, Chapter
18 321).

19
20 **AID TO PRIVATE COLLEGES/PROCEDURE**

21 Sec. 41. (a) Funds appropriated in Section 3 of this act to the Board of
22 Governors of The University of North Carolina for aid to private colleges shall be
23 disbursed in accordance with the provisions of G.S. 116-19, 116-21, 116-22. These
24 funds shall provide up to five hundred fifty dollars (\$550.00) per full-time equivalent
25 North Carolina undergraduate student enrolled at a private institution as of October 1 of
26 each fiscal year.

27 These funds shall be placed in a separate, identifiable account in each eligible
28 institution's budget or chart of accounts. All funds in this account shall be provided as
29 scholarship funds for needy North Carolina students during the fiscal year. Each student
30 awarded a scholarship from this account shall be notified of the source of the funds and
31 of the amount of the award. Funds not utilized under G.S. 116-19 shall be made
32 available for the tuition grant program as defined in subsection (b) of this section.

33 (b) In addition to any funds appropriated pursuant to G.S. 116-19, and in
34 addition to all other financial assistance made available to private educational
35 institutions located within the State, or to students attending these institutions, there is
36 granted to each full-time North Carolina undergraduate student attending an approved
37 institution as defined in G.S. 116-22, a sum not to exceed one thousand two hundred
38 fifty dollars (\$1,250) per academic year, which shall be distributed to the student as
39 hereinafter provided.

40 The tuition grants provided for in this section shall be administered by the
41 State Education Assistance Authority pursuant to rules adopted by the State Education
42 Assistance Authority not inconsistent with this section. The State Education Assistance
43 Authority shall not approve any grant until it receives proper certification from an
44 approved institution that the student applying for the grant is an eligible student. Upon

1 receipt of the certification, the State Education Assistance Authority shall remit, at such
2 times as it shall prescribe, the grant to the approved institution on behalf and to the
3 credit of the student.

4 In the event a student on whose behalf a grant has been paid is not enrolled
5 and carrying a minimum academic load as of October 1 of the first academic term or on
6 the tenth classroom day following the beginning of the second school term for which the
7 grant was paid, the institution shall refund the full amount of the grant to the State
8 Education Assistance Authority. Each approved institution shall be subject to
9 examination by the State Auditor for the purpose of determining whether the institution
10 has properly certified eligibility and enrollment of students and credited grants paid on
11 the behalf of the students.

12 In the event there are not sufficient funds to provide each eligible student
13 with a full grant:

14 (1) The Board of Governors of The University of North Carolina, with the
15 approval of the Office of State Budget and Management, may transfer
16 available funds to meet the needs of the programs provided by
17 subsections (a) and (b) of this section; and

18 (2) Each eligible student shall receive a pro rata share of funds then
19 available for the remainder of the academic year within the fiscal
20 period covered by the current appropriation.

21 Any remaining funds shall revert to the General Fund.

22 (c) Expenditures made pursuant to this section shall be used only for secular
23 educational purposes at nonprofit institutions of higher learning.

24 25 **PART 12. COMMUNITY COLLEGES**

26 27 **COMMUNITY COLLEGE FACULTY SALARIES**

28 Sec. 42. State data from the Southern Region Education Board (SREB)
29 reveals that for fiscal year 1993-94 the North Carolina Community College System
30 ranked last among 15 southern states in salaries paid to full-time faculty. The State
31 Board of Community Colleges currently allocates thirty-four thousand two hundred
32 sixty-two dollars (\$34,262) as the unit value for community college curriculum faculty.
33 While the average community college curriculum faculty salary for the system is
34 thirty-four thousand three hundred forty-three dollars (\$34,343) for the 1993-94 fiscal
35 year, there are 30 colleges that pay less than the state average. The State Board of
36 Community Colleges shall direct that the funds included for competitive salaries for
37 community college curriculum faculty be used for that purpose only. The recommended
38 funds, eight million four hundred two thousand eight hundred sixty dollars
39 (\$8,402,860), which provide an average salary increase of approximately four percent
40 (4%), shall not be used to hire additional faculty and/or reduce the student/faculty ratio.
41 It is the intent of this recommendation that all curriculum faculty be paid on average at
42 or above the statewide average. The State Board shall use the funds recommended in
43 Section 3 for compensation increases to increase the unit value, thereby providing
44 flexibility to the colleges to hire additional faculty, if needed.

1
2 **NEW AND EXPANDING INDUSTRY PROGRAM FUNDS**

3 Sec. 43. Notwithstanding any law to the contrary, the Department of
4 Community Colleges may transfer available and uncommitted funds into the New
5 Expanded Industry Program, if it determines that there is a need to meet additional
6 training needs over and above those currently budgeted and if the Director of the Budget
7 concurs.

8
9 **PART 13. PUBLIC SCHOOLS**

10
11 **NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS**

12 Sec. 44. The National Board for Professional Teaching Standards (NBPTS)
13 was established in 1987 as an independent, nonprofit organization to establish high
14 standards for teachers' knowledge and performance and for development and operation
15 of a national voluntary system to assess and certify teachers who meet those standards.
16 In order to apply for the NBPTS certification process, teachers must have three years or
17 more of teaching experience, be currently teaching, have graduated from an accredited
18 college or university, and hold a valid state teaching license. Upon successful
19 completion of a year-long process of developing a portfolio of student work and
20 videotapes of teaching/learning activities for NBPTS review and then participating in
21 NBPTS assessment center simulation exercises, including performance-based activities
22 and a content knowledge examination, teachers may become NBPTS-certified.

23 Funds in the amount of five hundred thousand dollars (\$500,000)
24 appropriated in Section 3 of this act to the Department of Public Instruction shall be
25 used for a one-time five thousand dollar (\$5,000) bonus for State-paid teachers who
26 complete the certification process in 1993-94 and receive NBPTS certification in
27 1994-95. The appropriation also includes funds to provide payment of the NBPTS nine
28 hundred seventy-five dollar (\$975.00) assessment fee and up to five days of approved
29 paid leave for State-paid teachers who participate in the certification process in
30 1994-95.

31 The State of North Carolina will pay the nine hundred seventy-five dollar
32 (\$975.00) NBPTS fee for teachers who have completed three years of teaching in North
33 Carolina schools operated by local boards of education, the Department of Human
34 Resources, the Department of Correction, or The North Carolina School of the Arts or
35 The North Carolina School of Science and Mathematics prior to application for NBPTS
36 certification. Even though teachers may be eligible to receive National Board
37 certification in more than one certification area, the State will pay the nine hundred
38 seventy-five dollar (\$975.00) fee for any teacher only once, regardless of the number of
39 times a teacher participates in the program. If a teacher does not complete the
40 certification process, the teacher is required to repay the State the NBPTS fee as paid by
41 the State. Repayment is not required if the program is not completed due to death or
42 permanent disability of the teacher, or other circumstances as may be recognized by the
43 State Board of Education. Repayment is not required for failure to receive certification

1 if the process is completed. The State will pay the NBPTS fee directly to NBPTS. If the
 2 NBPTS fee is prorated, the State will pay the appropriate portion directly to NBPTS.

3 Upon obtaining NBPTS certification, a teacher will be eligible to receive the
 4 five thousand dollars (\$5,000) one time with the stipulation that the teacher must teach
 5 in North Carolina one year within three years after receipt of the five thousand dollars
 6 (\$5,000). If a teacher does not teach in North Carolina schools for one year within three
 7 years after receipt of the five thousand dollars (\$5,000), the teacher is required to repay
 8 the State the five thousand dollars (\$5,000). Repayment is not required if the teaching
 9 requirement is not completed due to death or permanent disability of the teacher, or
 10 other circumstances as may be recognized by the State Board of Education.

11 Appropriate regulations for the management of this program will be adopted
 12 by the State Board of Education.

13
 14 **WILLIE M.**

15 Sec. 45. Funds in the amount of five hundred thirty-one thousand thirty-seven
 16 dollars (\$531,037) appropriated in Section 3 of this act to the Department of Public
 17 Instruction shall be used to fund up to an additional 119 Willie M. students at the
 18 1993-94 rate of four thousand four hundred sixty-two dollars and fifty cents (\$4,462.50)
 19 per student. The budgeted number of Willie M. students is increased from 840 to 959.
 20 These funds are not to be used to increase per student funding.

21
 22 **EDUCATIONAL TECHNOLOGY EQUIPMENT**

23 Sec. 46. Nonrecurring funds in the amount of twenty million dollars
 24 (\$20,000,000) appropriated in Section 4 of this act to the Department of Public
 25 Instruction shall be placed in a reserve to be used towards implementing the
 26 recommendations of the School Technology Commission, as adopted by the General
 27 Assembly.

28
 29 **PART 14. DEPARTMENT OF TRANSPORTATION**

30
 31 **HIGHWAY FUND AVAILABILITY**

32 Sec. 47. The Highway Fund appropriations availability used in developing
 33 the 1994-95 Highway Fund budget is shown below:

	(\$Million)
	<u>1994-95</u>
36 Beginning Credit Balance	\$ 35.0
37	
38 Estimated Revenues:	\$ 979.3
39 Transfer from Equipment Fund	-
40 Transfer to Highway Trust Fund	(9.6)
41	
42 Total Highway Fund Availability	\$1,004.7
43	

1 **CASH FLOW HIGHWAY FUND AND HIGHWAY TRUST FUND**
2 **APPROPRIATIONS**

3 Sec. 48. (a) The General Assembly authorizes and certifies anticipated
4 revenues of the Highway Fund as follows:

5 For Fiscal Year 1995-96 \$1,011,900,000

6 For Fiscal Year 1996-97 \$1,043,300,000

7 (b) The General Assembly authorizes and certifies anticipated revenues of the
8 Highway Trust Fund as follows:

9 For Fiscal Year 1995-96 \$644,900,000

10 For Fiscal Year 1996-97 \$662,300,000

11
12 **PART 15. DEPARTMENT OF HUMAN RESOURCES**

13
14 **ADOPTION SUBSIDY**

15 Sec. 49. The adoption subsidy paid monthly by the Division of Social
16 Services, Department of Human Resources, to eligible families who adopt hard-to-place
17 children shall be established based on a graduated rate as follows: three hundred fifteen
18 dollars (\$315.00) per child per month for children ages 0-5, three hundred sixty-five
19 dollars (\$365.00) per child per month for children ages 6-12, and four hundred fifteen
20 dollars (\$415.00) per child per month for children ages 13-18.

21
22 **FOSTER CARE**

23 Sec. 50. Funds appropriated in Section 3 of this act to the Department of
24 Human Resources in the amount of four million eight hundred three thousand seven
25 hundred ninety-five dollars (\$4,803,795) shall be used to pay foster care assistance on a
26 graduated rate based on age. This includes three hundred fifteen dollars (\$315.00) board
27 payment per month for children ages 0-5, three hundred sixty-five dollars (\$365.00)
28 board payment per month for children ages 6-12 and four hundred fifteen dollars
29 (\$415.00) board payment per month for children ages 13-18. Of these amounts fifteen
30 dollars (\$15.00) per month is allotted for a personal needs allowance.

31
32 **DOMICILIARY CARE REIMBURSEMENT RATE INCREASE**

33 Sec. 51. Effective October 1, 1994, the maximum monthly rate for residents
34 in domiciliary care facilities shall be nine hundred eighty-five dollars (\$985.00) for
35 ambulatory residents and one thousand twenty-eight dollars (\$1,028) for
36 semiambulatory residents.

37
38 **PART 16. DEPARTMENT OF AGRICULTURE**

39
40 **MARKETING SPECIALIST GLOBAL TRANSPARK AUTHORITY**

41 Sec. 52. Funds appropriated in Section 3 of this act in the amount of one
42 hundred sixty-six thousand two hundred fourteen dollars (\$166,214) to the Department
43 of Agriculture to provide a marketing specialist at the North Carolina Global TransPark
44 Authority in Kinston shall be used to assist farmers in marketing their products to

1 domestic and international markets. This position will also help tobacco farmers find
2 alternative markets for their tobacco.

3
4 **COMMISSIONER OF AGRICULTURE MEMBER OF GLOBAL TRANSPARK**
5 **DEVELOPMENT COMMISSION**

6 Sec. 53. G.S. 63A-3(b) reads as rewritten:

7 "(b) Board of Directors. -- The Authority shall be governed by a Board of
8 Directors. The Board shall consist of at least the following ~~19~~ 20 members:

- 9 (1) Seven members appointed by the Governor.
10 (2) Three members appointed by the General Assembly upon the
11 recommendation of the Speaker of the House of Representatives in
12 accordance with G.S. 120-121.
13 (3) Three members appointed by the General Assembly upon the
14 recommendation of the President Pro Tempore of the Senate in
15 accordance with G.S. 120-121.
16 (4) The State Treasurer, who shall serve as an ex officio nonvoting
17 member.
18 (5) The President of the North Carolina System of Community Colleges,
19 provided that the President of the North Carolina Community Colleges
20 may instead appoint to the Board of Directors one member of the
21 board of trustees of a community college or one president of a
22 community college. If such an appointment is made, the appointee
23 shall serve at the pleasure of the President.
24 (6) The President of The University of North Carolina, provided that the
25 President of The University of North Carolina may instead appoint to
26 the Board of Directors one member of the board of trustees of a
27 constituent institution of The University of North Carolina, or one
28 chancellor of a constituent institution of The University of North
29 Carolina. If such an appointment is made, the appointee shall serve at
30 the pleasure of the President.
31 (7) The Chairman of the State Ports Authority.
32 (8) One member appointed by the board of county commissioners of any
33 county in which the cargo airport complex site is located.
34 (9) One member appointed by the city council of the city which is a
35 county seat of any county in which the cargo airport complex site is
36 located.
37 (10) The Commissioner of Agriculture, or a person designated by the
38 Commissioner.

39 Within 90 days after the authority acquires land, either by purchase or
40 condemnation, for development as part of a cargo airport complex site, the board of
41 county commissioners in any county in which a portion of the land is located and the
42 city council of the city which is the county seat of the county shall, by resolution, each
43 appoint a person to serve as a member of the Board. If the board of commissioners or
44 the city council appoints one of its own members to the Board, the county commissioner

1 or the member of the city council who is appointed is considered to be serving on the
2 Board as an ex officio voting member as part of the duties of the office of county
3 commissioner or the office of city council member, in accordance with G.S. 128-1.2,
4 and is not considered to be serving in a separate office. Notwithstanding G.S. 116-31(h),
5 a member of the board of trustees of a constituent institution of The University of North
6 Carolina appointed to the Board of Directors under subdivision (6) of this subsection
7 may concurrently serve on the board of trustees and the Board of Directors.
8 Notwithstanding any other provision of law, the Governor may serve on the Board of
9 Directors by his own appointment on or after July 16, 1991, under subdivision (1) of
10 this subsection.

11 As the holder of an office, each member of the Board shall take the oath required by
12 Article VI, § 7 of the North Carolina Constitution before assuming the duties of a Board
13 member."
14

15 **NORTH CAROLINA AQUARIUMS - USE OF RESERVE FOR REPAIRS AND** 16 **RENOVATIONS**

17 Sec. 53.1. Notwithstanding G.S. 143B-390.16, the North Carolina Aquariums
18 are eligible to participate in allocations from the Reserve for Repairs and Renovations.
19

20 **AGRICULTURE FINANCE AUTHORITY**

21 Sec. 54. Of the funds appropriated in Section 4 of this act to the Department
22 of Agriculture for the Agriculture Finance Authority, two hundred fifty thousand dollars
23 (\$250,000) shall be used as a loan guarantee fund to obtain one million dollars
24 (\$1,000,000) of federal energy conservation funds to be secured by the Department of
25 Commerce and utilized by the Agriculture Finance Authority for low-cost energy
26 conservation loans for farmers. The State appropriations shall be placed in a trust fund.
27 Interest from the trust fund may be used for administrative cost of the program by the
28 Agriculture Finance Authority.
29

30 **PART 17. DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL** 31 **RESOURCES**

32 **FUNDS FOR VOLUNTARY REMEDIAL ACTIONS**

33 Sec. 55. During the 1994-95 fiscal year, the Secretary of the Department of
34 Environment, Health, and Natural Resources may contribute from the Inactive
35 Hazardous Sites Cleanup Fund up to ten percent (10%) of the cost, not to exceed fifty
36 thousand dollars (\$50,000) per site, of implementing a voluntary remedial action
37 program at up to three high priority sites that substantially endanger public health or the
38 environment.
39

40 **PARTNERSHIP FOR THE SOUNDS**

41 Sec. 56. Of the funds appropriated in Section 4 of this act to the Department
42 of Environment, Health, and Natural Resources for the 1994-95 fiscal year for the
43 Partnership for the Sounds, the sum of two million seven hundred thousand dollars
44

1 (\$2,700,000) shall be used for construction and matching State funds for design of
2 Visitors Centers. Of the funds appropriated in Section 3 of this act to the Department of
3 Environment, Health, and Natural Resources, the sum of three hundred sixty-seven
4 thousand two hundred fifty dollars (\$367,250) shall be used to provide staffing,
5 operating expenses, equipment, and contracts to support the facilities.

6 7 **PART 18. DEPARTMENT OF COMMERCE**

8 9 **INDUSTRIAL DEVELOPMENT FUND/LOCAL MATCH**

10 Sec. 57. Local governments requesting financial assistance from the
11 Industrial Development Fund shall demonstrate to the satisfaction of the Department of
12 Commerce that it would be an economic hardship for the local government to match
13 State assistance from the Fund with local funds.

14 15 **INDUSTRIAL RECRUITMENT COMPETITIVE FUND**

16 Sec. 58. Of the funds appropriated in Section 4 of this act to the
17 Department of Commerce, the sum of ten million dollars (\$10,000,000) for the 1994-95
18 fiscal year shall be used to continue within the Department of Commerce the Industrial
19 Recruitment Competitive Fund. The purpose of the Fund is to provide financial
20 assistance to those businesses or industries deemed by the Governor to be vital to a
21 healthy and growing State economy and that are making significant efforts to establish
22 or expand in North Carolina. Monies allocated from the Fund may be used for the
23 following purposes:

- 24 (1) Installation or purchase of equipment;
- 25 (2) Structural repairs, improvements, or renovations of existing buildings
26 to be used for expansion; and
- 27 (3) Construction of or improvements to new or existing water, sewer, gas,
28 or electric utility distribution lines or equipment for existing buildings,
29 or to serve new or proposed industrial buildings used for
30 manufacturing and industrial operations.

31 The Governor shall adopt guidelines and procedures for the commitment of
32 monies from the Fund.

33 34 **REGIONAL COMMISSIONS**

35 Sec. 59. Funds in the amount of two million four hundred thousand dollars
36 (\$2,400,000) appropriated to the Department of Commerce shall be used to further
37 promote within the State the concept of regional economic development and regional
38 commissions. This recommendation is to fund the counties not included in the three
39 existing Regional Economic Development Commissions established pursuant to G.S.
40 158-8.1, 158-8.2, and 158-8.3. In addition, funds in the amount of one hundred thousand
41 dollars (\$100,000) appropriated in Section 3 of this act to the Department of Commerce
42 shall be used to establish a full-time coordinator to provide guidance, counsel, and
43 liaison among the various economic development regions and entities of the State.

JOB READY/SCHOOL-TO-WORK DEMONSTRATION GRANTS

1 Sec. 60. JobReady is North Carolina's new school-to-work initiative to
2 ensure that young North Carolinians have the education, training, and workplace skills
3 to obtain a good job. Paralleling recent federal legislation (the School-To-Work
4 Opportunities Act), JobReady will focus on the seventy-five percent (75%) of high
5 school graduates who do not get four-year college degrees, with special emphasis on the
6 fifty percent (50%) who get no education or training after high school. Emphasizing the
7 need for education and training beyond high school, JobReady will increase the
8 numbers of young people obtaining the 13 or 14 years of education and training which
9 three-fourths of jobs in the 21st century will require.
10

11 JobReady's basic components are: rigorous school-based learning, work-
12 based learning and activities to connect the two. Serving as the rigorous school-based
13 learning component, Tech Prep is an important part of JobReady. The new element is
14 the emphasis on work-based learning (i.e. apprenticeships, internships, strengthened
15 cooperative education programs) which must be linked closely to school-based learning
16 at the secondary and postsecondary levels. Strong leadership and participation by
17 employers is necessary to JobReady's success. The willingness of employers to provide
18 work-based learning opportunities is the critical factor in ensuring that we can build a
19 school-to-work system that is competitive with other industrialized countries.
20

21 North Carolina is in the first phase of JobReady, which is an intensive process
22 of planning, information gathering, and dissemination, and assessing current activities
23 which may be building blocks for the JobReady system funded by the U.S. Department
24 of Labor. It is anticipated that the implementation phase of JobReady will be supported
25 by federal funds in the 1995-96 fiscal year.

26 Nonrecurring funds in the amount of one million dollars (\$1,000,000)
27 appropriated in Section 4 of this act to the Department of Commerce shall be used to
28 provide grants up to two hundred thousand dollars (\$200,000) each to early
29 demonstration sites in fiscal year 1994-95. These demonstration sites will be selected
30 according to criteria consistent with that required by the federal school-to-work
31 initiative. The selected sites will serve as role models to other North Carolina
32 communities as they develop their local JobReady programs. Lessons learned from the
33 demonstration sites will be incorporated into JobReady's implementation plan.
34

BIOTECHNOLOGY FUNDS FOR MINORITY UNIVERSITIES

35 Sec. 61. Of the funds appropriated in Section 4 of this act from the General
36 Fund to the North Carolina Biotechnology Center for the 1994-95 fiscal year, the sum
37 of two million dollars (\$2,000,000) shall be used to continue the special biotechnology
38 program initiative for North Carolina's Public Historically Black Universities and
39 Pembroke State University. This program initiative is a means to get more funds to
40 these institutions of higher education in the short run to help them develop their
41 biotechnology programs and a means to develop a mechanism to improve these
42 institutions' capacity over the long term. The Center's special initiative shall, at a
43 minimum, provide for:

- 1 (1) A range of program activities, including grants, designed to enhance
2 the existing strengths and capabilities of Pembroke State University
3 and the Public Historically Black Universities;
- 4 (2) A Facilities and Infrastructure Review Committee to advise the Center
5 on major program elements and priority projects that would be most
6 helpful to these institutions; and
- 7 (3) A Program Advisory Panel with representation from these institutions
8 to advise and make recommendations to the Center's President and
9 Board of Directors on funding proposals under this initiative.

10 The Center shall report to the General Assembly by March 15, 1995, on the
11 use of these funds.

12 In awarding grant funds pursuant to this section, the Center shall ensure that
13 the grant funds are distributed equally among the eligible universities.

14 MCNC

15 Sec. 62. (a) Of the funds appropriated in Sections 3 and 4 of this act to
16 MCNC, the sum of five million nine hundred thousand dollars (\$5,900,000) for the
17 1994-95 fiscal year shall be allocated as follows:

- 18 (1) \$4,000,000, in Section 4 of this act, for the Supercomputer Program to
19 upgrade supercomputing capability.
- 20 (2) \$1,900,000, in Section 3 of this act, for migration of NC-REN sites to
21 the technology of the North Carolina Information Highway and to
22 cover operating costs at the sites equipped and added in the 1993-94
23 fiscal year.

24 (b) MCNC shall provide the Joint Legislative Commission on Governmental
25 Operations with quarterly reports on the use and benefits of the funds appropriated
26 under this section. The reports required under this subsection shall be included in the
27 MCNC quarterly reports to the Joint Legislative Commission on Governmental
28 Operations required under Section 295 of Chapter 321 of the 1993 Session Laws.

29 RURAL ECONOMIC DEVELOPMENT FUNDS

30 Sec. 63. (a) Definition. -- For purposes of this section, the term
31 "community development corporation" means a nonprofit corporation:

- 32 (1) Chartered pursuant to Chapter 55A of the General Statutes;
- 33 (2) Tax-exempt pursuant to section 501(c)(3) of the Internal Revenue
34 Code of 1986;
- 35 (3) Whose primary mission is to develop and improve low-income
36 communities and neighborhoods through economic and related
37 development;
- 38 (4) Whose activities and decisions are initiated, managed, and controlled
39 by the constituents of those local communities; and
- 40 (5) Whose primary function is to act as deal maker and packager of
41 projects and activities that will increase their constituencies'
42 opportunities to become owners, managers, and producers of small
43 opportunities to become owners, managers, and producers of small
44 opportunities to become owners, managers, and producers of small

1 businesses, affordable housing and jobs designed to produce positive
2 cash flow and curb blight in the target community.

3 (b) Community Development Grants. -- Of the funds appropriated in Section
4 3 of this act from the General Fund to the Rural Economic Development Center, Inc.,
5 the sum of one million three hundred thousand dollars (\$1,300,000) for the 1994-95
6 fiscal year shall be used to support community development projects and activities
7 within the State's minority communities. Any community development corporation as
8 defined in this section is eligible to apply for funds. The Rural Economic Development
9 Center, Inc., shall establish performance-based criteria for determining which
10 community development corporations will receive a grant and the grant amount.
11 Funding will also be allocated to the North Carolina Association of Community
12 Development Corporations.

13 The Rural Economic Development Center, Inc., shall allocate these funds as
14 follows:

- 15 (1) \$950,000 for direct grants to the local community development
16 corporations that have previously received State funds for this purpose
17 to support operations and project activities.
- 18 (2) \$100,000 for direct grants to local community development
19 organizations that have not previously received State funds.
- 20 (3) \$200,000 to the North Carolina Association of Community
21 Development Corporations to provide training, technical assistance,
22 resource development, project assistance, and support for local
23 community development corporations statewide.
- 24 (4) \$50,000 to the Rural Economic Development Center, Inc., for the
25 1994-95 fiscal year to be used to cover expenses in administering this
26 act.

27 The Rural Economic Development Center, Inc., shall report quarterly to the
28 Joint Legislative Commission on Governmental Operations on the use of these funds.

29 (c) The North Carolina Community Development Initiative, Inc. -- Of the
30 funds appropriated in Section 3 of this act from the General Fund to the Rural Economic
31 Development Center, Inc., the sum of two million dollars (\$2,000,000) for the 1994-95
32 fiscal year shall be used to support the loan fund and operations of the North Carolina
33 Community Development Initiative, Inc. The Initiative shall provide operating and
34 project activity grants to mature community development corporations that have
35 demonstrated project and organizational capacity.

36 The North Carolina Community Development Initiative, Inc., shall report
37 quarterly to the Joint Legislative Commission on Governmental Operations on the use
38 of these funds.

39 (d) Microenterprise Loan Program. -- Of the funds appropriated in Section 3
40 of this act to the Rural Economic Development Center, Inc., the sum of six hundred fifty
41 thousand dollars (\$650,000) for the 1994-95 fiscal year shall be used to support the loan
42 fund and operations of the Microenterprise Loan Program. The Rural Economic
43 Development Center, Inc., shall report quarterly to the Joint Legislative Commission on
44 Governmental Operations on the use of these funds.

1 (e) The North Carolina Minority Credit Union Support Center, Inc. -- Of the
2 funds appropriated in Section 3 of this act from the General Fund to the Rural Economic
3 Development Center, Inc., the sum of three hundred thousand dollars (\$300,000) for the
4 1994-95 fiscal year shall be allocated to the North Carolina Minority Credit Union
5 Support Center, Inc., to provide technical assistance to community-based credit unions.
6 The Rural Economic Development Center, Inc., shall report quarterly to the Joint
7 Legislative Commission on Governmental Operations on the use of these funds.

8 (f) The Office of State Budget and Management, the Department of
9 Commerce, and the Rural Economic Development Center, Inc., shall ensure that funds
10 allocated to the following organizations are disbursed consistent with provisions of the
11 Executive Budget Act:

- 12 (1) The North Carolina Community Development Initiative, Inc.
- 13 (2) The North Carolina Minority Credit Union Support Center, Inc.
- 14 (3) The Microenterprise Loan Program.

15 (g) Capacity Building Grants Program. -- Of the funds appropriated in
16 Section 4 of this act from the General Fund to the Rural Economic Development Center,
17 Inc., the sum of one million dollars (\$1,000,000) for the 1994-95 fiscal year shall be
18 used to provide grants to depressed counties and municipalities to enable them to
19 acquire short-term capacity for immediate needs for economic development planning
20 and writing of grant applications. The Rural Economic Development Center Inc., shall
21 establish standards for determining each local government's needs and shall make grants
22 on the basis of need.

23 Definitions. -- For the purposes of this subsection the following definitions
24 will apply:

- 25 (1) Economically depressed area. -- Any of the following:
 - 26 a. A county that the Secretary of Commerce has designated one of
27 the most economically depressed counties in the State pursuant
28 to G.S. 143B-437A;
 - 29 b. That part of a rural county whose poverty rate is at least one
30 hundred fifty percent (150%) of the State poverty rate. For the
31 purpose of this subsection, the poverty rate is the percentage of
32 the population with income below the latest annual federal
33 poverty guidelines issued by the United States Department of
34 Health and Human Services;
 - 35 c. That part of a rural county whose rate of unemployment is at
36 least double the State rate of unemployment;
 - 37 d. That part of a rural county that experiences an actual or
38 imminent loss of jobs in a number that is equal to or exceeds
39 five percent (5%) of the total number of jobs in the part.
- 40 (2) Rural county. -- A county that the United States Office of Management
41 and Budget has not designated as a metropolitan county.

42 The Rural Economic Development Center, Inc., shall report quarterly to the
43 Joint Legislative Commission on Governmental Operations and the Department of

1 Commerce on the use of the funds allocated in this subsection and on the outcomes
2 achieved by the program.

3 (h) The North Carolina Capital Access Program. -- Of the funds appropriated
4 in Section 4 of this act from the General Fund to the Rural Economic Development
5 Center, Inc., the sum of one million dollars (\$1,000,000) for the 1994-95 fiscal year
6 shall be used to establish the North Carolina Capital Access Program. The Program
7 shall leverage this public investment along with private sector resources to stimulate
8 additional financing opportunities for a broad portfolio of small business concerns in
9 North Carolina. The Program shall encourage commercial banks and other depository
10 institutions to provide access to debt capital, thereby promoting a more effective and
11 efficient debt market to provide economic opportunity, create jobs, enhance
12 productivity, and spur innovation.

13 (1) Definitions. -- The following definitions apply in this act:

- 14 a. Financial institution. -- Any federally chartered or State-
15 chartered commercial bank, savings and loan, savings bank, or
16 credit union;
17 b. Participating financial institution -- Any financial institution
18 that has entered into a participation agreement with the Center
19 in accordance with the provisions set forth in this subsection;
20 c. Enrolled loan. -- Loan made by a participating financial
21 institution in accordance with this subsection.

22 (2) The Center may enter into participation agreements with any financial
23 institution determined to have sufficient lending experience and
24 financial managerial capacity to participate in the Program.

25 (3) Participating financial institutions. -- Upon entering into the
26 participation agreement with the Center, the financial institution shall
27 become a participating financial institution eligible to enroll loans
28 under the Program.

29 (4) The Rural Economic Development Center, Inc., shall administer the
30 Program as established in this subsection and monitor the Program to
31 ensure compliance with applicable State and federal laws, rules, and
32 relevant court decisions.

33 (5) The Program will have as a goal to leverage public funds with private
34 sector resources on the basis of 20 private dollars to every 1 public
35 dollar.

36 (6) Of the funds appropriated for the Capital Access Program, the sum of
37 fifty thousand dollars (\$50,000) for the 1994-95 fiscal year shall be
38 used to cover expenses in administering this Program.

39 The Rural Economic Development Center, Inc., shall report quarterly to the
40 Joint Legislative Commission on Governmental Operations on the implementation and
41 operation of the Program.

42 STATE GAMES

1 Sec. 64. Of the funds appropriated in Section 4 of this act to the Department
2 of Environment, Health, and Natural Resources, the sum of one hundred sixty thousand
3 dollars (\$160,000) shall be used for the State Games of North Carolina.
4

5 **YADKIN/PEE DEE LAKES PROJECT**

6 Sec. 65. Of the funds appropriated in Section 4 of this act to the Department
7 of Commerce, the sum of two hundred fifty thousand dollars (\$250,000) shall be used
8 for a one-time grant to support the Yadkin/Pee Dee Lakes Project.
9

10 **RESEARCH TRIANGLE WORLD TRADE CENTER**

11 Sec. 66. Of the funds appropriated in Section 4 of this act to the Department
12 of Commerce, the sum of two hundred ninety-four thousand dollars (\$294,000) shall be
13 used to support the Research Triangle Park World Trade Center. These funds will
14 support the activities of its teleconferencing and computer information center, an
15 audiovisual classroom and library.
16

17 **NORTH CAROLINA COALITION OF FARM AND RURAL FAMILIES, INC.**

18 Sec. 67. Of the funds appropriated in Section 3 of this act to the Department
19 of Commerce, the sum of two hundred fifty thousand dollars (\$250,000) shall be used
20 for the Small Farm Economic Development Project operated by the North Carolina
21 Coalition of Farm and Rural Families, Inc.
22

23 **LAND LOSS PREVENTION PROJECT, INC.**

24 Sec. 68. Of the funds appropriated in Section 3 of this act to the Department
25 of Commerce, the sum of three hundred thousand dollars (\$300,000) shall be used to
26 provide for legal representation to low-income, financially distressed small farmers
27 through the Land Loss Prevention Project, Inc.
28

29 **NORTH CAROLINA INSTITUTE FOR MINORITY ECONOMIC**
30 **DEVELOPMENT, INC.**

31 Sec. 69. Of the funds appropriated to the Department of Commerce in this
32 act, the sum of five hundred fifty thousand dollars (\$550,000) shall be used for the
33 purpose of fostering minority economic development within the State through policy
34 analysis, information and technical assistance, and resource expansion through the
35 North Carolina Institute for Minority Economic Development, Inc.
36

37 **PART 19. ECONOMIC DEVELOPMENT PLAN**

38
39 **ECONOMIC DEVELOPMENT BOARD/ECONOMIC DEVELOPMENT**
40 **STRATEGIC PLAN**

41 Sec. 70. (a) Funds in the amount of one million seven hundred ten
42 thousand dollars (\$1,710,000) appropriated in Sections 3 and 4 of this act to the
43 Department of Commerce shall be used to implement the Economic Development

1 Strategic Plan as recommended by the Economic Development Board. The following
2 items will be funded:

- 3 (1) \$900,000 for implementation of the Department of Commerce
4 Economic Development Information System (EDIS) to make better
5 information available to economic developers across the State.
- 6 (2) \$100,000 nonrecurring for development of the Economic Development
7 Resource Center to make resources available from across the State via
8 telecommunications.
- 9 (3) \$500,000 for increased tourism promotion funding for the Division of
10 Travel and Tourism by continuing a five hundred thousand dollar
11 (\$500,000) nonrecurring appropriation provided for this purpose in
12 1993-94.
- 13 (4) \$60,000 to provide funding for the Economic Development Institute to
14 increase the technical skills and capacity of people associated with
15 economic development activities and projects on the local level. The
16 Institute will take maximum advantage of the existing resources
17 available through the university system, particularly the Basic
18 Industrial Development Course at the University of North Carolina at
19 Chapel Hill.
- 20 (5) \$100,000 to conduct an audit in conjunction with the Department of
21 Revenue to assess business taxes, including direct and indirect taxes,
22 and the effect of tax credits.
- 23 (6) Assess the technical assistance and training needs of minority and
24 other disadvantaged businesses.

25 (b) Funds in the amount of five million two hundred thousand dollars
26 (\$5,200,000) appropriated in Section 4 of this act to the Department of Environment,
27 Health, and Natural Resources shall be used to implement the Economic Development
28 Strategic Plan as recommended by the Economic Development Board. The following
29 items will be funded:

- 30 (1) \$5,000,000 to fund additional grants to high unit cost areas to reduce
31 the cost of providing new and expanded wastewater treatment capacity
32 in low-wealth areas.
- 33 (2) \$50,000 nonrecurring to accelerate the ongoing review of
34 environmental permitting procedures to streamline administration and
35 reduce delays.
- 36 (3) \$100,000 nonrecurring to establish a protocol of assessing the
37 economic costs and environmental benefits of new and existing
38 regulations.
- 39 (4) \$50,000 to develop and design jointly with the Department of
40 Commerce ways to identify clean industries.

42 PART 20. MISCELLANEOUS PROVISIONS

44 EXECUTIVE BUDGET ACT APPLIES

1 Sec. 71. The provisions of the Executive Budget Act, Chapter 143, Article 1
2 of the General Statutes are reenacted and shall remain in full force and effect and are
3 incorporated in this act by reference.

4
5 **MOST TEXT APPLIES ONLY TO 1994-95**

6 Sec. 72. Except for statutory changes or other provisions that clearly
7 indicate an intention to have effects beyond the 1994-95 fiscal year, the textual
8 provisions of this act apply only to funds appropriated for, and activities occurring
9 during, the 1994-95 fiscal year.

10
11 **1993-94 APPROPRIATIONS LIMITATIONS AND DIRECTIONS APPLY**

12 Sec. 73. (a) Except where expressly repealed or amended by this act, the
13 provisions of Chapters 321 and 561 of the 1993 Session Laws and Chapter 24 of the
14 1994 Extra Session Laws remain in effect.

15 (b) Notwithstanding any modifications by this act in the amounts
16 appropriated, except where expressly repealed or amended, the limitations and
17 directions for the 1994-95 fiscal year in Chapters 321 and 561 of the 1993 Session Laws
18 and Chapter 24 of the 1994 Extra Session Laws that applied to appropriations to
19 particular agencies or for particular purposes apply to the newly enacted appropriations
20 and budget reductions of this act for those same particular purposes.

21
22 **EFFECT OF HEADINGS**

23 Sec. 74. The headings to the Parts and sections of this act are a convenience
24 to the reader and are for reference only. The headings do not expand, limit, or define the
25 text of this act.

26
27 **SEVERABILITY CLAUSE**

28 Sec. 75. If any section or provision of this act is declared unconstitutional or
29 invalid by the courts, it does not affect the validity of this act as a whole or any part
30 other than the part so declared to be unconstitutional or invalid.

31
32 **EFFECTIVE DATE**

33 Sec. 76. Except as otherwise provided, this act becomes effective July 1,
34 1994.