

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1997

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SENATE BILL 347
Appropriations Committee Substitute Adopted 8/14/97

Short Title: Continuing Budget Authority.

(Public)

Sponsors:

Referred to:

March 10, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE
3 EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL
4 IN EFFECT ON JUNE 30, 1997, AND TO EXTEND EXPIRING PROVISIONS OF
5 LAW.

6 The General Assembly of North Carolina enacts:

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8 **FUNDS SHALL NOT REVERT**

9 Section 1. Section 5 of S.L. 1997-256, as rewritten by Section 1 of S.L. 1997-
10 347, reads as rewritten:

11 "Section 5. If the provisions of Senate Bill 352, 3rd edition, Senate Bill 352, 5th
12 edition, or both, direct that funds shall not revert, the funds shall not revert on June 30,
13 1997. Unless these funds are encumbered on or before June 30, 1997, these funds shall
14 not be expended after June 30, 1997, except as provided by a statute that becomes
15 effective after June 30, 1997. If no such statute is enacted prior to ~~August 15, 1997,~~
16 August 22, 1997, these funds shall revert to the appropriate fund on that date."
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18 **EXTEND SENTENCING COMMISSION**

1 Section 2. Section 8 of Chapter 1076 of the 1989 Session Laws, as amended
2 by Chapters 812 and 816 of the 1991 Session Laws, Chapters 253, 321, and 591 of the
3 1993 Session Laws, Chapter 236 of the 1995 Session Laws, Section 6 of S.L. 1997-256,
4 and Section 2 of S.L. 1997-347, reads as rewritten:

5 "Sec. 6. This act is effective upon ratification, and shall expire ~~August 15, 1997,~~
6 August 22, 1997."

7 8 **EXTEND MORATORIUM ON FISHING LICENSES**

9 Section 3. Subsection (a) of Section 3 of Chapter 675 of the 1993 Session
10 Laws, Regular Session 1994, as amended by subsection (a) of Section 26.5 of Chapter
11 507 of the 1995 Session Laws, Section 7 of S.L. 1997-256, and Section 3 of S.L. 1997-
12 347, reads as rewritten:

13 "(a) Except as provided in subsections (b), (c), (c1), or (c2) of this section, the
14 Department shall not issue any new licenses for a period beginning July 1, 1994, and
15 ending ~~August 15, 1997,~~August 22, 1997, under the following statutes:

- 16 (1) G.S. 113-152. Vessel licenses.
- 17 (2) G.S. 113-153.1. Crab license.
- 18 (3) G.S. 113-154. Shellfish license
- 19 (4) G.S. 113-154.1. Nonvessel endorsements to sell fish."

20 21 **AUTHORIZATION OF FICTITIOUS LICENSES AND REGISTRATION** 22 **PLATES ON PUBLICLY OWNED MOTOR VEHICLES**

23 Section 4. Section 23(c) of Chapter 18 of the Session Laws of the 1996
24 Second Extra Session, as rewritten by Section 8 of S.L. 1997-256 and Section 4 of S.L.
25 1997-347, reads as rewritten:

26 "(c) Subsection (a) of this section expires ~~August 15, 1997,~~August 22, 1997."

27 28 **LOWER NEUSE RIVER BASIN ASSOCIATION FUNDS**

29 Section 5. Section 27.8(a) of Chapter 18 of the Session Laws of the 1996
30 Second Extra Session, as rewritten by Section 9 of S.L. 1997-256 and Section 5 of S.L.
31 1997-347, reads as rewritten:

32 "(a) Of the funds appropriated by this act to the Lower Neuse River Basin
33 Association for the 1996-97 fiscal year, the sum of two million dollars (\$2,000,000) shall
34 be allocated as grants to local government units in the Neuse River Basin to assist those
35 local government units in fulfilling their obligations under the Neuse River Nutrient
36 Sensitive Waters Management Strategy plan adopted by the Environmental Management
37 Commission. The funds are contingent upon the adoption of the plan by the
38 Environmental Management Commission. If the Environmental Management
39 Commission fails to adopt the plan by ~~August 15, 1997,~~August 22, 1997. then the funds
40 shall revert to the General Fund."

41 42 **BEAVER DAMAGE CONTROL FUNDS**

1 Section 6. Subsection (h) of Section 69 of Chapter 1044 of the 1991 Session
2 Laws, as amended by Section 111 of Chapter 561 of the 1993 Session Laws, Section 27.3
3 of Chapter 769 of the 1993 Session Laws, Section 26.6 of Chapter 507 of the 1995
4 Session Laws, Section 27.15(c) of Chapter 18 of the Session Laws of the 1996 Second
5 Extra Session, Section 10 of S.L. 1997-256, and Section 6 of S.L. 1997-347, reads as
6 rewritten:

7 "(h) Subsections (a) through (d) of this section expire ~~August 15, 1997~~, August 22,
8 1997."

10 **CHANGES IN THE EXECUTION OF THE BUDGET**

11 Section 7. Section 11 of S.L. 1997-256, as rewritten by Section 7 of S.L.
12 1997-347, reads as rewritten:

13 "Section 11. The amendments to G.S. 143-27 that were enacted in Section 7.4(h)(2)
14 of Chapter 18 of the Session Laws of the 1996 Second Extra Session shall become
15 effective ~~August 15, 1997~~, August 22, 1997."

17 **CORE SOUND/DESCRIPTION OF AREA A FOR SHELLFISH LEASE 18 MORATORIUM**

19 Section 8. Section 3 of Chapter 547 of the 1995 Session Laws (1996 Regular
20 Session) as amended by Section 1 of Chapter 633 of the 1995 Session Laws (1996
21 Regular Session) and as rewritten by Section 27.33 of Chapter 18 of the Session Laws of
22 the 1996 Second Extra Session, Section 12 of S.L. 1997-256, and Section 8 of S.L. 1997-
23 347, reads as rewritten:

24 "Sec. 3. Notwithstanding G.S. 113-202, a moratorium on new shellfish cultivation
25 leases shall be imposed in the remaining area of Core Sound not described in Section 1 of
26 this act. During the moratorium, a comprehensive study of the shellfish lease program
27 shall be conducted. The moratorium established under this section covers that part of
28 Core Sound bounded by a line beginning at a point on Cedar Island at 35°00'39"N -
29 76°17'48"W, thence 109°(M) to a point in Core Sound 35°00'00"N - 76°12'42"W,
30 thence 229°(M) to Marker No. 37 located 0.9 miles off Bells Point at 34°43'30"N -
31 76°29'00"W, thence 207°(M) to the Cape Lookout Lighthouse at 34°37'24"N -
32 76°31'30"W, thence 12°(M) to a point at Marshallberg at 34°43'07"N - 76°31'12"W,
33 thence following the shoreline in a northerly direction to the point of beginning except
34 that the highway bridges at Salters Creek, Thorofare Bay, and the Rumley Bay ditch shall
35 be considered shoreline. The moratorium shall expire ~~August 15, 1997~~, August 22,
36 1997."

38 **TRANSFER TO SCHOOL TECHNOLOGY FUND**

39 Section 9. (a) Of the funds appropriated from the General Fund for the 1996-97
40 fiscal year for current operations, the sum of twenty million dollars (\$20,000,000) shall
41 be transferred to the State School Technology Fund.

42 (b) This section becomes effective June 30, 1997.

1 EFFECTIVE DATE

2 Section 10. (a) Section 13 of S.L. 1997-256, as rewritten by Section 9 of S.L.
3 1997-347, reads as rewritten:

4 "Section 13. This act becomes effective July 1, 1997, except that Sections 5 through
5 10 of this act become effective June 30, 1997. This act expires ~~August 15, 1997~~, August
6 22, 1997."

7 (b) Sections 3 and 8 of this act do not become effective if House Bill 1097, 1997
8 Regular Session, becomes law before this act. If House Bill 1097, 1997 Regular Session,
9 becomes law after this act becomes law, then Sections 3 and 8 of this act expire the
10 earlier of August 22, 1997, and the date that House Bill 1097, 1997 Regular Session,
11 becomes law.

12 (c) Except as otherwise provided, this act becomes effective August 15, 1997.