



HOUSE BILL 528: Budget Technical Corrections.

2017-2018 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	June 28, 2017
Introduced by:	Reps. Millis, Torbett	Prepared by:	Luke Gillenwater Staff Attorney
Analysis of:	PCS to Third Edition H528-CSML-13		

OVERVIEW: *The Proposed Committee Substitute to House Bill 528 makes technical, clarifying, and other modifications to the Current Operations Appropriations Act of 2017 (Senate Bill 257 of the 2017 Regular Session).*

BILL ANALYSIS: House Bill 528 does the following:

- **Section 1.1:** Amends Section 2.1 of Senate Bill 257 to conform appropriation figures to the revisions in House Bill 528.
- **Section 1.2:** Amends Section 5.3 of Senate Bill 257 to direct the Joint Legislative Commission on Governmental Operations to appoint a committee to study the Needs-Based Public School Capital Fund program.
- **Section 2.1:** Amends Part VII of Senate Bill 257 to include language inadvertently omitted that provides that the General Assembly intends to create an allotment and provide funds for program enhancement teachers beginning with the 2018-2019 fiscal year.
- **Section 2.2:** Amends Section 7.23A(a)(2) of Senate Bill 257 to remove a requirement for school cybersecurity improvement plans to include building security programs.
- **Section 2.3:** Amends Section 7.23I of Senate Bill 257 to allow the Superintendent of Public Instruction to remove the Associate Superintendent for any reason, not just in the event of incapacity to serve.
- **Section 2.4:** Amends Section 7.23J to clarify that the first allotment report, due by December 1, 2017, must include all of the new information that is required by G.S. 115C-105.25(c)(3), as amended by Section 7.23J, for fiscal years 2014-2015, 2015-2016, and 2016-2017.
- **Section 2.5:** Amends G.S. 115C-83.15 to make technical changes requested by DPI to specify that EVAAS data is used to calculate school growth rather than in the calculation of the overall performance scores and grades.
- **Section 2.6:** Amends Section 7.27 to permit DPI to carry forward up to \$5,000,000 of funds appropriated in the 2015 budget for the Excellent Public Schools Act in the 2016-2017 fiscal year, to keep these funds through the end of the 2017-2018 fiscal year, and to allocate the funds to LEAs to purchase computers or other electronic devices used to administer the K-3 reading assessments required by State Board of Education.
- **Section 2.7:** Amends Part VII to add a section to add Halifax County Schools to the NC STEM residential program, which was inadvertently omitted.

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- **Section 2.8:** Amends Part VII to substitute the elimination of a vacant position that was recently filled by DPI with an alternative vacant position and operating support in an equivalent amount.
- **Section 2.9:** Amends Section 8.26(n) to remove a deadline for DPS to implement the safety tip line in 115C-105.51, the responsibility for which has been transferred to DPI and is not funded in the budget.
- **Section 2.10:** Amends Section 8.8B to clarify that AP/IB/Cambridge AICE and CTE bonus provisions include 2017-2018 and 2018-2019 performance. Harmonizes Section 8.8C with Section 8.8B by expanding third grade bonuses to include 2018-2019 performance.
- **Section 2.11:** Amends Section 8.2 to eliminate assessment of instructional costs associated with space requirements.
- **Section 2.12:** Amends Part IX to add a section to provides funds to Forsyth Tech CC to support instructional programs and services at the Transportation Technology Center.
- **Section 2.13:** Amends Section 10.8(c) to eliminate UNC's management flexibility report for FY 2017-2018.
- **Section 2.14:** Amends Part X to correct the revised net appropriation for the Cooperative Extension to \$39.1M for FY 2017-2018 and \$39.2M for FY 2018-2019.
- **Section 2.15:** Amends Section 10A.1 to remove the reference to nonrecurring funds to clarify, at the request of SEAA, that, although the use of funds would only be for 2017-2018 fiscal year, the source of the funds are recurring.
- **Section 2.16:** Amends Section 27.6 of the 2016 Budget, as amended by Section 10.23, to change the purpose for which the funds could be used from operating expenses for the Dept. of Applied Sciences to repairs and renovations for certain labs of the Dept., with funds to be matched by June 30, 2018, rather than June 30, 2019.
- **Section 2.17:** Amends Part X to limit the use of funds to the NCSU biomanufacturing Training and Education Center to support training and education.
- **Section 2.18:** Amends G.S. 115C-12(9)c1.3. to require that information on Cambridge Advanced International Certificate of Education (AICE) Program participation and test results be added to the annual report cards for high schools.
- **Section 3.1:** Amends Part XI to correct the reference to the Bryan Alzheimer's Disease Research Center for the development of an Alzheimer's Registry
- **Section 3.2:** Amends Section 11A.8 to clarify that the reporting requirements for grant recipients to report objective, measurable health outcomes begins 7/1/18.
- **Section 3.3:** Amends Part XI to clarify that funds appropriated to DHHS may be used to support nonsectarian services provided by the HELP Center, Inc.
- **Section 3.4:** Amends Section 11L.1 to allow the DHHS, Division of Public Health, to establish 2 positions using Preventive Health Services Block Grant funds.
- **Section 4.1:** Amends Section 13.13(d) to change the date 3/1/18 to 12/31/18 on which the Collaboratory's study recommendations regarding economic development related to promotion of shellfish harvesting are due.
- **Section 4.2:** Amends Section 13.22 to remove the designation of the funds as nonrecurring.

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- **Section 4.3:** Amends Section 14.19 to correct a discrepancy between the money amount in the Committee Report and section 14.9 of the bill for the Scotts Hill satellite aquarium facility by rewriting the provision to eliminate the specific amount.
- **Section 4.4(a):** Amends Section 13.28 to correct the fund code reference for CRFL receipt-supported positions.
- **Section 4.4(b):** Amends Section 13.29 to restore a portion of the energy funding for the energy center at NC State University by spreading the remaining funding evenly to all three energy centers (at NC A&T, Appalachian State, and NC State).
- **Section 4.4(c):** Amends Part XIV to correct an internal inconsistency in the Committee Report description for grants-in-aid to local history museums and to reallocate the grant in the Committee Report from the Oxford Museum of History to the Granville County Historical Society.
- **Section 4.5:** Amends Part XIV to increase the position authorization to 25 for additional funding provided to the Museum of Art.
- **Section 4.6:** Amends Part XIV to eliminate funding for the Caldwell County mobile book library (funds were transferred to Section 6.3 (Caldwell County EMS)) and to reallocate funds in the Committee Report from the Town of Aberdeen to the Friends of the Aberdeen Library.
- **Section 4.7:** Amends Section 15.5(b)(1) to eliminate a reference to the Site and Building Development Fund, which was not created.
- **Section 4.8:** Amends Section 15.8 to add funding for grants-in-aid for the Towns of Summerfield, Stokesdale, and Oak Ridge.
- **Section 4.9:** Amends Section 15.18 to address the Industrial Commission's concern regarding uncertainty of budgetary terminology.
- **Section 4.10:** Provides a grant-in-aid in the amount of \$200,000 to Cleveland County ALWS Baseball, Inc. for facility improvements related to and promotion of the 2017 American Legion Baseball World Series.
- **Section 4.11:** Amends G.S. 143-215.73F(c)(4) to change from permissive to mandatory the payment of cost-share for dredging the access canal around the Roanoke Island Festival Park from the Historic Roanoke Island Fund.
- **Section 4.12:** Makes a conforming change to G.S. 143B-135.234 to correct a statutory reference regarding administration of the CWMTF to the Department of Natural and Cultural Resources.
- **Section 5.1:** Amends Section 16B.10(e) to prohibit DPS from reducing the authorized budget for Fund Code 1402 from how it existed on March 1, 2017.
- **Section 5.2:** Amends Subpart XVI-B to specify that \$125,000 of the funds that are appropriated to the SBI may be used to fund Operation Medicine Drop.
- **Section 5.3:** Amends G.S. 7B-2200.5(a)(1) to correct the inadvertent omission of Class E felonies from the Raise the Age provisions.
- **Section 5.4:** Amends Section 16D.4(jj) to make a technical correction to the effective date.
- **Section 6.1:** Amends Part XIX (i) to require the Department of Military and Veterans Affairs to keep all of the veterans' cemeteries open and to continue the current level of operational support

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and maintenance using receipts and other funding sources if needed and (ii) to require OSBM to allow the Department to carryforward funds to continue funding positions established for the purpose of operations at the cemeteries and to use the Carryforward Reserve if necessary.

- **Section 6.2:** Amends Section 22.2 to add Section 8 of S.L. 2009-474 (required support of certain positions from the State Property Fire Insurance Fund and Insurance Regulatory Fund) to that which is repealed.
- **Section 6.3:** Amends Part XXVI to add \$100,000 in nonrecurring funds for FY 2017-2018 as grants-in-aid to be allocated to Caldwell County for EMS services.
- **Section 6.4:** Amends part XXVI to add \$250,000 in nonrecurring funds for FY 2017-2018 to the Indian Affairs Commission to expedite the recognition review process for NC tribes and commissions.
- **Section 6.5:** Amends Part XXXI to reallocate funding previously allocated to the NC Museum of Natural Sciences for a dinosaur project.
- **Section 6.6:** Amends Part XXXI to provide \$150,000 in nonrecurring funds for FY 2017-2018 for Halifax County for the redevelopment of the Joseph Montfort Amphitheatre.
- **Section 6.7:** Corrects the funding source for the North Carolina Civil War History Center from capital funds to funds from OSBM Special Appropriations.
- **Section 7.1:** Amends G.S. 136-76.2(c) to remove the installation of culverts in cases of emergency from the bridge program fund outsourcing requirements.
- **Section 7.2:** Amends Section 34.26(a) to delay by 2 months the reporting date required from the Global TransPark regarding its Strategic Plan.
- **Section 7.3:** Amends G.S. 20-4.03(a) to clarify the Division of Motor Vehicles is authorized to charge a fee to a person for an administrative hearing.
- **Section 8.1:** Amends Section 35.21 to change references from the phrase “total compensation” to the phrase “compensation and benefits” to more accurately and appropriately describe what the study includes.
- **Section 9.1:** Amends Section 36.5(e) to expand the purposes for which the funds may be used for the energy production project at Western Carolina University.
- **Section 9.2:** Amends Section 36.10 to remove an incorrect contingent reference to HB 280, as the provisions of that bill were incorporated into the budget bill.
- **Section 9.3:** Amends Section 37.9 of the 2016 budget bill to extend by one year the use of funds from receipts or other non-General Fund sources available to UNC-Pembroke for the construction of a business school.
- **Section 9.4:** Corrects the description for the Stonewall Jackson Youth facility capital item contained in the Committee Report.
- **Section 9.5:** Amends Section 36.2 to remove the funding for the North Carolina Civil War History Center, which is now being handled in Section 6.7 of HB528.
- **Section 10.1:** Repeals Section 37.12 of Senate Bill 257 requiring the Department of Information Technology to use a competitive RFP process to continue the work of the FirstNet program.

EFFECTIVE DATE: Except as otherwise provided, this act becomes effective July 1, 2017.