

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1997**

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HOUSE BILL 900  
Committee Substitute Favorable 4/23/97  
Senate Appropriations Committee Substitute Adopted 9/29/98

Short Title: Federal Match Required-9/30/98.

(Public)

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Sponsors:

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Referred to:

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April 8, 1997

1                                   A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS FOR FEDERAL MATCHING FUNDS FOR  
3 THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY AND  
4 WASTEWATER AND WATER SUPPLY MATCHING FUNDS FOR THE  
5 DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, TO  
6 APPROPRIATE FUNDS FOR CAPITAL APPROPRIATIONS FOR THE  
7 DEPARTMENT OF ADMINISTRATION AND THE DEPARTMENT OF  
8 ENVIRONMENT AND NATURAL RESOURCES, TO AUTHORIZE A  
9 TRANSFER OF FUNDS TO MEET TANF MAINTENANCE OF EFFORT  
10 REQUIREMENTS, TO APPROPRIATE FEDERAL BLOCK GRANT FUNDS FOR  
11 THE WELFARE TO WORK FORMULA GRANT PLAN, TO PROVIDE FOR  
12 WATER RESOURCES DEVELOPMENT PROJECTS, TO AMEND THE CARING  
13 PROGRAM FOR CHILDREN STATUTE ON THE UNINSURED, AND TO  
14 PROVIDE A MENTAL HEALTH RESERVE MATCH FOR MEDICAID.

15 The General Assembly of North Carolina enacts:

16

17 **CURRENT OPERATIONS APPROPRIATION/GENERAL FUND**

1 Section 1. Appropriations from the General Fund of the State for the  
 2 maintenance of the State departments, institutions, and agencies, and for other purposes  
 3 as enumerated are made for the fiscal year ending June 30, 1999, according to the  
 4 schedule that follows.

<u>Current Operations - General Fund</u>	<u>1998-99</u>
Department of Crime Control and Public Safety – Matching Funds for the National Guard Tarheel Challenge Program	\$ 542,000 NR
Department of Environment and Natural Resources	
01. Federal Wastewater Assistance – Matching Funds 4,860,532 NR	
02. Federal Water Supply Assistance – Matching Funds 2,571,880 NR	
TOTAL – Department of Environment and Natural Resources	7,432,412 NR
<b>TOTAL: Current Operations - General Fund</b>	<b>\$7,974,412 NR</b>

### **CAPITAL APPROPRIATIONS/GENERAL FUND**

22 Section 2. Appropriations are made from the General Fund of the State for the  
 23 1998-99 fiscal year for use by the State departments, institutions, and agencies to provide  
 24 for capital improvement projects according to the following schedule:

<u>Capital Improvements - General Fund</u>	<u>1998-99</u>
Department of Administration, Reserve for State Veterans Nursing Home – Salisbury Renovation of a 100-bed nursing care unit	\$1,000,000
Department of Environment and Natural Resources	
01. State Match-Water Resources Projects – Funds for the State share of federal civil works projects \$5,240,000	
02. Channel Widening/Deepening-Wilmington Port – Funds to improve navigation for shipping terminals and industries \$4,800,000	
03. B. Everett Jordan Lake Water Supply – repayment of State cost-share funds for federal funds previously expended \$ 110,000	

1  
2 **TOTAL:** Capital Improvements - General Fund \$11,150,000

3  
4 **AUTHORIZE TRANSFER TO MEET TANF MAINTENANCE OF EFFORT**  
5 **REQUIREMENTS**

6 Section 3. Notwithstanding any other provision of law to the contrary, to the  
7 extent necessary to meet federal maintenance of effort requirements for Temporary  
8 Assistance for Needy Families (TANF), the Department of Health and Human Services  
9 may, for the first quarter of the 1998-99 fiscal year only, use State funds for the TANF  
10 Work First Family Assistance.

11  
12 **APPROPRIATE FEDERAL BLOCK GRANT FUNDS FOR WELFARE TO**  
13 **WORK FORMULA GRANT PLAN**

14 Section 4. (a) Section 12.20A(b) of S.L. 1997-443, reads as rewritten:

15 "(b) The Department of Commerce, the Employment Security Commission, and the  
16 Department of Health and Human Services shall develop a plan to implement the  
17 Welfare-to-Work initiative in this State, develop performance goals and measures for this  
18 initiative, and estimate the cost impact on the State budget for the next five years of  
19 implementing the initiative. The Department of Commerce, the Employment Security  
20 Commission, and the Department of Health and Human Services shall report to the  
21 General Assembly its findings and recommendations by April 1, 1998. ~~The Department of~~  
22 ~~Commerce shall not expend any State or federal funds for the Welfare-to-Work initiative until~~  
23 ~~the amended State Plan is submitted to the General Assembly and the amended State Plan~~  
24 ~~becomes law."~~

25 (b) There is appropriated to the Department of Commerce from federal Welfare to  
26 Work Block Grant funds for the fiscal year ending June 30, 1999, the sum of twenty-five  
27 million three hundred thirty-two thousand one hundred seventy-three dollars  
28 (\$25,332,173). The Office of State Budget and Management may identify potential  
29 sources of State and local funds that may be used as a match for the federal Welfare-to-  
30 Work Block Grant.

31  
32 **WATER RESOURCES DEVELOPMENT PROJECTS FUNDS**

33 Section 5. (a) The Department of Environment and Natural Resources shall  
34 allocate the funds appropriated in this act for water resources development projects to the  
35 following projects whose estimated costs are as indicated:

36  
37 Name of Project  
38  
39 1. Morehead City Harbor Turning Basin \$ 2,000,000  
40  
41 2. Wilmington Harbor Maintenance Dredging 200,000  
42  
43 3. Wilmington Harbor Long-Term Disposal 1,400,000

1		
2	4. Beaufort Harbor Maintenance Dredging	80,000
3		
4	5. Manteo Shallowbag Bay Maintenance Dredging	200,000
5		
6	6. Rollinson Channel Maintenance Dredging	
7	(Dare County) 400,000	
8		
9	8. Pine Knolls Shores Protection (Carteret Co.)	200,000
10		
11	9. Tar River Road Streambank Protection	50,000
12	(City of Greenville)	
13		
14	10. Battery Island Bird Habitat Restoration	140,000
15	(Brunswick County)	
16		
17	11. Dare County Beaches Feasibility Study	70,000
18		
19	12. Deep Creek Watershed Project (Yadkin Co.)	500,000
20		
21	Total	\$ 5,240,000

22 (b) Where the actual costs are different from the estimated costs under subsection  
 23 (a) of this section, the Department may adjust the allocations among projects as needed.  
 24 If any projects listed in subsection (a) of this section are delayed and the budgeted State  
 25 funds cannot be used during the 1998-99 fiscal year, or if the projects listed in subsection  
 26 (a) of this section are accomplished at a lower cost, the Department may use the resulting  
 27 fund availability to fund any of the following:

- 28 (1) Corps of Engineers project feasibility studies.
- 29 (2) Corps of Engineers projects whose schedules have advanced and require  
 30 State matching funds in fiscal year 1998-99.
- 31 (3) State-local water resources development projects.

32 Funds not expended or encumbered for these purposes shall revert to the  
 33 General Fund at the end of the 1999-2000 fiscal year.

34 (c) The Department shall make quarterly reports on the use of these funds to the  
 35 Joint Legislative Commission on Governmental Operations, the Fiscal Research  
 36 Division, and the Office of State Budget and Management. Each report shall include all  
 37 of the following:

- 38 (1) All projects listed in this section.
- 39 (2) The estimated cost of each project.
- 40 (3) The date that work on each project began or is expected to begin.
- 41 (4) The date that work on each project was completed or is expected to be  
 42 completed.
- 43 (5) The actual cost of each project.

1           The quarterly reports shall also show those projects advanced in schedule,  
2 those projects delayed in schedule, and an estimate of the amount of funds expected to  
3 revert to the General Fund.

#### 4 5 **CARING PROGRAM FOR CHILDREN**

6           Section 6. G.S. 108A-70.18(8), as enacted by Section 1 of S.L. 1998-1 Extra  
7 Session, reads as rewritten:

8           "(8) 'Uninsured' means the applicant for Program benefits was not covered  
9 under any private or employer-sponsored comprehensive health  
10 insurance plan for the six-month period immediately preceding the date  
11 ~~the Program becomes effective. of application for Program benefits.~~  
12 Effective six months from date the Program becomes effective, April 1,  
13 1999, 'uninsured' means the applicant is and was not covered under any  
14 private or employer-sponsored comprehensive health insurance plan for  
15 60 days immediately preceding the date of application. The waiting  
16 periods required under this subdivision shall be waived if the child has  
17 been enrolled in Medicaid and has lost Medicaid eligibility due to a  
18 change in family income eligibility, has lost health care benefits due to  
19 cessation of a nonprofit organization program that provides health care  
20 benefits to low-income children, or has lost employer-sponsored  
21 comprehensive health care coverage due to termination of employment,  
22 cessation by the employer of employer-sponsored health coverage, or  
23 cessation of the employer's business."

#### 24 25 **MENTAL HEALTH RESERVE FOR MEDICAID MATCH**

26           Section 7. There is appropriated from the General Fund to the Department of  
27 Health and Human Services the sum of thirty-eight million dollars (\$38,000,000) for the  
28 1998-99 fiscal year. These funds shall be placed in a Mental Health Restricted Reserve  
29 in the Office of the Controller of the Department of Health and Human Services. In  
30 addition to these funds, the Department shall transfer to the Mental Health Restricted  
31 Reserve from the Division of Mental Health, Developmental Disabilities, and Substance  
32 Abuse Services, the total amount of funds in the Division's budget allocated as matching  
33 funds for Medicaid payments to area mental health authorities for the 1998-99 fiscal year.  
34 Funds in the Reserve that are unexpended and unencumbered as of June 30, 1999, shall  
35 revert to the General Fund. This appropriation shall become part of the continuation  
36 budget.

#### 37 38 **MOST TEXT APPLIES ONLY TO 1998-99**

39           Section 8. Except for statutory changes or other provisions that clearly  
40 indicate an intention to have effects beyond the 1998-99 fiscal year, the textual provisions  
41 of this act apply only to funds appropriated for, and activities occurring during, the 1998-  
42 99 fiscal year.

**1 1997-98 APPROPRIATIONS LIMITATIONS AND DIRECTIONS APPLY**

2 Section 9. (a) Except where expressly repealed or amended by this act, the  
3 provisions of S.L. 1997-443, S.L. 1998-1 Extra Session, S.L. 1998-9, S.L. 1998-23, and  
4 S.L. 1998-153 remain in effect.

5 (b) Notwithstanding any modifications by this act in the amounts appropriated,  
6 except where expressly repealed or amended, the limitations and directions for the 1998-  
7 99 fiscal year in S.L. 1997-443, S.L. 1998-1 Extra Session, S.L. 1998-9, S.L. 1998-23,  
8 and S.L. 1998-153 that applied to appropriations to particular agencies or for particular  
9 purposes apply to the newly enacted appropriations of this act for those same particular  
10 purposes.

**11 EFFECT OF HEADINGS**

12 Section 10. The headings to the sections of this act are a convenience to the  
13 reader and are for reference only. The headings do not expand, limit, or define the text of  
14 this act.  
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**16 SEVERABILITY CLAUSE**

17 Section 11. If any section or provision of this act is declared unconstitutional  
18 or invalid by the courts, it does not affect the validity of this act as a whole or any part  
19 other than the part so declared to be unconstitutional or invalid.  
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**21 EFFECTIVE DATE**

22 Section 12. Except as otherwise provided, this act becomes effective July 1,  
23 1998.  
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