

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017**

**SESSION LAW 2017-197  
HOUSE BILL 528**

AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO  
THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2017.

The General Assembly of North Carolina enacts:

**PART I. GENERAL PROVISIONS**

**SECTION 1.1.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 2.1 of that act reads as rewritten:

**"SECTION 2.1.** 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 biennium ending June 30, 2019, according to the following schedule:

<b>Current Operations – General Fund</b>	<b>FY 2017-2018</b>	<b>FY 2018-2019</b>
<b>EDUCATION</b>		
Community Colleges System Office	\$ <del>1,121,815,001</del> <u>1,122,341,120</u>	\$ 1,141,757,845
...		
Department of Commerce		
Commerce	140,649,732 <u>140,749,732</u>	130,158,878
Commerce State-Aid	<del>20,100,810</del> <u>20,300,810</u>	16,155,810
...		
Department of Natural and Cultural Resources	<del>185,613,349</del> <u>185,513,349</u>	174,477,424
...		
Department of Administration	<del>63,691,021</del> <u>63,941,021</u>	63,396,752
...		
Office of State Budget and Management		
Office of State Budget and Management	8,180,546	8,255,244
OSBM – Reserve for Special Appropriations	<del>8,740,000</del> <u>12,763,881</u>	2,000,000
...		
<b>TOTAL CURRENT OPERATIONS –</b>		
<b>    GENERAL FUND</b>	<b><del>\$ 22,975,769,893</del><u>\$ 22,980,769,893</u></b>	<b>\$ 23,650,253,958"</b>

**SECTION 1.2.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 5.3 of that act is amended by adding a new subsection to read:

**"SECTION 5.3.(i)** The Joint Legislative Commission on Governmental Operations shall appoint a committee to study the Needs-Based Public School Capital Fund program established in this section. The study committee shall consider at least all of the following:

- (1) Obstacles to counties' ability to participate in or achieve maximum benefit from the program.
- (2) Potential uses of program funds, such as lease agreements and public-private partnerships, to facilitate participation and school capital construction.



The study committee shall submit a report and any recommendations to the Joint Legislative Commission on Governmental Operations on or before February 1, 2018."

**SECTION 1.3.** If Senate Bill 266 of the 2017 Regular Session becomes law, then Section 1 of the bill is amended by deleting from the list of parcels used as the property description the parcel described by Tax Office Parcel Identification Number 157780 and adding the parcel described by Tax Office Parcel Identification Number 157870 in the correct numerically ordered place in the table of properties.

## **PART II. EDUCATION**

**SECTION 2.1.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part VII of that act is amended by adding a new section to read:

### **"PROGRAM ENHANCEMENT TEACHER FUNDS**

**"SECTION 7.14.** It is the intent of the General Assembly to use the data collected in accordance with the reporting requirements set forth in Section 2 of S.L. 2017-9 to fund a new allotment for program enhancement teachers for local school administrative units beginning with the 2018-2019 fiscal year."

**SECTION 2.2.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 7.23A(a)(2) of that act reads as rewritten:

"(2) Security advisory and consulting services. – Five regional security consultants working with schools to assess security posture and develop and implement improvement plans. The plans shall include security policy, ~~building security programs,~~ implementing effective security controls, and ongoing support for operating security governance."

**SECTION 2.3.** If Senate Bill 257, 2017 Regular Session, becomes law, then G.S. 115C-64.28(b), as enacted by Section 7.23I of that act, reads as rewritten:

"(b) The Associate Superintendent shall be appointed by the Superintendent of Public Instruction at a salary established by the Superintendent of Public Instruction within the funds appropriated for that purpose. The Associate Superintendent may be removed from the position by the Superintendent of Public ~~Instruction in the event of the Associate Superintendent's incapacity to serve.~~ Instruction. The Associate Superintendent shall be exempt from the provisions of Chapter 126 of the General Statutes, except for Articles 6 and 7 of Chapter 126 of the General Statutes.

All other staff shall be appointed, supervised, and directed by the Associate Superintendent and shall be subject to the provisions of Chapter 126 of the General Statutes. Except for the Associate Superintendent, salaries and compensation of all staff personnel shall be fixed in the manner provided by law for fixing and regulating salaries and compensation by other State agencies."

**SECTION 2.4.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 7.23J(b) of that act reads as rewritten:

**"SECTION 7.23J.(b)** ~~This section applies beginning with the use of funds during the 2014-2015 fiscal year.~~ The report required by December 1, 2017, pursuant to G.S. 115C-105.25(d), as enacted by this section, shall include information on uses of funds pursuant to G.S. 115C-105.25(c), as amended by this section, for the 2014-2015, 2015-2016, and 2016-2017 fiscal years."

**SECTION 2.5.** If Senate Bill 257, 2017 Regular Session, becomes law, then G.S. 115C-83.15, as amended by Section 7.26 of that act, reads as rewritten:

### **"§ 115C-83.15. School achievement, growth, performance scores, and grades.**

(a) School Scores and Grades. – The State Board of Education shall award school achievement, growth, and performance scores and an associated performance grade as required by G.S. 115C-12(9)c1., and calculated as provided in this section. ~~The State Board of~~

~~Education shall enter all necessary data into the Education Value-Added Assessment System (EVAAS) in order to calculate school performance scores and grades.~~

...  
(c) Calculation of the School Growth Score as a Measure of School Quality and Student Success. – Using ~~EVAAS~~, the Education Value-Added Assessment System (EVAAS), the State Board shall calculate the overall growth score earned by schools as a measure of school quality and student success. In calculating the total growth score earned by schools, the State Board of Education shall weight student growth on the achievement indicators as provided in subsection (b) of this section that have available growth values. The numerical values used to determine whether a school has met, exceeded, or has not met expected growth shall be translated to a 100-point scale and used for school reporting purposes as provided in G.S. 115C-12(9)c1., 115C-218.65, 115C-238.66, and 116-239.8.

(d) Calculation of the Overall School Performance Scores and Grades. – The State Board of Education shall ~~use EVAAS to~~ calculate the overall school performance score by adding the school achievement score, as provided in subsection (b) of this section, and the school growth score, as determined using EVAAS as provided in subsection (c) of this section, earned by a school. The school achievement score shall account for eighty percent (80%), and the school growth score shall account for twenty percent (20%) of the total sum. For all schools, the total school performance score shall be converted to a 100-point scale and used to determine an overall school performance grade. The overall school performance grade shall be based on the following scale and shall not be modified to add any other designation related to other performance measures, such as a "plus" or "minus":

...  
(d2) Calculation of the School Performance Scores and Grades for Certain Subgroups of Students Served by a School. – In addition to the overall school performance scores and grades awarded under this section, for each school that serves a minimum number of students in a subgroup of students listed in subsection (d1) of this section, the State Board of Education shall ~~use EVAAS to~~ calculate school performance scores and shall determine a corresponding school performance grade for each subgroup using the same method as set forth in subsection (d) of this section. School performance scores for subgroups of students shall not be included in the calculation of the overall school performance scores and grades under subsection (d) of this section.

...."  
**SECTION 2.6.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 7.27 of that act reads as rewritten:

**"READ TO ACHIEVE DIAGNOSTIC CHANGES**

...  
**"SECTION 7.27.(c1)** Of the funds appropriated to the Department of Public Instruction by S.L. 2015-241 for the Excellent Public Schools Act in the 2016-2017 fiscal year, up to five million dollars (\$5,000,000) shall not revert at the end of the 2016-2017 fiscal year but shall remain available until the end of the 2017-2018 fiscal year. These funds shall be allotted to local school administrative units for the purchase of computers or other electronic devices used for the administration of the formative and diagnostic reading assessments made available by the State Board of Education pursuant to G.S. 115C-174.11.

**"SECTION 7.27.(d)** Subsection (a) of this section applies beginning with the 2018-2019 school year. Subsection (c1) of this section becomes effective June 30, 2017."

**SECTION 2.7.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part VII of that act is amended by adding a new section to read:

**"EASTERN NORTH CAROLINA STEM/HALIFAX COUNTY SCHOOLS**

**"SECTION 7.36.** Notwithstanding any other provision of law, students enrolled in Halifax County Schools shall be permitted to participate in the residential science, mathematics,

engineering, and technology (STEM) enrichment program for traditionally underserved students supported by the sum of three hundred thousand dollars (\$300,000) in nonrecurring funds appropriated by this act to the Department of Public Instruction for the 2017-2018 fiscal year to be used by the State Board of Education to contract for administration of the program."

**SECTION 2.8.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part VII of that act is amended by adding a new section to read:

**"DPI VACANT POSITION FUNDS**

**"SECTION 7.37.(a)** Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, for the 2017-2019 fiscal biennium, the Department of Public Instruction shall neither (i) eliminate position number 60009676, Education Consultant III, nor (ii) reduce the funds in Fund Code 1300 by the sum of one hundred eleven thousand forty-two dollars (\$111,042) in each fiscal year to correspond with the elimination of that position.

**"SECTION 7.37.(b)** Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, for the 2017-2019 fiscal biennium, the Department of Public Instruction shall (i) eliminate position number 60009518, Social/Clinical Research Specialist, and reduce the funds in Fund Code 1300 by the sum of sixty-seven thousand six hundred forty-nine dollars (\$67,649) in each fiscal year to correspond with the elimination of that position and (ii) reduce the funds in Fund Code 1300 by the sum of forty-three thousand three hundred ninety-three dollars (\$43,393) in each fiscal year to decrease support for the operating costs of the Department."

**SECTION 2.9.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 8.26(n) of S.L. 2015-241, as amended by Section 7.3 of S.L. 2016-123, reads as rewritten:

**"SECTION 8.26.(n)** By July 1, 2018, the Department of Public Safety shall implement ~~an anonymous safety tip line application and~~ a statewide panic alarm system as required under G.S. 115C-105.51, as amended by subsection (d) of this section."

**SECTION 2.10.(a)** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 8.8B(d) of that act reads as rewritten:

**"SECTION 8.8B.(d)** ~~This section applies beginning with bonuses awarded in January 2018.~~ Subsections (a) and (b) of this section apply for bonuses awarded in January 2018, 2019, and 2020, based on data from the 2016-2017, 2017-2018, and 2018-2019 school years, respectively. Subsection (c) of this section applies only for bonuses awarded in January 2018, based on data from the 2016-2017 school year."

**SECTION 2.10.(b)** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 8.8C of that act reads as rewritten:

**"THIRD GRADE READ TO ACHIEVE TEACHER BONUS PROGRAM—FOR 2018-2019**

**"SECTION 8.8C.(a)** It is the intent of the State to reward teacher performance and encourage student learning and improvement. To attain this goal, the Department of Public Instruction shall administer the Third Grade Read to Achieve Teacher Bonus Program (program) ~~for the 2018-2019 fiscal year to~~ qualifying teachers who have an Education Value-Added Assessment System (EVAAS) student growth index score for third grade reading from the previous school year, as follows:

...

**"SECTION 8.8C.(c)** The State Board of Education shall study the effect of the bonuses awarded pursuant to this section and Section 9.7 of S.L. 2016-94, as amended by Section 8.8B of this act, on teacher performance and retention. The State Board shall report the results of its findings, the distribution of statewide bonuses as among local school administrative units, and the distribution of bonuses within local school administrative units as among individual schools to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the

Joint Legislative Education Oversight Committee, and the Fiscal Research Division by March 15, 2019.15 of each year.

"SECTION 8.8C.(d) This section applies for bonuses awarded in January 2019 and 2020, based on data from the 2017-2018 and 2018-2019 school years, respectively."

**SECTION 2.10A.** Section 8.8A(a) of S.L. 2017-57 reads as rewritten:

"SECTION 8.8A.(a) By October 31 of each year of the 2017-2019 fiscal biennium, the Department of Public Instruction shall administer a one-time, lump sum bonus in the amount of three hundred eighty-five dollars (\$385.00) to any teacher with at least 25 years of teaching experience who is employed as of October 1 of the year the bonus is awarded."

**SECTION 2.11.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 9.3(a) of that act reads as rewritten:

"SECTION 9.3.(a) The State Board of Community Colleges shall study the costs of workforce training and academic instruction delivered by the community colleges. The study shall assess, at minimum, the various factors that affect instructional costs in these courses, including specialized equipment requirements, requirements and faculty salaries, and space requirements, salaries."

**SECTION 2.12.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part IX of that act is amended by adding a new section to read:

**"FORSYTH TECHNICAL COMMUNITY COLLEGE TRANSPORTATION TECHNOLOGY CENTER FUNDS**

"SECTION 9.16. Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, of the funds appropriated to the Community Colleges System Office by this act for the 2017-2018 fiscal year, the System Office shall allocate the sum of five hundred twenty-six thousand one hundred nineteen dollars (\$526,119) for the 2017-2018 fiscal year to Forsyth Technical Community College to support instructional programs and services at the Transportation Technology Center."

**SECTION 2.13.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 10.8(c) of that act reads as rewritten:

"SECTION 10.8.(c) The University of North Carolina shall report to the Office of State Budget and Management and the Fiscal Research Division on the implementation of the management flexibility reduction in this section for the 2017-2018 fiscal year to the Office of State Budget and Management and the Fiscal Research Division no later than April 1, 2018, and shall report on the implementation of the management flexibility reduction in this section for the 2018-2019 fiscal year to the Office of State Budget and Management and the Fiscal Research Division no later than April 1, 2019.

The reports shall identify both of the following by campus:

- (1) The total number of positions eliminated by type (faculty/nonfaculty).
- (2) The low-performing, redundant, and low-enrollment programs that were eliminated."

**SECTION 2.14.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part X of that act is amended by adding a new section to read:

**"NORTH CAROLINA STATE UNIVERSITY COOPERATIVE EXTENSION**

"SECTION 10.29. Notwithstanding any other provision of this act or descriptive language to the contrary in the Committee Report described in Section 39.2 of this act, the revised net appropriation for North Carolina State University Cooperative Extension is thirty-nine million ninety-five thousand two hundred thirty-one dollars (\$39,095,231) for the 2017-2018 fiscal year and thirty-nine million one hundred ninety-five thousand two hundred thirty-one (\$39,195,231) dollars for the 2018-2019 fiscal year."

**SECTION 2.15.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 10A.1(a) of that act reads as rewritten:

"**SECTION 10A.1.(a)** Notwithstanding G.S. 115C-562.8, of the funds appropriated by this act for the Opportunity Scholarship Grant Fund Reserve for the 2017-2018 fiscal year, the State Education Assistance Authority (Authority) may use up to one million eight hundred thousand dollars (\$1,800,000) ~~in nonrecurring funds~~ for the 2017-2018 fiscal year to purchase software necessary to support the administration of the Opportunity Scholarship Grant Program and the Special Education Scholarships for Children with Disabilities Program. These funds may also be used for customization of the software, development of interfaces with other internal systems, conversion of data, and training for staff on the new software system."

**SECTION 2.16.(a)** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 27.6 of S.L. 2016-94, as amended by Section 10.23 of Senate Bill 257, 2017 Regular Session, reads as rewritten:

"**SECTION 27.6.** Of the funds appropriated in this act to the Office of State Budget and Management, Special Appropriations, up to the sum of four million dollars (\$4,000,000) in nonrecurring funds for the 2016-2017 fiscal year shall be allocated to the Board of Trustees of the University of North Carolina at Chapel Hill for ~~operation~~ the repair and renovation of certain laboratories of the Department of Applied Physical Sciences. Allocations made pursuant to this section shall be matched by the ~~Board of Trustees~~ University of North Carolina at Chapel Hill on the basis of one dollar (\$1.00) in allocated funds for every one dollar (\$1.00) in non-State funds ~~that the Board of Trustees raises by June 30, 2019, for the purposes of operating the Department of Applied Physical Sciences. These funds shall not revert but shall continue to be available as matching funds for the 2017-2019 fiscal biennium for the purposes of operating the Department of Applied Physical Sciences as provided by this section.~~ provided by the University of North Carolina at Chapel Hill by June 30, 2018, for the purposes of repairing and renovating certain laboratories of the Department of Applied Physical Sciences. These funds shall not revert but shall continue to be available as matching funds for the 2017-2018 fiscal year to be used for the purposes set out in this section."

**SECTION 2.16.(b)** This section becomes effective June 30, 2017.

**SECTION 2.17.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part X of that act is amended by adding a new section to read:

**"NCSU BIOMANUFACTURING TRAINING AND EDUCATIONAL CENTER**

"**SECTION 10.30.** Notwithstanding any other provision of this act or descriptive language to the contrary in the Committee Report described in Section 39.2 of this act, the additional nonrecurring funds appropriated in this act in the amount of five hundred thousand dollars (\$500,000) for the North Carolina State University Biomanufacturing Training and Education Center (BTEC) shall be used only to support training and education."

**SECTION 2.18.(a)** If Senate Bill 257, 2017 Regular Session, becomes law, then G.S. 115C-12(9)c1.3., as amended by Section 7.26(a) of that act, reads as rewritten:

"3. For high schools, measures of Advanced Placement course ~~participation~~ participation, Cambridge Advanced International Certificate of Education (AICE) Program participation, and International Baccalaureate Diploma Programme participation and Advanced Placement ~~Placement, Cambridge AICE,~~ and International Baccalaureate examination participation and performance."

**SECTION 2.18.(b)** This section applies beginning with the 2017-2018 school year.

**SECTION 2.19.** Section 7.3(h) of S.L. 2017-57 reads as rewritten:

"**SECTION 7.3.(h)** Counties Containing a Base of the Armed Forces. – Notwithstanding any other provision of this section, for the 2017-2019 fiscal biennium, ~~counties~~ a county containing a base of the Armed Forces of the United States that ~~have~~ has an average daily membership of more than 23,000 students shall receive whichever is the higher amount in each fiscal year as follows: either the same amount of supplemental funding the county received as

for a low-wealth county as received county in the 2012-2013 fiscal year or the amount of supplemental funding the county is eligible to receive as a low-wealth county pursuant to the formula for distribution of supplemental funding under the other provisions of this section."

### **PART III. HEALTH AND HUMAN SERVICES**

**SECTION 3.1.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part XI of that act is amended by adding a new section to read:

#### **"FUNDS FOR ALZHEIMER'S REGISTRY**

**"SECTION 11A.5A.** Notwithstanding any other provision of law or descriptive language to the contrary in the Committee Report described in Section 39.2 of this act, recurring funds appropriated in this act to the Department of Health and Human Services, Division of Central Management and Support, for each fiscal year of the 2017-2019 fiscal biennium to support the development of an Alzheimer's Registry shall be accomplished through the Bryan Alzheimer's Disease Research Center at Duke University Medical Center."

**SECTION 3.2.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 11A.8(d) of that act reads as rewritten:

**"SECTION 11A.8.(d)** The Office of Rural Health shall develop a standardized method for grant recipients to report objective, measurable quality health outcomes and shall require grant recipients to report these quality health outcomes to the Department. Beginning July 1, 2018, recipients of grant funds shall annually provide to the Office of Rural Health a written report detailing the number of patients that are cared for, the types of services that were provided, quality measures and outcomes, and any other information requested by the Office of Rural Health as necessary for evaluating the success of the Community Health Grant Program."

**SECTION 3.3.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part XI of that act is amended by adding a new section to read:

#### **"FUNDS FOR H.E.L.P. CENTER, INC.**

**"SECTION 11E.13A.** Notwithstanding any other provision of law or descriptive language to the contrary in the Committee Report described in Section 39.2 of this act, nonrecurring funds appropriated in this act to the Department of Health and Human Services, Division of Public Health, for the 2017-2018 fiscal year for allocation to the H.E.L.P. Center, Inc., may be used to support all nonsectarian services and all recipients of nonsectarian services provided by the H.E.L.P. Center, Inc."

**SECTION 3.4.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 11L.1 of that act is amended by adding a new subsection to read:

**"SECTION 11L.1.(ff)** Of the four hundred fifty-one thousand eight hundred nine dollars (\$451,809) allocated in this section in the Preventive Health Services Block Grant in each year of the 2017-2019 fiscal biennium to the Department of Health and Human Services, Division of Public Health, Oral Health Preventive Services, one hundred twenty thousand two hundred eighty-six dollars (\$120,286) shall be used to establish a Public Health Epidemiologist II position and a Dental Equipment Technician I position."

### **PART IV. AGRICULTURE AND NATURAL AND ECONOMIC RESOURCES**

**SECTION 4.1.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 13.13(d) of that act reads as rewritten:

**"SECTION 13.13.(d)** The North Carolina Policy Collaboratory, in consultation with the Economic Development Partnership of North Carolina, the Department of Commerce, and the Department of Natural and Cultural Resources, and any other stakeholders the Partnership deems relevant, including the North Carolina Tourism Advisory Board, the North Carolina Restaurant and Lodging Association, the North Carolina Shellfish Growers Association, and the North Carolina Fisheries Association, shall develop conceptual plans and recommendations for economic development related to promotion of the State's shellfish harvesting heritage. The

plans and recommendations shall include the creation of a North Carolina Oyster Trail and a North Carolina Oyster Festival. Plan development shall be congruent with the ongoing work of the North Carolina Policy Collaboratory and its stakeholder group as described in this section and shall include recommendations of locations, oversight, governmental support, cost, and timing of when such initiatives should be launched in the future, including, but not limited to, achieving production and acreage benchmarks, in addition to any other information deemed relevant for inclusion. The Collaboratory's recommendations shall be provided no later than ~~March 1, 2018;~~December 31, 2018, to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, the chairs of the House of Representatives Appropriations Committee on Agriculture and Natural and Economic Resources, the chairs of the Senate Appropriations Committee on Agriculture, Natural, and Economic Resources, and the Fiscal Research Division. This study, as it may be subsequently amended after submission, shall be included as an appendix to the Shellfish Mariculture Plan required by subsection (b) of this section."

**SECTION 4.2.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 13.22(a) of that act reads as rewritten:

**"SECTION 13.22.(a)** The following allocations are made from ~~nonrecurring~~ funds appropriated by this act to the Division of Water Infrastructure of the Department of Environmental Quality for water and sewer infrastructure grants:

...."

**SECTION 4.3.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 14.19 of that act reads as rewritten:

**"SCOTTS HILL AQUARIUM SATELLITE FACILITY**

**"SECTION 14.19.** ~~Of the~~The funds appropriated by this act to the Division of North Carolina Aquariums in the North Carolina Department of Natural and Cultural Resources, ~~the sum of three hundred thousand dollars (\$300,000) in nonrecurring funds for the 2017-2018 fiscal year is allocated~~Resources for a satellite aquarium facility shall be used for planning of the Blake Farms satellite aquarium area in Scotts Hill, North Carolina, and the Division is authorized to expend funds for this purpose."

**SECTION 4.4.(a)** If Senate Bill 257, 2017 Regular Session, becomes law, then Part XIII of that act is amended by adding a new section to read:

**"COASTAL RECREATIONAL FISHING LICENSES POSITIONS**

**"SECTION 13.28.** Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, the Division of Marine Fisheries positions authorized in this act and supported by receipts from the sales of Coastal Recreational Fishing Licenses are authorized in the Marine Resources Fund (Fund Code 24323-2143)."

**SECTION 4.4.(b)** If Senate Bill 257, 2017 Regular Session, becomes law, then Part XIII of that act is amended by adding a new section to read:

**"ENERGY CENTERS**

**"SECTION 13.29.** Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, the funds appropriated by this act to the Department of Environmental Quality for university energy centers shall be divided evenly between North Carolina A&T University, Appalachian State University, and North Carolina State University."

**SECTION 4.4.(c)** If Senate Bill 257, 2017 Regular Session, becomes law, then Part XIV of that act is amended by adding a new section to read:

**"LOCAL HISTORY MUSEUM FUNDING**

**"SECTION 14.20.** Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, (i) the revised net appropriation for grants-in-aid to local history museums within Fund Code 14800-1500 is one



hundred sixty thousand dollars (\$160,000) and (ii) the funds appropriated by this act for a grant-in-aid for the Oxford Museum of History shall instead be provided to the Granville County Historical Society, Incorporated."

**SECTION 4.5.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part XIV of that act is amended by adding a new section to read:

**"ART MUSEUM POSITIONS**

**"SECTION 14.21.** Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, the funds provided in this act for the North Carolina Museum of Art may be used to establish up to 25 positions."

**SECTION 4.6.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part XIV of that act is amended by adding a new section to read:

**"LOCAL LIBRARY GRANTS-IN-AID**

**"SECTION 14.22.** Notwithstanding any other provision of law or a provision of the Committee Report described in Section 39.2 of this act to the contrary, (i) the funds appropriated by this act for grants-in-aid for local libraries is reduced by one hundred thousand dollars (\$100,000) in nonrecurring funds for the 2017-2018 fiscal year and no funds shall be provided to Caldwell County for a bookmobile and (ii) the funds appropriated by this act for grants-in-aid for the Aberdeen Library shall be provided to the Friends of the Aberdeen Library and not to the Town of Aberdeen."

**SECTION 4.7.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 15.5(b)(1) of that act is repealed.

**SECTION 4.8.(a)** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 15.8(a) of that act reads as rewritten:

**"SECTION 15.8.(a)** Of the funds appropriated in this act to the Rural Economic Development Division of the Department of Commerce, the sum of five million ~~seven-eight~~ hundred seventy-five thousand dollars (~~\$5,775,000~~)(~~\$5,875,000~~) in nonrecurring funds for the 2017-2018 fiscal year shall be used to provide grants-in-aid for downtown revitalization projects for each of the following counties and municipalities in the following amounts:

- ...
- (15) Thirty-three thousand three hundred thirty-four dollars (\$33,334) each to the Town of ~~Littleton~~ Littleton, the Town of Summerfield, and the Town of Weldon.
  - (16) Thirty-three thousand three hundred thirty-three dollars (\$33,333) each to the Town of Stokesdale, the Town of Oak Ridge, the Town of Enfield, the Town of Garysburg, the Township of Seaboard, and the Town of Woodland.
- ...."

**SECTION 4.8.(b)** If Senate Bill 257, 2017 Regular Session, becomes law, then notwithstanding any provision in that act, or in the Committee Report described in Section 39.2 of that act to the contrary, the appropriation for downtown revitalization grants within the Rural Economic Development Division of the Department of Commerce (Fund Code 14600-1534) is increased by one hundred thousand dollars (\$100,000) in nonrecurring funds. The revised net appropriation for downtown revitalization grants is eight million six hundred thirty thousand dollars (\$8,630,000).

**SECTION 4.9.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 15.18(a) of that act reads as rewritten:

**"SECTION 15.18.(a)** The North Carolina Industrial Commission (Commission) may carry forward up to two hundred fifty thousand dollars (\$250,000) ~~of State funds previously appropriated~~ appropriated, encumbered, or designated in the 2015-2016 fiscal year for legal services. Any funds remaining after completion of the legal services for which the funds were appropriated shall be retained by the Commission."

**SECTION 4.10.(a)** If Senate Bill 257, 2017 Regular Session, becomes law, then, notwithstanding any provision of law in that act or in the Committee Report described in Section 39.2 of that act to the contrary, the appropriation to the Department of Commerce for State Aid to Non-State Entities in Fund Code 14601-1913 is increased by two hundred thousand dollars (\$200,000) in nonrecurring funds for the 2017-2018 fiscal year to be provided as a grant-in-aid to Cleveland County ALWS Baseball, Inc., the nonprofit organization responsible for hosting the 2017 American Legion Baseball World Series, for the expansion of the facility and marketing and national promotion for the home site in Shelby, North Carolina. The revised net appropriation for State Aid to Non-State Entities (Fund Code 14601-1913) is twenty million three hundred thousand eight hundred ten dollars (\$20,300,810) for the 2017-2018 fiscal year.

**SECTION 4.10.(b)** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 15A.2(c) of that act reads as rewritten:

**"SECTION 15A.2.(c)** The following entities shall comply with the requirements of subsection (a) of this section:

(1) North Carolina Biotechnology Center.

...

(16) Cleveland County ALWS Baseball, Inc."

**SECTION 4.11.** If Senate Bill 257, 2017 Regular Session, becomes law, then G.S. 143-215.73F(c)(4) reads as rewritten:

"(4) The cost-share for the dredging of the access canal around the Roanoke Island Festival Park ~~may~~shall be paid from the Historic Roanoke Island Fund established by G.S. 143B-131.8A."

**SECTION 4.12.** If Senate Bill 257, 2017 Regular Session, becomes law, then G.S. 143B-135.234(a) reads as rewritten:

"(a) Fund Established. – The Clean Water Management Trust Fund is established as a special revenue fund to be administered by the Department of ~~Environmental Quality~~Natural and Cultural Resources. The Fund receives revenue from the following sources and may receive revenue from other sources:

...."

## **PART V. JUSTICE AND PUBLIC SAFETY**

**SECTION 5.1.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 16B.10(e) of that act reads as rewritten:

**"SECTION 16B.10.(e)** Notwithstanding any other provision of law, there shall be no transfer of positions to or from the State Capitol Police Section (Budget Code 14550, fund code 1402) and no ~~changes~~reduction to the total authorized budget of the State Capitol Police Section, as it existed on March 1, 2017, prior to the transfer of the State Capitol Police from the State Highway Patrol to the Department of Public Safety. This subsection shall not apply to transfers of positions or changes to the total authorized budget of the State Capitol Police that are expressly required by the Committee Report described in Section 39.2 of this act."

**SECTION 5.2.** If Senate Bill 257, 2017 Regular Session, becomes law, then Subpart XVI-B of that act is amended by adding a new section to read:

### **"OPERATION MEDICINE DROP**

**"SECTION 16B.12.** Of the funds appropriated in this act to the State Bureau of Investigation (SBI) in fiscal year 2017-2018, including funds appropriated for Alcohol Law Enforcement, the SBI may use up to one hundred twenty-five thousand dollars (\$125,000) for Operation Medicine Drop."

**SECTION 5.3.** If Senate Bill 257, 2017 Regular Session, becomes law, then G.S. 7B-2200.5(a)(1), as enacted by Section 16D.4(e) of that act, reads as rewritten:

"(1) Notice to the juvenile and a finding by the court that a bill of indictment has been returned against the juvenile charging the commission of an offense that constitutes a Class A, B1, B2, C, D, E, F, or G felony if committed by an adult."

**SECTION 5.4.** If Senate Bill 257, 2017 Regular Session, becomes law, then subsection (jj) of Section 16D.4 of that act reads as rewritten:

**"SECTION 16D.4.(jj)** Subsection (ff) of this section is effective when it becomes law. ~~The remainder of this Part becomes~~Subsections (ee), (gg), (hh), and (ii) of this section become effective December 1, 2019, and apply to offenses committed on or after that date."

**SECTION 5.4A.(a)** If Senate Bill 257, 2017 Regular Session, becomes law, then G.S. 7A-305(a5)(3) reads as rewritten:

"(3) For support of the General Court of Justice, the sum of one hundred eighty dollars (\$180.00) in the superior court, except that if a case is assigned to a special superior court judge as a complex business case under G.S. 7A-45.3, filing fees shall be collected and disbursed in accordance with subsection (a) of this section, and the sum of one hundred thirty dollars (\$130.00) in the district court, except that if the case is assigned to a magistrate, the sum shall be eighty dollars (\$80.00). Sums collected under this subdivision shall be remitted to the State Treasurer. The State Treasurer shall remit the sum of ~~one dollar and fifty cents (\$1.50) of each fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.4 and~~ ninety-five cents (\$.95) of each fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.19."

**SECTION 5.4A.(b)** If Senate Bill 257, 2017 Regular Session, becomes law, then G.S. 7A-306(a)(2) reads as rewritten:

"(2) For support of the General Court of Justice the sum of one hundred six dollars (\$106.00). In addition, in proceedings involving land, except boundary disputes, if the fair market value of the land involved is over one hundred dollars (\$100.00), there shall be an additional sum of thirty cents (30¢) per one hundred dollars (\$100.00) of value, or major fraction thereof, not to exceed a maximum additional sum of two hundred dollars (\$200.00). Fair market value is determined by the sale price if there is a sale, the appraiser's valuation if there is no sale, or the appraised value from the property tax records if there is neither a sale nor an appraiser's valuation. Sums collected under this subdivision shall be remitted to the State Treasurer. ~~The State Treasurer shall remit the sum of one dollar and fifty cents (\$1.50) of each one hundred six dollar (\$106.00) General Court of Justice fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.4.~~"

**SECTION 5.4A.(c)** If Senate Bill 257, 2017 Regular Session, becomes law, then G.S. 7A-307(a)(2) reads as rewritten:

"(2) For support of the General Court of Justice, the sum of one hundred six dollars (\$106.00), plus an additional forty cents (40¢) per one hundred dollars (\$100.00), or major fraction thereof, of the gross estate, not to exceed six thousand dollars (\$6,000). Gross estate shall include the fair market value of all personalty when received, and all proceeds from the sale of realty coming into the hands of the fiduciary, but shall not include the value of realty. In collections of personal property by affidavit, the fee based on the gross estate shall be computed from the information in the final affidavit of collection made pursuant to G.S. 28A-25-3 and shall be paid when that

affidavit is filed. In all other cases, this fee shall be computed from the information reported in the inventory and shall be paid when the inventory is filed with the clerk. If additional gross estate, including income, comes into the hands of the fiduciary after the filing of the inventory, the fee for such additional value shall be assessed and paid upon the filing of any account or report disclosing such additional value. For each filing the minimum fee shall be fifteen dollars (\$15.00). Sums collected under this subdivision shall be remitted to the State Treasurer. ~~The State Treasurer shall remit the sum of one dollar and fifty cents (\$1.50) of each one hundred six dollar (\$106.00) General Court of Justice fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.~~"

**SECTION 5.4A.(d)** This section is effective when it becomes law.

**SECTION 5.5.** Section 18B.9.(d) of S.L. 2017-57 reads as rewritten:

**"SECTION 18B.9.(d)** In order to implement the changes in subsection (c) of this section, the following shall apply:

- (1) ~~The district court judgeships~~judgeship with a term expiring December 31, 2020, currently serving District 9A shall be allocated to Judicial Districts District 9 and the judgeship with a term expiring December 31, 2018, currently serving District 9A shall be allocated to Judicial District 17A of the General Court of Justice effective January 1, 2019.
- (2) ~~Any~~A vacancy occurring in ~~at~~the district court judgeship with a term expiring December 31, 2018 currently serving District 9A before January 1, 2019, shall be filled by appointment for a term to end December 31, 2018. A vacancy occurring in the district court judgeship with a term expiring December 31, 2020, currently serving District 9A before January 1, 2019, shall be filled by appointment for a term to end December 31, 2020."

**SECTION 5.6.(a)** G.S. 7A-60(a1), as amended by Section 18B.9(e) of S.L. 2017-57, reads as rewritten:

"(a1) The counties of the State are organized into prosecutorial districts, and each district has the counties and the number of full-time assistant district attorneys set forth in the following table:

Prosecutorial District	Counties	No. of Full-Time Asst. District Attorneys
1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	11
2	Beaufort, Hyde, Martin, Tyrrell, Washington	8
3	Pitt	12
4	Carteret, Craven, Pamlico	13
5	Duplin, Jones, Onslow, Sampson	19
6	New Hanover, Pender	19
7	Bertie, Halifax, Hertford, Northampton	11
8	Edgecombe, Nash, Wilson	19
9	Greene, Lenoir, Wayne	14
10	Franklin, Granville, <u>Person</u> Vance, Warren	<del>10</del> <u>13</u>
9A	<del>Person, Caswell</del>	6

11	Wake	42
12	Harnett, Lee	11
13	Johnston	10
14	Cumberland	25
15	Bladen, Brunswick, Columbus	14
16	Durham	18
17	Alamance	12
18	Orange, Chatham	10
19	Scotland, Hoke	7
20	Robeson	12
21	Anson, Richmond	6
22	<u>Caswell</u> , Rockingham	<del>7</del> 10
23	Stokes, Surry	8
24	Guilford	34
25	Cabarrus	9
26	Montgomery, Randolph	10
27	Rowan	9
28	Moore	5
29	Stanly	5
30	Union	11
31	Forsyth	27
32	Alexander, Iredell	12
33	Davidson, Davie	12
34	Alleghany, Ashe, Wilkes, Yadkin	9
35	Avery, Madison, Mitchell, Watauga, Yancey	8
36	Burke, Caldwell, Catawba	19
37	Mecklenburg	58
38	Gaston	15
39	Cleveland, Lincoln	12
40	Buncombe	14
41	McDowell, Rutherford	8
42	Henderson, Polk, Transylvania	9
43	Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain."	12

**SECTION 5.6.(b)** The office and term of the district attorney for Prosecutorial District 9A formerly consisting of Person and Caswell Counties is terminated upon the expiration of the current term, December 31, 2018. Effective January 1, 2019, District 9A is eliminated. All open investigations and pending cases for Prosecutorial District 9A formerly consisting of Person and Caswell Counties shall be transferred to either District 10 or District 22. Person County is added to District 10 and the number of ADAs in that district is increased by three. Caswell County is added to District 22 and the number of ADAs in that district is increased by three.

**SECTION 5.6.(c)** Section 18B.9(h) of S.L. 2017-57 is repealed.

**SECTION 5.6.(d)** This section is effective January 1, 2019, and elections conducted in 2018 shall be conducted in accordance with the districts as modified by this section.

**SECTION 5.7.** Subpart XVIII-B of S.L. 2017-57 is amended by adding a new section to read:

## **"COUNCIL OF STATE SPECIAL PROSECUTOR PILOT PROJECT**

**"SECTION 18B.13.(a)** Pilot Project. – The Administrative Office of the Courts, in consultation with the Conference of District Attorneys, may appoint up to two special prosecutors per Council of State member at the member's request to aid local district attorneys' offices in prosecuting cases arising under Article 15 of Chapter 14 of the North Carolina General Statutes, violations of Chapter 58 of the North Carolina General Statutes, and violations of Chapter 14 of the North Carolina General Statutes as they relate to insurance fraud. Attorneys appointed as special prosecutors under this program shall be agency attorneys currently employed in the department of the requesting Council of State member and shall have a physical office in the local district attorney's office throughout the duration of the special appointment. Special prosecutors shall report to the Director of the Administrative Office of the Courts or the director's designee on all cases related to the special appointment. Nothing in this section shall be construed to authorize the hiring of additional personnel or outside counsel.

**"SECTION 18B.13.(b)** The Administrative Office of the Courts, in conjunction with the agencies that utilize the pilot program set out in subsection (a), shall report to the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety by April 1, 2018. The report shall include the results of the pilot program and recommendations on whether the program should be extended.

**"SECTION 18B.13.(c)** This section expires June 30, 2019, and all pending cases shall remain within the local district attorney's office for prosecution by attorneys employed by that office."

**SECTION 5.8.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 17.4(g) of Senate Bill 257 reads as rewritten:

**"SECTION 17.4.(g)** This section ~~is effective when it becomes law~~. becomes effective January 1, 2018."

## **PART VI. GENERAL GOVERNMENT**

**SECTION 6.1.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part XIX of that act is amended by adding a new section to read:

### **"NO CLOSURE OF VETERANS CEMETERIES**

**"SECTION 19.3.(a)** The Office of State Budget and Management shall realign the base budget for Budget Code 23050 for the 2017-2019 fiscal biennium to include five FTE positions, increase receipts, and include any other necessary operational costs for the Eastern Carolina State Veterans Cemetery in Goldsboro.

**"SECTION 19.3.(b)** The Department of Military and Veterans Affairs (DMVA) shall not close any of the State's veterans cemeteries. The DMVA shall continue to operate the State's veterans cemeteries and maintain the current level of operations using any or all of the following financial supports: (i) receipts generated by any of the State owned veterans cemeteries, (ii) carryforward funding, and (iii) reserve account fund balances under the purview of DMVA."

**SECTION 6.2.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 22.2 of that act reads as rewritten:

**"SECTION 22.2.** Section 7 of S.L. 2009-474, as amended by Section 20.3 of S.L. 2012-142, ~~is and~~ Section 8 of S.L. 2009-474 are repealed."

**SECTION 6.3.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part XXVI of that act is amended by adding a new section to read:

### **"FIRE AND RESCUE GRANTS-IN-AID**

**"SECTION 26.8.(a)** Notwithstanding any other provision of this act or the provisions of the Committee Report described in Section 39.2 of this act to the contrary, of the funds appropriated in this act to the Office of State Budget and Management, Special Appropriations, the sum of one hundred thousand dollars (\$100,000) in nonrecurring funds for the 2017-2018

fiscal year shall be allocated to Caldwell County for EMS services. These funds are in addition to grant-in-aid funds appropriated to the Office of State Budget and Management, Special Appropriations, and shown in the Committee Report described in Section 39.2 of this act, to be allocated to Caldwell County for EMS services for the 2017-2018 fiscal year.

"SECTION 26.8.(b) Notwithstanding any other provision of this act or the provisions of the Committee Report described in Section 39.2 of this act to the contrary, the revised net appropriation for fire and rescue grants-in-aid is six hundred forty-five thousand dollars (\$645,000) in nonrecurring funds for the 2017-2018 fiscal year."

**SECTION 6.4.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part XXVI of that act is amended by adding a new section to read:

**"INDIAN AFFAIRS COMMISSION**

"SECTION 26.9. Notwithstanding any other provision of this act or the provisions of the Committee Report described in Section 39.2 of this act to the contrary, of the funds appropriated in this act to the Department of Administration Budget Code 14100, the sum of two hundred fifty thousand dollars (\$250,000) in nonrecurring funds for the 2017-2018 fiscal year shall be allocated to the Indian Affairs Commission (Fund Code 1861) for operational support. These funds shall be used to expedite the recognition review process of North Carolina tribes and commissions. The revised net appropriation for the Indian Affairs Commission is six hundred eighty-two thousand three hundred thirty-six dollars (\$682,336) for the 2017-2018 fiscal year."

**SECTION 6.5.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part XXXI of that act is amended by adding a new section to read:

**"REDUCTION FOR OSBM SPECIAL APPROPRIATIONS**

"SECTION 31.5. Notwithstanding any other provision of this act or the Committee Report described in Section 39.2 of this act to the contrary, the funds appropriated in this act to the Office of State Budget and Management, Special Appropriations, for the dinosaur project at the North Carolina Museum of Natural Sciences to improve the visitor experience are reduced by one million two hundred twenty-six thousand one hundred nineteen dollars (\$1,226,119) in nonrecurring funds for the 2017-2018 fiscal year. The revised net appropriation for this project is two hundred seventy-three thousand eight hundred eighty-one dollars (\$273,881) in nonrecurring funds for the 2017-2018 fiscal year only."

**SECTION 6.6.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part XXXI of that act is amended by adding a new section to read:

**"JOSEPH MONTFORT AMPHITHEATRE REDEVELOPMENT**

"SECTION 31.6. Notwithstanding any other provision of this act or the Committee Report described in Section 39.2 of this act to the contrary, of the funds appropriated to the Office of State Budget and Management, Special Appropriations, the sum of one hundred fifty thousand dollars (\$150,000) in nonrecurring funds for the 2017-2018 fiscal year shall be allocated to Halifax County for the redevelopment of the Joseph Montfort Amphitheatre for the First for Freedom Outdoor Drama. The revised net appropriation for this project is one hundred fifty thousand dollars (\$150,000) for the 2017-2018 fiscal year only."

**SECTION 6.7.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part XXXI of that act is amended by adding a new section to read:

**"NORTH CAROLINA CIVIL WAR HISTORY CENTER**

"SECTION 31.7. Notwithstanding any other provision of this act or of the Committee Report described in Section 39.2 of this act to the contrary, of the funds appropriated to the Office of State Budget and Management, Special Appropriations, the sum of two million five hundred thousand dollars (\$2,500,000) in nonrecurring funds for the 2017-2018 fiscal year shall be allocated to the North Carolina Civil War History Center (Center). Of the funds appropriated to the Office of State Budget and Management, Special Appropriations, an additional sum of up to two million five hundred thousand dollars (\$2,500,000) in nonrecurring

funds for the 2017-2018 fiscal year shall be allocated to the Center as a matching grant. Upon verification of the collection of two million five hundred thousand dollars (\$2,500,000) in private donations by the Center, the Office of State Budget and Management shall provide one dollar for every private dollar provided in kind or otherwise, up to a maximum of the two million five hundred thousand dollars (\$2,500,000) for the matching grant described in this section."

**SECTION 6.8.(a)** In the 2017 elections, the Executive Director of the Bipartisan State Board of Elections and Ethics Enforcement shall have the authority to reduce the canvass period by whatever amount of time the Executive Director believes is necessary in order to ensure orderly elections on the election schedule otherwise required by law. If the Executive Director shortens the canvass period, the Executive Director shall provide at least two weeks' notice of the new canvass period to the county boards and to the public.

**SECTION 6.8.(b)** This provision is effective when it becomes law and expires November 7, 2017.

## **PART VII. TRANSPORTATION**

**SECTION 7.1.** If Senate Bill 257, 2017 Regular Session, becomes law, then G.S. 136-76.2(c), as enacted by Section 34.10 of that act, reads as rewritten:

"(c) Outsourcing. – ~~All~~Except for the following activities, all projects funded under the bridge program established under subsection (a) of this section, ~~with the exception of inspection, pre-engineering, contract preparation, contract administration and oversight, and planning activities,~~section shall be outsourced to private contractors.

- (1) Inspection.
- (2) Pre-engineering.
- (3) Contract preparation.
- (4) Contract administration and oversight.
- (5) Planning activities.
- (6) Installation of culverts described in subsection (b) of this section, but only in cases of emergency."

**SECTION 7.2.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 34.26(a) of that act reads as rewritten:

**"SECTION 34.26.(a)** Strategic Plan; Report. – By ~~January~~March 1, 2018, the Global TransPark Authority shall establish and implement a strategic plan for the Global TransPark. The Global TransPark Authority may use a portion of funds appropriated to it in this act to establish and implement the strategic plan required under this subsection. The Global TransPark Authority shall submit a report to the Joint Legislative Transportation Oversight Committee by ~~January~~March 15, 2018, detailing the strategic report established and implemented as required by this subsection."

**SECTION 7.3.(a)** If Senate Bill 257, 2017 Regular Session, becomes law, then G.S. 20-4.03(a), as enacted by Section 34.32 of that act, reads as rewritten:

"(a) Authorization. – The Division is authorized to charge a fee to ~~individuals~~any person who ~~request~~requests an administrative hearing before the Division in accordance with this Chapter."

**SECTION 7.3.(b)** This section becomes effective January 1, 2018.

**SECTION 7.4.** If Senate Bill 257, 2017 Regular Session, becomes law, then Part XXXIV of that act is amended by adding a new section to read:

### **"FAIR BLUFF AND TABOR CITY VISITOR CENTERS**

**"SECTION 34.44.(a)** Upon the reopening and operation of the visitor center in the Town of Fair Bluff, the Department of Transportation shall continue to provide funding under G.S. 20-79.7(c)(2) for the operation of the visitor center.



"SECTION 34.44.(b) The Department of Transportation shall continue to provide funding under G.S. 20-79.7(c)(2) for the operation of a visitor center in the Town of Tabor City so long as the visitor center remains open and operational."

**SECTION 7.5.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 34.6A(h) of that act reads as rewritten:

**"SECTION 34.6A.(h)** Subsections (a) and (b) of this section become effective ~~October~~August 1, 2017, and apply to school openings, relocations, and expansions on or after that date. The remainder of this section is effective when it becomes law."

## **PART VIII. SALARIES AND BENEFITS**

**SECTION 8.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 35.21 of that act reads as rewritten:

**"STUDY STATE EMPLOYEE ~~TOTAL-COMPENSATION AND BENEFITS~~/REDUCE LONG-TERM UNFUNDED HEALTH CARE POTENTIAL LIABILITIES**

**"SECTION 35.21.(a)** The State Employee ~~Total-Compensation and Benefits~~ Committee (Committee) is established to study the ~~total-compensation and benefits~~ of State employees. ~~Total compensation includes cash compensation and~~Benefits include the value of health care, retirement, leave, and other flexible benefits. The Committee shall do the following:

- (1) Assess the strength of the ~~total-compensation and benefits~~ of State employees with regards to recruitment and retention of State employees, including a specific evaluation of the retirement benefits available under the Teachers' and State Employees' Retirement System.
- (2) Compare the ~~total compensation and benefits~~ of State employees with the ~~total-compensation and benefits~~ provided to other states' employees, as well as large North Carolina employers that may recruit employees with similar skills.
- (3) Evaluate the current financial condition and the sustainability of the State pension system.
- (4) By February 1, 2019, submit a report to the General Assembly containing the information considered under subdivisions (1) through (3) of this subsection and any findings and recommendations, including any suggested legislation, to the General Assembly.

...."

## **PART IX. CAPITAL**

**SECTION 9.1.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 36.5(e) of that act reads as rewritten:

**"SECTION 36.5.(e)** Notwithstanding G.S. 143C-4-3, of the funds allocated from the Reserve for Repairs and Renovations for the 2017-2018 fiscal year, the following sums shall be allocated for the following projects:

- ...
- (8) ~~Seven~~Notwithstanding G.S. 143C-3-3, for the 2017-2018 fiscal year only, seven hundred fifty thousand dollars (\$750,000) shall be allocated ~~for to~~create a plan for the energy production facility replacement project at Western Carolina University."

**SECTION 9.2.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 36.10 of that act reads as rewritten:

**"SECTION 36.10.** ~~If House Bill 280 of the 2017 Regular Session becomes law, the~~The Department of Public Safety shall accommodate any new requirements resulting from ~~its-the~~the enactment of Section 16D.4 of this act by maximizing the use of existing facilities. The

Department shall demonstrate that the use of existing facilities has been maximized prior to requesting funding for additional facilities."

**SECTION 9.3.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 37.9 of S.L. 2016-94 reads as rewritten:

**"SECTION 37.9.** The General Assembly authorizes the construction of the business school at the University of North Carolina at Pembroke to be funded in accordance with the following:

- (1) The sum of twenty-three million dollars (\$23,000,000) of the proceeds of bonds issued for the business school pursuant to Section 1(f) of S.L. 2015-280 shall be used for this project.
- (2) Up to the sum of thirteen million dollars (\$13,000,000) of funds from receipts or from other non-General Fund sources available to the University of North Carolina at Pembroke raised or made available by the University prior to December 31, ~~2017,2018,~~ may be used for this project."

**SECTION 9.4.** If Senate Bill 257, 2017 Regular Session, becomes law, then notwithstanding any provision in that act or in the Committee Report described in Section 39.2 of that act to the contrary, the funds appropriated to the Department of Public Safety for the Stonewall Jackson Youth Development Center fence shall be used to construct fencing around the dilapidated buildings at the facility.

**SECTION 9.5.** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 36.2 of that act reads as rewritten:

**"SECTION 36.2.(a)** There is appropriated from the General Fund for the 2017-2019 fiscal biennium the following amounts for capital improvements:

<b>Capital Improvements – General Fund</b>	<b>2017-2018</b>	<b>2018-2019</b>
...		
Department of Natural and Cultural Resources		
Fort Fisher Museum and Visitor Center	5,000,000	–
<del>Fayetteville Civil War Museum project</del>	<del>5,000,000</del>	<del>–</del>
...		
<b>TOTAL CAPITAL IMPROVEMENTS –</b>		
<b>GENERAL FUND</b>	<del>\$54,708,000</del> <b>\$49,708,000</b>	<b>\$1,917,993</b>

~~"SECTION 36.2.(c) Of the five million dollars (\$5,000,000) appropriated in subsection (a) of this section to the Department of Natural and Cultural Resources for the Fayetteville Civil War Museum project, the sum of two million five hundred thousand dollars (\$2,500,000) in nonrecurring funds for the 2017-2018 fiscal year shall be used to provide a matching grant for the Fayetteville Civil War Museum project. Upon verification of the collection of two million five hundred thousand dollars (\$2,500,000) in private donations toward the project, the Office of State Budget and Management shall provide one dollar for every private dollar provided in kind or otherwise, up to a maximum of two million five hundred thousand dollars (\$2,500,000) for the matching grant described in this subsection.~~

...."

**PART X. INFORMATION TECHNOLOGY**

**SECTION 10.(a)** If Senate Bill 257, 2017 Regular Session, becomes law, then Section 37.12 of that act is repealed.

**SECTION 10.(b)** This section is effective when it becomes law.

**PART XI. EFFECTIVE DATE**

**SECTION 11.** Except as otherwise provided, this act becomes effective July 1,  
2017.  
In the General Assembly read three times and ratified this the 30<sup>th</sup> day of June,  
2017.

s/ Philip E. Berger  
President Pro Tempore of the Senate

s/ Tim Moore  
Speaker of the House of Representatives

This bill having been presented to the Governor for signature on the 30<sup>th</sup> day of June, 2017 and the Governor having failed to approve it within the time prescribed by law, the same is hereby declared to have become a law. This 31<sup>st</sup> day of July, 2017.

s/ Karen Jenkins  
Enrolling Clerk