

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 228  
Committee Substitute Favorable 6/28/95

Short Title: Continue Expiring Provisions.

(Public)

Sponsors:

Referred to:

February 20, 1995

A BILL TO BE ENTITLED  
AN ACT TO APPROPRIATE FEDERAL BLOCK GRANT FUNDS AND TO  
EXTEND CERTAIN EXPIRING PROVISIONS.

The General Assembly of North Carolina enacts:

**DHR BLOCK GRANT PROVISIONS**

Section 1. (a) Appropriations from federal block grant funds are made for the  
fiscal year ending June 30, 1996, according to the following schedule:

COMMUNITY SERVICES BLOCK GRANT

01. Community Action Agencies \$ 9,198,794

02. Limited Purpose Agencies 511,044

03. Department of Human Resources  
to administer and monitor  
the activities of the  
Community Services Block Grant 511,044

TOTAL COMMUNITY SERVICES BLOCK GRANT \$ 10,220,882

1  
2 SOCIAL SERVICES BLOCK GRANT

- 3
- 4 01. County Departments of Social Services \$ 36,864,132
- 5
- 6 02. Allocation for In-Home Services provided  
7 by County Departments of  
8 Social Services 2,101,113
- 9
- 10 03. Division of Mental Health, Developmental  
11 Disabilities, and Substance Abuse Services 5,524,186
- 12
- 13 04. Division of Services for the Blind 3,205,711
- 14
- 15 05. Division of Youth Services 1,052,674
- 16
- 17 06. Division of Facility Services 343,341
- 18
- 19 07. Division of Aging 336,157
- 20
- 21 08. Day Care Services 16,194,900
- 22
- 23 09. Office of Citizen Affairs 55,458
- 24
- 25 10. State Administration and State Level  
26 Contracts 3,473,524
- 27
- 28 11. Voluntary Sterilization Funds 98,710
- 29
- 30 12. Transfer to Maternal and Child  
31 Health Block Grant 1,585,833
- 32
- 33 13. Adult Day Care Services 599,551
- 34
- 35 14. County Departments of Social Services for  
36 Child Abuse/Prevention and  
37 Permanency Planning 394,841
- 38
- 39 15. Allocation to Division of Maternal and  
40 Child Health for Grants-in-Aid to Prevention  
41 Programs 439,261
- 42
- 43 16. Transfer to Preventive Health

1	Block Grant for Emergency Medical Services		
2	and Basic Public Health Services	633,128	
3			
4	17. Allocation to Preventive Health Block		
5	Grant for AIDS Education	81,001	
6			
7	18. Allocation to Department of Administration		
8	for North Carolina Fund for Children	45,270	
9			
10	19. Allocation to Home and Community Care		
11	Block Grant for Persons Age 60		
12	and Older	1,649,077	
13			
14	20. Allocation to the Office of Economic		
15	Opportunity for Elderly and		
16	Handicapped Services	49,954	
17			
18	21. Division of Services for the Deaf		
19	and the Hard of Hearing	31,611	
20			
21	22. Division of Child Development for		
22	Head Start	147,467	
23			
24	<b>TOTAL SOCIAL SERVICES BLOCK GRANT</b>		<b>\$ 74,906,900</b>
25			
26	<b>LOW INCOME ENERGY BLOCK GRANT</b>		
27			
28	01. Energy Assistance Programs	\$ 13,727,365	
29			
30	02. Crisis Intervention	4,924,615	
31			
32	03. Administration	1,834,677	
33			
34	04. Weatherization Program	3,621,041	
35			
36	05. Indian Affairs	33,022	
37			
38	<b>TOTAL LOW INCOME ENERGY BLOCK GRANT</b>		<b>\$ 24,140,270</b>
39			
40	<b>MENTAL HEALTH SERVICES BLOCK GRANT</b>		
41			
42	01. Provision of Community-Based		
43	Services in accordance with the		

1	Mental Health Study Commission's	
2	Adult Severe and Persistently	
3	Mentally Ill Plan \$ 3,794,179	
4		
5	02. Provision of Community-Based	
6	Services in accordance with the	
7	Mental Health Study Commission's	
8	Child Mental Health Plan	1,802,819
9		
10	03. Administration	572,897
11		
12	<b>TOTAL MENTAL HEALTH SERVICES BLOCK GRANT</b>	<b>\$ 6,169,895</b>

**BLOCK GRANT FOR THE PREVENTION AND TREATMENT OF SUBSTANCE ABUSE**

17	01. Provision of Community-Based	
18	Alcohol and Drug Abuse Services,	
19	Tuberculosis Services, and Services	
20	provided by the Alcohol, Drug Abuse	
21	Treatment Centers	\$ 10,935,939
22		
23	02. Continuation and Expansion of	
24	Services for Pregnant Women and	
25	Women with Dependent Children	5,057,281
26		
27	03. Continuation and Expansion of	
28	Services to IV Drug Abusers and others	
29	at risk for HIV diseases	4,560,670
30		
31	04. Provision of services in accordance with	
32	the Mental Health Study Commission's	
33	Child and Adolescent Alcohol and other	
34	Drug Abuse Plan	5,964,093
35		
36	05. Administration	1,863,879
37		
38	<b>TOTAL BLOCK GRANT FOR PREVENTION</b>	
39	<b>AND TREATMENT OF SUBSTANCE ABUSE</b>	<b>\$ 28,381,862</b>

**CHILD CARE AND DEVELOPMENT BLOCK GRANT**

43	01. Child Day Care Services	\$ 16,900,635
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02.	Administrative Expenses and Quality and Availability Initiatives	1,877,848
03.	Before and After School Child Care Programs and Early Childhood Development Programs	4,694,620
04.	Quality Improvement Activities	1,564,977

## TOTAL CHILD CARE AND DEVELOPMENT

## BLOCK GRANT

\$ 25,037,977

## (b) Decreases in Federal Fund Availability

If federal funds are reduced below the amounts specified above after the effective date of this act, then every program, except for the Indian Affairs Programs in the Low Income Energy Block Grant, in each of the federal block grants listed above, shall be reduced equally to total the reduction in federal funds.

## (c) Increases in Federal Fund Availability

Any block grant funds appropriated by the United States Congress in addition to the funds specified in this act shall be expended by the Department of Human Resources, with the approval of the Office of State Budget and Management, provided the resultant increases are in accordance with federal block grant requirements and are within the scope of the block grant plan approved by the General Assembly. All these budgeted increases shall be reported to the Joint Legislative Commission on Governmental Operations and to the Director of the Fiscal Research Division.

This subsection shall not apply to Job Training Partnership Act funds.

(d) If funds appropriated through the Child Care and Development Block Grant for any program cannot be obligated or spent in that program within the obligation or liquidation periods allowed by the federal grants, the Department may move funds to other programs, in accordance with the federal requirements of the grant, in order to use the federal funds fully.

(e) Supplemental Head Start funds appropriated in this section to the Department of Human Resources shall continue to be allocated to those counties currently receiving these funds.

**NER BLOCK GRANT FUNDS**

Sec. 1.1. (a) Appropriations from federal Community Development Block Grant funds for the 1995 program year are made for the fiscal year ending June 30, 1996, according to the following schedule:

## COMMUNITY DEVELOPMENT BLOCK GRANT

01. State Administration \$ 1,037,740

1	02.	Urgent Needs and Contingency	2,269,350
2			
3	03.	Community Empowerment	3,000,000
4			
5	04.	Economic Development	9,077,400
6			
7	05.	Community Revitalization	29,740,250
8			
9	06.	State Technical Assistance	462,260
10			
11	07.	Micro-Enterprise	1,000,000
12			
13	08.	Infrastructure Survey/Planning	300,000

14  
 15 **TOTAL COMMUNITY DEVELOPMENT**  
 16 **BLOCK GRANT - 1995 Program Year** **\$ 46,887,000**

17  
 18 (b) Appropriations from federal Community Development Block Grant funds  
 19 for the 1996 program year are made for the fiscal year ending June 30, 1996, according to  
 20 the following schedule:

21

22 **COMMUNITY DEVELOPMENT BLOCK GRANT**

23	01.	State Administration	\$ 1,037,740
24			
25	02.	Urgent Needs and Contingency	2,269,350
26			
27	03.	Community Empowerment	3,000,000
28			
29	04.	Economic Development	9,077,400
30			
31	05.	Community Revitalization	29,740,250
32			
33	06.	State Technical Assistance	462,260
34			
35	07.	Micro-Enterprise	1,000,000
36			
37	08.	Infrastructure Survey/Planning	300,000

38

39 **TOTAL COMMUNITY DEVELOPMENT**  
 40 **BLOCK GRANT - 1996 Program Year** **\$ 46,887,000**

41

(c) Appropriations from federal block grant funds other than the Community Development Block Grant are made for the fiscal year ending June 30, 1996, according to the following schedule:

TOTAL JOB TRAINING PARTNERSHIP ACT \$ 34,444,705

MATERNAL AND CHILD HEALTH SERVICES

01. Healthy Mother/Healthy Children  
Block Grants to Local Health  
Departments \$ 11,303,377

02. High Risk Maternity Clinic Services,  
Perinatal Education and Training, SIDS,  
and Consultation/Technical Assistance 1,810,112

03. Services to Children with Special Health  
Care Needs 5,065,331

04. Nutrition Services 120,530

TOTAL MATERNAL AND CHILD  
HEALTH SERVICES \$ 18,299,350

PREVENTIVE HEALTH BLOCK GRANT

01. Emergency Medical Services \$ 452,375

02. Basic Public Health Services 180,753

03. Hypertension Programs 773,203

04. Statewide Health Promotion Programs 2,689,553

05. Dental Health for Fluoridation  
of Water Supplies 228,404

06. Rape Prevention and Rape  
Crisis Programs 183,632

07. AIDS/HIV Education, Counseling,  
and Testing 81,001

1	08.	Office of Minority Health and	
2		Minority Health Council	190,000
3			
4	09.	Administrative & Indirect Cost	317,160
5			
6	TOTAL PREVENTIVE HEALTH BLOCK GRANT		\$ 5,096,081

7  
8 (d) Decreases in Federal Fund Availability

9 For JTPA and Community Development Block Grants: If federal funds are  
10 reduced below the amounts specified above after the effective date of this act, then every  
11 program in each of these federal block grants shall be reduced by the same percentage as  
12 the reduction in federal funds.

13 For the Maternal and Child Health Services and Preventive Health Services  
14 federal block grants: If federal funds are reduced less than 10% below the amounts  
15 specified above after the effective date of this act, then every program in the Maternal  
16 and Child Health Services and in the Preventive Health Services block grants shall be  
17 reduced by the same percentage as the reduction in federal funds. If federal funds are  
18 reduced by 10% or more below the amounts specified above after the effective date of  
19 this act, then for the Maternal and Child Health Services and the Preventive Health  
20 Services block grants the Department of Environment, Health, and Natural Resources  
21 shall allocate the decrease in funds after considering the effectiveness of the current level  
22 of services.

23 (e) Increases in Federal Fund Availability

24 Any block grant funds appropriated by the Congress of the United States in  
25 addition to the funds specified in this act shall be expended as follows:

26 (1) For the Community Development Block Grant – each program category  
27 under the Community Development Block Grant shall be increased by  
28 the same percentage as the increase in federal funds.

29 (2) For the Maternal and Child Health Services Block Grant – if federal  
30 funds are increased by 10% or more, then the Department shall allocate  
31 the increase in funds after considering the effectiveness of the current  
32 level of services and the effectiveness of services to be funded by the  
33 increase. If federal funds are increased by less than 10%, then thirty  
34 percent (30%) of these additional funds shall be allocated to services for  
35 children with special health care needs and seventy percent (70%) shall  
36 be allocated to local health departments to assist in the reduction of  
37 infant mortality.

38 (3) For the Preventive Health Block Grants – if federal funds are increased  
39 by 10% or more, then the Department shall allocate the increase in  
40 funds after considering the effectiveness of the current level of services  
41 and the effectiveness of services to be funded by the increase. If federal  
42 funds are increased by less than 10%, then these additional funds may  
43 be budgeted by the appropriate department, with the approval of the

1 Office of State Budget and Management, provided the resultant  
2 increases are in accordance with federal block grant requirements and  
3 are within the scope of the block grant plan approved by the General  
4 Assembly.

5 (f) Changes to budgeted allocations to the Maternal and Child Health Services  
6 and the Preventive Health Services block grants due to increases or decreases in federal  
7 funds shall be reported to the Joint Legislative Commission on Governmental Operations  
8 and the Fiscal Research Division within 30 days of the allocation. All other increases  
9 shall be reported to the Joint Legislative Commission on Governmental Operations and to  
10 the Director of the Fiscal Research Division.

11 (g) Education Setaside of JTPA Funds

12 The Department of Commerce shall certify to the Joint Legislative  
13 Commission on Governmental Operations and to the Fiscal Research Division of the  
14 Legislative Services Office when Job Training Partnership Act funds have been  
15 distributed to each agency, the total amount distributed to each agency, and the total  
16 amount of eight percent (8%) Education Setaside funds received.

17 (h) Limitations on Community Development Block Grant Funds

18 Of the funds appropriated in this section for the Community Development  
19 Block Grant, the following shall be allocated in each category for each program year: up  
20 to one million thirty-seven thousand seven hundred forty dollars (\$1,037,740) may be  
21 used for State administration; up to two million two hundred sixty-nine thousand three  
22 hundred fifty dollars (\$2,269,350) may be used for Urgent Needs and Contingency; up to  
23 three million dollars (\$3,000,000) may be used for Community Empowerment; up to nine  
24 million seventy-seven thousand four hundred dollars (\$9,077,400) may be used for  
25 Economic Development; not less than twenty-nine million seven hundred forty thousand  
26 two hundred fifty dollars (\$29,740,250) shall be used for Community Revitalization; up  
27 to four hundred sixty-two thousand two hundred sixty dollars (\$462,260) may be used for  
28 State Technical Assistance; up to one million dollars (\$1,000,000) may be used for  
29 Micro-Enterprise; and up to three hundred thousand dollars (\$300,000) may be used for  
30 Infrastructure Survey/Planning. If federal block grant funds are reduced or increased by  
31 the Congress of the United States after the effective date of this act, then these reductions  
32 or increases shall be allocated in accordance with subsection (d) or (e) of this section, as  
33 applicable.

34  
35 **SALARIES/GOVERNMENT EMPLOYEES**

36 Sec. 2. (a) The salary schedules and specific salaries established by or under  
37 Sections 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.9(a), 7.9(b), 7.10, 7.11, 7.12, 7.13, 19.6, or 19.7  
38 of Chapter 769 of the 1993 Session Laws shall remain until July 14, 1995, at the level set  
39 by or under those sections as of June 30, 1995.

40 (b) No person may receive a salary increase under G.S. 7A-102(c), 126-7 or  
41 20-187.3(a) prior to July 14, 1995. No State employee or officer may prior to July 14,  
42 1995, receive a merit increase or annual increment. No employee or officer subject to the

1 teacher salary schedule or the school-based administrator salary schedule shall receive an  
2 increment until July 14, 1995.

#### 3 4 **CONTINUE MEDIATED SETTLEMENT PILOT**

5 Sec. 3. (a) G.S. 7A-38(o) reads as rewritten:

6 "(o) Report on pilot program. The Administrative Office of the Courts shall file a  
7 written report with the General Assembly on the evaluation of the pilot program on or  
8 before May 1, 1995. The pilot program shall terminate on ~~June 30,~~ July 14, 1995."

9 (b) Notwithstanding the provisions of G.S. 7A-38(n), the Administrative Office of  
10 the Courts may use funds available to the Judicial Department from July 1, 1995, to July  
11 14, 1995, for the purpose of operating the pilot program.

#### 12 13 **EXTEND MULTI-PRIME CONTRACTING PROVISION**

14 Sec. 4. Section 4 of Chapter 480 of the 1993 Session Laws reads as rewritten:

15 "Sec. 4. This act is effective upon ratification and shall expire on ~~June 30,~~ July 14,  
16 1995."

#### 17 18 **EXTEND THE SUNSET OF THE STATUTE PERMITTING PRIVATE** 19 **CONTRACT PARTICIPATION BY THE DEPARTMENT OF** 20 **TRANSPORTATION**

21 Sec. 5. Section 2 of Chapter 860 of the 1987 Session Laws, as amended by  
22 Section 1 of Chapter 749 of the 1989 Session Laws, Section 1 of Chapter 272 of the 1991  
23 Session Laws, and Section 2 of Chapter 183 of the 1993 Session Laws, reads as  
24 rewritten:

25 "Sec. 2. This act is effective upon ratification and shall expire ~~June 30,~~ July 14,  
26 1995."

#### 27 28 **EXTEND PUBLIC HEALTH STUDY COMMISSION**

29 Sec. 6. Section 8.1 of Chapter 771 of the 1993 Session Laws reads as  
30 rewritten:

31 "Sec. 8.1. This act is effective upon ratification. Part II of this act is repealed on ~~June~~  
32 ~~30,~~ July 14, 1995."

#### 33 34 **EXTEND BEAVER DAMAGE CONTROL**

35 Sec. 7. (b) Subsection (h) of Section 69 of Chapter 1044 of the 1991 Session  
36 Laws, as amended by Section 111 of Chapter 561 of the 1993 Session Laws and by  
37 Section 27.3 of Chapter 769 of the 1993 Session Laws, reads as rewritten:

38 "(h) Subsections (a) through (d) of this section expire ~~June 30,~~ July 14, 1995."

#### 39 40 **EXTEND THE SUNSET FOR THE MEDIATION PROGRAM FOR THE** 41 **INDUSTRIAL COMMISSION**

42 Sec. 8. (a) Section 5 of Chapter 399 of the 1993 Session Laws reads as rewritten:

1 "Sec. 5. Section 3 of this act is effective upon ratification. Sections 1, 2, and 4 of this  
2 act become effective October 1, 1993, only if the General Assembly appropriates funds to  
3 implement the purpose of these sections, expire ~~June 30,~~ July 14, 1995, and apply to  
4 claims pending on or filed after the effective date."

5 (b) Section 5.4 of Chapter 679 of the 1993 Session Laws reads as rewritten:

6 "Sec. 5.4. Subsection (c) of G.S. 97-80 shall expire ~~June 30,~~ July 14, 1995, in  
7 accordance with the provisions of Chapter 399 of the 1993 Session Laws, unless the  
8 General Assembly amends Chapter 399 of the 1993 Session Laws to provide otherwise."

9  
10 **EMERGENCY MANAGEMENT FUNDS SHALL NOT REVERT**

11 Sec. 8.1. (a) The balance of any recurring or nonrecurring funds appropriated to  
12 the Department of Crime Control and Public Safety, Division of Emergency  
13 Management, for the 1993-94 fiscal year and for the 1994-95 fiscal year for the  
14 establishment of six Hazardous Materials Emergency Response Teams shall not revert  
15 but shall remain in the Department to be used for the purchase of equipment, personnel  
16 training needs, and other program operating costs.

17 (b) This section becomes effective June 30, 1995.

18 Sec. 9. This act is effective upon ratification, but Sections 2 through 8 expire  
19 July 14, 1995.