

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 358
HOUSE BILL 228

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

SOCIAL SERVICES BLOCK GRANT

01.	County Departments of Social Services	\$ 36,864,132
02.	Allocation for In-Home Services provided by County Departments of Social Services	2,101,113
03.	Division of Mental Health, Developmental Disabilities, and Substance Abuse Services	5,524,186
04.	Division of Services for the Blind	3,205,711
05.	Division of Youth Services	1,052,674
06.	Division of Facility Services	343,341

07.	Division of Aging	336,157
08.	Day Care Services	16,194,900
09.	Office of Citizen Affairs	55,458
10.	State Administration and State Level Contracts	3,473,524
11.	Voluntary Sterilization Funds	98,710
12.	Transfer to Maternal and Child Health Block Grant	1,585,833
13.	Adult Day Care Services	599,551
14.	County Departments of Social Services for Child Abuse/Prevention and Permanency Planning	394,841
15.	Allocation to Division of Maternal and Child Health for Grants-in-Aid to Prevention Programs	439,261
16.	Transfer to Preventive Health Block Grant for Emergency Medical Services and Basic Public Health Services	633,128
17.	Allocation to Preventive Health Block Grant for AIDS Education	81,001
18.	Allocation to Department of Administration for North Carolina Fund for Children	45,270
19.	Allocation to Home and Community Care Block Grant for Persons Age 60 and Older	1,649,077
20.	Allocation to the Office of Economic Opportunity for Elderly and Handicapped Services	49,954
21.	Division of Services for the Deaf	

	and the Hard of Hearing	31,611
22.	Division of Child Development for Head Start	147,467
TOTAL SOCIAL SERVICES BLOCK GRANT		\$ 74,906,900
LOW INCOME ENERGY BLOCK GRANT		
01.	Energy Assistance Programs	\$ 13,727,365
02.	Crisis Intervention	4,924,615
03.	Administration	1,834,677
04.	Weatherization Program	3,621,041
05.	Indian Affairs	33,022
TOTAL LOW INCOME ENERGY BLOCK GRANT		\$ 24,140,270
MENTAL HEALTH SERVICES BLOCK GRANT		
01.	Provision of Community-Based Services in accordance with the Mental Health Study Commission's Adult Severe and Persistently Mentally Ill Plan	\$ 3,794,179
02.	Provision of Community-Based Services in accordance with the Mental Health Study Commission's Child Mental Health Plan	1,802,819
03.	Administration	572,897
TOTAL MENTAL HEALTH SERVICES BLOCK GRANT		\$ 6,169,895
BLOCK GRANT FOR THE PREVENTION AND TREATMENT OF SUBSTANCE ABUSE		
01.	Provision of Community-Based Alcohol and Drug Abuse Services, Tuberculosis Services, and Services	

	provided by the Alcohol, Drug Abuse Treatment Centers	\$ 10,935,939
02.	Continuation and Expansion of Services for Pregnant Women and Women with Dependent Children	5,057,281
03.	Continuation and Expansion of Services to IV Drug Abusers and others at risk for HIV diseases	4,560,670
04.	Provision of services in accordance with the Mental Health Study Commission's Child and Adolescent Alcohol and other Drug Abuse Plan	5,964,093
05.	Administration	1,863,879
TOTAL BLOCK GRANT FOR PREVENTION AND TREATMENT OF SUBSTANCE ABUSE		\$ 28,381,862
CHILD CARE AND DEVELOPMENT BLOCK GRANT		
01.	Child Day Care Services	\$ 16,900,635
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
02. Urgent Needs and Contingency	2,269,350
03. Community Empowerment	3,000,000
04. Economic Development	9,077,400
05. Community Revitalization	29,740,250
06. State Technical Assistance	462,260
07. Micro-Enterprise	1,000,000
08. Infrastructure Survey/Planning	300,000

TOTAL COMMUNITY DEVELOPMENT BLOCK GRANT - 1995 Program Year

\$ 46,887,000

(b) Appropriations from federal Community Development Block Grant funds for the 1996 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
02.	Urgent Needs and Contingency	2,269,350
03.	Community Empowerment	3,000,000
04.	Economic Development	9,077,400
05.	Community Revitalization	29,740,250
06.	State Technical Assistance	462,260
07.	Micro-Enterprise	1,000,000
08.	Infrastructure Survey/Planning	300,000

TOTAL COMMUNITY DEVELOPMENT
BLOCK GRANT - 1996 Program Year

\$ 46,887,000

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

(d) Decreases in Federal Fund Availability

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

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

(e) Increases in Federal Fund Availability

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

- (1) For the Community Development Block Grant – each program category under the Community Development Block Grant shall be increased by the same percentage as the increase in federal funds.
- (2) For the Maternal and Child Health Services Block Grant – if federal funds are increased by 10% or more, then the Department shall allocate the increase in funds after considering the effectiveness of the current level of services and the effectiveness of services to be funded by the increase. If federal funds are increased by less than 10%, then thirty percent (30%) of these additional funds shall be allocated to services for children with special health care needs and seventy percent (70%) shall be allocated to local health departments to assist in the reduction of infant mortality.
- (3) For the Preventive Health Block Grants – if federal funds are increased by 10% or more, then the Department shall allocate the increase in funds after considering the effectiveness of the current level of services and the effectiveness of services to be funded by the increase. If federal funds are increased by less than 10%, then these additional funds may be budgeted by the appropriate department, 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.

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

(g) Education Setaside of JTPA Funds

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

(h) Limitations on Community Development Block Grant Funds

Of the funds appropriated in this section for the Community Development Block Grant, the following shall be allocated in each category for each program year: up to one million thirty-seven thousand seven hundred forty dollars (\$1,037,740) may be used for State administration; up to two million two hundred sixty-nine thousand three hundred fifty dollars (\$2,269,350) may be used for Urgent Needs and Contingency; up to three million dollars (\$3,000,000) may be used for Community Empowerment; up to nine million seventy-seven thousand four hundred dollars (\$9,077,400) may be used for Economic Development; not less than twenty-nine million seven hundred forty thousand two hundred fifty dollars (\$29,740,250) shall be used for Community

Revitalization; up to four hundred sixty-two thousand two hundred sixty dollars (\$462,260) may be used for State Technical Assistance; up to one million dollars (\$1,000,000) may be used for Micro-Enterprise; and up to three hundred thousand dollars (\$300,000) may be used for Infrastructure Survey/Planning. If federal block grant funds are reduced or increased by the Congress of the United States after the effective date of this act, then these reductions or increases shall be allocated in accordance with subsection (d) or (e) of this section, as applicable.

SALARIES/GOVERNMENT EMPLOYEES

Sec. 2. (a) The salary schedules and specific salaries established by or under 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 of Chapter 769 of the 1993 Session Laws shall remain until July 14, 1995, at the level set by or under those sections as of June 30, 1995.

(b) No person may receive a salary increase under G.S. 7A-102(c), 126-7 or 20-187.3(a) prior to July 14, 1995. No State employee or officer may prior to July 14, 1995, receive a merit increase or annual increment. No employee or officer subject to the teacher salary schedule or the school-based administrator salary schedule shall receive an increment until July 14, 1995.

CONTINUE MEDIATED SETTLEMENT PILOT

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

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

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

EXTEND MULTI-PRIME CONTRACTING PROVISION

Sec. 4. Section 4 of Chapter 480 of the 1989 Session Laws reads as rewritten:

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

EXTEND THE SUNSET OF THE STATUTE PERMITTING PRIVATE CONTRACT PARTICIPATION BY THE DEPARTMENT OF TRANSPORTATION

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

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

EXTEND PUBLIC HEALTH STUDY COMMISSION

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

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

EXTEND BEAVER DAMAGE CONTROL

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

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

EXTEND THE SUNSET FOR THE MEDIATION PROGRAM FOR THE INDUSTRIAL COMMISSION

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

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

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

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

EMERGENCY MANAGEMENT FUNDS SHALL NOT REVERT

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

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

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

In the General Assembly read three times and ratified this the 29th day of June, 1995.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives