

GENERAL ASSEMBLY OF NORTH CAROLINA
1997 SESSION

S.L. 1997-401
SENATE BILL 347

AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1997, AND TO EXTEND EXPIRING PROVISIONS OF LAW.

The General Assembly of North Carolina enacts:

FUNDS SHALL NOT REVERT

Section 1. Section 5 of S.L. 1997-256, as rewritten by Section 1 of S.L. 1997-347, reads as rewritten:

"Section 5. If the provisions of Senate Bill 352, 3rd edition, Senate Bill 352, 5th edition, or both, direct that funds shall not revert, the funds shall not revert on June 30, 1997. Unless these funds are encumbered on or before June 30, 1997, these funds shall not be expended after June 30, 1997, except as provided by a statute that becomes effective after June 30, 1997. If no such statute is enacted prior to ~~August 15, 1997,~~ August 22, 1997, these funds shall revert to the appropriate fund on that date."

EXTEND SENTENCING COMMISSION

Section 2. Section 8 of Chapter 1076 of the 1989 Session Laws, as amended by Chapters 812 and 816 of the 1991 Session Laws, Chapters 253, 321, and 591 of the 1993 Session Laws, Chapter 236 of the 1995 Session Laws, Section 6 of S.L. 1997-256, and Section 2 of S.L. 1997-347, reads as rewritten:

"Sec. 6. This act is effective upon ratification, and shall expire ~~August 15, 1997,~~ August 22, 1997."

EXTEND MORATORIUM ON FISHING LICENSES

Section 3. Subsection (a) of Section 3 of Chapter 675 of the 1993 Session Laws, Regular Session 1994, as amended by subsection (a) of Section 26.5 of Chapter 507 of the 1995 Session Laws, Section 7 of S.L. 1997-256, and Section 3 of S.L. 1997-347, reads as rewritten:

"(a) Except as provided in subsections (b), (c), (c1), or (c2) of this section, the Department shall not issue any new licenses for a period beginning July 1, 1994, and ending ~~August 15, 1997,~~ August 22, 1997, under the following statutes:

- (1) G.S. 113-152. Vessel licenses.
- (2) G.S. 113-153.1. Crab license.
- (3) G.S. 113-154. Shellfish license

(4) G.S. 113-154.1. Nonvessel endorsements to sell fish."

AUTHORIZATION OF FICTITIOUS LICENSES AND REGISTRATION PLATES ON PUBLICLY OWNED MOTOR VEHICLES

Section 4. Section 23(c) of Chapter 18 of the Session Laws of the 1996 Second Extra Session, as rewritten by Section 8 of S.L. 1997-256 and Section 4 of S.L. 1997-347, reads as rewritten:

"(c) Subsection (a) of this section expires ~~August 15, 1997~~, August 22, 1997."

LOWER NEUSE RIVER BASIN ASSOCIATION FUNDS

Section 5. Section 27.8(a) of Chapter 18 of the Session Laws of the 1996 Second Extra Session, as rewritten by Section 9 of S.L. 1997-256 and Section 5 of S.L. 1997-347, reads as rewritten:

"(a) Of the funds appropriated by this act to the Lower Neuse River Basin Association for the 1996-97 fiscal year, the sum of two million dollars (\$2,000,000) shall be allocated as grants to local government units in the Neuse River Basin to assist those local government units in fulfilling their obligations under the Neuse River Nutrient Sensitive Waters Management Strategy plan adopted by the Environmental Management Commission. The funds are contingent upon the adoption of the plan by the Environmental Management Commission. If the Environmental Management Commission fails to adopt the plan by ~~August 15, 1997~~, August 22, 1997, then the funds shall revert to the General Fund."

BEAVER DAMAGE CONTROL FUNDS

Section 6. 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, Section 27.3 of Chapter 769 of the 1993 Session Laws, Section 26.6 of Chapter 507 of the 1995 Session Laws, Section 27.15(c) of Chapter 18 of the Session Laws of the 1996 Second Extra Session, Section 10 of S.L. 1997-256, and Section 6 of S.L. 1997-347, reads as rewritten:

"(h) Subsections (a) through (d) of this section expire ~~August 15, 1997~~, August 22, 1997."

CHANGES IN THE EXECUTION OF THE BUDGET

Section 7. Section 11 of S.L. 1997-256, as rewritten by Section 7 of S.L. 1997-347, reads as rewritten:

"Section 11. The amendments to G.S. 143-27 that were enacted in Section 7.4(h)(2) of Chapter 18 of the Session Laws of the 1996 Second Extra Session shall become effective ~~August 15, 1997~~, August 22, 1997."

CORE SOUND/DESCRIPTION OF AREA A FOR SHELLFISH LEASE MORATORIUM

Section 8. Section 3 of Chapter 547 of the 1995 Session Laws (1996 Regular Session) as amended by Section 1 of Chapter 633 of the 1995 Session Laws (1996

Regular Session) and as rewritten by Section 27.33 of Chapter 18 of the Session Laws of the 1996 Second Extra Session, Section 12 of S.L. 1997-256, and Section 8 of S.L. 1997-347, reads as rewritten:

"Sec. 3. Notwithstanding G.S. 113-202, a moratorium on new shellfish cultivation leases shall be imposed in the remaining area of Core Sound not described in Section 1 of this act. During the moratorium, a comprehensive study of the shellfish lease program shall be conducted. The moratorium established under this section covers that part of Core Sound bounded by a line beginning at a point on Cedar Island at 35°00'39"N - 76°17'48"W, thence 109°(M) to a point in Core Sound 35°00'00"N - 76°12'42"W, thence 229°(M) to Marker No. 37 located 0.9 miles off Bells Point at 34°43'30"N - 76°29'00"W, thence 207°(M) to the Cape Lookout Lighthouse at 34°37'24"N - 76°31'30"W, thence 12°(M) to a point at Marshallberg at 34°43'07"N - 76°31'12"W, thence following the shoreline in a northerly direction to the point of beginning except that the highway bridges at Salters Creek, Thorofare Bay, and the Rumley Bay ditch shall be considered shoreline. The moratorium shall expire ~~August 15, 1997~~, August 22, 1997."

EFFECTIVE DATE

Section 10. (a) Section 13 of S.L. 1997-256, as rewritten by Section 9 of S.L. 1997-347, reads as rewritten:

"Section 13. This act becomes effective July 1, 1997, except that Sections 5 through 10 of this act become effective June 30, 1997. This act expires ~~August 15, 1997~~, August 22, 1997."

(b) Sections 3 and 8 of this act do not become effective if House Bill 1097, 1997 Regular Session, becomes law before this act. If House Bill 1097, 1997 Regular Session, becomes law after this act becomes law, then Sections 3 and 8 of this act expire the earlier of August 22, 1997, and the date that House Bill 1097, 1997 Regular Session, becomes law.

(c) Except as otherwise provided, this act becomes effective August 15, 1997.

In the General Assembly read three times and ratified this the 14th day of August, 1997.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ Harold J. Brubaker
Speaker of the House of Representatives

s/ James B. Hunt, Jr.
Governor

Approved 6:50 p.m. this 14th day of August, 1997