

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1992

Short Title: Storage Tank Funds.

(Public)

Sponsors: Representatives B. Ethridge; and Bowman.

Referred to: Appropriations.

May 11, 1989

A BILL TO BE ENTITLED

AN ACT TO TRANSFER THE SOURCE OF FUNDS FOR THREE APPROPRIATIONS FOR FISCAL YEAR 1989-90, SO AS TO AVOID ANY POSSIBLE CONFLICT WITH A STATUTE LIMITING USE OF FUNDS IN THE HIGHWAY FUND.

Whereas, the 1987 General Assembly initially provided for appropriations from the Highway Fund for the Noncommercial Leaking Petroleum Underground Storage Tank Clean-Up Fund; and

Whereas, there arose questions about whether this was a permissible expenditure from the Highway Fund under the bond order concerning highway bonds; and

Whereas, the General Assembly then provided for a transfer back from the Highway Fund to the General Fund of sums that had been transferred from the General Fund to the Highway Fund in 1984 to cover such expense; and

Whereas, there is still some question about the appropriation; and

Whereas, driver training expenses are a permissible expenditure from the Highway Fund; Now, therefore, The General Assembly of North Carolina enacts:

Section 1. Section 8.1(a) of Chapter 1101, Session Laws of 1987, reads as rewritten:

"(a) ~~Four million dollars (\$4,000,000) of the funds transferred from the General Fund to the Highway Fund under G.S. 105-164.44A are transferred~~ There is appropriated from the General Fund to the Noncommercial Leaking Petroleum Underground Storage

1 Tank Clean-Up Fund created by Part 2A of Article 21A of Chapter 143 of the General  
2 Statutes for fiscal year 1988-89 the sum of four million dollars (\$4,000,000)."

3 Sec. 2. (a) G.S. 20-88.1(c) reads as rewritten:

4 "(c) All expenses incurred by the State in carrying out the provisions of this section  
5 shall be paid out of the General Fund, except in fiscal year 1988-89, four million dollars  
6 (\$4,000,000) of such expenses shall be paid out of the Highway Fund."

7 (b) The appropriation made to the Department of Public Education for Driver  
8 Training for fiscal year 1988-89 by Section 2 of Chapter 738, Session Laws of 1987, as  
9 amended by Section 2 of Chapter 886 of the 1987 Session Laws and as rewritten by  
10 Section 2 of Chapter 1086 of the 1987 Session Laws is reduced by four million dollars  
11 (\$4,000,000). There is appropriated from the Highway Fund to the Department of  
12 Public Education for fiscal year 1988-89 the sum of four million dollars (\$4,000,000)  
13 for Driver Training, to be expended in the same manner as provided for the General  
14 Fund appropriation for that purpose.

15 Sec. 3. This act is effective upon ratification.