March 21, 2007

S 1229. JUDICIAL BRANCH/BUDGET AMENDMENTS. Filed 3/21/07. *TO AMEND THE STATE BUDGET ACT TO PROVIDE FOR THE BUDGETARY INDEPENDENCE OF THE JUDICIAL BRANCH*.

Creates exemptions for the judicial branch to specified provisions of the State Budget Act in GS Chapter 143C, including provisions (1) requiring the reversion of unexpended, unencumbered appropriations at the end of the fiscal year; (2) limiting the increase in the number of permanent budgeted positions to the percentage rate of change in the state's residential population growth; (3) requiring new positions or changes in the funding of an existing position to be submitted to the Governor; and (4) requiring a state agency that applies for federal or other funds to first provide the Governor a copy of the application. Provides that the Governor may not reduce or modify the judicial branch financial needs estimates submitted to the Governor by the Administrative Officer of the Courts before the Governor submits the budget to the General Assembly. Permits the General Fund operating budget to be increased, notwithstanding GS 143C-4-6(a), to permit an increase in appropriations for operations of the courts. Requires the Chief Justice of the Supreme Court (was, the Governor), in the event of an anticipated state budget deficit, to report a plan for the judicial branch to the General Assembly. Enacts new GS 143C-6-4 to authorizes the Chief Justice to approve overexpenditures and transfers in the judicial branch budget. Limits the Governor's authority to suspend persons failing to comply with the State Budget Act to non-elected officers and employees of the executive branch. Effective July 1, 2007.

Intro. by Clodfelter. GS 143C