

GENERAL ASSEMBLY OF NORTH CAROLINA  
1995 SESSION

CHAPTER 507  
HOUSE BILL 230

AN ACT TO APPROPRIATE FUNDS TO PROVIDE EXPANSION EXPENDITURES AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

**PART 1. INTRODUCTION AND TITLE OF ACT**

The General Assembly of North Carolina enacts:

Section 1. The appropriations made in this act are for maximum amounts necessary to provide the services and accomplish the purposes described in the budget. Savings shall be effected where the total amounts appropriated are not required to perform these services and accomplish these purposes and, except as allowed by the Executive Budget Act, or this act, the savings shall revert to the appropriate fund at the end of each fiscal year.

Sec. 1.1. This act shall be known and cited as "The Expansion and Capital Improvements Appropriations Act of 1995".

**PART 2. EXPANSION - RECURRING/GENERAL FUND**

Sec. 2. Appropriations of recurring funds from the General Fund of the State for the expansion of the State departments, institutions, and agencies, and for other purposes as enumerated are made for the biennium ending June 30, 1997, according to the schedule that follows.

<u>Expansion - Recurring - General Fund</u>	<u>1995-96</u>	<u>1996-97</u>
Judicial	\$2,854,907	\$3,170,506
Office of the Governor	138,608	183,383
Department of Secretary of State	201,537	201,537
Department of State Treasurer	4,448,000	4,448,000
Department of Public Education	4,863,448	32,178,818

exempt from federal income tax under section 501(c)(3) or section 501(c)(4) of the Internal Revenue Code."

(h) Notwithstanding any other provision of law, an establishment permitted as a limited food service establishment on the effective date of this act that does not meet the requirements of G.S. 130A-248(a4) may continue to operate as a limited food service establishment in accordance with the Commission's rules for not more than 60 days per year and only until January 1, 1997.

Requested by: Senators Martin of Pitt, Warren, Jordan, Kerr, Representatives Mitchell, Weatherly

#### **FUNDS FOR HEART DISEASE AND STROKE PREVENTION TASK FORCE**

Sec. 26.9. (a) Of the funds appropriated in this act to the Department of Environment, Health, and Natural Resources, the sum of one hundred thousand dollars (\$100,000) for the 1995-96 fiscal year and the sum of one hundred thousand dollars (\$100,000) for the 1996-97 fiscal year shall be used to support the North Carolina Heart Disease and Stroke Prevention Task Force created under this section.

(b) The North Carolina Heart Disease and Stroke Prevention Task Force is created in the Division of Adult Health Promotion, Department of Environment, Health, and Natural Resources.

(c) The Task Force shall have 27 members. The Governor shall appoint the Chair, and the Vice-Chair shall be elected by the Task Force. The Director of the Division of Adult Health Promotion in the Department of Environment, Health, and Natural Resources, the Director of the Division of Medical Assistance in the Department of Human Resources, and the Director of the Division of Aging in the Department of Human Resources, or their designees, shall be members of the Task Force. Appointments to the Task Force shall be made as follows:

- (1) By the General Assembly upon the recommendation of the President Pro Tempore of the Senate, as follows:
  - a. Three members of the Senate;
  - b. A heart attack survivor;
  - c. A local health director;
  - d. A certified health educator;
  - e. A hospital administrator; and
  - f. A representative of the North Carolina Association of Area Agencies on Aging.
- (2) By the General Assembly upon the recommendation of the Speaker of the House of Representatives, as follows:
  - a. Three members of the House of Representatives;
  - b. A stroke survivor;
  - c. A county commissioner;
  - d. A licensed dietitian/nutritionist;
  - e. A pharmacist; and
  - f. A registered nurse.
- (3) By the Governor, as follows:

- a. A practicing family physician, pediatrician, or internist;
- b. A president or chief executive officer of a business upon recommendation of a North Carolina wellness council which is a member of the Wellness Councils of America;
- c. A news director of a newspaper or television or radio station;
- d. A volunteer of the North Carolina Affiliate of the American Heart Association;
- e. A representative from the North Carolina Cooperative Extension Service;
- f. A representative of the Governor's Council on Physical Fitness and Health; and
- g. Two members at large.

(d) Each appointing authority shall assure insofar as possible that its appointees to the Task Force reflect the composition of the North Carolina population with regard to ethnic, racial, age, gender, and religious composition.

(e) The General Assembly and the Governor shall make their appointments to the Task Force not later than 30 days after the adjournment of the 1995 General Assembly, Regular Session 1995. A vacancy on the Task Force shall be filled by the original appointing authority, using the criteria set out in this section for the original appointment.

(f) The Task Force shall meet at least quarterly or more frequently at the call of the Chair.

(g) The Task Force Chair may establish committees for the purpose of making special studies pursuant to its duties, and may appoint non-Task Force members to serve on each committee as resource persons. Resource persons shall be voting members of the committees and shall receive subsistence and travel expenses in accordance with G.S. 138-5 and G.S. 138-6. Committees may meet with the frequency needed to accomplish the purposes of this section.

(h) Members of the Task Force shall receive per diem and necessary travel and subsistence expenses in accordance with G.S. 120-3.1, 138-5 and 138-6, as applicable.

(i) A majority of the Task Force shall constitute a quorum for the transaction of its business.

(j) The Task Force may use funds allocated to it to establish two positions and for other expenditures needed to assist the Task Force in carrying out its duties.

(k) The Heart Disease and Stroke Prevention Task Force has the following duties:

- (1) To undertake a statistical and qualitative examination of the incidence of and causes of heart disease and stroke deaths and risks, including identification of subpopulations at highest risk for developing heart disease and stroke, and establish a profile of the heart disease and stroke burden in North Carolina.
- (2) To publicize the profile of the heart disease and stroke burden and its preventability in North Carolina.

- (3) To identify priority strategies which are effective in preventing and controlling risks for heart disease and stroke.
- (4) To identify, examine limitations of, and recommend to the Governor and the General Assembly changes to existing laws, regulations, programs, services, and policies to enhance heart disease and stroke prevention by and for the people of North Carolina.
- (5) To determine and recommend to the Governor and the General Assembly the funding and strategies needed to enact new or to modify existing laws, regulations, programs, services, and policies to enhance heart disease and stroke prevention by and for the people of North Carolina.
- (6) To adopt and promote a statewide comprehensive Heart Disease and Stroke Prevention Plan to the general public, State and local elected officials, various public and private organizations and associations, businesses and industries, agencies, potential funders, and other community resources.
- (7) To identify and facilitate specific commitments to help implement the Plan from the entities listed in subdivision (6) above.
- (8) To facilitate coordination of and communication among State and local agencies and organizations regarding current or future involvement in achieving the aims of the Heart Disease and Stroke Prevention Plan.
- (9) To receive and consider reports and testimony from individuals, local health departments, community-based organizations, voluntary health organizations, and other public and private organizations statewide, to learn more about their contributions to heart disease and stroke prevention, and their ideas for improving heart disease and stroke prevention in North Carolina.
- (l) The Task Force shall submit to the Governor and to the General Assembly a preliminary report by January 1, 1996; an interim report within the first week of the convening of the 1997 General Assembly; and a final report by October 1, 1997. The reports shall address the Plan, actions and resources needed to fully implement the Plan, and progress in achieving implementation of the Plan to reduce the occurrence of and burden from heart disease and stroke in North Carolina. The reports shall include an accounting of funds expended and anticipated funding needs for full implementation of recommended plans and programs.
- (m) Upon submission of its final report to the Governor and the 1997 General Assembly, the Task Force shall expire.

Requested by: Senators Martin of Pitt, Jordan, Kerr, Representatives Mitchell, Weatherly

**ABOVEGROUND STORAGE TANKS INSPECTION AND  
MONITORING/DATA COLLECTION**