

April 16, 2007

**H 1519. MODIFY SCHOOL FUNDING MEDIATION LAW.** Filed 4/16/07. *TO MODIFY THE LAW PERTAINING TO THE RESOLUTION OF DISPUTES BETWEEN THE BOARD OF EDUCATION AND THE BOARD OF COUNTY COMMISSIONERS REGARDING SCHOOL FUNDING.*

GS 115C-431(d) provides that in disputes of the type mentioned in the title, where mediation has failed and the matter has been tried to judgment in the superior court and then appealed to the appellate courts, the judge in the superior court is to order the commissioners to appropriate to the school unit a sum equal to the appropriation for the prior year. This bill (1) deletes that provision and enacts a new provision directing the court of appeals to expedite its consideration of the appeal and to render a decision by April 30 of the school fiscal year, unless that is impracticable; (2) provides that if the case continues beyond the school fiscal year which is the subject of the dispute, the case does not for that reason become moot; and (3) provides that any payment by the commissioners as a result of a judgment may not be used to reduce appropriations in future fiscal years and is to include interest at the legal rate calculated from the date of the county budget ordinance of the year at issue,

**Intro. by Glazier, England, Williams.**

GS 115C

May 9, 2007

**H 1519. MODIFY SCHOOL FUNDING MEDIATION LAW.** Filed 4/16/07. House committee substitute makes the following changes to 1st edition. Modifies GS 115C-431(d) to clarify that an appeal may be taken to the appellate division of the General Court of Justice in budget disputes between a local board of education (local board) and a board of county commissioners (county board). Additionally clarifies that the conclusion of the school or fiscal year does not resolve the matter in controversy between the local board and the county board while an appeal is still pending. Adds requirement that until a final judgment is rendered at the conclusion of the appellate process, the payment of any judgment by the county board in favor of the local board may not be used in any manner to deny or reduce the county board's appropriations to the local school administrative unit in fiscal years subsequent to the one at issue. Specifies that the payment of a final judgment includes interest only if interest is otherwise due by law. Deletes requirement that the Court of Appeals render its judgment by April 30 of the fiscal year that is the subject of the budget dispute.

June 5, 2007

**H 1519. MODIFY SCHOOL FUNDING MEDIATION LAW.** Filed 4/16/07. Senate committee substitute makes the following changes to 2nd edition. Prohibits the county's payment of any final judgment from being considered or used by the county to deny or reduce appropriations to the local school administrative unit in fiscal years following the one at issue to offset the payment of a final judgment (was, in fiscal years subsequent to the one at issue until a final judgment is rendered at the conclusion of the appellate process). Removes the provision concerning the payment of interest.

June 26, 2007

**SL 2007-92 (H 1519). MODIFY SCHOOL FUNDING MEDIATION LAW. AN ACT TO MODIFY THE LAW PERTAINING TO THE RESOLUTION OF DISPUTES BETWEEN THE BOARD OF EDUCATION AND THE BOARD OF COUNTY COMMISSIONERS REGARDING SCHOOL FUNDING.** Summarized in *Daily Bulletin* 4/16/07, 5/9/07, and 6/5/07. Enacted June 20, 2007. Effective June 20, 2007.