

May 18, 2010

**H 1840. REMOVE SUNSET/E-NC AUTHORITY.** Filed 5/18/10. *TO REPEAL THE SUNSET PROVISION PERTAINING TO THE E-NC AUTHORITY, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON HIGH-SPEED INTERNET ACCESS IN RURAL AND URBAN AREAS.*

Amends Section 4 of SL 2003-425, as amended, for purpose indicated in title.

**Intro. by Faison, Jones, West, Tillis.**

UNCODIFIED

June 23, 2010

**H 1840. REMOVE E-NC SUNSET/STUDY COMPETING SYSTEMS (NEW).** Filed 5/18/10.

Senate committee substitute makes the following changes to 1st edition.

Adds several new sections to provide as follows. Defines *communication system*, as used in the act, to mean a system that provides high-speed broadband Internet access service or other Internet access service, cable service, telecommunications service, video programming service, or a combination of those services at retail. Specifies that *cable service*, *telecommunications service*, and *video programming service* have the same meanings as in GS 105-164.3. Directs the Revenue Laws Study Committee (Committee) to continue the study that it began in 2009 of local government owned and operated communication systems and to report its findings and any recommended legislation to the 2011 General Assembly by March 1, 2011. Directs the Committee to determine specified matters and policies relevant to its study of local government owned and operated communication systems. Authorizes the Committee co-chairs to (1) appoint an advisory subcommittee to assist with conducting the study, and (2) ask the Local Government Commission to designate someone to participate in the subcommittee's deliberations in an ex-officio, nonvoting capacity. Limits the subcommittee to 12 members and provides that the subcommittee should have members representing specified areas of interest relating to telecommunication services, cable systems, and municipalities.

Prohibits the Local Government Commission from approving an application for financing under GS 160A-19, GS 160A-20 or GS 160A-466 by a local government or joint agency for a communication system until the following conditions are met: (1) a bill recommended as a result of the Committee's study to the 2011 Regular Session of the 2011 General Assembly becomes law; (2) or if a bill by the Committee is not recommended or enacted, until the 2011 Regular Session adjourns by joint resolution for more than 10 days. Provides exceptions to the interim financing prohibitions for units of local government or a joint agency meeting specified qualifications. Provides that if a local government unit or a joint agency qualify under a specified exception to the prohibition against interim financing, then prior to submitting an application, the unit of local government or joint agency must hold a public hearing on the proposed application and must send, at least 15 days before the hearing, written notice to each person that provides communication service within that unit, informing them of the intent to submit an application. Also provides that a unit of local government whose application is approved under the same specified exception to the prohibition against interim financing will be fully subject to the requirements of any bill recommended by the Committee as the result of its study that is enacted by the 2011 Regular Session of the 2011 General Assembly.