

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 488

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H488-AST-11 [v.6]

Page 1 of 2

Comm. Sub. [YES]
Amends Title [YES]
Second Edition

Date _____, 2013

Representative Stam

1 moves to amend the bill on page 1, lines 4-6 by rewriting those lines to read:
2 "PUBLIC WATER AND SEWER SYSTEMS TO A METROPOLITAN WATER AND
3 SEWERAGE DISTRICT.";

4
5 and on page 1, lines 14-20 by rewriting those lines to read:

6
7 "SECTION 1.(a) All assets, real and personal, tangible and intangible, and all
8 outstanding debts of any public water system meeting all of the following criteria are by
9 operation of law transferred to the metropolitan sewerage district operating in the county where
10 the public water system is located, to be operated as a Metropolitan Water and Sewerage
11 District:

- 12 (1) The public water system is owned and operated by a municipality located in
- 13 a county where a metropolitan sewerage district is operating.
- 14 (2) The public water system has not been issued a certificate for an interbasin
- 15 transfer.
- 16 (3) The public water system serves a population greater than one hundred
- 17 twenty thousand (120,000) people, according to data submitted pursuant to
- 18 G.S. 143-355(l).";
- 19

20 and on page 1, line 24 by rewriting that line to read: "to Section 1.(a) of this act";

21
22 and on page 1, line 25 and on page 1, lines 29 by deleting the phrase "shall be" and substituting
23 "are by operation of law";

24
25 and on page 1, line 35 by inserting the following at the end of that line:
26 "All members of the metropolitan sewerage district shall continue to serve on the district board
27 of the Metropolitan Water and Sewerage District until the governing body with appointing
28 authority appoints or replaces that individual on the district board of the Metropolitan Water
29 and Sewerage District.";

30
31 and on page 2, lines 7-8 by inserting the following between those lines:

32



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Page 2 of 2

1 "SECTION 1.(f) For purposes of this section, the transfer of all outstanding debts
2 by operation of law shall make the Metropolitan Water and Sewer District liable for all debts
3 attached to and related to the assets transferred under this section and the Metropolitan Water
4 and Sewer District shall indemnify and hold harmless the grantor entity for any outstanding
5 debts transferred under this section.";

6
7
8 and on page 2, lines 50-51 by inserting the following between those lines:

9
10 **""§ 162A-85.2. Creation.**

11 (a) Except as provided by operation of law, the governing bodies of two or more
12 political subdivisions may establish a metropolitan water and sewerage district if all of the
13 political subdivisions adopt a resolution setting forth all of the following:

- 14 (1) The names of the appointees to the district board.
15 (2) The date on which the district board shall be established.
16 (3) The boundaries of the district board.

17 (b) Prior to the adoption of a resolution under subsection (a) of this section, the
18 governing body shall hold at least two public hearings on the matter, held at least 30 days apart,
19 after publication of the notices of public hearing in a newspaper of general circulation,
20 published at least 10 days before each public hearing. "";

21
22 and on page 3, line 1 by deleting the phrase "no more than 15";

23
24 and on page 7, line 47 by striking "2013." on that line and substituting "2013, and the
25 Metropolitan Water and Sewer District in Section 1 of this act shall be created by operation of
26 law.

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
House Principal Clerk's Office**