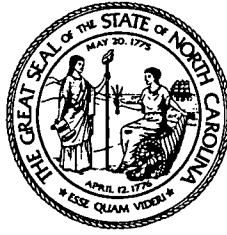


**1998**

**HOUSE  
LOCAL & REGIONAL  
GOVERNMENT II**

**MINUTES**



**HOUSE COMMITTEE**

**ON**

**LOCAL AND REGIONAL**

**GOVERNMENT II**

**1997-1998 Session**

**Rep. Michael P. Decker, Chairman**

**Cindy Keen, Committee Clerk**

**HOUSE COMMITTEE ON  
LOCAL AND REGIONAL GOVERNMENT II**

**1997-98 SESSION**

<b>MEMBER</b> <b>(Clerk)</b>	<b>TELEPHONE</b>	<b>OFFICE</b>	<b>SEAT</b>
MICHAEL P. DECKER, Chairman Cindy Keen	3-7208	2121	13
BOBBY H. BARBEE, SR. Rosa Murray	3-5908	1025	74
J. RUSSELL CAPPS Pamela Ahlin	5-3005	419B	77
JERRY C. DOCKHAM Joanna Mills	3-5822	1106	18
MARY L. JARRELL Edna Collar	3-5602	1426	115
MAGGIE JEFFUS Mary Lee Robinson	3-5191	1013	108
MARY E. McALLISTER Annecia Norwood	3-5706	603	70
BILL OWENS, Ranking Minority Member Marie Sheets	3-0010	608	22
P. WAYNE SEXTON Debbie Turner	3-5974	506	102
JOE P. TOLSON Gayle Christian	3-5607	609	59
GENE WILSON Rebecca Jones	3-7727	1109	52
Susan Hayes, Staff Attorney Cindy Keen, Clerk 5-21-98	3-2578 3-7208	545 2121	

**HOUSE COMMITTEE ON  
LOCAL AND REGIONAL GOVERNMENT II  
1997-98 SESSION  
MEMBERSHIP**



**Michael Decker  
CHAIRMAN**



**Bobby H. Barbee, Sr.**



**J. Russell Capps**



**Jerry C. Dockham**



**Mary L. Jarrell**



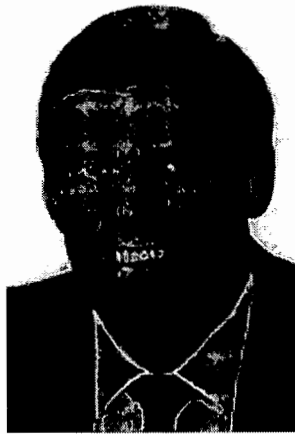
**Maggie Jeffus**



**Mary E. McAllister**



Bill Owens



P. Wayne Sexton



Joe P. Tolson



Gene Wilson

## LOCAL AND REGIONAL GOVERNMENT II

1997-98 Session

[illegible]

NORTH CAROLINA GENERAL ASSEMBLY  
COMMITTEE SUMMARY REPORT

1997-98 Regular Session		HOUSE: LOCAL & REGIONAL GOVERNMENT II		Valid Through 18-NOV-1998	
BILL	INTRODUCER	SHORT TITLE	LATEST ACTION ON BILL	IN DATE	OUT DATE
H 4	HOLMES	YADKINVILLE SEWAGE TREATMENT CONTRAC	R -CH. SL 97-0003	01-30-97	02-20-97
H 8	CARPENTER J	REPEAL MACON HUNTING RESTRICTIONS	R -CH. SL 97-0021	01-30-97	02-24-97
H 17	BOWIE	GUILFORD CONFLICT REPEAL	R -CH. SL 97-0085	02-24-97	03-05-97
H 34=	BRAWLEY	CATAWBA ANNEXATIONS	*R -CH. SL 97-0002	02-04-97	02-12-97
H 39	ALLRED	SWEPSONVILLE INCORPORATION	*R -CH. SL 97-0448	02-04-97	02-26-97
H 51	CANSLER	BUNCOMBE MUNICIPAL DEVELOPMENT	R -CH. SL 97-0086	02-05-97	02-20-97
H 62=	IVES	HENDERSON CO. ANNEXATION AGREEMENTS	*S -RE-REF COM ON FINANCE	02-05-97	02-20-97
H 65	BEALL	CANTON DEANNEXATION	R -CH. SL 97-0100	02-06-97	02-20-97
H 67	DECKER	SUMMERFIELD/LELAND AMENDMENTS	*R -CH. SL 97-0249	02-06-97	03-12-97
H 72	DECKER	OAK RIDGE INCORPORATED	*R -CH. SL 98-0113	02-06-97	03-12-97
H 91	CANSLER	NONBETTERMENT RELOCATION COSTS	HF-POSTPONED INDEFINITELY	02-11-97	02-20-97
H 97	DICKSON	GASTONIA RETIREMENT FUND	*R -CH. SL 97-0161	02-11-97	02-27-97
H 101	BAKER	EXTEND TRI-COUNTY ADMIN.	*R -CH. SL 97-0280	02-11-97	02-26-97
H 105	BEALL	JACKSON COUNTY AIRPORT AUTHORITY	*R -CH. SL 97-0022	02-11-97	02-26-97
H 124	DECKER	ANNEXATION REFERENDA	HF-POSTPONED INDEFINITELY	02-12-97	04-16-97
H 177=	MCPAHAN	PINEVILLE TELEPHONE SYSTEMS	H -REF TO COM ON LOC&RGII	02-17-97	
H 236	DOCKHAM	TRINITY INCORPORATED	*R -CH. SL 97-0044	02-17-97	02-20-97
H 265	SEXTON	COUNTY ORTHOPHOTOGRAPHY BOUNDARIES	*R -CH. SL 97-0299	02-18-97	03-05-97
H 270	DECKER	BETHANIA CHARTER AMENDED	HF-POSTPONED INDEFINITELY	02-18-97	03-12-97
H 280=	TOLSON	TARBORO CHARTER AMENDMENT	S -REF TO COM ON ST GVT	02-19-97	02-26-97
H 288	ADAMS	GREENSBORO HOUSING CODE	R -CH. SL 97-0089	02-20-97	03-26-97
H 296=	GULLEY J	MECKLENBURG SCHOOL ELECTION CHANGES	S -REF TO COM ON ST GVT	02-24-97	03-20-97
H 309=	ALEXANDER	CHARLOTTE ON-STREET PARKING	*R -CH. SL 97-0045	02-24-97	02-26-97
H 319	CARPENTER J	HIGHLANDS OCCUPANCY TAX	H -ASSIGNED TO FIN-REV	02-25-97	04-10-97
H 337	CULP	RANDOLPH OCCUPANCY TAX	*R -CH. SL 97-0342	02-26-97	03-20-97
H 340	MOORE	KANNAPOLIS PROPERTY ACQUISITIONS	*R -CH. SL 97-0295	02-26-97	04-10-97
H 342	ALEXANDER	MECKLENBURG BID LIMIT INCREASED	*R -CH. SL 97-0184	02-26-97	03-20-97
H 372=	ALEXANDER	CHARLOTTE TOWING VEHICLES	*S -REF TO COM ON ST GVT	03-03-97	03-20-97
H 373	STARNES	CALDWELL ANNEXATION RESTRICTED	*S -REF TO COM ON ST GVT	03-03-97	03-27-97
H 387=	DAUGHTRY	JOHNSTON SCHOOL BOARD ELECTIONS	HF-POSTPONED INDEFINITELY	03-04-97	03-26-97

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NORTH CAROLINA GENERAL ASSEMBLY  
COMMITTEE SUMMARY REPORT

1997-98 Regular Session

HOUSE: LOCAL & REGIONAL GOVERNMENT II

Valid Through 18-NOV-1998

BILL	INTRODUCER	SHORT TITLE	LATEST ACTION ON BILL	IN DATE	OUT DATE
H 391=	JARRELL	HIGH POINT FIREMEN'S PENSION	R -CH. SL 97-0067	03-04-97	04-03-97
H 412=	SAUNDERS	HUNTERSVILLE ANNEXATION AGREEMENT	H -REF TO COM ON LOC&RGII	03-06-97	
H 429	BEALL	LOCAL BICYCLE DISPOSITION	*R -CH. SL 97-0039	03-10-97	03-20-97
H 429	BEALL	LOCAL BICYCLE DISPOSITION	*R -CH. SL 97-0039	04-09-97	
H 486=	NYE	CASTLE HAYNE INCORPORATION	H -RE-REF COM ON FINANCE	03-10-97	03-26-97
H 496	HALL	LEE/MUNICIPAL STRUCTURES	*R -CH. SL 97-0449	03-11-97	04-03-97
H 500=	DAVIS D	SUMMERVILLE INCORPORATED	H -RE-REF COM ON FINANCE	03-12-97	03-26-97
H 508=	BRAWLEY	UPPER CATAWBA/PERSONAL WATERCRAFT	*R -CH. SL 97-0129	03-12-97	04-03-97
H 516	HILL	COLUMBUS ROAD HUNTING	R -CH. SL 97-0061	03-13-97	04-03-97
H 532=	CRAWFORD	HENDERSON CHARTER UPDATE	*R -CH. SL 97-0062	03-18-97	04-03-97
H 545=	ROGERS	WILLIAMSTON/TABOR CITY ETJ	*R -CH. SL 97-0281	03-19-97	04-03-97
H 548=	HIATT	ELKIN PRIVATE SALE	R -CH. SL 97-0130	03-19-97	04-03-97
H 549	IVES	ASHEVILLE/BILTMORE BOUNDARY	R -CH. SL 97-0250	03-19-97	04-03-97
H 570	SAUNDERS	MECKLENBURG SPHERES OF INFLUENCE	H -ASSIGNED TO FIN-REV	03-20-97	04-10-97
H 583	WEATHERLY	KINGS MOUNTAIN ABC BOARD	R -CH. SL 97-0047	03-24-97	04-10-97
H 587=	WILSON C	MECKLENBURG ABC LAW ENFORCEMENT	*R -CH. SL 97-0224	03-24-97	04-10-97
H 589	ROGERS	WASHINGTON ROAD HUNTING-2	*S -REF TO COM ON ST GVT	03-24-97	04-03-97
H 595=	COLE	REIDSVILLE ANNEXATIONS	HF-POSTPONED INDEFINITELY	03-24-97	04-23-97
H 596=	MCMAHAN	CHARLOTTE CIVIL SERVICE BOARD	S -REF TO COM ON ST GVT	03-25-97	04-03-97
H 603=	RAMSEY	MADISON OCCUPANCY TAX	*R -CH. SL 97-0102	03-25-97	04-03-97
H 603=	RAMSEY	MADISON OCCUPANCY TAX	*R -CH. SL 97-0102	05-19-97	
H 612	WILSON C	CHARLOTTE SPEED LIMIT AUTHORITY	*S -REF TO COM ON ST GVT	03-25-97	04-10-97
H 623	HOWARD	COOLEEMEE RECALL	HF-FAILED 2ND READING	03-26-97	04-10-97
H 627	ROGERS	BERTIE SCHOOL ELECTIONS	H -REF TO COM ON LOC&RGII	03-26-97	
H 633	JUSTUS	HENDERSON/LOCAL UNCLAIMED BICYCLES	S -REF TO COM ON ST GVT	03-26-97	04-10-97
H 634=	DICKSON	MTN. ISLAND LAKE MARINA COMMISSION	*HF-POSTPONED INDEFINITELY	03-26-97	04-10-97
H 643	RAYFIELD	BELMONT ANNEXATION AGREEMENT	R -CH. SL 97-0105	03-27-97	04-10-97
H 653	SEXTON	WENTWORTH CHARTER AMENDMENTS	*R -CH. SL 97-0322	03-27-97	04-23-97
H 656	BRAWLEY	WATERSHED EXEMPTION/ANNEXATION	*S -REF TO COM ON ST GVT	03-27-97	04-16-97
H 661	JUSTUS	HENDERSON COMMISSIONER DISTRICTS	*R -CH. SL 98-0175	03-27-97	04-10-97

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HOUSE: LOCAL & REGIONAL GOVERNMENT II

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1997-98 Regular Session

BILL	INTRODUCER	SHORT TITLE	LATEST ACTION ON BILL	IN DATE	OUT DATE
H 673=	HIATT	SURRY SCHOOL ELECTIONS	S -REF TO COM ON ST GVT	03-31-97	04-10-97
H 675	ARNOLD	ROCKY MOUNT HOUSING CODE PROCESS	R -CH. SL 97-0296	03-31-97	04-10-97
H 681=	WILKINS	ROXBORO CHARTER	*R -CH. SL 97-0282	03-31-97	04-10-97
H 684	IVES	SPECIAL ABC AREA PROCEDURES	*H -RE-REF COM ON LOC&RGII	03-31-97	04-17-97
H 684	IVES	SPECIAL ABC AREA PROCEDURES	*H -RE-REF COM ON LOC&RGII	04-21-97	
H 687	JUSTUS	HENDERSON E&R BOARD	R -CH. SL 97-0186	03-31-97	04-10-97
H 695	MORGAN	ABERDEEN ANNEXATION	R -CH. SL 97-0252	03-31-97	04-10-97
H 708=	ALEXANDER	LOCAL SPRINKLER SYSTEMS	*H -RE-REF COM ON LOC&RGII	03-31-97	04-10-97
H 708=	ALEXANDER	LOCAL SPRINKLER SYSTEMS	*H -RE-REF COM ON LOC&RGII	07-03-97	
H 712=	EARLE	CHARLOTTE PARKING ORDINANCE	S -REF TO COM ON ST GVT	03-31-97	04-16-97
H 747	GULLEY J	MECKLENBURG SCHOOL ELECTIONS	*S -REF TO COM ON ST GVT	04-02-97	04-24-97
H 748	GULLEY J	MATTHEWS/CHARLOTTE BOUNDARY	R -CH. SL 97-0220	04-02-97	04-16-97
H 750	BEALL	CHARTER OF FOREST HILLS	*R -CH. SL 97-0345	04-02-97	04-16-97
H 751	TALLENT	CABARRUS 3-YEAR SALES TAX/SCHOOLS	*HF-POSTPONED INDEFINITELY	04-02-97	05-22-97
H 766	MCMAHAN	MECKLENBURG/AMEND LEO DEFINITION	H -RE-REF COM ON PENS&RET	04-03-97	04-16-97
H 777	WEATHERLY	KINGS MT. ANNEXATION/MOSS LAKE USE	*HF-POSTPONED INDEFINITELY	04-03-97	04-16-97
H 778	WEATHERLY	KINGS MOUNTAIN ETJ	HF-POSTPONED INDEFINITELY	04-03-97	04-16-97
H 786	MOORE	CONCORD/CABARRUS/DURHAM/SANFORD	*R -CH. SL 97-0452	04-03-97	04-16-97
H 806=	BERRY	CONOVER HOUSING CODE	*R -CH. SL 97-0093	04-03-97	04-17-97
H 831	HUNTER R	YANCEY/CONSENT FOR CONDEMNATION	R -CH. SL 97-0164	04-07-97	04-23-97
H 832	THOMPSON	COLLECT DELINQUENT PROPERTY TAX	*HF-POSTPONED INDEFINITELY	04-07-97	04-16-97
H 843	STARNES	CEDAR ROCK INCORPORATED	*R -CH. SL 97-0317	04-07-97	04-16-97
H 844	COLE	REIDSVILLE ANNEXATION RESTRICTED	*R -CH. SL 97-0360	04-07-97	04-23-97
H 845	RAYFIELD	GASTON ROAD HUNTING	R -CH. SL 97-0066	04-07-97	04-16-97
H 847	CULP	WATER AUTHORITY POWERS	*R -CH. SL 97-0436	04-07-97	04-16-97
H 852	BAKER	911 DATABASE CONFIDENTIALITY	*R -CH. SL 97-0287	04-07-97	04-16-97
H 867	GULLEY J	MATTHEWS ANNEXATION/ZONING	*R -CH. SL 97-0283	04-07-97	04-16-97
H 893	HUNTER R	MCDOWELL/BURKE AIRPORT AUTHORITY	HF-POSTPONED INDEFINITELY	04-07-97	04-23-97
H 894=	SEXTON	STONEVILLE FOUR-YEAR TERMS	*R -CH. SL 98-0107	04-07-97	04-23-97
H1246=	HOWARD	MODIFY DAVIE ROOM TAX USE	R -CH. SL 98-0014	05-11-98	05-27-98

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NORTH CAROLINA GENERAL ASSEMBLY  
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1997-98 Regular Session		HOUSE: LOCAL & REGIONAL GOVERNMENT II	Valid Through 18-NOV-1998		
BILL	INTRODUCER	SHORT TITLE	LATEST ACTION ON BILL	IN DATE	OUT DATE
H1247=	BAKER	ABOLISH ASHE COUNTY CORONER	S -REF TO COM ON ST GVT	05-12-98	05-27-98
H1254	IVES	TRANSYLVANIA COUNTY LAND USE	S -REF TO COM ON ST GVT	05-12-98	06-03-98
H1256=	DICKSON	ABOLISH COUNTY CORONERS	*R -CH. SL 98-0090	05-13-98	05-27-98
H1264	BUCHANAN	CERTAIN COUNTIES SCHOOL ACQUISITION	H -ASSIGNED TO FIN-REV	05-13-98	06-03-98
H1274	DICKSON	GASTONIA SPECIAL ASSESSMENTS	R -CH. SL 98-0025	05-14-98	06-03-98
H1275	MITCHELL	STATESVILLE AIRPORT LEASE LENGTH	R -CH. SL 98-0102	05-14-98	06-03-98
H1284	BROWN	CERTAIN SCHOOL ACQUISITIONS	*R -CH. SL 98-0048	05-14-98	05-27-98
H1288	SHERRILL	MONTREAT COMMISSIONERS	R -CH. SL 98-0038	05-18-98	05-27-98
H1289	GARDNER	ROWAN SCHOOL PROP. CONVEYANCE	R -CH. SL 98-0012	05-18-98	05-27-98
H1306	THOMPSON	AVERY SCHOOL CONSTRUCTION	R -CH. SL 98-0007	05-18-98	05-27-98
H1338	BEALL	JACKSON PERSONAL WATERCRAFT	R -CH. SL 98-0027	05-20-98	06-03-98
H1341=	MCMAHAN	CHARLOTTE STORMWATER FEES	H -REF TO COM ON LOC&RGII	05-20-98	
H1383=	EARLE	MECK NECK	*H -RE-REF COM ON FINANCE	05-21-98	06-08-98
H1401	DECKER	PLEASANT GARDEN BOUNDARIES	R -CH. SL 98-0205	05-21-98	06-03-98
H1439=	ALEXANDER	MODIFY MECKLENBURG TAX PENALTY	H -REF TO COM ON LOC&RGII	05-25-98	
H1453	GARDNER	ROWAN SCHOOL BID EXEMPTION	*R -CH. SL 98-0078	05-25-98	06-18-98
H1494	MITCHELL	STATESVILLE CHARTER	R -CH. SL 98-0079	05-25-98	06-10-98
H1497	BUCHANAN	CRANBERRY INCORPORATED	*R -CH. SL 98-0091	05-26-98	06-17-98
H1524	CHURCH	MORGANTON MAYOR	*R -CH. SL 98-0081	05-27-98	06-17-98
H1541	MITCHELL	COMM. COLL. SALE OF DONATED LAND	*R -CH. SL 98-0072	05-27-98	06-15-98
H1546	TOLSON	ACCIDENT REPORTS/WEEDY LOTS	*R -CH. SL 98-0108	06-11-98	07-02-98
H1554	HIATT	MT. AIRY PRIVATE SALE	R -CH. SL 98-0082	05-28-98	06-17-98
H1555	MITCHELL	MODIFY STATESVILLE OCCUPANCY TAX	H -REF TO COM ON LOC&RGII	05-28-98	
H1587	BARBEE	STANLY/LOCUST UTILITY BILLS	*R -CH. SL 98-0084	05-28-98	06-17-98
H1587	BARBEE	STANLY/LOCUST UTILITY BILLS	*R -CH. SL 98-0084	07-21-98	
H1593=	BAKER	ALLEGHANY/SPARTA BILL EXEMPTION	*R -CH. SL 98-0018	05-28-98	06-10-98
H1607	SHUBERT	WEDDINGTON ETJ	*HF-POSTPONED INDEFINITELY	08-17-98	
H1615=	LUEBKE	DURHAM COUNTY BIKEWAYS FUNDS	R -CH. SL 98-0089	07-28-98	08-05-98
H1647	NESBITT	AMEND ASHEVILLE CHARTER	R -CH. SL 98-0031	05-28-98	06-10-98
H1660=	MILLER G	CITY OF DURHAM STORMWATER FEES	S -REF TO COM ON FINANCE	05-28-98	06-10-98

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H1661=	MILLER G	DURHAM DUMPSTER SERVICE	R -CH. SL 98-0050	05-28-98	06-10-98
S 47	MARTIN R	WASHINGTON ROAD HUNTING	*R -CH. SL 97-0095	02-26-97	05-22-97
S 58	KINCAID	UNLAWFUL TO REMOVE DOG COLLARS	*R -CH. SL 97-0150	02-25-97	05-22-97
S 59=	BALLANCE	LOCAL SCHOOL ACQUISITION	*R -CH. SL 97-0024	03-19-97	04-03-97
S 64=	MARTIN R	TARBORO CHARTER AMENDMENT	R -CH. SL 97-0096	02-25-97	05-22-97
S 69	FOXX	STOKES SCHOOL ACQUISITION	*R -CH. SL 97-0190	03-19-97	05-28-97
S 105	FOXX	LOCAL ORTHOPHOTOGRAPHY BOUNDARIES	*H -CAL PURSUANT RULE 36(A)	03-04-97	05-26-97
S 121	LEDBETTER	STATEWIDE TAKING OF BEAVER	R -CH. SL 97-0097	03-04-97	05-22-97
S 130	ODOM	MECKLENBURG SPHERES OF INFLUENCE	*R -CH. SL 97-0106	03-20-97	05-22-97
S 186	FOXX	DELAY GASTON PROPERTY TAX INTEREST	*R -CH. SL 98-0067	03-04-97	05-22-97
S 198=	JENKINS	HENDERSON CO. ANNEXATION AGREEMENTS	R -CH. SL 97-0188	03-31-97	05-28-97
S 262=	ODOM	HUNTERSVILLE ANNEXATION AGREEMENT	*R -CH. SL 97-0266	03-26-97	04-14-97
S 282=	ODOM	CHARLOTTE TOWING VEHICLES	*R -CH. SL 97-0107	03-19-97	05-22-97
S 290	DALTON	RUTHERFORDTON ABC DISTRIBUTIONS	R -CH. SL 97-0098	03-19-97	05-22-97
S 291=	WELLONS	JOHNSTON SCHOOL BOARD ELECTIONS	R -CH. SL 97-0032	03-19-97	04-03-97
S 322	KINCAID	AVERY UNAFFILIATED PETITIONS	R -CH. SL 97-0099	04-01-97	05-22-97
S 378	FOXX	COUNTY SUPERVISE PRISONERS	*R -CH. SL 97-0303	04-09-97	05-28-97
S 390	ODOM	HUNTERSVILLE ANNEXATION	*R -CH. SL 97-0267	04-14-97	05-28-97
S 429=	ODOM	CHARLOTTE CIVIL SERVICE BOARD	*R -CH. SL 97-0305	04-01-97	05-29-97
S 437=	EAST	ELKIN PRIVATE SALE	R -CH. SL 97-0131	04-30-97	05-28-97
S 464	HORTON	WINSTON-SALEM/FORSYTH HOUSING CODE	R -CH. SL 97-0126	04-22-97	05-28-97
S 499=	ODOM	CHARLOTTE PARKING ORDINANCES	R -CH. SL 97-0127	04-08-97	05-28-97
S 513	PLYLER	VALIDATE OAKBORO PROCEDURES	*R -CH. SL 97-0168	05-01-97	05-28-97
S 524=	ALLRAN	CONOVER/SANFORD HOUSING CODE	*R -CH. SL 97-0160	04-24-97	05-29-97
S 534	SHAW R	PLEASANT GARDEN INCORPORATED	R -CH. SL 97-0344	07-08-97	07-15-97
S 535	CARPENTER R	COUNTY CONSENT BEFORE ACQUISITION	*R -CH. SL 97-0263	04-30-97	05-29-97
S 548	FOXX	STOKES/DELINQUENT PROP. TAXES	S -REF TO COM ON FINANCE	04-30-97	06-11-97
S 556=	RUCHO	SPRINKLER SYSTEM REQUIREMENTS	*R -CH. SL 97-0316	04-09-97	06-12-97
S 579	KINCAID	LENOIR CHARTER	*R -CH. SL 97-0262	05-01-97	06-26-97
S 615	HORTON	KERNERSVILLE VEHICLE TAX	H -CAL PURSUANT RULE 36(A)	04-24-97	06-11-97

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S 637	WINNER	CHARLOTTE SPEED LIMIT AUTHORITY-2	*R -CH. SL 97-0264	04-15-97	06-19-97
S 643	SHAW R	GREENSBORO COUNCIL DISCLOSURE	*HF-FAILED 2ND READING	05-05-97	06-11-97
S 644	SHAW R	HIGH POINT COUNCIL DISCLOSURE	*HF-FAILED 2ND READING	05-05-97	06-11-97
S 645	SHAW R	GUILFORD SCHOOL BOARD DISCLOSURE	*R -CH. SL 97-0191	05-05-97	06-11-97
S 672	ODOM	CHARLOTTE-DOUGLAS CONSTRUCTION EXEMT	*R -CH. SL 98-0173	04-30-97	09-24-98
S1103	CARPENTER R	FRANKLIN ANNEXATION	R -CH. SL 98-0051	06-17-98	07-01-98
S1202=	DANNELLY	CONVEYANCE SURPLUS AUTOMOBILES	*R -CH. SL 98-0195	08-10-98	08-24-98
S1238	HORTON	FORSYTH BID EXEMPTION	*R -CH. SL 98-0104	08-05-98	08-12-98
S1273	HORTON	KERNERSVILLE ATTORNEY APPOINTMENT	R -CH. SL 98-0115	07-07-98	08-12-98
S1312	ALLRAN	CERTAIN COUNTIES SCH. ACQUISITION-2	*R -CH. SL 98-0201	06-18-98	07-20-98
S1333	HARTSELL	LANDIS ANNEXATION	*R -CH. SL 98-0065	06-25-98	07-02-98
S1478	HORTON	FORSYTH COUNTY INVESTMENTS	*R -CH. SL 98-0044	06-16-98	07-01-98
S1479	HORTON	WINSTON-SALEM INVESTMENTS	R -CH. SL 98-0036	06-16-98	07-01-98

NOTES- = AFTER BILL NUMBER SHOWS THAT BILL IS IDENTICAL, AS INTRODUCED, TO ANOTHER BILL.  
 \* AFTER NUMBERS INDICATES THAT TEXT OF BILL WAS ALTERED BY ACTION ON THE BILL.  
 BOLDDED LINE INDICATES BILL INDEXED AS AFFECTING APPROPRIATIONS.

# MINUTES

## HOUSE COMMITTEE ON

### LOCAL AND REGIONAL GOVERNMENT II

WEDNESDAY, MAY 27, 1998

The House Committee on LOCAL AND REGIONAL GOVERNMENT II met on Wednesday, May 27, 1998, in Room 1425 of the Legislative Building at 11:00 AM. The following members were present: Chairman Michael Decker, Representatives Barbee, Capps, Dockham, Jarrell, Jeffus, Owens, Tolson, and G. Wilson. Susan Hayes, Staff Counselor was in attendance. A Visitor Registration List is attached and made part of these minutes.

Chairman Decker called the meeting to order.

Chairman Decker recognized Representative Dickson to explain **HOUSE BILL 1256, A BILL TO BE ENTITLED AN ACT ABOLISHING THE OFFICE OF CORONER IN GASTON COUNTY. Upon motion made by Representative Dockham, the Committee voted for a favorable report.**

The next order of business was **HOUSE BILL 1247, A BILL TO BE ENTITLED AN ACT ABOLISHING THE OFFICE OF CORONER IN ASHE COUNTY.** Representative Baker, bill sponsor, explained the bill. **Upon motion made by Representative G. Wilson, the Committee voted for a favorable report.**

**HOUSE BILL 1246, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH DAVIE OCCUPANCY TAX PROCEEDS MAY BE USED AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE LAW,** was considered next on the agenda. Representative Howard, sponsor of the bill, was recognized to explain the bill. Mr. Jim Hobbs, President of the Hotel-Motel Association, spoke to the Committee. He stated that he did not oppose the bill. He distributed a handout with statistics. (See Attachment #1) **Upon motion made by Representative Owens, the Committee voted for a favorable report and recommendation that the bill be re-referred to the Committee on Finance.**

Next on the agenda was **HOUSE BILL 1288, A BILL TO BE ENTITLED AN ACT TO ADD TWO MEMBERS TO THE MONTREAT BOARD OF COMMISSIONERS AND TO PROVIDE FOR THE ELECTION OF THE ADDITIONAL MEMBERS.** Representative Sherrill, sponsor of the bill, was recognized to explain the meaning of the bill. **Upon motion made by Representative Dockham, the Committee voted for a favorable report.**

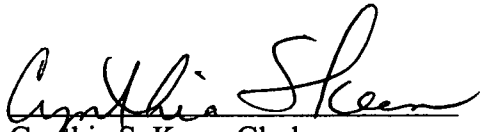
Chairman Decker recognized Representative Brown, sponsor of **HOUSE BILL 1284, A BILL TO BE ENTITLED AN ACT TO ALLOW ALEXANDER COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARDS OF EDUCATION**, to explain the bill. Upon motion made by Representative G. Wilson, the Committee voted for a favorable report.

The next order of business was **HOUSE BILL 1289, A BILL TO BE ENTITLED AN ACT PERMITTING THE ROWAN-SALISBURY BOARD OF EDUCATION TO CONVEY TO THE ROWAN COUNTY VOCATIONAL WORKSHOP, INC., ITS REMAINING INTEREST IN THE PROPERTY PREVIOUSLY CONVEYED TO THAT ENTITY**. Representative Gardner, bill sponsor, explained the bill. Upon motion made by Representative Tolson, the Committee voted for a favorable report.

Chairman Decker recognized Representative Thompson to explain **HOUSE BILL 1306, A BILL TO BE ENTITLED AN ACT TO ALLOW THE AVERY COUNTY BOARD OF EDUCATION TO BUILD A SCHOOL BUILDING ON LAND NOT OWNED IN FEE SIMPLE BY THE BOARD**. Upon motion made by Representative Barbee, the Committee voted for a favorable report.

With no further business, Chairman Decker adjourned the meeting.

  
Michael P. Decker, Chairman

  
Cynthia S. Keen, Clerk

## VISITOR REGISTRATION SHEET

## LOCAL AND REGIONAL GOVERNMENT II

**May 27, 1998**

Name of Committee

Date \_\_\_\_\_

**VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK**

**NAME**

**FIRM OR AGENCY AND ADDRESS**[illegible]

**HOUSE COMMITTEE ON  
LOCAL AND REGIONAL GOVERNMENT II**

May 27, 1998

Room 1425 Legislative Building

11:00 AM

**OPENING REMARKS**

Representative Decker, Chairman

**BILLS TO BE CONSIDERED:**

<b>HB 1246</b>	<b>Modify Davie Room Tax Use</b>	<b>Rep. Howard</b>
<b>HB 1247</b>	<b>Abolish Ashe County Coroner</b>	<b>Rep. Baker</b>
<b>HB 1256</b>	<b>Abolish Gaston County Coroner</b>	<b>Rep. Dickson</b>
<b>HB 1284</b>	<b>Alexander School Acquisition</b>	<b>Rep. Brown</b>
<b>HB 1288</b>	<b>Montreat Commissioners</b>	<b>Rep. Sherrill</b>
<b>HB 1289</b>	<b>Rowan School Property Conveyance</b>	<b>Rep. Gardner</b>
<b>HB 1306</b>	<b>Avery School Construction OK'd</b>	<b>Rep. Thompson</b>

**ADJOURNMENT**

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL  
GOVERNMENT II** .

---

☐ Committee Substitute for

H.B. 1256 A BILL TO BE ENTITLED AN ACT ABOLISHING THE OFFICE OF  
CORONER IN GASTON COUNTY.

☒ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐ .

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title,  
unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation  
that the committee substitute bill # ) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes  
the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1997**

**H**

**1**

**HOUSE BILL 1256**

Short Title: Abolish Gaston County Coroner.

(Local)

---

Sponsors: Representatives Dickson, Berry, Clary, Dedmon, Gamble, Kiser,  
Rayfield, and Weatherly.

---

Referred to: Local and Regional Government II.

---

May 13, 1998

- 1                                   A BILL TO BE ENTITLED  
2 AN ACT ABOLISHING THE OFFICE OF CORONER IN GASTON COUNTY.  
3 The General Assembly of North Carolina enacts:  
4           Section 1. The office of coroner in Gaston County is abolished.  
5           Section 2. Chapter 152 of the General Statutes is not applicable to  
6 Gaston County.  
7           Section 3. This act becomes effective upon the expiration of the term of  
8 the current coroner in Gaston County.



**North Carolina General Assembly  
Legislative Services Office**

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May 27, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1256 - Abolish Gaston County Coroner

House Bill 1256 abolishes the office of coroner in Gaston County. This bill is effective upon the expiration of the term of the current coroner.

H1256-SMSA-001

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL GOVERNMENT II**.

---

☐ Committee Substitute for

H.B. 1247 A BILL TO BE ENTITLED AN ACT ABOLISHING THE OFFICE OF CORONER IN ASHE COUNTY.

☒ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐.

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on ☐ Appropriations ☐ Finance ☐.

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title, unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation that the committee substitute bill # ) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1247

Short Title: Abolish Ashe County Coroner.

(Local)

---

Sponsors: Representatives Baker; and G. Wilson.

---

Referred to: Local and Regional Government II.

---

May 12, 1998

- 1 A BILL TO BE ENTITLED  
2 AN ACT ABOLISHING THE OFFICE OF CORONER IN ASHE COUNTY.  
3 The General Assembly of North Carolina enacts:  
4 Section 1. The office of coroner in Ashe County is abolished.  
5 Section 2. Chapter 152 of the General Statutes is not applicable to Ashe  
6 County.  
7 Section 3. This act becomes effective upon the expiration of the term of  
8 the current coroner in Ashe County.



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May 27, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1247 - Abolish Ashe County Coroner

House Bill 1247 abolishes the office of coroner in Ashe County. This bill is effective upon the expiration of the term of the current coroner.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **Decker** for the Committee on **LOCAL AND REGIONAL  
GOVERNMENT II**.

---

- ☐ Committee Substitute for  
H.B. 1246 A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR  
WHICH DAVIE OCCUPANCY TAX PROCEEDS MAY BE USED AND TO MAKE  
TECHNICAL AND CONFORMING CHANGES TO THE LAW.
- ☐ With a favorable report.
- ☒ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☒ Finance,
- ☐ With a favorable report, as amended.
- ☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐
- ☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title,  
unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation  
that the committee substitute bill # ) be re-referred to the Committee on .)
- ☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes  
the title, unfavorable as to Senate committee substitute bill.
- ☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)
- ☐ With an unfavorable report.
- ☐ With recommendation that the House concur.
- ☐ With recommendation that the House do not concur.
- ☐ With recommendation that the House do not concur; request conferees.
- ☐ With recommendation that the House concur; committee believes bill to be material.
- ☐ With an unfavorable report, with a Minority Report attached.
- ☐ Without prejudice.
- ☐ With an indefinite postponement report.
- ☐ With an indefinite postponement report, with a Minority Report attached.
- ☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1246

Short Title: Modify Davie Room Tax Use.

(Local)

Sponsors: Representative Howard.

Referred to: Local and Regional Government II, if favorable, Finance.

May 11, 1998

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO MODIFY THE PURPOSES FOR WHICH DAVIE OCCUPANCY  
3 TAX PROCEEDS MAY BE USED AND TO MAKE TECHNICAL AND  
4 CONFORMING CHANGES TO THE LAW.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. Section 1 of Chapter 928 of the 1989 Session Laws reads as  
7 rewritten:  
8 "Section 1. ~~Occupancy~~ Davie County occupancy tax.  
9 (a) Authorization and Scope. -- The Davie County Board of Commissioners may  
10 ~~by resolution, after not less than 10 days' public notice and after a public hearing~~  
11 ~~held pursuant thereto,~~ levy a room occupancy tax of three percent (3%) of the gross  
12 receipts derived from the rental of any room, lodging, or similar accommodation  
13 furnished by a hotel, motel, inn, or similar place within the county that is subject to  
14 sales tax imposed by the State under G.S. 105-164.4(a)(3). This tax is in addition to  
15 any State or local sales tax. This tax does not apply to accommodations furnished by  
16 nonprofit charitable, educational, or religious organizations.  
17 (b) ~~Collection.~~ Administration. -- A tax levied under this section shall be levied,  
18 administered, collected, and repealed as provided in G.S. 153A-155. The penalties  
19 provided in G.S. 153A-155 apply to a tax levied under this section.  
20 ~~Every operator of a business subject to the tax levied under this section shall, on and~~  
21 ~~after the effective date of the levy of the tax, collect the tax. This tax shall be~~  
22 ~~collected as part of the charge for furnishing a taxable accommodation. The tax shall~~  
23 ~~be stated and charged separately from the sales records, and shall be paid by the~~  
24 ~~purchaser to the operator of the business as trustee for and on account of the county.~~

~~1 The tax shall be added to the sales price and shall be passed on to the purchaser  
2 instead of being borne by the operator of the business. The county shall design,  
3 print, and furnish to all appropriate businesses and persons in the county the  
4 necessary forms for filing returns and instructions to ensure the full collection of the  
5 tax. An operator of a business who collects the occupancy tax levied under this  
6 section may deduct from the amount remitted to the county a discount of three  
7 percent (3%) of the amount collected.~~

~~8 (c) Administration. The county shall administer a tax levied under this section.  
9 A tax levied under this section is due and payable to the county tax administrator in  
10 monthly installments on or before the 15th day of the month following the month in  
11 which the tax accrues. Every person, firm, corporation, or association liable for the  
12 tax shall, on or before the 15th day of each month, prepare and render a return on a  
13 form prescribed by the county. The return shall state the total gross receipts derived  
14 in the preceding month from rentals upon which the tax is levied.~~

~~15 A return filed with the county tax administrator under this section is not a public  
16 record as defined by G.S. 132-1 and may not be disclosed except as required by law.~~

~~17 (d) Penalties. A person, firm, corporation, or association who fails or refuses to  
18 file the return required by this section shall pay a penalty of ten dollars (\$10.00) for  
19 each day's omission. In case of failure or refusal to file the return or pay the tax for  
20 a period of 30 days after the time required for filing the return or for paying the tax,  
21 there shall be an additional tax, as a penalty, of five percent (5%) of the tax due in  
22 addition to any other penalty, with an additional tax of five percent (5%) for each  
23 additional month or fraction thereof until the tax is paid. The board of  
24 commissioners may, for good cause shown, compromise or forgive the additional tax  
25 penalties imposed by this subsection.~~

~~26 Any person who willfully attempts in any manner to evade a tax imposed under  
27 this section or who willfully fails to pay the tax or make and file a return shall, in  
28 addition to all other penalties provided by law, be guilty of a misdemeanor and shall  
29 be punishable by a fine not to exceed one thousand dollars (\$1,000), imprisonment  
30 not to exceed six months, or both.~~

~~31 (e) Distribution and use of tax revenue. -- Davie County shall, on a monthly basis,  
32 deposit in a special account thirty three and one-third percent (33 1/3%) at least fifty  
33 percent (50%) of the net proceeds of the occupancy tax. Funds in the special  
34 account may be used only to promote travel and tourism in Davie County and to  
35 finance tourism related capital projects in the county. However, any tax proceeds in  
36 the special account that have not been appropriated after three years following the  
37 date they were deposited in the account shall be remitted to the general fund of  
38 Davie County and may be used for any lawful purpose.~~

~~39 Davie County shall, on a monthly basis, remit the remaining sixty six and  
40 two-thirds percent (66 2/3) of the net proceeds of the tax to its general funds and may  
41 use these funds for any lawful purpose. As used in this subsection, "net proceeds"  
42 means gross proceeds, including penalties and interest, less the cost to the county of  
43 administering and collecting the tax, as determined by the finance office. The  
44 following definitions apply in this subsection:~~

- 1           (1) Net proceeds. -- Gross proceeds less the cost to the county of  
2           administering and collecting the tax, as determined by the finance  
3           officer, not to exceed seven percent (7%) of the amount collected.  
4           (2) Promote travel and tourism. -- To advertise or market an area or  
5           activity, publish and distribute pamphlets and other materials,  
6           conduct market research, or engage in similar promotional  
7           activities that attract tourists or business travelers to the area; the  
8           term includes administrative expenses incurred in engaging in the  
9           listed activities.

10       ~~(f) Effective date of levy. A tax levied under this section shall become effective~~  
11       ~~on the date specified in the resolution levying the tax. That date must be the first~~  
12       ~~day of a calendar month, however, and may not be earlier than the first day of the~~  
13       ~~second month after the date the resolution is adopted.~~

14       ~~(g) Repeal. A tax levied under this section may be repealed by a resolution~~  
15       ~~adopted by the Davie County Board of Commissioners. Repeal of a tax levied under~~  
16       ~~this section shall become effective on the first day of a month and may not become~~  
17       ~~effective until the end of the fiscal year in which the repeal resolution was adopted.~~  
18       ~~Repeal of a tax levied under this section does not affect a liability for a tax that was~~  
19       ~~attached before the effective date of the repeal, nor does it affect a right to a refund~~  
20       ~~of a tax that accrued before the effective date of the repeal."~~

21               Section 2. County Administrative Provisions. Section 3(b) of S.L. 1997-  
22       102, as amended by Section 2 of S.L. 1997-255, Section 2 of S.L. 1997-342, Section 3  
23       of S.L. 1997-364, and Section 6 of S.L. 1997-410, reads as rewritten:

24       "(b) This section applies only to Avery, Brunswick, Davie, Madison, Nash, Person,  
25       Randolph, and Scotland Counties."

26               Section 3. This act becomes effective July 1, 1998.



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May 27, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1246 - Modify Davie Room Tax Use

Section 1 of House Bill 1246 amends the Davie County Occupancy Tax to provide that 50% of the net proceeds be used for promotion of travel and tourism (currently 33.3%). The bill also defines "net proceeds" as gross proceeds less the cost of administering the tax, however the cost may be no more than 7%.

Section 2 of the bill brings the administration of the Davie County tax under the administrative provisions for local occupancy taxes.

The bill is effective July 1, 1998.

# Travel & Tourism - Top Ten Counties

## and Remaining Ninety Counties

### Gross Sales for Lodging and Accommodations in North Carolina

	in millions			
	1994/1995	1995/1996	1996/1997	Increase
<b>North Carolina Lodging Sales</b>	<b>\$1,577.2</b>	<b>\$1,728.0</b>	<b>\$1,795.6</b>	<b>\$218.4</b>
% increase		9.6%	3.9%	13.8%
<b>Top Ten Counties</b>				
1. Mecklenburg	\$ 234.7	\$ 277.2	\$ 294.8	\$ 60.1
2. Dare	139.6	148.1	163.5	23.9
3. Wake	137.1	153.3	159.7	22.6
4. Guilford	106.7	123.7	133.5	26.8
5. Durham	95.0	104.9	112.7	17.5
6. Buncombe	92.3	101.8	105.8	13.5
7. New Hanover	67.0	72.8	77.1	10.1
8. Moore	62.9	62.0	62.9	00.0
9. Carteret	53.1	55.2	62.2	9.1
10. Brunswick	51.4	56.2	58.9	7.5
<b>Total - Top Ten Counties</b>	<b><u>\$1,039.8</u></b>	<b><u>\$1,155.2</u></b>	<b><u>\$1,230.9</u></b>	<b><u>\$191.1</u></b>
% increase (decrease)		11.1%	6.5%	18.3%
<b>Remaining Ninety Counties</b>	<b><u>\$537.4</u></b>	<b><u>\$572.8</u></b>	<b><u>\$564.7</u></b>	<b><u>\$27.3</u></b>
% increase (decrease)		6.6%	(1.4%)	5.1%
<b>% of State Total - Top Ten</b>	<b>65.9%</b>	<b>66.9%</b>	<b>68.6%</b>	<b>87.5%</b>
<b>% of State Total - Remaining Ninety</b>	<b>34.1%</b>	<b>33.1%</b>	<b>31.4%</b>	<b>12.5%</b>

Source: North Carolina Department of Revenue

After separating the sales of North Carolina's top ten counties when ranked by accommodations sales, the remaining ninety counties declined in gross sales to \$564.7 millions in FY 1996/97 from a high of \$572.8 millions the previous year. Surveys by the North Carolina Hotel & Motel Association in central and western parts of the state reveal a consistent pattern of moderate price increases (average daily rates) but a decreasing number of room nights sold.

- 87.5% of lodging sales growth occurred in ten counties during the two year period.
- Four urban counties (Mecklenburg, Wake, Durham, and Guilford) accounted for 39% of the state's total with \$700.5 millions in sales in FY 1996/1997 compared with 36.4% two years earlier.
- Four coastal counties (Dare, New Hanover, Carteret, and Brunswick) accounted for 20.1% of the state's total with \$361.7 millions in sales in FY 1996/1997 up from 19.7% two years earlier.

North Carolina Hotel & Motel Association PO Box 30457 Raleigh, N. C. 27622  
919-786-9730 Fax 919-786-9969

# Memo NCHMA

---

Re: Davie County/Mocksville

1. Number of Properties \* 5  
Number of Rooms \* 156

2. Gross Sales "Hotels, Motels, Cottages" \*

Source: N. C. Department of Revenue and Survey of Properties

1993/1994	\$1,200,134.
1994/1995	\$1,234,724.
1995/1996	\$1,264,281.
1996/1997	\$1,198,621.

**Sales for only four of the five properties reported in above.  
The fifth property opened in 1998.**

- 1. For three of four reporting properties (not on I-40), sales have declined 32% during the period reported above.**
- 2. One property, located on I-40, reported a large jump in sales and occupancy in 1994/1995 when the new section of I-40 around Winston-Salem opened. This same property reports a decrease in sales of 13% for 1998 through May 19.**

**North Carolina Hotel & Motel Association PO Box 30457 Raleigh, N. C. 27622  
919-786-9730 Fax 919-786-9969**

# NORTH CAROLINA HOTEL & MOTEL ASSOCIATION

## NORTH CAROLINA GROSS RETAIL SALES

"Hotel, Motels, Cottage Rentals"

\$ In Millions

THROUGH NOVEMBER, 1997

MONTH/YEAR	1993/94	1994/95	1995/96	1996/97	1997/98
JUL	139.8	152.0	170.1	185.7	201.8
AUG	175.7	195.8	224.4	218.6	234.0
SEP	156.3	173.5	188.3	200.6	225.7
OCT	122.1	139.2	161.2	151.9	156.0
NOV	133.9	146.6	153.9	173.9	177.1
DEC	85.8	96.6	105.7	130.1	
JAN	72.5	89.3	89.4	94.8	
FEB	77.4	87.1	98.5	104.7	
MAR	88.7	101.5	102.8	106.5	
APR	100.4	107.4	124.3	122.2	
MAY	125.4	144.4	148.8	146.0	
JUN	133.3	143.8	160.6	160.6	
<b>TOTAL</b>	<b>\$1,411.3</b>	<b>\$1,577.2</b>	<b>\$1,728.0</b>	<b>\$1,795.6</b>	<b>994.6YTD</b>
<b>% INCREASE</b>	<b>X</b>	<b>11%</b>	<b>9%</b>	<b>3%</b>	<b>6.9%YTD</b>

MONTH/YEAR	1993/94	1994/95	1995/96	1996/97	1997/98
3RD QTR	471.8	521.3	582.8	604.9	661.5
4TH QTR	341.8	382.4	420.8	455.9	333.1QTD
<b>TOTAL JUL-DEC</b>	<b>813.6</b>	<b>903.7</b>	<b>1,003.6</b>	<b>1,060.8</b>	<b>994.6YTD</b>
<b>% INCREASE</b>	<b>X</b>	<b>11%</b>	<b>11%</b>	<b>5%</b>	<b>6.9%YTD</b>
1ST QTR	238.6	277.9	290.7	306.0	X
2ND QTR	359.1	395.6	433.7	428.8	X
<b>TOTAL JAN-JUN</b>	<b>597.7</b>	<b>673.5</b>	<b>724.7</b>	<b>734.8</b>	<b>X</b>
<b>% INCREASE</b>	<b>X</b>	<b>12%</b>	<b>7%</b>	<b>1%</b>	<b>X</b>

The information in this report is based upon research from sources considered reliable, is intended solely for the internal purposes of our membership, and may not be published in any manner unless authorized by the North Carolina Hotel & Motel Association. Copyright 1997 NCHMA.

PREPARED BY:

NORTH CAROLINA HOTEL & MOTEL ASSOCIATION

APRIL 17, 1998

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Member

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL  
GOVERNMENT II**.

---

- ☐ Committee Substitute for  
H.B. 1288 A BILL TO BE ENTITLED AN ACT TO ADD TWO MEMBERS TO THE  
MONTREAT BOARD OF COMMISSIONERS AND TO PROVIDE FOR THE ELECTION  
OF THE ADDITIONAL MEMBERS.
- ☒ With a favorable report.
- ☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐
- ☐ With a favorable report, as amended.
- ☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐
- ☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title,  
unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation  
that the committee substitute bill # ) be re-referred to the Committee on .)
- ☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes  
the title, unfavorable as to Senate committee substitute bill.
- ☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)
- ☐ With an unfavorable report.
- ☐ With recommendation that the House concur.
- ☐ With recommendation that the House do not concur.
- ☐ With recommendation that the House do not concur; request conferees.
- ☐ With recommendation that the House concur; committee believes bill to be material.
- ☐ With an unfavorable report, with a Minority Report attached.
- ☐ Without prejudice.
- ☐ With an indefinite postponement report.
- ☐ With an indefinite postponement report, with a Minority Report attached.
- ☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1288

Short Title: Montreat Commissioners.

(Local)

---

Sponsors: Representative Sherrill.

---

Referred to: Local and Regional Government II.

---

May 18, 1998

1 A BILL TO BE ENTITLED

2 AN ACT TO ADD TWO MEMBERS TO THE MONTREAT BOARD OF  
3 COMMISSIONERS AND TO PROVIDE FOR THE ELECTION OF THE  
4 ADDITIONAL MEMBERS.

5 The General Assembly of North Carolina enacts:

6 Section 1. Effective the first Monday in December of 1998, the Board of  
7 Commissioners of the Town of Montreat is increased from three to five members.

8 Section 2. The persons elected to fill the two additional seats on the  
9 Board of Commissioners shall be elected in the November 3, 1998, general election,  
10 shall take office on the first Monday in December 1998, and shall hold office for  
11 terms of three years, which terms shall expire at the first organizational meeting of  
12 the Board of Commissioners after the municipal election in November 2001. Persons  
13 elected to fill the two additional seats on the Board of Commissioners in 2001 and  
14 thereafter shall serve for terms of four years.

15 Section 3. The Buncombe County Board of Elections shall hold a filing  
16 period which shall open at 12:00 noon on July 7, 1998, and close at 12:00 noon on  
17 August 4, 1998, for candidates to file for the new seats on the Board of  
18 Commissioners.

19 Section 4. This act is effective when it becomes law.



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Legislative Services Office**

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May 27, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1288 - Montreat Commissioners

House Bill 1288 increases the size of the Town of Montreat's governing board from three to five members. The new members shall be elected on November 3, 1998 for three year terms. Beginning in 2001, all members will be elected for four year terms. The bill directs Buncombe County to hold a filing period from noon July 7, 1998 to noon August 4, 1998 for filing for the new seats.

This bill is effective when it becomes law.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL  
GOVERNMENT II**.

---

- ☐ Committee Substitute for  
H.B. 1284 A BILL TO BE ENTITLED AN ACT TO ALLOW ALEXANDER COUNTY TO  
ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARDS OF EDUCATION.
- ☒ With a favorable report.
- ☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐.
- ☐ With a favorable report, as amended.
- ☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐.
- ☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title,  
unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation  
that the committee substitute bill # ) be re-referred to the Committee on .)
- ☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes  
the title, unfavorable as to Senate committee substitute bill.
- ☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)
- ☐ With an unfavorable report.
- ☐ With recommendation that the House concur.
- ☐ With recommendation that the House do not concur.
- ☐ With recommendation that the House do not concur; request conferees.
- ☐ With recommendation that the House concur; committee believes bill to be material.
- ☐ With an unfavorable report, with a Minority Report attached.
- ☐ Without prejudice.
- ☐ With an indefinite postponement report.
- ☐ With an indefinite postponement report, with a Minority Report attached.
- ☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1284

Short Title: Alexander School Acquisition.

(Local)

---

Sponsors: Representative Brown.

---

Referred to: Local and Regional Government II.

---

May 14, 1998

1 A BILL TO BE ENTITLED

2 AN ACT TO ALLOW ALEXANDER COUNTY TO ACQUIRE PROPERTY FOR  
3 USE BY THE COUNTY BOARDS OF EDUCATION.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 153A-158.1 reads as rewritten:

6 "**§ 153A-158.1. Acquisition and improvement of school property in certain counties.**

7 (a) Acquisition by County. -- A county may acquire, by any lawful method, any  
8 interest in real or personal property for use by a school administrative unit within the  
9 county. In exercising the power of eminent domain a county shall use the procedures  
10 of Chapter 40A. The county shall use its authority under this subsection to acquire  
11 property for use by a school administrative unit within the county only upon the  
12 request of the board of education of that school administrative unit and after a public  
13 hearing.

14 (b) Construction or Improvement by County. -- A county may construct, equip,  
15 expand, improve, renovate, or otherwise make available property for use by a school  
16 administrative unit within the county. The local board of education shall be involved  
17 in the design, construction, equipping, expansion, improvement, or renovation of the  
18 property to the same extent as if the local board owned the property.

19 (c) Lease or Sale by Board of Education. -- Notwithstanding the provisions of G.S.  
20 115C-518 and G.S. 160A-274, a local board of education may, in connection with  
21 additions, improvements, renovations, or repairs to all or part of any of its property,  
22 lease or sell the property to the board of commissioners of the county in which the  
23 property is located for any price negotiated between the two boards.

1 (d) Board of Education May Contract for Construction. -- Notwithstanding the  
2 provisions of G.S. 115C-40 and G.S. 115C-521, a local board of education may enter  
3 into contracts for the erection of school buildings upon sites owned in fee simple by  
4 one or more counties in which the local school administrative unit is located.

5 (e) Scope. -- This section applies to Alexander, Alleghany, Ashe, Avery, Bladen,  
6 Brunswick, Burke, Cabarrus, Camden, Carteret, Cherokee, Chowan, Columbus,  
7 Currituck, Dare, Duplin, Edgecombe, Forsyth, Franklin, Gates, Graham, Greene,  
8 Guilford, Halifax, Harnett, Haywood, Hyde, Iredell, Jackson, Johnston, Jones, Lee,  
9 Macon, Madison, Martin, Moore, Nash, New Hanover, Onslow, Orange, Pasquotank,  
10 Pender, Perquimans, Person, Pitt, Randolph, Richmond, Rockingham, Rowan,  
11 Sampson, Scotland, Stanly, Stokes, Surry, Union, Vance, Wake, Wilson, and Watauga  
12 Counties."

13 Section 2. This act is effective when it becomes law.



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(919) 733-2578

May 27, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1284 - Alexander School Acquisition

This bill amends G.S. 153A-158.1 to include Alexander County.

G.S. 153A-158.1 allows a county to:

- 1) acquire property for use by a school administrative unit;
- 2) construct, equip, expand, improve, renovate or otherwise make available property for use by a school administrative unit;
- 3) allows a local board of education to sell or lease property to the county board of commissioners in connection with additions, improvements, renovations or repairs to the property;
- 4) allows a local board of education to contract for the construction or repair of school buildings on sites owned by the county.

This bill is effective when it becomes law.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL GOVERNMENT II**.

---

☐ Committee Substitute for

H.B. 1289 A BILL TO BE ENTITLED AN ACT PERMITTING THE ROWAN-SALISBURY BOARD OF EDUCATION TO CONVEY TO THE ROWAN COUNTY VOCATIONAL WORKSHOP, INC., ITS REMAINING INTEREST IN THE PROPERTY PREVIOUSLY CONVEYED TO THAT ENTITY.

☒ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐ .

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on ☐ Appropriations ☐ Finance ☐

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title, unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation that the committee substitute bill # ) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees. .

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1289

Short Title: Rowan School Prop. Conveyance.

(Local)

---

Sponsors: Representative Gardner.

---

Referred to: Local and Regional Government II.

---

May 18, 1998

- 1 A BILL TO BE ENTITLED  
2 AN ACT PERMITTING THE ROWAN-SALISBURY BOARD OF EDUCATION  
3 TO CONVEY TO THE ROWAN COUNTY VOCATIONAL WORKSHOP, INC.,  
4 ITS REMAINING INTEREST IN THE PROPERTY PREVIOUSLY CONVEYED  
5 TO THAT ENTITY.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. Chapter 212 of the 1973 Session Laws reads as rewritten:  
8 "Section 1. The Salisbury City Board of Education is hereby authorized and  
9 empowered to convey any parcel or parcels of surplus real estate which it may now  
10 own to the Rowan County Vocational Workshop, Inc. ~~provided, however, that the~~  
11 ~~deed conveying said land to the Rowan County Vocational Workshop, Inc., shall~~  
12 ~~contain a reversionary or condition subsequent clause which shall provide, in effect,~~  
13 ~~that the fee in the land shall revert to the Salisbury City Board of Education in the~~  
14 ~~event the land is no longer used for the purposes for which the Rowan County~~  
15 ~~Vocational Workshop, Inc., was established. Inc.~~  
16 Section 1.1. The Rowan-Salisbury Board of Education may convey to the Rowan  
17 County Vocational Workshop, Inc., for monetary and/or nonmonetary consideration,  
18 any remaining interest in property previously conveyed to the Rowan County  
19 Vocational Workshop, Inc., in accordance with Section 1 of this act.  
20 Sec. 2. This act shall become effective July 1, 1973."  
21 Section 2. This act is effective when it becomes law.



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May 27, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1289 - Rowan School Prop. Conveyance

House Bill 1289 allows the Rowan-Salisbury Board of Education to convey any remaining interest in property already conveyed to the Rowan County Vocational Workshop, Inc.

This act is effective when it becomes law.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL  
GOVERNMENT II**.

---

☐ Committee Substitute for

H.B. 1306 A BILL TO BE ENTITLED AN ACT TO ALLOW THE AVERY COUNTY BOARD OF EDUCATION TO BUILD A SCHOOL BUILDING ON LAND NOT OWNED IN FEE SIMPLE BY THE BOARD.

☒ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐ .

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on ☐ Appropriations ☐ Finance ☐

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title, unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation that the committee substitute bill # ) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1306

Short Title: Avery School Construction OK'd.

(Local)

---

Sponsors: Representatives Thompson and Buchanan.

---

Referred to: Local and Regional Government II.

---

May 18, 1998

1 A BILL TO BE ENTITLED

2 AN ACT TO ALLOW THE AVERY COUNTY BOARD OF EDUCATION TO  
3 BUILD A SCHOOL BUILDING ON LAND NOT OWNED IN FEE SIMPLE BY  
4 THE BOARD.

5 The General Assembly of North Carolina enacts:

6 Section 1. Notwithstanding G.S. 115C-521(d), the Avery County Board  
7 of Education may provide for the erection or repair of a school building on a site  
8 donated by the Crossnore School, Inc., whether or not the deed to the property  
9 contains a condition subsequent or possibility of reverter.

10 Section 2. This act is effective when it becomes law.



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300 N. Salisbury St.  
Raleigh, NC 27603-5925  
(919) 733-2578

May 27, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1306 - Avery School Construction OK'd

7  
House Bill 1306 allows the Avery County Board of Education to construct a school building on land not owned in fee simple.

This act is effective when it becomes law.

MINUTES  
HOUSE COMMITTEE ON  
LOCAL AND REGIONAL GOVERNMENT II

WEDNESDAY, JUNE 3, 1998

The House Committee on LOCAL AND REGIONAL GOVERNMENT II met on Wednesday, June 3, 1998, in Room 1425 of the Legislative Building at 11:00 AM. The following members were present: Chairman Michael Decker, Representatives Capps, Dockham, Jarrell, Jeffus, McAllister, Owens, Tolson, and G. Wilson. Susan Hayes, Staff Counselor was in attendance. A Visitor Registration List is attached and made part of these minutes.

Chairman Decker called the meeting to order.

Chairman Decker recognized Representative Beall to explain **HOUSE BILL 1338, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE JACKSON COUNTY TO REGULATE THE OPERATION OF PERSONAL WATERCRAFT**. Representative Beall distributed a handout explaining the proposed regulations. (Attachment #1) **Upon motion made by Representative McAllister, the Committee voted for a favorable report.**

The next order of business was **HOUSE BILL 1254, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COUNTY OF PENNSYLVANIA MAY USE CERTAIN LANDS FOR LIBRARY PURPOSES**. Representative Ives explained the bill. **Upon motion made by Representative Owens, the Committee voted for a favorable report.**

**HOUSE BILL 1264, A BILL TO BE ENTITLED AN ACT TO ALLOW ALEXANDER, CALDWELL, AND MITCHELL COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION**, was considered next on the agenda. Representative Buchanan, sponsor of the bill, was recognized to explain the bill. **Upon motion made by Representative G. Wilson, the Committee voted for a favorable report.**

Next on the agenda was **HOUSE BILL 1275, A BILL TO BE ENTITLED AN ACT TO EXTEND THE PERMISSIBLE LENGTH OF LEASES ENTERED INTO BY THE STATESVILLE MUNICIPAL AIRPORT FROM TWENTY TO TWENTY-FIVE YEARS**. Representative Mitchell, sponsor of the bill, was recognized to explain the meaning of the bill. **Upon motion made by Representative Dockham, the Committee voted for a favorable report.**

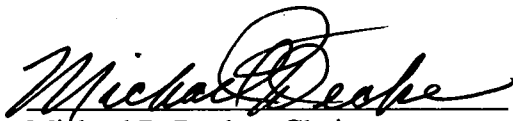
Chairman Decker recognized Representative Earle, sponsor of **HOUSE BILL 1383, A BILL TO BE ENTITLED AN ACT TO ANNEX THE MECK NECK AREA OF MECKLENBURG COUNTY TO IREDELL COUNTY**, to explain the bill. Representative Tolson made the motion to send forward an amendment to be rolled into a committee substitute for purposes of discussion. **Upon motion made by Representative Tolson, the committee substitute was adopted.** After much discussion, the bill was removed from the agenda.

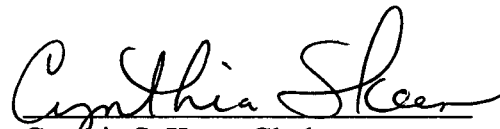
The next bill on the agenda was sponsored by Representative Decker and therefore he relinquished the chair to Representative Dockham, who in turn recognized Representative Decker to explain **HOUSE BILL 1401, A BILL TO BE ENTITLED AN ACT TO ADJUST THE BOUNDARIES OF THE TOWN OF PLEASANT GARDEN TO INCLUDE THE ENTIRE RIGHT-OF-WAY OF CERTAIN ROADS.** Upon motion made by Representative Owens, the Committee voted for a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

Representative Decker returned to the podium in his position as chairman.

Chairman Decker recognized Representative Dickson to explain **HOUSE BILL 1274, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF GASTONIA TO WAIVE WATER AND SEWER SPECIAL ASSESSMENTS ON CERTAIN BENEFITED PROPERTY.** Upon motion made by Representative Tolson, the Committee voted for a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

With no further business, Chairman Decker adjourned the meeting.

  
Michael P. Decker, Chairman

  
Cynthia S. Keen, Clerk

**June 3, 1998**

Date \_\_\_\_\_

**FIRM OR AGENCY AND ADDRESS**[illegible]

**HOUSE COMMITTEE ON  
LOCAL AND REGIONAL GOVERNMENT II**

June 3, 1998

Room 1425 Legislative Building

11:00 AM

**OPENING REMARKS**

Representative Decker, Chairman

**BILLS TO BE CONSIDERED:**

<b>HB 1254</b>	<b>TRANSYLVANIA COUNTY LAND USE</b>	<b>REP. IVES</b>
<b>HB 1264</b>	<b>CERTAIN COUNTIES SCHOOL ACQUISITION</b>	<b>REP. BUCHANAN</b>
<b>HB 1274</b>	<b>GASTONIA SPECIAL ASSESSMENTS</b>	<b>REP. DICKSON</b>
<b>HB 1275</b>	<b>STATESVILLE AIRPORT LEASE LENGTH</b>	<b>REP. MITCHELL</b>
<b>HB 1338</b>	<b>JACKSON PERSONAL WATERCRAFT</b>	<b>REP. BEALL</b>
<b>HB 1383</b>	<b>MECK NECK</b>	<b>REP. EARLE</b>
<b>HB 1401</b>	<b>PLEASANT GARDEN BOUNDARIES</b>	<b>REP. DECKER</b>

**ADJOURNMENT**

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL GOVERNMENT II**.

---

- ☐ Committee Substitute for  
H.B. 1338 A BILL TO BE ENTITLED AN ACT TO AUTHORIZE JACKSON COUNTY  
TO REGULATE THE OPERATION OF PERSONAL WATERCRAFT.
- ☒ With a favorable report.
- ☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐.
- ☐ With a favorable report, as amended.
- ☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐.
- ☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title,  
unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation  
that the committee substitute bill # ) be re-referred to the Committee on .)
- ☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes  
the title, unfavorable as to Senate committee substitute bill.
- ☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)
- ☐ With an unfavorable report.
- ☐ With recommendation that the House concur.
- ☐ With recommendation that the House do not concur.
- ☐ With recommendation that the House do not concur; request conferees.
- ☐ With recommendation that the House concur; committee believes bill to be material.
- ☐ With an unfavorable report, with a Minority Report attached.
- ☐ Without prejudice.
- ☐ With an indefinite postponement report.
- ☐ With an indefinite postponement report, with a Minority Report attached.
- ☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1338

Short Title: Jackson Pers. Watercraft.

(Local)

---

Sponsors: Representatives Beall, Ramsey, and Carpenter.

---

Referred to: Local & Regional Government II.

---

May 20, 1998

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE JACKSON COUNTY TO REGULATE THE  
3 OPERATION OF PERSONAL WATERCRAFT.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. A county may adopt ordinances to regulate personal  
6 watercraft operation in lakes and other bodies of water within the county boundaries.  
7 Section 2. This act applies only to Jackson County.  
8 Section 3. This act is effective when it becomes law.



**North Carolina General Assembly  
Legislative Services Office**

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June 3, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1338 - Jackson Pers. Watercraft

House Bill 1338 allows Jackson County to adopt ordinances regulating personal watercraft operation in lakes and other bodies of water located in Jackson County.

This act is effective when it becomes law.

PERSONAL WATERCRAFT SAFETY RESOLUTION

These regulations shall be **applicable to ALL LAKES**), Jackson County, North Carolina.

SECTION 1. DEFINITIONS

As used in these regulations:

- (a) "Personal Watercraft" shall mean a vessel which uses an inboard motor powering a water jet pump as its primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than the conventional manner of sitting or standing inside the vessel. Personal Watercraft shall also include, for the purposes of these regulations, any Specialty Pro-Craft, hereinafter defined.
- (b) "Specialty Pro-Craft" shall mean a vessel which is similar in appearance and operation to a Personal Watercraft but which is powered by an outboard or propeller drive motor.
- (c) "Floating Device" shall include kneeboards, aqua planes, surfboards, saucers, inner tubes, and other similar equipment.

SECTION 2. REGULATION OF PERSONAL WATERCRAFT

- (a) A person shall not operate a Personal Watercraft unless each person aboard is wearing a personal flotation device approved by the United States Coast Guard.
- (b) A person operating a Personal Watercraft equipped by the manufacturer with a lanyard type engine cutoff switch shall keep such lanyard attached to his person, clothing, or personal flotation device at all times the Personal Watercraft is being operated in such a manner to cut the engine off in the event the operator dismounts while the Personal Watercraft is in operation.
- (c) Personal Watercraft shall not be operated after sundown or before sunrise.
- (d) No person shall tow a water skier or a person on any floating device with a Personal Watercraft unless the craft is either (1) equipped with a mirror or mirrors which permit the operator to observe the person being towed, or (2) carrying a person other than

the operator who is in position to observe the person being towed. No person shall tow a water skier or any floating device unless the person being towed is wearing one of the personal flotation devices described in Section (a) above. Personal Watercraft may be used to tow another vessel when rendering assistance.

- (e) Except as otherwise provided herein, no person under 16 years of age shall operate a Personal Watercraft on the waters of Lake Glenville, nor shall the owner of a Personal Watercraft knowingly allow a person under the age of 16 to operate a Personal Watercraft. A person of at least 13 years of age but under 16 years of age may operate a Personal Watercraft on the waters of Lake Glenville if:
  - (1) The person is accompanied by a person of at least 16 years of age who physically occupies the Watercraft: or
  - (2) The person possesses a boating safety certificate or a photographic identification card certifying that the person has successfully completed a boating safety course approved by the United States Coast Guard Auxiliary or NASBLA approved educational safety program for the operation of a Personal Watercraft.
- (f) A Personal Watercraft shall at all times be operated in a reasonable and prudent manner. Maneuvers which endanger life, limb, or property, including, but not limited to, weaving through congested vessel traffic, jumping the wake of another vessel unreasonably or unnecessarily close to such other vessel, or when visibility around such other vessel is obstructed, and swerving at the last possible moment to avoid collision shall constitute reckless operation of a vessel.
- (g) The number of riders on a Personal Watercraft may not exceed the Watercraft manufacturer's specifications.
- (h) Personal Watercraft shall not be operated within 100 feet of a swimmer, dock, or shoreline; nor shall it be operated in such a manner so as to leave the water while crossing the wake of another vessel within 100 feet of that vessel or any other vessel, or within 100 feet of a person being towed.
- (I) Personal Watercraft shall be operated at idle speed within 100 feet of arriving at or leaving a dock or shoreline.

SECTION 3. REGULATION OF RENTAL OF PERSONAL WATERCRAFT

No livery may lease, hire, or rent a Personal Watercraft to or for operation by any person who is under 16 years of age except as provided herein under Section 2 (e).

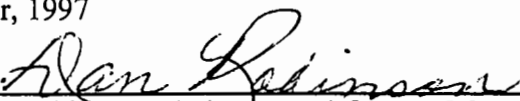
SECTION 4. EXEMPTIONS

The provisions of Section 2 shall not apply to performers engaged in a professional exhibition, on-duty law enforcement personnel or any person who is attempting to save or rescue another person in danger of losing life or limb, but only when such deviation from the Personal Watercraft Safety Regulations may be safely accomplished.

SECTION 5. VIOLATIONS

Any person found to be in violation of this Ordinance shall be guilty of a misdemeanor and subject to a fine no less than one hundred dollars (\$100.) but not to exceed five hundred dollars (\$500.).

Adopted this the 3<sup>rd</sup> day of November, 1997

  
Dan Robinson, Chairman and County Manager

ATTEST:

  
Clerk, Board of Commissioners

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL  
GOVERNMENT II**.

---

- ☐ Committee Substitute for  
H.B. 1254. A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COUNTY OF  
TRANSYLVANIA MAY USE CERTAIN LANDS FOR LIBRARY PURPOSES.
- ☒ With a favorable report.
- ☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐.
- ☐ With a favorable report, as amended.
- ☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐.
- ☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title,  
unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation  
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- ☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes  
the title, unfavorable as to Senate committee substitute bill.
- ☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)
- ☐ With an unfavorable report.
- ☐ With recommendation that the House concur.
- ☐ With recommendation that the House do not concur.
- ☐ With recommendation that the House do not concur; request conferees.
- ☐ With recommendation that the House concur; committee believes bill to be material.
- ☐ With an unfavorable report, with a Minority Report attached.
- ☐ Without prejudice.
- ☐ With an indefinite postponement report.
- ☐ With an indefinite postponement report, with a Minority Report attached.
- ☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1254

Short Title: Transylvania County Land Use.

(Local)

---

Sponsors: Representative Ives.

---

Referred to: Local and Regional Government II.

---

May 12, 1998

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE THAT THE COUNTY OF TRANSYLVANIA MAY USE  
3 CERTAIN LANDS FOR LIBRARY PURPOSES.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. Except for the tract currently used for an arboretum, the  
6 County of Transylvania may use for library purposes lands acquired in South Broad  
7 Park under the Land and Water Conservation Fund.  
8 Section 2. This act is effective when it becomes law.



**North Carolina General Assembly  
Legislative Services Office**

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June 3, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1254 - Transylvania County Land Use

House Bill 1254 authorizes Transylvania County to use land acquired in South Broad Park under the Land and Water Conservation Fund for library purposes.

This act is effective when it becomes law.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL  
GOVERNMENT II**.

---

☐ Committee Substitute for

H.B. 1264 A BILL TO BE ENTITLED AN ACT TO ALLOW ALEXANDER,  
CALDWELL, AND MITCHELL COUNTIES TO ACQUIRE PROPERTY FOR USE BY  
THEIR COUNTY BOARDS OF EDUCATION.

☒ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐ .

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐

☐ With a favorable report as to committee substitute bill (#        ), ☐ which changes the title,  
unfavorable as to original bill (Committee Substitute Bill #        ), (and recommendation  
that the committee substitute bill #        ) be re-referred to the Committee on        .)

☐ With a favorable report as to House committee substitute bill (#        ), ☐ which changes  
the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1264

Short Title: Certain Counties School Acquisition.

(Local)

---

Sponsors: Representatives Buchanan, Thompson, and Starnes.

---

Referred to: Local and Regional Government II.

---

May 13, 1998

1

A BILL TO BE ENTITLED

2

AN ACT TO ALLOW ALEXANDER, CALDWELL, AND MITCHELL

3

COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY

4

BOARDS OF EDUCATION.

5

The General Assembly of North Carolina enacts:

6

Section 1. G.S. 153A-158.1 reads as rewritten:

7

**"§ 153A-158.1. Acquisition and improvement of school property in certain counties.**

8

(a) Acquisition by County. -- A county may acquire, by any lawful method, any

9

interest in real or personal property for use by a school administrative unit within the

10

county. In exercising the power of eminent domain a county shall use the procedures

11

of Chapter 40A. The county shall use its authority under this subsection to acquire

12

property for use by a school administrative unit within the county only upon the

13

request of the board of education of that school administrative unit and after a public

14

hearing.

15

(b) Construction or Improvement by County. -- A county may construct, equip,

16

expand, improve, renovate, or otherwise make available property for use by a school

17

administrative unit within the county. The local board of education shall be involved

18

in the design, construction, equipping, expansion, improvement, or renovation of the

19

property to the same extent as if the local board owned the property.

20

(c) Lease or Sale by Board of Education. -- Notwithstanding the provisions of G.S.

21

115C-518 and G.S. 160A-274, a local board of education may, in connection with

22

additions, improvements, renovations, or repairs to all or part of any of its property,

23

lease or sell the property to the board of commissioners of the county in which the

24

property is located for any price negotiated between the two boards.

1 (d) Board of Education May Contract for Construction. -- Notwithstanding the  
2 provisions of G.S. 115C-40 and G.S. 115C-521, a local board of education may enter  
3 into contracts for the erection of school buildings upon sites owned in fee simple by  
4 one or more counties in which the local school administrative unit is located.

5 (e) Scope. -- This section applies to Alexander, Alleghany, Ashe, Avery, Bladen,  
6 Brunswick, Burke, Cabarrus, Caldwell, Camden, Carteret, Cherokee, Chowan,  
7 Columbus, Currituck, Dare, Duplin, Edgecombe, Forsyth, Franklin, Gates, Graham,  
8 Greene, Guilford, Halifax, Harnett, Haywood, Hyde, Iredell, Jackson, Johnston,  
9 Jones, Lee, Macon, Madison, Martin, Mitchell, Moore, Nash, New Hanover, Onslow,  
10 Orange, Pasquotank, Pender, Perquimans, Person, Pitt, Randolph, Richmond,  
11 Rockingham, Rowan, Sampson, Scotland, Stanly, Stokes, Surry, Union, Vance, Wake,  
12 Wilson, and Watauga Counties."

13 Section 2. This act is effective when it becomes law.



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June 3, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1264 - Certain Counties School Acquisition

This bill amends G.S. 153A-158.1 to include Alexander, Caldwell and Mitchell Counties.

G.S. 153A-158.1 allows a county to:

- 1) acquire property for use by a school administrative unit;
- 2) construct, equip, expand, improve, renovate or otherwise make available property for use by a school administrative unit;
- 3) allows a local board of education to sell or lease property to the county board of commissioners in connection with additions, improvements, renovations or repairs to the property;
- 4) allows a local board of education to contract for the construction or repair of school buildings on sites owned by the county.

This bill is effective when it becomes law.

H1264-SMSA-001

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL  
GOVERNMENT II**.

---

☐ Committee Substitute for

H.B. 1275 A BILL TO BE ENTITLED AN ACT TO EXTEND THE PERMISSIBLE  
LENGTH OF LEASES ENTERED INTO BY THE STATESVILLE MUNICIPAL  
AIRPORT FROM TWENTY TO TWENTY-FIVE YEARS.

☐ With a favorable report.

☒ With a favorable report and recommendation that the bill be re-referred to the Committee on  
Finance.

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title,  
unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation  
that the committee substitute bill # ) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes  
the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1275

Short Title: Statesville Airport Lease Length.

(Local)

---

Sponsors: Representative Mitchell.

---

Referred to: Local and Regional Government II, if favorable, Finance.

---

May 14, 1998

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO EXTEND THE PERMISSIBLE LENGTH OF LEASES ENTERED  
3 INTO BY THE STATESVILLE MUNICIPAL AIRPORT FROM TWENTY TO  
4 TWENTY-FIVE YEARS.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. Section 1 of Chapter 883 of the 1987 Session Laws is amended  
7 by deleting "20 years" and substituting "25 years."  
8 Section 2. This act is effective when it becomes law.



**North Carolina General Assembly  
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June 3, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1275 - Statesville Airport Lease Length

House Bill 1275 extends the permissible length of leases entered into by the Statesville Municipal Airport from 20 years to 25 years.

This act is effective when it becomes law.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL  
GOVERNMENT II**.

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- ☐ Committee Substitute for  
H.B. 1401 A BILL TO BE ENTITLED AN ACT TO ADJUST THE BOUNDARIES OF  
THE TOWN OF PLEASANT GARDEN TO INCLUDE THE ENTIRE RIGHT-OF-WAY  
OF CERTAIN ROADS.
- ☐ With a favorable report.
- ☒ With a favorable report and recommendation that the bill be re-referred to the Committee on  
Finance.
- ☐ With a favorable report, as amended.
- ☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐
- ☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title,  
unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation  
that the committee substitute bill # ) be re-referred to the Committee on .)
- ☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes  
the title, unfavorable as to Senate committee substitute bill.
- ☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)
- ☐ With an unfavorable report.
- ☐ With recommendation that the House concur.
- ☐ With recommendation that the House do not concur.
- ☐ With recommendation that the House do not concur; request conferees.
- ☐ With recommendation that the House concur; committee believes bill to be material.
- ☐ With an unfavorable report, with a Minority Report attached.
- ☐ Without prejudice.
- ☐ With an indefinite postponement report.
- ☐ With an indefinite postponement report, with a Minority Report attached.
- ☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1401

Short Title: Pleasant Garden Boundaries.

(Local)

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Sponsors: Representative Decker.

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Referred to: Local and Regional Government II, if favorable, Finance.

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May 21, 1998

1 A BILL TO BE ENTITLED

2 AN ACT TO ADJUST THE BOUNDARIES OF THE TOWN OF PLEASANT  
3 GARDEN TO INCLUDE THE ENTIRE RIGHT-OF-WAY OF CERTAIN  
4 ROADS.

5 The General Assembly of North Carolina enacts:

6 Section 1. Section 2-1 of the Charter of the Town of Pleasant Garden,  
7 being Section 1 of S.L. 1997-344, reads as rewritten:

8 "Sec. 2-1. **Town Boundaries.** Until modified in accordance with the law, the  
9 boundaries of the Town of Pleasant Garden are as follows:

10 BEGINNING at a point in the southern right-of-way line of Ritters Lake Road (S.R.  
11 3325) at its intersection with the western line of Fentress Township with Sumner  
12 Township, and running; thence, along the southern right-of-way line of said Ritters:  
13 Lake Road, eastwardly approximately 8440 feet to a point;

14 thence, along the western line of tax parcel ACL-3-152-540-9, southeastwardly  
15 approximately 500 feet to a point;

16 thence, along the western line of tax parcels ACL-3-152-540-46 and 47, southwardly  
17 approximately 1750 feet to a point;

18 thence, along the southern line of tax parcels ACL-3-152-540-47, 8, and 7,  
19 northeastwardly approximately 2140 feet to a point;

20 thence, along the eastern line of tax parcel ACL-3-152-540-7, northeastwardly  
21 approximately 150 feet to a point;

22 thence, along the southern line of tax parcels ACL-3-152-540-41, 42, and 43,  
23 eastwardly approximately 2275 feet to a point;

1 thence, along the western right-of-way line of Alliance Church Road (N.C. Highway  
2 22), northwardly approximately 500 feet to a point;  
3 thence, crossing said Alliance Church Road, northeastwardly approximately 200 feet  
4 to a point in the northern right-of-way line of a proposed new road connecting  
5 Alliance Church Road with U. S. Highway 421;  
6 thence, along the northern right-of-way line of said connector road, northeastwardly  
7 approximately 1350 feet to a point;  
8 thence, along the southwestern right-of-way line of U. S. Highway 421,  
9 southeastwardly approximately 14,400 feet to a point in the ~~centerline~~ western right-  
10 of-way line of Hagan-Stone Park Road (S.R. 3411);  
11 thence, along the ~~centerline~~ western right-of-way line of Hagan-Stone Park Road  
12 (S.R. 3411), southwardly approximately 2,500 feet to a point;  
13 thence, along the southern line of tax parcel ACL-9-579-411-39, westwardly  
14 approximately 350 feet to a point;  
15 thence, along a line of the Pleasant Garden Fire District and across tax parcel ACL-  
16 9-579-411-19, southwardly approximately 175 feet to a point in the northern line of  
17 tax parcel ACL-9-579-411-43;  
18 thence, along the northern line of said tax parcel ACL-9-579-411-43, eastwardly  
19 approximately 300 feet to a point in the ~~centerline~~ western right-of-way line of  
20 Hagan-Stone Park Road (S.R. 3411);  
21 thence, along the ~~centerline~~ western right-of-way line of said Hagan-Stone Park  
22 Road (S.R. 3411), southwestwardly and westwardly approximately 3,600 feet to a  
23 point;  
24 thence, along the eastern line of tax parcel ACL-9-579-422-32, southwardly  
25 approximately 1,750 feet to a point;  
26 thence, along the southern line of said tax parcel ACL-9-579-422-32, westwardly  
27 approximately 1,900 feet to a point;  
28 thence, along a western line of said tax parcel ACL-9-579-422-32, northwardly  
29 approximately 230 feet to a point;  
30 thence, along a northern line of said tax parcel ACL-9-579-422-32 with Hagan-Stone  
31 Park, eastwardly approximately 600 feet to a point;  
32 thence, along a western line of said tax parcel ACL-9-579-422-32 with Hagan-Stone  
33 Park, northwardly approximately 1,200 feet to a point in the ~~centerline~~ southern  
34 right-of-way line of Hagan-Stone Park Road (S.R. 3411);  
35 thence, along the ~~centerline~~ southern right-of-way line of said Hagan-Stone Park  
36 Road (S.R. 3411) northeastwardly approximately 800 feet to a point;  
37 thence, along the western line of tax parcels ACL-9-579-422-35 and 23, with Hagan-  
38 Stone Park, northwardly approximately 1,530 feet to a point in the southern line of  
39 tax parcel ACL-9-579-422-12;  
40 thence, along the southern line of said tax parcel ACL-9-579-422-12 with Hagan-  
41 Stone Park, westwardly approximately 480 feet to a point;  
42 thence, along the western line of said tax parcel ACL-9-579-422-12 with Hagan-Stone  
43 Park, northwardly approximately 1,350 feet to a point in the ~~centerline~~ southern  
44 right-of-way line of Tabernacle Church Road (S.R. 3412);

1 thence, along the ~~centerline~~ southern right-of-way line of said Tabernacle Church  
2 Road (S.R. 3412) westwardly approximately 150 feet to a point;  
3 thence, along the eastern line of tax parcel ACL-9-579-422-11 with Hagan-Stone Park  
4 southwardly approximately 1,300 feet to a point;  
5 thence, along the southern line of tax parcels ACL-9-579-422-11 and 7 and ACL-9-  
6 579-477-11, 15, 33, 35, and 26, with Hagan-Stone Park, westwardly approximately  
7 2,100 feet to a point;  
8 thence, along the eastern line of tax parcel ACL-9-579-477-25 with Hagan-Stone Park  
9 southwardly approximately 280 feet to a point;  
10 thence, along the southern line of tax parcels ACL-9-579-477-25, 24, and 41 with  
11 Hagan-Stone Park southwestwardly approximately 1,370 feet to a point;  
12 thence, along the western line of tax parcel ACL-9-579-477-41 with Hagan-Stone  
13 Park, northeastwardly approximately a 700 feet to a point, the southeast corner of tax  
14 parcel ACL-9-579-477-40;  
15 thence, along the southern line of tax parcels ACL-9-579-477-40 and 43 with Hagan-  
16 Stone Park, westwardly approximately 1,350 feet to a point;  
17 thence, along the eastern line of tax parcels ACL-9-579-477-43, ACL-3-156-482-2 and  
18 5, ACL-3-156-487-1 and 6 and ACL-9-579-478-8, southwardly approximately 3,800  
19 feet to a point in the ~~centerline~~ southern right-of-way line of Hagan-Stone Park Road  
20 (S.R. 3411);  
21 thence, along the ~~centerline~~ southern right-of-way line of said Hagan-Stone Park  
22 Road (S.R. 3411) eastwardly approximately 2,800 feet to a point;  
23 thence, along the eastern line of tax parcel ACL-9-579-478-3 with Hagan-Stone Park,  
24 southwardly approximately 125 feet to a point;  
25 thence, along the northern line of tax parcel ACL-9-579-478-3 with Hagan-Stone  
26 Park, eastwardly approximately 1,200 feet to a point;  
27 thence, along the eastern side of tax parcel ACL-9-579-478-3 the following 5 courses:  
28 (1) Southwardly approximately 500 feet to a point  
29 (2) Eastwardly approximately 100 feet to a point  
30 (3) Southwardly approximately 975 feet to a point  
31 (4) Westwardly approximately 190 feet to a point  
32 (5) Southwardly approximately 1,300 feet to a point in the ~~centerline~~ southern right-  
33 of-way line of Fieldview Road (S.R. 3407);  
34 thence, along the ~~centerline~~ southern right-of-way line of said Fieldview Road (S.R.  
35 3407) southeastwardly and eastwardly approximately 1,700 feet to a point;  
36 thence, along the eastern line of tax parcel ACL-9-577-420-19, southwardly  
37 approximately 620 feet to a point;  
38 thence, along the southern line of tax parcel ACL-9-577-420-19, westwardly  
39 approximately 300 feet to a point;  
40 thence, along the eastern line of tax parcel ACL-9-577-420-21, southwardly  
41 approximately 400 feet to a point;  
42 thence, along the southern line of tax parcels ACL-9-577--420-21, 22, and 23, north  
43 westwardly approximately 800 feet to a point;

1 thence, along the southern line of tax parcels ACL-9-577-420-9 and 26,  
2 southwestwardly approximately 1450 feet to a point in the eastern line of tax parcel  
3 ACL-9-579-479N-4; thence, along the eastern side of tax parcel ACL-9-579-479N-4,  
4 the following 3 courses:  
5 (1) Southwardly approximately 200 feet to a point  
6 (2) Eastwardly approximately 50 feet to a point  
7 (3) Southwardly approximately 1,350 feet to a point, the southeast corner of said tax  
8 parcel ACL-9-579-479N-4;  
9 thence, along the southern line of tax parcel ACL-9-579-479N-4, westwardly  
10 approximately 1,800 feet to a point;  
11 thence, along the southern line of tax parcel ACL-3-158-479S-15, southwestwardly  
12 approximately 280 feet to a point;  
13 thence, along the eastern line of tax parcel ACL-3-158-479S-4, southwardly  
14 approximately 200 feet to a point;  
15 thence, along the southern line of said tax parcel ACL-3-158-479S-4, southwestwardly  
16 approximately 380 feet to a point in the ~~centerline~~ western right-of-way line of N.C.  
17 Highway 22;  
18 thence, along the ~~centerline~~ western right-of-way line of said N.C. Highway 22,  
19 southeastwardly approximately 600 feet to a point;  
20 thence, along the southern line of tax parcels ACL-3-158-479S-3, 13, 12, and 17,  
21 ACL-3-158-485-11, ACL-3-158-486S-15, 13, and 12, southwestwardly approximately  
22 3,000 feet to a point, the northeastern corner of tax parcel ACL-3-158-485-6;  
23 thence, along the eastern line of said tax parcel ACL-3-158-485-6, southwardly  
24 approximately 1,900 feet to a point;  
25 thence, along the southern line of tax parcels ACL-3-158-485-6 and 9, westwardly  
26 approximately 1,430 feet to a point in the ~~centerline~~ western right-of-way line of  
27 Kearney Road (S.R. 3404);  
28 thence, along the ~~centerline~~ western right-of-way line of said Kearney Road (S.R.  
29 3404), northwardly approximately 300 feet to a point;  
30 thence, along the southern line of tax parcels ACL-3-158-485-6 and ACL-3-158-546-2,  
31 westwardly approximately 2,200 feet to a point;  
32 thence, along a western line of tax parcel ACL-3-158-546-2, northwardly  
33 approximately 960 feet to a point;  
34 thence, along the southern line of tax parcel ACL-3-158-546-2, westwardly  
35 approximately 1,300 feet to a point;  
36 thence, along the eastern line of tax parcels ACL-3-158-546-12, 13, 14, 21, 15, 16, 17,  
37 18, 19, and 20, southwardly approximately 1,600 feet to a point;  
38 thence, along the southern line of tax parcel ACL-3-158-546-20, westwardly  
39 approximately 300 feet to a point in the ~~centerline~~ western right-of-way line of Hunt  
40 Road (S.R. 3402);  
41 thence, along the ~~centerline~~ western right-of-way line of said Hunt Road (S.R. 3402),  
42 southward approximately 650 feet to a point;  
43 thence, along the southern line of tax parcel ACL-3-158-546-3, westwardly  
44 approximately 1,000 feet to a point;

1 thence, along the southern line of tax parcel ACL-3-158-546-7, North westwardly  
2 approximately 630 feet to a point;  
3 thence, along the western line of tax parcels ACL-3-158-546-7, and 30,  
4 northeastwardly approximately 1,020 feet to a point;  
5 thence, along the southern line of tax parcel ACL-91-6784-551-25 and the southern  
6 line of Pleasant Grove Subdivision which is designated at B-Sub of block 551, tax  
7 map ACL-91-6784, westwardly approximately 650 feet to a point, the northeast  
8 corner of tax parcel ACL-91-6784-551-12;  
9 thence, along the eastern line of said tax parcel ACL-91-6784-551-12, southwardly  
10 approximately 500 feet to a point;  
11 thence, along the southern line of said tax parcel ACL-91-6784-551-12, westwardly  
12 approximately 520 feet to a point, the northeast corner of Center Subdivision;  
13 thence, along eastern lines of said Center Subdivision, which is designated as A-Sub  
14 of block 551, tax map ACL-91-6784, the following 5 courses;  
15 (1) Southwestwardly approximately 500 feet to a point;  
16 (2) Southeastwardly approximately 200 feet to a point;  
17 (3) Southwestwardly approximately 600 feet to a point;  
18 (4) North westwardly approximately 200 feet to a point;  
19 (5) Southwestwardly approximately 300 feet to a point;  
20 thence, along the southern line of said Center Subdivision, westwardly approximately  
21 460 feet to a point in the ~~centerline~~ eastern right-of-way line of Branson Mill Road  
22 (S.R. 3437);  
23 thence, along the ~~centerline~~ eastern right-of-way line of said Branson Mill Road (S.R.  
24 3437), northeastwardly approximately 100 feet to a point;  
25 thence, along the southern line of tax parcel ACL-91-6784-550N-22, westwardly  
26 approximately, 550 feet to a point in the eastern line of tax parcel ACL-91-6784-  
27 550N-1;  
28 thence, along the eastern line of said tax parcel ACL-91-6784-550N-1, southwardly  
29 approximately 75 feet to a point;  
30 thence, along the southern line of tax parcels ACL-91-6794-550N-1 and 15,  
31 westwardly approximately 350 feet to a point;  
32 thence, along the eastern line of tax parcel ACL-91-6784-550N-14, southwardly  
33 approximately 700 feet to a point;  
34 thence, along the southern line of said tax parcel ACL-91-6784-550N-14, westwardly  
35 approximately 950 feet to a point;  
36 thence, along the western line of tax parcels ACL-91-6784-550N-14, 11, and 21 and  
37 ACL-91-6784-551-2 and crossing Hodgin Valley Road (S.R. 3440), northwardly  
38 approximately 2,000 feet to a point;  
39 thence, along the northern line of tax parcels ACL-91-6784-551-2, 17, 5, and 14 and  
40 the northern line of Center Subdivision, which is designated as A-Sub of block 551,  
41 ACL-91-6784, westwardly approximately 2,170 feet to a point in the ~~centerline~~  
42 eastern right-of-way line of Branson Mill Road (S.R. 3437);  
43 thence, along the ~~centerline~~ eastern right-of-way line of said Branson Mill Road (S.R.  
44 3437), northeastwardly approximately 1,100 feet to a point;

1 thence, along the southern line of tax parcel ACL-91-6784-551-18, northwestwardly  
2 approximately 400 feet to a point;  
3 thence, along the western line of tax parcels ACL-91-6784-551-18 and 8,  
4 northwestwardly approximately 1,300 feet to a point;  
5 thence, along the southern line of tax parcels ACL-91-6784-551-8, 24, and 22,  
6 westward approximately 950 feet to a point;  
7 thence, along the western line of tax parcels ACL-91-6784-551-22 and 23,  
8 northwestwardly approximately 1,050 feet to a point;  
9 thence, along the northern line of tax parcel ACL-91-6784-551-23, northeastwardly  
10 approximately 350 feet to a point, the southwest corner of tax parcel ACL-91-6784-  
11 552S-6;  
12 thence, along the western line of said tax parcel ACL-91-6784-552S-6, northwardly  
13 approximately 750 feet to a point;  
14 thence, along the southern line of tax parcels ACL-91-6784-552S-6 and 5,  
15 southwestwardly approximately 1,800 feet to a point in the eastern line of tax parcel  
16 ACL-91-6784-611S-3;  
17 thence, along the southeastern line of said tax parcel ACL-91-6784-611S-3 as it  
18 meanders southwestwardly approximately 840 feet to a point;  
19 thence, along the southern line of said tax parcel ACL-91-6784-611S-3,  
20 southwestwardly approximately 620 feet to a point;  
21 thence, along the southwestern line of said tax parcel ACL-91-6784-611S-3, as it  
22 meanders northwestwardly approximately 875 feet to a point in the ~~centerline~~  
23 southern right-of-way line of Robolo Road (S.R. 3439);  
24 thence, along the ~~centerline~~ southern right-of-way line of said Robolo Road (S.R.  
25 3439) southwestwardly; approximately 900 feet to its intersection with the western  
26 line of Davis Mill Road;  
27 thence, along the western line of Davis Mill Road, northwardly approximately  
28 7820 feet to a point in the northern line of tax parcel ACL-9-635-609-19;  
29 thence, along the northern line of tax parcel ACL-9-635-609-19, southeastwardly  
30 approximately 470 feet to a point in the westernline of Davis Mill Road (S.R. 3433);  
31 thence, along the westernline of said Davis Mill Road (S.R. 3433), northeastwardly  
32 approximately 3,050 feet to a point;  
33 thence, along the southern line of Nocho Park Subdivision which is designated as B-  
34 Sub of block 609, ACL-9-635, westwardly approximately 1,350 feet to a point;  
35 thence, along the western line of said Nocho Park Subdivision, northwardly  
36 approximately 1,350 feet to a point in the ~~centerline~~ northern right-of-way line of  
37 Sheraton Park (S.R. 3426);  
38 thence, along the ~~centerline~~ northern right-of-way line of said Sheraton Park Road  
39 (S.R. 3426) westwardly approximately 1440 feet to its intersection with the western  
40 line of Fentress Township with Sumner Township;  
41 thence, along the western line of Fentress Township with Sumner Township,  
42 northwardly approximately 8180 feet to the point of BEGINNING."

43 Section 2. This act becomes effective June 30, 1998.



# North Carolina General Assembly Legislative Services Office

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June 3, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1401 - Pleasant Garden Boundaries

House Bill 1401 adjusts the boundaries of the Town of Pleasant Garden to include the entire right-of-way of certain roads.

This act becomes effective June 30, 1998.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL GOVERNMENT II**.

---

- ☐ Committee Substitute for  
H.B. 1274 A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF GASTONIA  
TO WAIVE WATER AND SEWER SPECIAL ASSESSMENTS ON CERTAIN  
BENEFITED PROPERTY.
- ☐ With a favorable report.
- ☒ With a favorable report and recommendation that the bill be re-referred to the Committee on  
Finance.
- ☐ With a favorable report, as amended.
- ☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐
- ☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title,  
unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation  
that the committee substitute bill # ) be re-referred to the Committee on .)
- ☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes  
the title, unfavorable as to Senate committee substitute bill.
- ☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)
- ☐ With an unfavorable report.
- ☐ With recommendation that the House concur.
- ☐ With recommendation that the House do not concur.
- ☐ With recommendation that the House do not concur; request conferees.
- ☐ With recommendation that the House concur; committee believes bill to be material.
- ☐ With an unfavorable report, with a Minority Report attached.
- ☐ Without prejudice.
- ☐ With an indefinite postponement report.
- ☐ With an indefinite postponement report, with a Minority Report attached.
- ☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1274

Short Title: Gastonia Special Assessments.

(Local)

---

Sponsors: Representatives Dickson; and Rayfield.

---

Referred to: Local and Regional Government II, if favorable, Finance.

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May 14, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW THE CITY OF GASTONIA TO WAIVE WATER AND  
3 SEWER SPECIAL ASSESSMENTS ON CERTAIN BENEFITED PROPERTY.

4 The General Assembly of North Carolina enacts:

5 Section 1. The City of Gastonia may waive existing confirmed water  
6 assessments, each being in the amount of eight hundred ninety dollars (\$890.00), and  
7 existing confirmed sewer assessments, each being in the amount of one thousand  
8 three hundred eighty-two dollars (\$1,382), on parcel numbers 17, 18, 19, and 20, Tax  
9 Book 10, Map 62B, as the same appear on file and of record in the Gaston County  
10 Register of Deeds Office.

11 Section 2. This act is effective when it becomes law.



**North Carolina General Assembly  
Legislative Services Office**

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June 3, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1274 - Gastonia Special Assessments

House Bill 1274 allows the City of Gastonia to waive water assessments in the amount of \$890 and sewer assessments in the amount of \$1,382 on each of four specified lots in the city.

This act is effective when it becomes law.

MINUTES

HOUSE COMMITTEE ON

LOCAL AND REGIONAL GOVERNMENT II


THURSDAY, JUNE 4, 1998

The House Committee on LOCAL AND REGIONAL GOVERNMENT II met on Thursday, June 4, 1998, around Representative Decker's Chamber Desk of the Legislative Building immediately after adjournment. The following members were present: Chairman Michael Decker, Representatives Barbee, Jeffus, McAllister, Owens, Sexton, Tolson, and G. Wilson.

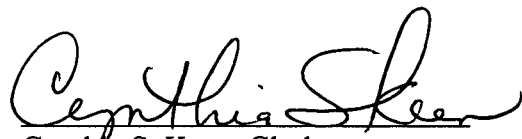
Chairman Decker called the meeting to order.

Chairman Decker recognized Representative Earle, sponsor of **HOUSE BILL 1383, A BILL TO BE ENTITLED AN ACT TO ANNEX THE MECK NECK AREA OF MECKLENBURG COUNTY TO IREDELL COUNTY**, to clarify the proposed committee substitute bill. **Upon motion made by Representative McAllister, the Committee voted to reconsider the committee substitute. Upon motion made by Representative McAllister, the Committee voted for a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.**

With no further business, Chairman Decker adjourned the meeting.



Michael P. Decker, Chairman



Cynthia S. Keen, Clerk

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL GOVERNMENT II**.

---

☐ Committee Substitute for

H.B. 1383 A BILL TO BE ENTITLED AN ACT TO ANNEX THE MECK NECK AREA OF MECKLENBURG COUNTY TO IREDELL COUNTY.

☐ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on ☐ Finance.

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on ☐ Appropriations ☐ Finance ☐

X With a favorable report as to committee substitute bill which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar. (PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1383\*

Short Title: Meck Neck.

(Local)

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Sponsors: Representatives Earle; Brawley (Cosponsors), Alexander, Black, Cunningham, Dickson, Easterling, Gulley, McMahan, Mitchell, Rayfield, Saunders, and C. Wilson.

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Referred to: Local and Regional Government II, if favorable, Finance.

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May 21, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO ANNEX THE MECK NECK AREA OF MECKLENBURG COUNTY  
3 TO IREDELL COUNTY.

4 The General Assembly of North Carolina enacts:

5 Section 1. (a) The boundary line between Mecklenburg County and  
6 Iredell County is hereby changed and relocated so as to divest Mecklenburg County  
7 of all the territory now and heretofore embraced in the bounds of Meck Neck as  
8 defined in subsection (b) of this section, and vest and include all of said territory in  
9 Iredell County, and the said territory shall become and be a part of Iredell County.

10 (b) "Meck Neck" is that area commonly known as the Meck Neck, and  
11 surrounding waters, being all that land in Mecklenburg County which is connected by  
12 land to Iredell County and not connected by land to Mecklenburg County, and the  
13 area of Lake Norman in Mecklenburg County extending out 300 feet from such land.  
14 Such area also includes the area of Lake Norman in Mecklenburg County beginning  
15 at a point 300 feet south of the southernmost point of the Meck Neck land area,  
16 running due west to the Lincoln-Mecklenburg County line, following that line to the  
17 Iredell-Mecklenburg-Lincoln corner, thence along the Iredell-Mecklenburg County  
18 line to a point 300 feet west of land, thence along a line 300 feet from land to the  
19 beginning point of description in this sentence.

20 Section 2. Courts. All civil and criminal cases now pending in the  
21 Superior Court of Mecklenburg County, or in any other courts held in Mecklenburg  
22 County which would have been properly triable in Iredell County, if the territory

1 affected by this act had been a part of Iredell County at the time the cause was  
2 instituted, or the right of action therein accrued, or where the criminal offense  
3 charged was committed in the territory affected by this act, shall upon motion of any  
4 defendant in any criminal case pending, or upon motion of any party in a civil cause,  
5 be transferred to the Superior Court or other proper court of Iredell County. Such  
6 motion for removal shall be made no later than the first day of the session of court at  
7 which such case would be tried. It shall be the duty of the Clerk of the Superior  
8 Court of Mecklenburg County to transmit the original papers in all such cases  
9 removed, together with a proper record of all such causes removed, to the Clerk of  
10 the Superior Court of Iredell County. All actions, causes or proceedings, matters,  
11 and things pending before the Clerk of the Superior Court of Mecklenburg County,  
12 which would have been within the jurisdiction of the Clerk of the Superior Court of  
13 Iredell County, had the territory affected by this act been a part of Iredell County at  
14 the time said cause, proceeding, matter, or thing was begun, or the right therein  
15 accrued, shall upon motion of any party thereto or interested therein be transferred  
16 to Iredell County and the jurisdiction of the Clerk of the Superior Court of Iredell  
17 County to be heard, determined, or proceeded with before him in all respects as if  
18 the said cause, matter, or proceeding had originally been begun in Iredell County.  
19 Upon such removal, it shall be the duty of the Clerk of the Superior Court of  
20 Mecklenburg County from which the removal is made to transmit to the Clerk of the  
21 Superior Court of the County of Iredell the original papers in such cause, matter, or  
22 proceeding, together with the proper record thereof.

23 Section 3. Taxes. All taxes levied by Mecklenburg County on the real  
24 and personal property located in the territory described in subsection (b) of Section 1  
25 of this act, for the fiscal year beginning July 1, 1997, and for all prior years shall be  
26 collected and retained by Mecklenburg County.

27 Section 4. Juries. The Jury Commission of Iredell County shall include  
28 persons within the territory affected by this act on jury lists in Iredell County  
29 beginning July 1, 1998, and no person resident in such area shall be included on jury  
30 lists in Mecklenburg County after that date.

31 Section 5. Voter Registration. The Mecklenburg County Board of  
32 Elections shall transfer to Iredell County all voter registrations for persons in the  
33 territory affected by this act, and such persons shall be registered to vote in Iredell  
34 County as of July 1, 1998, without any action on the part of the voter. This act does  
35 not affect the boundaries of any State House, State Senate, or Congressional district.

36 Section 6. (a) Iredell County shall pay to Mecklenburg County for fiscal  
37 year 1998-99 and the next nine succeeding fiscal years the annual sum of one  
38 hundred thousand dollars (\$100,000), plus for the second through tenth fiscal years  
39 an additional amount as defined by subsection (b) of this section.

40 (b) For each year, the additional amount is calculated by FIRST taking  
41 the value of the property in the Meck Neck subject to ad valorem taxation minus the  
42 value of property in the Meck Neck subject to ad valorem taxation as of January 1,  
43 1998, then DIVIDING that number by the value of the property in the Meck Neck  
44 subject to ad valorem taxation minus the value of property in the Meck Neck subject

1 to ad valorem taxation as of January 1, 1998, then MULTIPLYING that number times  
2 one hundred thousand dollars (\$100,000).

3 (c) Each payment required by this section shall be made on or before  
4 January 15 of each fiscal year.

5 Section 7. Iredell County shall pay, on behalf of residents of the Meck  
6 Neck, all tuition charges which might have been imposed by the Iredell County  
7 Board of Education on children living in the Meck Neck who attended schools  
8 operated by the Iredell County Board of Education prior to July 1, 1998.

9 Section 8. Any child who was a resident of the area annexed by Section  
10 1 of this act on its date of ratification and who was a student in the Charlotte-  
11 Mecklenburg school system during the 1997-98 school year, and the younger sibling  
12 of any such person, may attend school in the Charlotte-Mecklenburg school system  
13 without necessity of a release or payment of tuition. Such student, while attending  
14 the Charlotte-Mecklenburg school system, shall be considered a resident of  
15 Mecklenburg County for all public school purposes, including transportation,  
16 athletics, and funding formulas. Notice must be given to both school systems by the  
17 parent or guardian in order to exercise the privilege granted by this section.

18 Section 9. This act is effective when it becomes law, except that for the  
19 purposes of ad valorem property tax situs, listing, and appraisal, the boundary  
20 changes in this act are effective as of January 1, 1998, and apply to the 1998-99 tax  
21 year and all subsequent tax years.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

D

HOUSE BILL 1383\*  
Proposed Committee Substitute H1383-PCS1563

Short Title: Meck Neck.

(Local)

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Sponsors:

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Referred to:

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May 21, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO TRANSFER THE AREA OF MECKLENBURG COUNTY KNOWN  
3 AS MECK NECK TO IREDELL COUNTY.

4 The General Assembly of North Carolina enacts:

5 Section 1. The boundary line between Iredell County and Mecklenburg  
6 County is hereby changed and relocated so as to divest Mecklenburg County of the  
7 territory described below, which territory shall vest in and become part of Iredell  
8 County:

9 That area commonly known as the Meck Neck, being all that land in  
10 Mecklenburg County which is connected by land to Iredell County and not  
11 connected by land to Mecklenburg County, and the area of Lake Norman in  
12 Mecklenburg County around such land, all as more particularly described as follows:

13 BEGINNING at Latitude 35° at 29.466" North and Longitude 80° at  
14 56.597" West (the "present location of Fixed Lighted Marker D1" as established by  
15 the global positioning system, and being approximately .3 mile south of the southerly  
16 most point of the Meck Neck Land Area); thence in a northeasterly direction in a  
17 straight line which passes through Latitude 35° at 30.024" North and Longitude 80°  
18 at 55.736" West (the "present location of Fixed Lighted Marker D5" as established by  
19 the global positioning system) to a point in the Mecklenburg County-Iredell County  
20 line located near where the old channel of Reeds Creek intersects said line; thence in  
21 a westerly direction with the Mecklenburg County-Iredell County line to the point  
22 where said line intersects the Lincoln County line; thence in a southerly direction  
23 with the Mecklenburg County-Lincoln County line to a point where a straight line

1 from the present location of Fixed Lighted Marker D5 to the present location of  
2 Fixed Lighted Marker D1 extended would intersect with the Mecklenburg County-  
3 Lincoln County line; thence in a northeasterly direction with said straight line from  
4 the present location of Fixed Lighted Marker D5 to the present location of Fixed  
5 Lighted Marker D1 extended to the Mecklenburg County-Lincoln County Line to the  
6 present location of Fixed Lighted Marker D1, the point or place of BEGINNING.

7           Section 2. (a) On and after July 1, 1998, all papers, documents, and  
8 instruments required or permitted to be filed or registered, involving residents and  
9 property in the area described in Section 1 of this act, which previously would have  
10 been recorded in Mecklenburg County shall be recorded in Iredell County.

11           (b) All public records related to residents and property in the area  
12 described in Section 1 of this act which were filed or recorded prior to July 1, 1998,  
13 in Mecklenburg County, shall remain in Mecklenburg County where filed or  
14 recorded, and such records shall be valid public records as to the property and  
15 persons involved even though they are recorded in Mecklenburg County, a county  
16 where the property is no longer located.

17           (c) On and after July 1, 1998, all real and personal property in the area  
18 described in Section 1 of this act which was subject to ad valorem taxation in that  
19 area on January 1, 1998, shall be subject to ad valorem taxes in Iredell County for the  
20 fiscal year beginning July 1, 1998, to the same extent as it would have been had it  
21 been located in Iredell County on January 1, 1998, except as hereinafter provided  
22 with respect to classified registered motor vehicles. On July 1, 1998, the  
23 Mecklenburg County Tax Administrator shall transfer to the Iredell County Tax  
24 Assessor the ad valorem tax listings and valuations for all real and personal property  
25 subject to ad valorem taxation in the area described in Section 1 except classified  
26 motor vehicles which were registered in Mecklenburg County prior to July 1, 1998.

27           For the fiscal year which begins July 1, 1998, all real and personal  
28 property in the area described in Section 1 of this act which was subject to ad  
29 valorem taxation in that area on January 1, 1998, shall be assessed and taxed as  
30 follows:

31           (1) The ad valorem property taxes assessed on all classified registered  
32 motor vehicles registered or listed between January 1, 1998, and  
33 June 30, 1998, shall be collected by the Mecklenburg County Tax  
34 Collector and all such taxes shall be retained by Mecklenburg  
35 County. The taxes on all classified registered motor vehicles  
36 registered after June 30, 1998, shall be assessed and collected by  
37 the Iredell County Tax Department.

38           (2) The values established by the Mecklenburg County Tax  
39 Administrator on all personal property other than classified  
40 registered motor vehicles shall be used by the Iredell County Tax  
41 Assessor without adjustment in computing taxes due for the fiscal  
42 year beginning July 1, 1998. All such taxes shall be assessed and  
43 collected by the Iredell County Tax Department.

- 1 (3) The values established by the Mecklenburg County Tax  
2 Administrator on all real property shall be reduced by the Iredell  
3 County Tax Assessor by applying the difference between one  
4 hundred percent (100%) of such values and the Iredell median  
5 ratio, as established by the Sales Assessment Ratio Study compiled  
6 by the North Carolina Department of Revenue as of January 1,  
7 1998. The taxes determined by applying this method will be  
8 collected and retained by the Iredell County Tax Collector.
- 9 (4) Beginning January 1, 1999, all property in the area described in  
10 Section 1 which is subject to ad valorem taxation shall be listed,  
11 assessed, and taxed by Iredell County in the same manner as is  
12 prescribed by law for all other property located in Iredell County.
- 13 (5) The final tax values of property subject to ad valorem taxation in  
14 the area described in Section 1 as of January 1, 1998, shall be  
15 determined by the Mecklenburg County Tax Administrator or the  
16 Mecklenburg County Board of Equalization and Review. Appeals  
17 to the North Carolina Property Tax Commission or to the courts  
18 shall be defended by Mecklenburg County, and Iredell County  
19 shall reimburse Mecklenburg County for all costs and expenses,  
20 including attorneys' fees, incurred in connection with such appeals.
- 21 (6) Any unpaid taxes or tax liens for the fiscal year ending June 30,  
22 1998, or for prior years on property subject to taxation in the area  
23 described in Section 1 of this act shall continue to be valid and  
24 enforceable by Mecklenburg County, including the foreclosure  
25 remedies provided for in G.S. 105-374 and G.S. 105-375, and the  
26 remedies of attachment and garnishment provided for in G.S. 105-  
27 366 through G.S. 105-368. Mecklenburg County shall supply  
28 Iredell County with a list of unpaid taxes as of July 1, 1998. Any  
29 such taxes collected by Iredell County shall be promptly paid to  
30 Mecklenburg County including accrued interest.
- 31 (d) On July 1, 1998, Iredell County shall become fully responsible for  
32 completing the Street Assessment Program begun by Mecklenburg County pursuant  
33 to authority granted to counties by Article 9 of Chapter 153A of the General Statutes  
34 to improve Blarney Road and Gainswood Drive to meet the State's requirements for  
35 adding such roads to the State Secondary Road System, said roads being located  
36 within the area described in Section 1 of this act. To the extent not already  
37 completed by July 1, 1998, Iredell County shall become responsible for preparing the  
38 Preliminary Assessment Roll, conducting the hearing on the Preliminary Assessment  
39 Roll Resolution, adopting the Final Assessment Roll Resolution, publishing the  
40 Notice of Confirmation of the Assessment Roll, and collecting the unpaid  
41 assessments. Should Mecklenburg County have paid the Department of  
42 Transportation for the improvement work performed on said roads before the date  
43 that the area described in Section 1 of this act is transferred to Iredell County, Iredell  
44 County will reimburse Mecklenburg County for said cost, to the extent not

1 reimbursed by the property owners, within 90 days of said transfer of the area  
2 described in Section 1 of this act to Iredell County.

3 (e) No cause of action, including criminal actions, involving persons or  
4 property in that area described in Section 1 of this act which is pending on July 1,  
5 1998, shall be abated, and such actions shall continue in Mecklenburg County.

6 (f) The Board of Elections of Mecklenburg County shall immediately  
7 after July 1, 1998, transfer the voter registration records pertaining to persons residing  
8 in the area described in Section 1 of this act to the Iredell County Board of Elections,  
9 and thereafter the registered voters so transferred shall be validly registered to vote in  
10 Iredell County.

11 (g) The Jury Commission of each county shall revise its jury lists to add  
12 to or eliminate therefrom those persons subject to jury duty who reside in the area  
13 described in Section 1 of this act, said revised jury lists to be effective July 1, 1998.

14 (h) The area described in Section 1 of this act shall be transferred into  
15 Superior Court District 22, District Court District 22, and Prosecutorial District 22.  
16 The area described in Section 1 of this act shall remain in the same Congressional  
17 District, the same State House of Representatives District, and the same State Senate  
18 District.

19 Section 3. The Meck Neck Transfer Joint Undertaking Agreement made  
20 as of November 18, 1997, by and between Iredell County and Mecklenburg County is  
21 ratified.

22 Section 4. Iredell County shall pay, on behalf of residents of the Meck  
23 Neck, all tuition charges which might have been imposed by the Iredell County  
24 Board of Education on children living in the Meck Neck who attended schools  
25 operated by the Iredell County Board of Education prior to July 1, 1998.

26 Section 5. Any child who was a resident of the area annexed by Section  
27 1 of this act on its date of ratification and who was a student in the Charlotte-  
28 Mecklenburg school system during the 1997-98 school year, and the siblings of any  
29 such person, may attend school in the Charlotte-Mecklenburg school system without  
30 necessity of a release or payment of tuition. Such student, while attending the  
31 Charlotte-Mecklenburg school system, shall be considered a resident of Mecklenburg  
32 County for all public school purposes, including transportation, athletics, and funding  
33 formulas. Notice must be given to both school systems by the parent or guardian in  
34 order to exercise the privilege granted by this section.

35 Section 6. This act becomes effective July 1, 1998.



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June 3, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1383 - Meck Neck

House Bill 1383 changes the territory of Mecklenburg and Iredell Counties by incorporating into Iredell County the "Meck Neck" area of Mecklenburg County, which is connected by land to Iredell County, but not to Mecklenburg County, and certain portions of Lake Norman.

The bill includes provisions to transfer civil and criminal cases, jury lists and voter registrations in the annexed area from Mecklenburg to Iredell County. Iredell County is required to pay Mecklenburg County at least \$100,000 a year for the next ten years. The bill also allows students enrolled in the Mecklenburg school system for the 97-98 year, and their younger siblings, to continue to attend Mecklenburg schools without release or payment of tuition.

This act is effective when it becomes law, except that the property tax provisions are effective January 1, 1998.

MINUTES  
HOUSE COMMITTEE ON  
LOCAL AND REGIONAL GOVERNMENT II

WEDNESDAY, JUNE 10, 1998

The House Committee on LOCAL AND REGIONAL GOVERNMENT II met on Wednesday, June 10, 1998, in Room 1425 of the Legislative Building at 11:00 AM. The following members were present: Chairman Michael Decker, Representatives Capps, Dockham, Jarrell, Jeffus, Owens, Tolson, and G. Wilson. Susan Hayes, Staff Counselor was in attendance. A Visitor Registration List is attached and made part of these minutes.

Chairman Decker called the meeting to order.

Chairman Decker recognized Representative Baker to explain **HOUSE BILL 1593, A BILL TO BE ENTITLED AN ACT TO EXEMPT ALLEGHANY COUNTY AND THE TOWN OF SPARTA FROM CERTAIN LAWS RELATED TO THE CONSTRUCTION, PROCUREMENT, AND LEASING OF CRITICAL INFRASTRUCTURE NEEDS.** Representative Wilson motioned to send forward a committee substitute for purposes of discussion. Mr. Henry Jones, representing the NC Association of Plumbing-Heating-Cooling Contractors Inc., explained that the Association would not appear to be affected by this bill and did not oppose this bill. Mr. Dave Simpson, representing the Carolinas Associated General Contractors, stated that the Association would like to see the next to the last line removed that referred to forced account work. **Upon motion made by Representative Capps, the Committee voted for a favorable report as to committee substitute bill, unfavorable as to the original bill.**

The next order of business was **HOUSE BILL 1453, A BILL TO BE ENTITLED AN ACT TO ASSIST THE ROWAN-SALISBURY SCHOOLS WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES.** Representative Gardner, sponsor of the bill, was recognized to explain the meaning of the bill. Mr. Tim Kent, Executive Vice President of the American Institute of Architects of North Carolina, stated that the AIA/NC spoke in opposition of using the General Statutes to promote one specific design concept. The AIA/NC is in favor of prototype designs as a way to save money and efficiently build schools. After much discussion, the bill was removed from the calendar.

Next on the agenda was **HOUSE BILL 1541, A BILL TO BE ENTITLED AN ACT TO ALLOW MITCHELL COMMUNITY COLLEGE TO USE THE PROCEEDS FROM THE SALE OF REAL ESTATE DONATED TO IT FOR THE PURPOSES INTENDED BY THE DONOR.** Representative Mitchell, sponsor of the

bill, was recognized to explain the meaning of the bill. Representative Dockham motioned to send forward an amendment to be rolled into a committee substitute. **Upon motion made by Representative Dockham, the Committee voted for a favorable report as to committee substitute bill, unfavorable as to the original bill.**

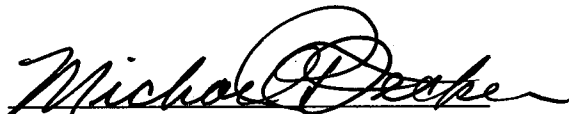
Chairman Decker recognized Representative Nesbitt, sponsor of **HOUSE BILL 1647, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF ASHEVILLE TO DELETE THE REQUIREMENT THAT COUNCIL MEETINGS BE HELD AT LEAST ONCE EACH WEEK AND TO CHANGE THE MANNER IN WHICH ORDINANCES ARE REVISED OR AMENDED** to explain the bill. **Upon motion made by Representative Dockham, the Committee voted for a favorable report.**

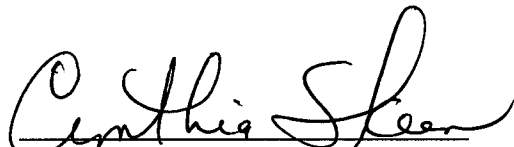
The next bill on the agenda was **HOUSE BILL 1660, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF DURHAM TO PARTICIPATE IN THE COST OF STORM DRAINAGE IMPROVEMENTS ON PRIVATE PROPERTY AND TO ALLOW PRIVATE PARTIES TO PAY OVER TIME FOR THEIR PORTION OF THE COST OF THE IMPROVEMENTS.** Representative Miller, sponsor of the bill, was recognized to explain the meaning of the bill. **Upon motion made by Representative Tolson, the Committee voted for a favorable report.**

Chairman Decker recognized Representative Miller to explain **HOUSE BILL 1661, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE CITY OF DURHAM TO PROVIDE STATIONARY CONTAINER SERVICE TO HOUSING UNITS THAT QUALIFY FOR ROLL OUT CART SERVICE WITHOUT CHARGING ADDITIONAL FEES.** **Upon motion made by Representative Wilson, the Committee voted for a favorable report.**

**HOUSE BILL 1494, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SECTION OF THE CITY OF STATESVILLE'S CHARTER THAT PROHIBITS POLITICAL ACTIVITY BY CERTAIN CITY EMPLOYEES,** was considered next on the agenda. Representative Mitchell, sponsor of the bill, was recognized to explain the bill. **Upon motion made by Representative Owens, the Committee voted for a favorable report.**

With no further business, Chairman Decker adjourned the meeting.

  
Michael P. Decker, Chairman

  
Cynthia S. Keen, Clerk

# VISITOR REGISTRATION SHEET

Local and Regional Govt. II

June 10, 1998

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY
1. <u>Tim KENT</u>	<u>Am. Inst. of Architects</u>
2. <u>SPERO Blengon</u>	<u>State Court Office</u>
3. <u>Alvin Garland</u>	<u>Electricities</u>
4. <u>DRP Smith</u>	<u>Carling's ARC</u>
5. <u>Henry W. Jones</u>	<u>Attorney - Raleigh</u>
6. <u>Marion Oles</u>	<u>DOA</u>
7. <u>Angeline Williams</u>	<u>NCCCS</u>
8. <u>Chris Hays</u>	<u>Electric - Coops</u>
9. <u>Kim Smith</u>	<u>NCLM</u>
10. <u>Richard Leisner</u>	<u>NCLM</u>
11. <u>Ramquist</u>	<u>NCA78</u>
22. _____	_____
23. _____	_____
24. _____	_____
25. _____	_____
26. _____	_____
27. _____	_____
28. _____	_____
29. _____	_____
30. _____	_____
31. _____	_____

**HOUSE COMMITTEE ON  
LOCAL AND REGIONAL GOVERNMENT II**

June 10, 1998

Room 1425 Legislative Building

11:00 AM

**OPENING REMARKS**

Representative Decker, Chairman

**BILLS TO BE CONSIDERED:**

<b>HB 1453</b>	<b>ROWAN SCHOOL BID EXEMPTION</b>	<b>REP. GARDNER</b>
<b>HB 1494</b>	<b>STATESVILLE CHARTER</b>	<b>REP. MITCHELL</b>
<b>HB 1541</b>	<b>MITCHELL C.C. LAND SALE OK'D</b>	<b>REP. MITCHELL</b>
<b>HB 1555</b>	<b>MODIFY STATESVILLE OCCUPANCY TAX</b>	<b>REP. MITCHELL</b>
<b>HB 1593</b>	<b>ALLEGHANY/SPARTA BID EXEMPTION</b>	<b>REP. BAKER</b>
<b>HB 1647</b>	<b>AMEND ASHEVILLE CHARTER</b>	<b>REP. NESBITT</b>
<b>HB 1660</b>	<b>CITY OF DURHAM/STORMWATER FEES</b>	<b>REP. MILLER</b>
<b>HB 1661</b>	<b>DURHAM DUMPSTER SERVICE</b>	<b>REP. MILLER</b>

**ADJOURNMENT**

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL  
GOVERNMENT II**.

---

☐ Committee Substitute for

H.B. 1593 A BILL TO BE ENTITLED AN ACT TO EXEMPT ALLEGHANY COUNTY  
AND THE TOWN OF SPARTA FROM CERTAIN LAWS RELATED TO THE  
CONSTRUCTION, PROCUREMENT, AND LEASING OF CRITICAL  
INFRASTRUCTURE NEEDS.

☐ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐.

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐.

☒ With a favorable report as to committee substitute bill (# \_\_\_\_\_), ☐ which changes the title,  
unfavorable as to original bill, (Committee Substitute Bill # \_\_\_\_\_), (and recommendation  
that the committee substitute bill # \_\_\_\_\_) be re-referred to the Committee on \_\_\_\_\_.)

☐ With a favorable report as to House committee substitute bill (# \_\_\_\_\_), ☐ which changes  
the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1593

Short Title: Alleghany/Sparta Bid Exemption.

(Local)

---

Sponsors: Representatives Baker; Hiatt and G. Wilson.

---

Referred to: Local and Regional Government II.

---

May 28, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO EXEMPT ALLEGHANY COUNTY AND THE TOWN OF SPARTA  
3 FROM CERTAIN LAWS RELATED TO THE CONSTRUCTION,  
4 PROCUREMENT, AND LEASING OF CRITICAL INFRASTRUCTURE  
5 NEEDS.

6 The General Assembly of North Carolina enacts:

7 Section 1. Alleghany County and the Town of Sparta may contract for  
8 the construction, procurement, and leasing of critical infrastructure needs including  
9 an electrical power substation and water and sewer line extensions related to the  
10 construction and operation of a new manufacturing plant currently under  
11 construction and scheduled for operation by September, 1998. These contracts may  
12 be negotiated and signed without being subject to the requirements of G.S. 143-128,  
13 143-129, 143-131, and 143-132.

14 Section 2. This act is effective when it becomes law and expires on July  
15 1, 1999.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

D

HOUSE BILL 1593  
Proposed Committee Substitute H1593-PCSA488

Short Title: Alleghany/Sparta Bid Exemption.

(Local)

---

Sponsors:

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Referred to:

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May 28, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO EXEMPT ALLEGHANY COUNTY AND THE TOWN OF SPARTA  
3 FROM CERTAIN LAWS RELATED TO THE CONSTRUCTION,  
4 PROCUREMENT, AND LEASING OF CRITICAL INFRASTRUCTURE  
5 NEEDS.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. Alleghany County and the Town of Sparta may contract for  
8 the construction, procurement, and leasing of critical infrastructure needs including  
9 an electrical power substation and water and sewer line extensions related to the  
10 construction and operation of a new manufacturing plant currently under  
11 construction and scheduled for operation by September, 1998. These contracts may  
12 be negotiated and signed without being subject to the requirements of G.S. 143-128,  
13 143-129, 143-131, and 143-132. Construction of the water and sewer line extensions  
14 using force account qualified labor on the permanent payroll of the agency concerned  
15 may be undertaken without respect to the limitations contained in G.S. 143-135.  
16 Section 2. This act is effective when it becomes law and expires on July  
17 1, 1999.



**North Carolina General Assembly  
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June 10, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1593 - Alleghany/Sparta Bid Exemption

House Bill 1593 allows Alleghany County and the Town of Sparta to contract for construction, procurement, and leasing of electrical power substation and water and sewer lines related to a new manufacturing plant without complying with bidding requirements for public contracts. The bill also allows the water and sewer line extensions to be constructed using force account qualified labor without respect to the limitations of G.S. 143-135.

This act is effective when it becomes law and expires July 1, 1999.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1453

Short Title: Rowan School Bid Exemption.

(Local)

---

Sponsors: Representatives Gardner; and McCombs.

---

Referred to: Local and Regional Government II.

---

May 25, 1998

1 A BILL TO BE ENTITLED

2 AN ACT TO ASSIST THE ROWAN-SALISBURY SCHOOLS WITH THE  
3 EXPEDITING OF PUBLIC SCHOOL FACILITIES.

4 The General Assembly of North Carolina enacts:

5 Section 1. Notwithstanding the provisions of Article 8 of Chapter 143 of  
6 the General Statutes, the Rowan-Salisbury Schools may select and negotiate with  
7 separate prime contractors to build the Unitary System Approach (USA) model  
8 school plan if the Rowan-Salisbury Schools determines that using the selection and  
9 negotiations process instead of competitive bidding will expedite the project, create  
10 an effective construction team, and control costs, quality, and schedule.

11 Section 2. This act shall apply to construction of a new middle school for  
12 approximately 800 students using 1996 State Bond funding with design to begin in  
13 May, 1998 and with occupancy scheduled by April, 2000.

14 Section 3. This act is effective when it becomes law and expires on June  
15 30, 2001.



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June 10, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1453 - Rowan School Bid Exemption

House Bill 1453 exempts the Rowan-Salisbury schools from the provisions regarding public contracts for the purpose of contracting for the construction of a new middle school if they determine that using the selection and negotiations process instead of competitive bidding will expedite the project, create an effective construction team and control costs, quality, and schedule.

This act is effective when it becomes law and expires on June 30, 2001.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL GOVERNMENT II**.

---

☐ Committee Substitute for

H.B. 1541 A BILL TO BE ENTITLED AN ACT TO ALLOW MITCHELL COMMUNITY COLLEGE TO USE THE PROCEEDS FROM THE SALE OF REAL ESTATE DONATED TO IT FOR THE PURPOSES INTENDED BY THE DONOR.

☐ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on ☐ Appropriations ☐ Finance ☐

☒ With a favorable report as to committee substitute bill (~~#~~), ☐ which changes the title, unfavorable as to original bill (~~Committee Substitute Bill #~~), (~~and recommendation that the committee substitute bill #~~) be re-referred to the Committee on ~~.~~

☐ With a favorable report as to House committee substitute bill (#), ☐ which changes the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1541

Short Title: Mitchell C.C. Land Sale OK'd.

(Local)

---

Sponsors: Representative Mitchell.

---

Referred to: Local and Regional Government II.

---

May 27, 1998

1 A BILL TO BE ENTITLED

2 AN ACT TO ALLOW MITCHELL COMMUNITY COLLEGE TO USE THE  
3 PROCEEDS FROM THE SALE OF REAL ESTATE DONATED TO IT FOR  
4 THE PURPOSES INTENDED BY THE DONOR.

5 The General Assembly of North Carolina enacts:

6 Section 1. Notwithstanding the terms of G.S. 115D-15, G.S. 115D-20, or  
7 any other provision of law, where a public community college has heretofore or is  
8 hereafter given real or personal property upon the condition that the proceeds be  
9 used for specific educational purposes, that property may be sold as provided herein.  
10 Upon the sale, the proceeds shall be used for the purposes for which they were  
11 intended by the donor.

12 Section 2. A community college selling real or personal property  
13 donated to it upon the condition that the proceeds be used for a specific educational  
14 purpose shall use the sale procedures authorized by Article 12 of Chapter 160A of  
15 the General Statutes.

16 Section 3. This act applies only to Mitchell Community College.

17 Section 4. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

D

HOUSE BILL 1541  
Proposed Committee Substitute H1541-PCS1566

Short Title: Mitchell C.C. Land Sale OK'd.

(Local)

---

Sponsors:

---

Referred to:

---

May 27, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW CERTAIN COMMUNITY COLLEGES TO USE THE  
3 PROCEEDS FROM THE SALE OF REAL ESTATE DONATED TO THEM  
4 FOR THE PURPOSES INTENDED BY THE DONOR.

5 The General Assembly of North Carolina enacts:

6 Section 1. Notwithstanding the terms of G.S. 115D-15, G.S. 115D-20, or  
7 any other provision of law, where a public community college has heretofore or is  
8 hereafter given real or personal property upon the condition that the proceeds be  
9 used for specific educational purposes, that property may be sold as provided herein.  
10 Upon the sale, the proceeds shall be used for the purposes for which they were  
11 intended by the donor.

12 Section 2. A community college selling real or personal property  
13 donated to it upon the condition that the proceeds be used for a specific educational  
14 purpose shall use the sale procedures authorized by Article 12 of Chapter 160A of  
15 the General Statutes.

16 Section 3. This act applies only to College of the Albemarle, Johnston  
17 Community College, and Mitchell Community College.

18 Section 4. This act is effective when it becomes law.



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June 10, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1541 - Mitchell C.C. Land Sale OK'd

House Bill 1541 allows Mitchell Community College to use the proceeds from the sale or property donated to the College for the purposes which were intended by the donor, despite the requirement of 115D-15 that they be used for capital outlay purposes. The sale under this provision will be conducted in accordance with the provisions relating to the sale of property by cities and towns.

This act is effective when it becomes law and only applies to Mitchell Community College.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL GOVERNMENT II**.

---

☐ Committee Substitute for

H.B. 1647 A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF ASHEVILLE TO DELETE THE REQUIREMENT THAT COUNCIL MEETINGS BE HELD AT LEAST ONCE EACH WEEK AND TO CHANGE THE MANNER IN WHICH ORDINANCES ARE REVISED OR AMENDED.

☒ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on ☐ Appropriations ☐ Finance ☐

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title, unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation that the committee substitute bill # ) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1647

Short Title: Amend Asheville Charter.

(Local)

---

Sponsors: Representatives Nesbitt, Sherrill, Cansler, and Ives.

---

Referred to: Local and Regional Government II.

---

May 28, 1998

1 A BILL TO BE ENTITLED

2 AN ACT TO AMEND THE CHARTER OF THE CITY OF ASHEVILLE TO  
3 DELETE THE REQUIREMENT THAT COUNCIL MEETINGS BE HELD AT  
4 LEAST ONCE EACH WEEK AND TO CHANGE THE MANNER IN WHICH  
5 ORDINANCES ARE REVISED OR AMENDED.

6 The General Assembly of North Carolina enacts:

7 Section 1. Section 8 of the Charter of the City of Asheville, being  
8 Chapter 121 of the Private Laws of 1931, as amended by Section IV of Ordinance  
9 No. 1501 of the City of Asheville, adopted March 19, 1985, pursuant to Part 4 of  
10 Article 5 of Chapter 160A of the General Statutes, reads as rewritten:

11 "On its first regular meeting date in December following a regular municipal  
12 election, the council shall meet at the usual place for holding its meetings, and the  
13 newly elected mayor and councilmembers shall assume the duties of office. Before  
14 entering upon the duties of their offices, the newly elected mayor and councilmen  
15 shall severally make oath before the retiring mayor, city clerk or some person  
16 authorized by law to administer oaths to perform faithfully the duties of their  
17 respective offices. Thereafter the council shall meet at such times as may be  
18 prescribed by ordinance or ~~resolution, but not less frequently than once each week~~  
19 resolution. Special meetings shall be called by the clerk upon written request of the  
20 mayor or of the city manager or of three members of the council. No less than 12  
21 hours' notice of special meetings shall be given to each member of the council at  
22 such address, within the corporate limits of the City of Asheville, as he shall  
23 designate and such notice shall be published at least once prior to the meeting in a

1 daily newspaper of the city. The notice must state the subject or subjects to be  
2 considered at the meeting and no other subject or subjects may be there considered."

3 Section 2. Section 18 of the Charter of the City of Asheville, being  
4 Chapter 121 of the Private Laws of 1931, reads as rewritten:

5 "No ordinance ~~or resolution~~ or section thereof shall be revised or amended except  
6 by a new ordinance ~~or resolution~~ containing the entire ~~ordinance, resolution~~  
7 ordinance or section as revised or ~~amended and repealing the original ordinance,~~  
8 ~~resolution or section.~~ amended."

9 Section 3. This act is effective when it becomes law.



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June 10, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1647 - Amend Asheville Charter

House Bill 1647 amends the Charter of the City of Asheville to delete the requirement that the City Council meet at least once a week. The bill also amends the manner in which ordinances are revised or amended.

This act is effective when it becomes law.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL  
GOVERNMENT II**.

---

☐ Committee Substitute for

H.B. 1660 A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF DURHAM TO PARTICIPATE IN THE COST OF STORM DRAINAGE IMPROVEMENTS ON PRIVATE PROPERTY AND TO ALLOW PRIVATE PARTIES TO PAY OVER TIME FOR THEIR PORTION OF THE COST OF THE IMPROVEMENTS.

☒ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on ☐ Appropriations ☐ Finance ☐

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title, unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation that the committee substitute bill # ) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1660\*

Short Title: City of Durham/Stormwater Fees.

(Local)

---

Sponsors: Representatives Miller; Michaux, Mosley, and Luebke.

---

Referred to: Local and Regional Government II.

---

May 28, 1998

1 A BILL TO BE ENTITLED

2 AN ACT TO ALLOW THE CITY OF DURHAM TO PARTICIPATE IN THE  
3 COST OF STORM DRAINAGE IMPROVEMENTS ON PRIVATE PROPERTY  
4 AND TO ALLOW PRIVATE PARTIES TO PAY OVER TIME FOR THEIR  
5 PORTION OF THE COST OF THE IMPROVEMENTS.

6 The General Assembly of North Carolina enacts:

7 Section 1. The Charter of the City of Durham, being Chapter 671 of the  
8 1975 Session Laws, as amended, is amended by adding the following new section:

9 "Section 34. **Repairs to Stormwater System Located on Private Property.**

10 (a) The city is authorized to use funds collected from stormwater fees to  
11 participate in the cost of repairs, improvements, and maintenance to the stormwater  
12 system located on private property within the city, and to enact ordinances that  
13 allocate the private and public share of the cost of such activities. Upon written  
14 request by the property owner, the city is also authorized to allow the private share of  
15 the cost, with interest at a rate to be fixed by the city council but not to exceed nine  
16 percent (9%) per annum, to be paid over a period of time to be fixed by the city  
17 council but not to exceed 10 years. The unpaid portion owed to the city by the  
18 property owner shall become a lien on the real property, and may be collected in the  
19 same manner and using the same procedures by which the city collects delinquent  
20 personal or real property taxes. Any such lien shall be inferior to all prior and  
21 subsequent liens for federal, state, and local taxes, equal to liens of special  
22 assessments, and superior to all other liens and encumbrances.

23 (b) The authority granted by this section is in addition to and not in derogation of  
24 any other authority granted to the city by this charter or any other law."

1

Section 2. This act is effective when it becomes law.



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June 10, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1660 - City of Durham/Stormwater Fees

House Bill 1660 authorizes the City of Durham to participate in the cost of storm drainage improvements on private property. City participation must be funded by moneys received from stormwater fees. The City is also authorized to allow private parties to pay their share of the improvements over a period of no more than 10 years at an interest rate of no more than 9%.

This act is effective when it becomes law.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL GOVERNMENT II**.

---

☐ Committee Substitute for

H.B. 1661 A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE CITY OF DURHAM TO PROVIDE STATIONARY CONTAINER SERVICE TO HOUSING UNITS THAT QUALIFY FOR ROLL OUT CART SERVICE WITHOUT CHARGING ADDITIONAL FEES.

☒ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on ☐ Appropriations ☐ Finance ☐

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title, unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation that the committee substitute bill # ) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1661

Short Title: Durham Dumpster Service.

(Local)

---

Sponsors: Representatives Miller; and Luebke.

---

Referred to: Local and Regional Government II.

---

May 28, 1998

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY THE AUTHORITY OF THE CITY OF DURHAM TO  
3 PROVIDE STATIONARY CONTAINER SERVICE TO HOUSING UNITS  
4 THAT QUALIFY FOR ROLL OUT CART SERVICE WITHOUT CHARGING  
5 ADDITIONAL FEES.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. G.S. 160A-314 reads as rewritten:  
8 "**§ 160A-314. Authority to fix and enforce rates.**  
9 (a) A city may establish and revise from time to time schedules of rents, rates,  
10 fees, charges, and penalties for the use of or the services furnished by any public  
11 enterprise. Schedules of rents, rates, fees, charges, and penalties may vary according  
12 to classes of service, and different schedules may be adopted for services provided  
13 outside the corporate limits of the city.  
14 (a1) Before it establishes or revises a schedule of rates, fees, charges, or penalties  
15 for structural and natural stormwater and drainage systems under this section, the city  
16 council shall hold a public hearing on the matter. A notice of the hearing shall be  
17 given at least once in a newspaper having general circulation in the area, not less  
18 than seven days before the public hearing. The hearing may be held concurrently  
19 with the public hearing on the proposed budget ordinance.  
20 The fees established under this subsection must be made applicable throughout the  
21 area of the city. Schedules of rates, fees, charges, and penalties for providing  
22 structural and natural stormwater and drainage system service may vary according to  
23 whether the property served is residential, commercial, or industrial property, the  
24 property's use, the size of the property, the area of impervious surfaces on the

1 property, the quantity and quality of the runoff from the property, the characteristics  
2 of the watershed into which stormwater from the property drains, and other factors  
3 that affect the stormwater drainage system. Rates, fees, and charges imposed under  
4 this subsection may not exceed the city's cost of providing a stormwater and drainage  
5 system.

6 No stormwater utility fee may be levied under this subsection whenever two or  
7 more units of local government operate separate structural and natural stormwater  
8 and drainage system services in the same area within a county. However, two or more  
9 units of local government may allocate among themselves the functions, duties,  
10 powers, and responsibilities for jointly operating a single structural and natural  
11 stormwater and drainage system service in the same area within a county, provided  
12 that only one unit may levy a fee for the service within the joint service area. For  
13 purposes of this subsection, a unit of local government shall include a regional  
14 authority providing structural and natural stormwater and drainage system services.

15 (a2) A fee for the use of a disposal facility provided by the city may vary based on  
16 the amount, characteristics, and form of recyclable materials present in solid waste  
17 brought to the facility for disposal. This section does not prohibit a city from  
18 providing aid to low-income persons to pay all or part of the cost of solid waste  
19 management services for those persons.

20 (a3) Where housing units qualify under city ordinances for roll out cart solid waste  
21 collection service and the housing units instead choose to be served by stationary  
22 containers in accordance with city ordinances, a city may provide stationary container  
23 collection service without charging fees for such service other than the fees applicable  
24 to roll out cart service.

25 (a4) Nothing in this section shall be construed to impair the authority of a city to  
26 charge customers who do not qualify for service under subsection (a3) of this section  
27 the fees established by city ordinances for stationary container collection service.

28 (b) A city shall have power to collect delinquent accounts by any remedy  
29 provided by law for collecting and enforcing private debts, and may specify by  
30 ordinance the order in which partial payments are to be applied among the various  
31 enterprise services covered by a bill for the services. A city may also discontinue  
32 service to any customer whose account remains delinquent for more than 10 days.  
33 When service is discontinued for delinquency, it shall be unlawful for any person  
34 other than a duly authorized agent or employee of the city to do any act that results  
35 in a resumption of services. If a delinquent customer is not the owner of the premises  
36 to which the services are delivered, the payment of the delinquent account may not  
37 be required before providing services at the request of a new and different tenant or  
38 occupant of the premises, but this restriction shall not apply when the premises are  
39 occupied by two or more tenants whose services are measured by the same meter.

40 (c) Except as provided in subsection (d) and G.S. 160A-314.1, rents, rates, fees,  
41 charges, and penalties for enterprisory services shall be legal obligations of the person  
42 contracting for them, and shall in no case be a lien upon the property or premises  
43 served, provided that no contract shall be necessary in the case of structural and  
44 natural stormwater and drainage systems.

1 (d) Rents, rates, fees, charges, and penalties for enterprisory services shall be legal  
2 obligations of the owner of the premises served when:

3 (1) The property or premises is leased or rented to more than one  
4 tenant and services rendered to more than one tenant are  
5 measured by the same meter.

6 (2) Charges made for use of a sewage system are billed separately from  
7 charges made for the use of a water distribution system.

8 (e) Nothing in this section shall repeal any portion of any city charter inconsistent  
9 herewith."

10 Section 2. This act applies to the City of Durham only.

11 Section 3. This act is effective when it becomes law.



**North Carolina General Assembly  
Legislative Services Office**

George R. Hall, Legislative Services Officer  
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June 10, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1661 - Durham Dumpster Service

House Bill 1661 allows the City of Durham to provide stationary container service to housing units that qualify for roll out cart service without charging additional fees for the service if the housing units choose to have stationary service.

This act is effective when it becomes law and applies only to the City of Durham.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL GOVERNMENT II**.

---

☐ Committee Substitute for

H.B. 1494 A BILL TO BE ENTITLED AN ACT TO REPEAL THE SECTION OF THE CITY OF STATESVILLE'S CHARTER THAT PROHIBITS POLITICAL ACTIVITY BY CERTAIN CITY EMPLOYEES.

☒ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐.

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on ☐ Appropriations ☐ Finance ☐.

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title, unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation that the committee substitute bill # ) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1494

Short Title: Statesville Charter.

(Local)

---

Sponsors: Representative Mitchell.

---

Referred to: Local and Regional Government II.

---

May 25, 1998

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO REPEAL THE SECTION OF THE CITY OF STATESVILLE'S  
3 CHARTER THAT PROHIBITS POLITICAL ACTIVITY BY CERTAIN CITY  
4 EMPLOYEES.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. Section 5.16 of Article V of the Charter of the City of  
7 Statesville, being Chapter 289 of the 1977 Session Laws, is repealed.  
8 Section 2. This act is effective when it becomes law.



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(919) 733-2578

June 10, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1494 - Statesville Charter

House Bill 1494 deletes the section of the Statesville Charter that prohibits political activity by certain city employees.

This act is effective when it becomes law.

# MINUTES

## HOUSE COMMITTEE ON

### LOCAL AND REGIONAL GOVERNMENT II

WEDNESDAY, JUNE 17, 1998

The House Committee on LOCAL AND REGIONAL GOVERNMENT II met on Wednesday, June 17, 1998, in Room 1425 of the Legislative Building at 11:00 AM. The following members were present: Chairman Michael Decker, Representatives Barbee, Capps, Dockham, Jarrell, Jeffus, Owens, Tolson, and G. Wilson. Susan Hayes, Staff Counselor was in attendance. A Visitor Registration List is attached and made part of these minutes.

Chairman Decker called the meeting to order.

Chairman Decker recognized Representative Buchanan to explain **HOUSE BILL 1497, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CRANBERRY**. Representative Tolson motioned to send forward a committee substitute for purposes of discussion. **Upon motion made by Representative Wilson, the Committee voted for a favorable report as to committee substitute bill, unfavorable as to the original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.**

The next order of business was **HOUSE BILL 1524, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR OF MORGANTON AND TO MAKE TECHNICAL CORRECTIONS CONCERNING THAT OFFICE**. Representative Church, sponsor of the bill, was recognized to explain the meaning of the bill. **Upon motion made by Representative Barbee, the Committee voted for a favorable report as to committee substitute bill, unfavorable as to the original bill.**

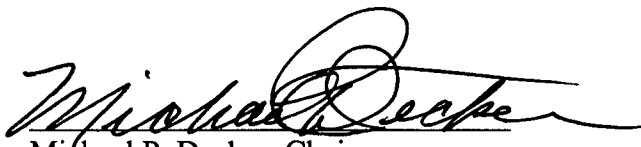
Next on the agenda was **HOUSE BILL 1554, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF MOUNT AIRY TO CONVEY CERTAIN DESCRIBED PROPERTY BY PRIVATE SALE**. Representative Hiatt, sponsor of the bill, was recognized to explain the meaning of the bill. **Upon motion made by Representative Wilson, the Committee voted for a favorable report.**

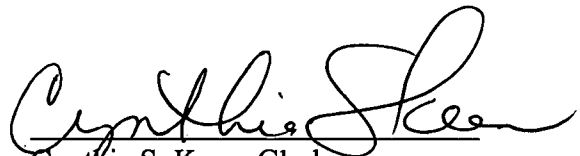
Chairman Decker recognized Representative Barbee, sponsor of **HOUSE BILL 1587, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF STANFIELD AND THE CITY OF LOCUST TO COLLECT UTILITY BILLS AS IF THEY WERE TAXES DUE THE TOWN AND THE CITY**, to explain the bill. **Upon motion made by Representative Wilson, the Committee voted for a favorable**

**report and recommendation that the bill be re-referred to the Committee on Finance.**

**HOUSE BILL 1453, A BILL TO BE ENTITLED AN ACT TO ASSIST THE ROWAN-SALISBURY SCHOOLS WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES** was placed back on the calendar for further discussion. Representative Gardner, sponsor of the bill, was recognized to explain the meaning of the bill. Representative Capps motioned to send forward an amendment to be rolled into a committee substitute. **Upon motion made by Representative Barbee, the Committee voted for a favorable report as to committee substitute bill, unfavorable as to original bill.**

With no further business, Chairman Decker adjourned the meeting.

  
Michael P. Decker, Chairman

  
Cynthia S. Keen, Clerk

## VISITOR REGISTRATION SHEET

## LOCAL AND REGIONAL GOVERNMENT II

**June 17, 1998**

Name of Committee

Date \_\_\_\_\_

**VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK**

**NAME**

**FIRM OR AGENCY AND ADDRESS**[illegible]

**HOUSE COMMITTEE ON  
LOCAL AND REGIONAL GOVERNMENT II**

June 17, 1998

Room 1425 Legislative Building

11:00 AM

**OPENING REMARKS**

Representative Decker, Chairman

**BILLS TO BE CONSIDERED:**

<b>HB 1497</b>	<b>CRANBERRY INCORPORATED</b>	<b>REP. BUCHANAN</b>
<b>HB 1524</b>	<b>MORGANTON MAYOR</b>	<b>REP. CHURCH</b>
<b>HB 1554</b>	<b>MT. AIRY PRIVATE SALE</b>	<b>REP. HIATT</b>
<b>HB 1587</b>	<b>STANFIELD/LOCUST UTILITY BILLS</b>	<b>REP. BARBEE</b>

**ADJOURNMENT**

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL GOVERNMENT II**.

---

☐ Committee Substitute for

H.B. 1497 A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CRANBERRY.

☐ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on ☐ Appropriations ☐ Finance ☐

**X With a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on FINANCE.**

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

2

HOUSE BILL 1497  
Committee Substitute Favorable 6/17/98

Short Title: Cranberry Incorporated.

(Local)

Sponsors:

Referred to:

May 26, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO INCORPORATE THE TOWN OF CRANBERRY.  
3 The General Assembly of North Carolina enacts:

4 Section 1. A Charter for the Town of Cranberry is enacted as follows:

5 "CHARTER OF TOWN OF CRANBERRY.

6 "CHAPTER I.

7 "INCORPORATION AND CORPORATE POWERS.

8 "Section 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Town  
9 of Cranberry, which area is described in Section 2.1 of this Charter, are a body  
10 corporate and politic under the name 'Town of Cranberry.' Under that name they  
11 have all the powers, duties, rights, privileges, and immunities conferred and imposed  
12 on cities by the general law of North Carolina.

13 "CHAPTER II.

14 "CORPORATE BOUNDARIES.

15 "Sec. 2.1. **Town Boundaries.** Until modified in accordance with the law, the  
16 boundaries of the Town of Cranberry are as follows: A circle with a radius of 4,200  
17 feet as measured from a PK Nail set in a chiseled X located in the walkway of the  
18 Cranberry Baptist Church, said nail being located N 80° 18' 49" W 47.31' from the  
19 Northwest corner of the Church and N 50° 20' 28" W 47.93' from the Southwest  
20 corner of the Church and having NAD 83 Grid Coordinates of N 883,703.1137 and E  
21 1,123,879.3799, except that it does not include any territory within the corporate  
22 limits of any other municipality on May 26, 1998.

23 "CHAPTER III.

**"GOVERNING BODY.**

**"Sec. 3.1. Structure of Governing Body; Number of Members.** The governing body of the Town of Cranberry is the Board of Aldermen, which has five members and the Mayor.

**"Sec. 3.2. Temporary Officers.** Until the organizational meeting after the initial election in 1999 provided for by Section 4.1 of this Charter, Michael Phillip Jones is appointed Mayor and David Turbyfill, Linda T. Brown, Raymond Turbyfill, and J.W. Ollis are appointed members of the Board of Aldermen, and they shall possess and may exercise the powers granted to the Mayor and Board of Aldermen until their successors are elected or appointed and qualify pursuant to this Charter.

**"Sec. 3.3. Manner of Electing Board of Aldermen; Term of Office.** The qualified voters of the entire Town shall elect the members of the Board of Aldermen. In 1999 and biennially thereafter, five members of the Board of Aldermen are elected for two-year terms.

**"Sec. 3.4. Manner of Electing Mayor; Term of Office.** At its organizational meeting after each election, the Board of Aldermen shall elect one of its members as Mayor to serve at the pleasure of the Board of Aldermen.

**"CHAPTER IV.****"ELECTIONS.**

**"Sec. 4.1. Conduct of Town Elections.** Town officers shall be elected on a nonpartisan basis and results determined by a plurality as provided in G.S. 163-292.

**"CHAPTER V.****"ADMINISTRATION.**

**"Sec. 5.1. Town to Operate Under Mayor-Council Plan.** The Town of Cranberry operates under the Mayor-Council plan as provided in Part 3 of Article 7 of Chapter 160A of the General Statutes."

Section 2. From and after the effective date of this act, the citizens and property in the Town of Cranberry shall be subject to municipal taxes levied for the year beginning July 1, 1998, and for that purpose the Town shall obtain from Avery County a record of property in the area herein incorporated which was listed for taxes as of January 1, 1998. The Town may adopt a budget ordinance for fiscal year 1998-99 without following the timetable in the Local Government Budget and Fiscal Control Act, but shall follow the sequence of actions in the spirit of the act insofar as is practical. For fiscal year 1998-99, ad valorem taxes may be paid at par or face amount within 90 days of adoption of the budget ordinance, and thereafter in accordance with the schedule in G.S. 105-360 as if the taxes had been due and payable on September 1, 1998.

Section 3. (a) The Avery County Board of Elections shall conduct an election on November 3, 1998, for the purpose of submission to the qualified voters of the area described in Section 2.1 of the Charter of the Town of Cranberry the question of whether or not such area shall be incorporated as the Town of Cranberry. Registration for the election shall be conducted in accordance with G.S. 163-288.2.

(b) In the election, the question on the ballot shall be:

**"[ ] FOR [ ] AGAINST**

- 1                               Incorporation of the Town of Cranberry".  
2               Section 4. In the election, if a majority of the votes are cast "FOR  
3 incorporation of the Town of Cranberry", Sections 1 and 2 of this act become  
4 effective on the date of the certification of the results of the election. Otherwise,  
5 Sections 1 and 2 of this act have no force and effect.  
6               Section 5. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

D

HOUSE BILL 1497

Proposed Committee Substitute H1497-PCS1568-LB

Short Title: Cranberry Incorporated.

(Local)

Sponsors:

Referred to:

May 26, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO INCORPORATE THE TOWN OF CRANBERRY.  
3 The General Assembly of North Carolina enacts:  
4 Section 1. A Charter for the Town of Cranberry is enacted as follows:  
5 "CHARTER OF TOWN OF CRANBERRY.  
6 "CHAPTER I.  
7 "INCORPORATION AND CORPORATE POWERS.  
8 "Section 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Town  
9 of Cranberry, which area is described in Section 2.1 of this Charter, are a body  
10 corporate and politic under the name 'Town of Cranberry.' Under that name they  
11 have all the powers, duties, rights, privileges, and immunities conferred and imposed  
12 on cities by the general law of North Carolina.  
13 "CHAPTER II.  
14 "CORPORATE BOUNDARIES.  
15 "Sec. 2.1. **Town Boundaries.** Until modified in accordance with the law, the  
16 boundaries of the Town of Cranberry are as follows: A circle with a radius of 4,200  
17 feet as measured from a PK Nail set in a chiseled X located in the walkway of the  
18 Cranberry Baptist Church, said nail being located N 80° 18' 49" W 47.31' from the  
19 Northwest corner of the Church and N 50° 20' 28" W 47.93' from the Southwest  
20 corner of the Church and having NAD 83 Grid Coordinates of N 883,703.1137 and E  
21 1,123,879.3799, except that it does not include any territory within the corporate  
22 limits of any other municipality on May 26, 1998.  
23 "CHAPTER III.

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2 "Sec. 3.1. **Structure of Governing Body; Number of Members.** The governing  
3 body of the Town of Cranberry is the Board of Aldermen, which has five members  
4 and the Mayor.

5 "Sec. 3.2. **Temporary Officers.** Until the organizational meeting after the initial  
6 election in 1999 provided for by Section 4.1 of this Charter, Michael Phillip Jones is  
7 appointed Mayor and David Turbyfill, Linda T. Brown, Raymond Turbyfill, and J.W.  
8 Ollis are appointed members of the Board of Aldermen, and they shall possess and  
9 may exercise the powers granted to the Mayor and Board of Aldermen until their  
10 successors are elected or appointed and qualify pursuant to this Charter.

11 "Sec. 3.3. **Manner of Electing Board of Aldermen; Term of Office.** The qualified  
12 voters of the entire Town shall elect the members of the Board of Aldermen. In 1999  
13 and biennially thereafter, five members of the Board of Aldermen are elected for  
14 two-year terms.

15 "Sec. 3.4. **Manner of Electing Mayor; Term of Office.** At its organizational meeting  
16 after each election, the Board of Aldermen shall elect one of its members as Mayor to  
17 serve at the pleasure of the Board of Aldermen.

18 "CHAPTER IV.

19 "ELECTIONS.

20 "Sec. 4.1. **Conduct of Town Elections.** Town officers shall be elected on a  
21 nonpartisan basis and results determined by a plurality as provided in G.S. 163-292.

22 "CHAPTER V.

23 "ADMINISTRATION.

24 "Sec. 5.1. **Town to Operate Under Mayor-Council Plan.** The Town of Cranberry  
25 operates under the Mayor-Council plan as provided in Part 3 of Article 7 of Chapter  
26 160A of the General Statutes."

27 Section 2. From and after the effective date of this act, the citizens and  
28 property in the Town of Cranberry shall be subject to municipal taxes levied for the  
29 year beginning July 1, 1998, and for that purpose the Town shall obtain from Avery  
30 County a record of property in the area herein incorporated which was listed for  
31 taxes as of January 1, 1998. The Town may adopt a budget ordinance for fiscal year  
32 1998-99 without following the timetable in the Local Government Budget and Fiscal  
33 Control Act, but shall follow the sequence of actions in the spirit of the act insofar as  
34 is practical. For fiscal year 1998-99, ad valorem taxes may be paid at par or face  
35 amount within 90 days of adoption of the budget ordinance, and thereafter in  
36 accordance with the schedule in G.S. 105-360 as if the taxes had been due and  
37 payable on September 1, 1998.

38 Section 3. (a) The Avery County Board of Elections shall conduct an  
39 election on November 3, 1998, for the purpose of submission to the qualified voters  
40 of the area described in Section 2.1 of the Charter of the Town of Cranberry the  
41 question of whether or not such area shall be incorporated as the Town of Cranberry.  
42 Registration for the election shall be conducted in accordance with G.S. 163-288.2.

43 (b) In the election, the question on the ballot shall be:

44 "[ ] FOR [ ] AGAINST

- 1                               Incorporation of the Town of Cranberry".  
2                       Section 4. In the election, if a majority of the votes are cast "FOR  
3 incorporation of the Town of Cranberry", Sections 1 and 2 of this act become  
4 effective on the date of the certification of the results of the election. Otherwise,  
5 Sections 1 and 2 of this act have no force and effect.  
6                       Section 5. This act is effective when it becomes law.



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June 17, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1497 - Cranberry Incorporated

House Bill 1497 incorporates the Town of Cranberry. The bill sets forth a charter describing corporate boundaries and provides for a mayor-council form of government, with five members and a mayor. The charter provides for the conduct of elections and terms of office, and for the levy of municipal taxes.

This act is effective when it becomes law.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL  
GOVERNMENT II**.

---

- ☐ Committee Substitute for  
H.B. 1524 A BILL TO BE ENTITLED AN ACT TO PROVIDE A FOUR-YEAR TERM  
FOR THE MAYOR OF MORGANTON AND TO MAKE TECHNICAL CORRECTIONS  
CONCERNING THAT OFFICE.
- ☐ With a favorable report.
- ☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐
- ☐ With a favorable report, as amended.
- ☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐
- X With a favorable report as to committee substitute bill, unfavorable as to original bill.**
- ☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes  
the title, unfavorable as to Senate committee substitute bill.
- ☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)
- ☐ With an unfavorable report.
- ☐ With recommendation that the House concur.
- ☐ With recommendation that the House do not concur.
- ☐ With recommendation that the House do not concur; request conferees.
- ☐ With recommendation that the House concur; committee believes bill to be material.
- ☐ With an unfavorable report, with a Minority Report attached.
- ☐ Without prejudice.
- ☐ With an indefinite postponement report.
- ☐ With an indefinite postponement report, with a Minority Report attached.
- ☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1524

Short Title: Morganton Mayor.

(Local)

---

Sponsors: Representatives Church, Buchanan, Thompson; and Hill.

---

Referred to: Local and Regional Government II.

---

May 27, 1998

1 A BILL TO BE ENTITLED

2 AN ACT TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR OF  
3 MORGANTON AND TO MAKE TECHNICAL CORRECTIONS  
4 CONCERNING THAT OFFICE.

5 The General Assembly of North Carolina enacts:

6 Section 1. (a) Section 2.11 of the Charter of the City of Morganton,  
7 being Chapter 180, Session Laws of 1975 reads as rewritten:

8 "Chapter 2. Mayor.

9 "Sec. 2.11. Election and term of office.--The Mayor shall be elected as provided in  
10 this Charter for a term of ~~two (2) years~~ four years. The term of office of the Mayor  
11 shall commence on the day and hour of the organizational meeting held at the first  
12 regular meeting of the Council in December after the results of the election have  
13 been certified, and he shall serve until his successor has taken office."

14 (b) This section becomes effective beginning with the Mayor elected in  
15 the 1999 municipal election.

16 Section 2. Section 2.14(b) of the Charter of the City of Morganton, being  
17 Chapter 180, Session Laws of 1975 reads as rewritten:

18 "Sec. 2.14. Vacancy; absence or disability.--(a) A vacancy in the office of Mayor  
19 shall exist when a duly elected person fails to qualify or when a person who has been  
20 elected and has qualified dies, resigns, or no longer meets the requirements of Section  
21 2.11 of this Charter, or is recalled. If a vacancy occurs in the office of Mayor, the  
22 Council shall by majority vote appoint some qualified person to fill the office for the  
23 remainder of the unexpired term. The Mayor Pro Tempore shall discharge the  
24 powers and duties of the office of Mayor until the office is filled, and he shall receive

1 the same compensation as received by the office of Mayor during such period of  
2 service. The council seat of Mayor Pro Tempore is not vacant during any period in  
3 which the Mayor Pro Tempore discharges powers and duties of the office of Mayor.

4 (b) During the absence or disability of the Mayor, the Mayor Pro Tempore shall  
5 perform the powers and duties of the Mayor during the period that such absence or  
6 disability exists. The inability of the Mayor to perform the duties of his office shall  
7 be determined by the Council in accordance with the provisions of ~~G.S. 160A-70.~~  
8 G.S. 160A-70, except that the vote of the Mayor is not required in any such  
9 determination."

10 Section 3. Section 2.22(b) of the Charter of the City of Morganton, being  
11 Chapter 180, Session Laws of 1975, as amended by Chapter 299 of the Session Laws  
12 of 1985 reads as rewritten:

13 "(b) Except where a greater number is required by law, an affirmative vote equal to  
14 a majority of all the voting members of the council present and not excused from  
15 voting on a question (~~including the mayor's vote in case of equal division~~) shall be  
16 required to adopt any ordinance or any resolution or motion having the effect of an  
17 ordinance; provided, however, that no ordinance shall be finally adopted on the date  
18 it is introduced unless adopted by an affirmative vote equal to or greater than two  
19 thirds of all the council members, not including the mayor and any member excused  
20 from voting on the ~~question (but including the mayor's vote in case of equal~~  
21 ~~division).~~ question. No member of the Council shall be excused from voting except  
22 on matters involving the consideration of his own official conduct or involving his  
23 financial interest. The question of compensation and allowances of members of the  
24 Council or the Mayor shall not be considered to involve a member's own financial  
25 interest or official conduct. In all other cases, a failure to vote by a member who is  
26 physically present in the council chamber, or who has withdrawn without being  
27 excused by a majority vote of the remaining members present, shall be recorded as an  
28 affirmative vote."

29 Section 4. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

D

HOUSE BILL 1524

Proposed Committee Substitute H1524-PCS4201-SA001

Short Title: Morganton Mayor.

(Local)

Sponsors:

Referred to:

May 27, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR OF  
3 MORGANTON AND TO MAKE TECHNICAL CORRECTIONS  
4 CONCERNING THAT OFFICE.

5 The General Assembly of North Carolina enacts:

6 Section 1. (a) Section 2.11 of the Charter of the City of Morganton,  
7 being Chapter 180, Session Laws of 1975, reads as rewritten:

8 "Chapter 2. Mayor.

9 "Sec. 2.11. Election and term of office.--The Mayor shall be elected as provided in  
10 this Charter for a term of ~~two (2) years~~ four years. The term of office of the Mayor  
11 shall commence on the day and hour of the organizational meeting held at the first  
12 regular meeting of the Council in December after the results of the election have  
13 been certified, and he shall serve until his successor has taken office."

14 (b) This section becomes effective beginning with the Mayor elected in  
15 the 1999 municipal election.

16 Section 2. Section 2.14(b) of the Charter of the City of Morganton, being  
17 Chapter 180, Session Laws of 1975, reads as rewritten:

18 "Sec. 2.14. Vacancy; absence or disability.--(a) A vacancy in the office of Mayor  
19 shall exist when a duly elected person fails to qualify or when a person who has been  
20 elected and has qualified dies, resigns, or no longer meets the requirements of Section  
21 2.11 of this Charter, or is recalled. If a vacancy occurs in the office of Mayor, the  
22 Council shall by majority vote appoint some qualified person to fill the office for the  
23 remainder of the unexpired term. The Mayor Pro Tempore shall discharge the

1 powers and duties of the office of Mayor until the office is filled, and he shall receive  
2 the same compensation as received by the office of Mayor during such period of  
3 service. The council seat of Mayor Pro Tempore is not vacant during any period in  
4 which the Mayor Pro Tempore discharges powers and duties of the office of Mayor.

5 (b) During the absence or disability of the Mayor, the Mayor Pro Tempore shall  
6 perform the powers and duties of the Mayor during the period that such absence or  
7 disability exists. The inability of the Mayor to perform the duties of his office shall  
8 be determined by the Council in accordance with the provisions of ~~G.S. 160A-70.~~  
9 G.S. 160A-70, except that the vote of the Mayor is not required in any such  
10 determination."

11 Section 3. Section 2.22(b) of the Charter of the City of Morganton, being  
12 Chapter 180, Session Laws of 1975, as amended by Chapter 299 of the Session Laws  
13 of 1977, reads as rewritten:

14 "(b) Except where a greater number is required by law, an affirmative vote equal to  
15 a majority of all the voting members of the council present and not excused from  
16 voting on a question (~~including the mayor's vote in case of equal division~~) shall be  
17 required to adopt any ordinance or any resolution or motion having the effect of an  
18 ordinance; provided, however, that no ordinance shall be finally adopted on the date  
19 it is introduced unless adopted by an affirmative vote equal to or greater than two  
20 thirds of all the council members, not including the mayor and any member excused  
21 from voting on the ~~question (but including the mayor's vote in case of equal~~  
22 ~~division):~~ question. No member of the Council shall be excused from voting except  
23 on matters involving the consideration of his own official conduct or involving his  
24 financial interest. The question of compensation and allowances of members of the  
25 Council or the Mayor shall not be considered to involve a member's own financial  
26 interest or official conduct. In all other cases, a failure to vote by a member who is  
27 physically present in the council chamber, or who has withdrawn without being  
28 excused by a majority vote of the remaining members present, shall be recorded as an  
29 affirmative vote."

30 Section 4. This act is effective when it becomes law.



# North Carolina General Assembly Legislative Services Office

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June 17, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1524 - Morganton Mayor

House Bill 1524 changes the Charter of the City of Morganton to provide a 4 year term of office for the mayor (current term is 2 years).

This act is effective when it becomes law.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL  
GOVERNMENT II** .

---

- ☐ Committee Substitute for  
H.B. 1554 A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF MOUNT  
AIRY TO CONVEY CERTAIN DESCRIBED PROPERTY BY PRIVATE SALE. §
- ☒ With a favorable report.
- ☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐ .
- ☐ With a favorable report, as amended.
- ☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐
- ☐ With a favorable report as to committee substitute bill (#        ), ☐ which changes the title,  
unfavorable as to original bill (Committee Substitute Bill #        ), (and recommendation  
that the committee substitute bill #        ) be re-referred to the Committee on        .)
- ☐ With a favorable report as to House committee substitute bill (#        ), ☐ which changes  
the title, unfavorable as to Senate committee substitute bill.
- ☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)
- ☐ With an unfavorable report.
- ☐ With recommendation that the House concur.
- ☐ With recommendation that the House do not concur.
- ☐ With recommendation that the House do not concur; request conferees.
- ☐ With recommendation that the House concur; committee believes bill to be material.
- ☐ With an unfavorable report, with a Minority Report attached.
- ☐ Without prejudice.
- ☐ With an indefinite postponement report.
- ☐ With an indefinite postponement report, with a Minority Report attached.
- ☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1554

Short Title: Mt. Airy Private Sale.

(Local)

---

Sponsors: Representatives Hiatt; G. Wilson and Baker.

---

Referred to: Local and Regional Government II.

---

May 28, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW THE CITY OF MOUNT AIRY TO CONVEY CERTAIN  
3 DESCRIBED PROPERTY BY PRIVATE SALE.

4 The General Assembly of North Carolina enacts:

5 Section 1. Notwithstanding Article 12 of Chapter 160A of the General  
6 Statutes, the City of Mount Airy may convey by private negotiation and sale, with or  
7 without monetary consideration, any or all of its right, title, and interest in the  
8 following described property:

9 Being a 350.776 acre tract of land recorded in Plat Book 14 Page 97 of  
10 the Surry County Register of Deeds. The plat is entitled "The City of Mount Airy  
11 Annexation of May 15, 1997 Index# AX93" and was surveyed by Owen Lee  
12 Osborne, registered land surveyor, license number 3295. The property is shown as  
13 parcel 7162 on map 5919 of the Surry County Tax Maps.

14 Being a 25.954 acre tract of land recorded in Plat Book 14 Page 98 of the  
15 Surry County Register of Deeds. The plat is entitled "The City of Mount Airy  
16 Annexation of May 15, 1997 Index# AX93" and was surveyed by Owen Lee  
17 Osborne, registered land surveyor, license number 3295. The property is shown as  
18 parcel 7162 on map 5919 of the Surry County Tax Maps.

19 Section 2. The property shall be offered for private negotiation and sale  
20 with the following restrictions:

21 (1) The purchaser of the property shall develop the property for  
22 purposes allowable under M-1 Industrial and B-4 Highway  
23 Business of the City's zoning ordinance.

- 1           (2)   The industrial use and construction schedule proposed by the  
2           purchaser shall be approved by a resolution passed by the City's  
3           Board of Commissioners at a regular meeting.  
4           (3)   The consideration for the private sale shall be agreed upon by the  
5           Board of Commissioners and the purchaser, but shall not be less  
6           than the fair actual value of the property as determined by the  
7           Board based upon competent evidence.  
8   Section 3. This act is effective when it becomes law.



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(919) 733-2578

June 17, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1554 - Mt. Airy Private Sale

House Bill 1554 authorizes the City of Mt. Airy to convey certain described property with specified restrictions on the use of the property.

This act is effective when it becomes law.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL GOVERNMENT II**.

---

☐ Committee Substitute for

H.B. 1587 A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF STANFIELD AND THE CITY OF LOCUST TO COLLECT UTILITY BILLS AS IF THEY WERE TAXES DUE THE TOWN AND THE CITY.

☐ With a favorable report.

☒ **With a favorable report and recommendation that the bill be re-referred to the Committee on FINANCE.**

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on ☐ Appropriations ☐ Finance ☐

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title, unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation that the committee substitute bill # ) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar. (PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1587

Short Title: Stanfield/Locust Utility Bills.

(Local)

---

Sponsors: Representatives Barbee and Hightower.

---

Referred to: Local and Regional Government II, if favorable, Finance.

---

May 28, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW THE TOWN OF STANFIELD AND THE CITY OF  
3 LOCUST TO COLLECT UTILITY BILLS AS IF THEY WERE TAXES DUE  
4 THE TOWN AND THE CITY.

5 Section 1. Section 2 of Chapter 1070 of the 1989 Session Laws reads as  
6 rewritten:

7 "Sec. 2. This act applies to the ~~Town~~ Towns of Richfield and Stanfield and the  
8 City of Locust only."

9 Section 2. This act is effective when it becomes law.



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June 17, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1587 - Stanfield / Locust Utility Bills

House Bill 1587 allows the Town of Stanfield and the City of Locust to collect utility bills as if they were taxes due. This bill would allow the municipalities to collect in this manner for water supply or distribution or sewage collection or disposal provided by the municipality when the person responsible for the bill fails to pay for more than 60 days after the bill becomes delinquent. The municipality would be allowed to collect through the use of levy on tangible personal property.

This act is effective when it becomes law.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL  
GOVERNMENT II** .

---

☐ Committee Substitute for

H.B. 1453 A BILL TO BE ENTITLED AN ACT TO ASSIST THE ROWAN-SALISBURY  
SCHOOLS WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES.

☐ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐ .

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐

**X With a favorable report as to committee substitute bill, unfavorable as to original bill.**

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes  
the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1453

Short Title: Rowan School Bid Exemption.

(Local)

---

Sponsors: Representatives Gardner; and McCombs.

---

Referred to: Local and Regional Government II.

---

May 25, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO ASSIST THE ROWAN-SALISBURY SCHOOLS WITH THE  
3 EXPEDITING OF PUBLIC SCHOOL FACILITIES.

4 The General Assembly of North Carolina enacts:

5 Section 1. Notwithstanding the provisions of Article 8 of Chapter 143 of  
6 the General Statutes, the Rowan-Salisbury Schools may select and negotiate with  
7 separate prime contractors to build the Unitary System Approach (USA) model  
8 school plan if the Rowan-Salisbury Schools determines that using the selection and  
9 negotiations process instead of competitive bidding will expedite the project, create  
10 an effective construction team, and control costs, quality, and schedule.

11 Section 2. This act shall apply to construction of a new middle school for  
12 approximately 800 students using 1996 State Bond funding with design to begin in  
13 May, 1998 and with occupancy scheduled by April, 2000.

14 Section 3. This act is effective when it becomes law and expires on June  
15 30, 2001.

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. 1453

DATE \_\_\_\_\_

S. B. No. \_\_\_\_\_

Amendment No. \_\_\_\_\_

(to be filled in by  
Principal Clerk)

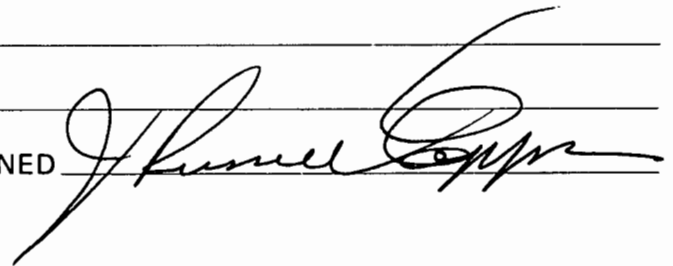
Rep. ) Capps  
Sen. )

moves to amend the bill on page 1, line 7,

by rewriting the line to read:

"separate prime contractors to build a model"

SIGNED



ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

D

HOUSE BILL 1453

Proposed Committee Substitute H1453-PCS4202-SA001

Short Title: Rowan School Bid Exemption.

(Local)

---

Sponsors:

---

Referred to:

---

May 25, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO ASSIST THE ROWAN-SALISBURY SCHOOLS WITH THE  
3 EXPEDITING OF PUBLIC SCHOOL FACILITIES.

4 The General Assembly of North Carolina enacts:

5 Section 1. Notwithstanding the provisions of Article 8 of Chapter 143 of  
6 the General Statutes, the Rowan-Salisbury Schools may select and negotiate with  
7 separate prime contractors to build a model school plan if the Rowan-Salisbury  
8 Schools determines that using the selection and negotiations process instead of  
9 competitive bidding will expedite the project, create an effective construction team,  
10 and control costs, quality, and schedule.

11 Section 2. This act shall apply to construction of a new middle school for  
12 approximately 800 students using 1996 State Bond funding with design to begin in  
13 May, 1998, and with occupancy scheduled by April, 2000.

14 Section 3. This act is effective when it becomes law and expires on June  
15 30, 2001.



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(919) 733-2578

June 10, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1453 - Rowan School Bid Exemption

House Bill 1453 exempts the Rowan-Salisbury schools from the provisions regarding public contracts for the purpose of contracting for the construction of a new middle school if they determine that using the selection and negotiations process instead of competitive bidding will expedite the project, create an effective construction team and control costs, quality, and schedule.

This act is effective when it becomes law and expires on June 30, 2001.

MINUTES  
HOUSE COMMITTEE ON  
LOCAL AND REGIONAL GOVERNMENT II

WEDNESDAY, JULY 1, 1998

The House Committee on LOCAL AND REGIONAL GOVERNMENT II met on Wednesday, July 1, 1998, in Room 1425 of the Legislative Building at 11:00 AM. The following members were present: Chairman Michael Decker, Representatives Barbee, Capps, Dockham, Jarrell, Jeffus, Owens, Tolson, and G. Wilson. Susan Hayes, Staff Counselor was in attendance. A Visitor Registration List is attached and made part of these minutes.

Chairman Decker called the meeting to order.

Chairman Decker recognized Senator Horton, bill sponsor, to explain **SENATE BILL 1478, RELATING TO INVESTMENTS OF THE COUNTY OF FORSYTH**. Upon motion made by Representative Wilson, the Committee voted for a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The next order of business was **SENATE BILL 1479, A BILL TO BE ENTITLED AN ACT RELATING TO INVESTMENTS MADE BY THE CITY OF WINSTON-SALEM**. Senator Horton, sponsor of the bill, was recognized to explain the meaning of the bill. Upon motion made by Representative Dockham, the Committee voted for a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

Next on the agenda was **SENATE BILL 1103, A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF FRANKLIN**. Senator Carpenter, sponsor of the bill, was recognized to explain the meaning of the bill. (See attachments) Upon motion made by Representative Barbee, the Committee voted for a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

Chairman Decker recognized Senator Allran, sponsor of **SENATE BILL 1312, A BILL TO BE ENTITLED AN ACT TO ALLOW ALAMANCE, CATAWBA, CUMBERLAND, DAVIDSON, DAVIE, DURHAM, HOKE, LINCOLN, ROBERSON, AND WAYNE COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION**, to explain the bill. Representative Barbee motioned to send forward a committee substitute for purposes of discussion. Upon motion made by Representative Barbee, the

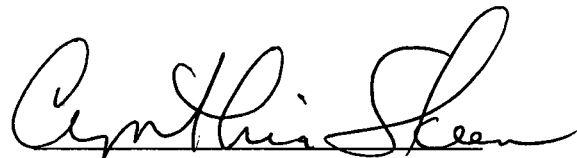
Committee voted for a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

**SENATE BILL 1333, A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF LANDIS** was next on the agenda. Representative McCombs, speaking for Senator Hartsell, sponsor of the bill, was recognized to explain the meaning of the bill. Representative Barbee motioned to send forward a technical amendment to be rolled into a committee substitute. Upon motion made by Representative Barbee, the Committee voted for a favorable report as to House committee substitute bill, unfavorable as to original Senate bill and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

Next on the agenda was **HOUSE BILL 1546, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENVILLE TO CHARGE A FEE NOT TO EXCEED TEN DOLLARS FOR UNCERTIFIED COPIES OF POLICE INCIDENT OR ACCIDENT REPORTS AND TO AUTHORIZE THE CITY TO GIVE ANNUAL NOTICE OF VIOLATION TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE.** Representative Tolson, sponsor of the bill, was recognized to explain the meaning of the bill. Representative Dockham motioned to send forward an amendment to be rolled into a committee substitute. Upon motion made by Representative Barbee, the Committee voted for a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

With no further business, Chairman Decker adjourned the meeting.

  
Michael P. Decker, Chairman

  
Cynthia S. Keen, Clerk

## VISITOR REGISTRATION SHEET

## LOCAL AND REGIONAL GOVERNMENT II

**July 1, 1998**

Name of Committee

Date \_\_\_\_\_

**VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK**

[illegible]

**HOUSE COMMITTEE ON  
LOCAL AND REGIONAL GOVERNMENT II**

July 1, 1998  
Room 1425 Legislative Building  
11:00 AM

**OPENING REMARKS**

Representative Decker, Chairman

**BILLS TO BE CONSIDERED:**

<b>HB 1546</b>	<b>GREENVILLE FEES/WEEDY LOTS</b>	<b>REP. TOLSON</b>
<b>SB 1103</b>	<b>FRANKLIN ANNEXATION</b>	<b>SEN. CARPENTER</b>
<b>SB 1312</b>	<b>CERTAIN COUNTIES SCHOOL ACQUISITION</b>	<b>SEN. ALLRAN</b>
<b>SB 1333</b>	<b>LANDIS ANNEXATION</b>	<b>SEN. HARTSELL</b>
<b>SB 1478</b>	<b>FORSYTH COUNTY INVESTMENTS</b>	<b>SEN. HORTON</b>
<b>SB 1479</b>	<b>WINSTON-SALEM INVESTMENTS</b>	<b>SEN. HORTON</b>

**ADJOURNMENT**

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL GOVERNMENT II**.

---

☐ Committee Substitute for

S.B. 1478 A BILL TO BE ENTITLED AN ACT RELATING TO INVESTMENTS OF THE COUNTY OF FORSYTH.

☐ With a favorable report.

☒ **With a favorable report and recommendation that the bill be re-referred to the Committee on Finance.**

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on ☐ Appropriations ☐ Finance ☐

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title, unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation that the committee substitute bill # ) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

1

SENATE BILL 1478

Short Title: Forsyth County Investments.

(Local)

---

Sponsors: Senators Horton; Cochrane and McDaniel.

---

Referred to: Finance.

---

May 29, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT RELATING TO INVESTMENTS OF THE COUNTY OF FORSYTH.

3 The General Assembly of North Carolina enacts:

4 Section 1. The County of Forsyth, or any governing body, agency,  
5 person, or other corporation that contracts with Forsyth County for the investment,  
6 care, or administration of monies held by the County in its Community Health  
7 Special Revenue Fund (hereinafter "Fund") may invest and reinvest monies  
8 constituting the Fund in one or more of the types of securities or other investments  
9 authorized by State law for the State Treasurer in G.S. 147-69.2.

10 Section 2. This act shall apply only to monies constituting the Fund as  
11 established by resolution adopted by the Forsyth County Board of Commissioners on  
12 October 13, 1997. All limitations on investment and reinvestment of monies in the  
13 Fund set forth in that resolution, and other limitations as may be enacted by Forsyth  
14 County Board of Commissioners, shall apply.

15 Section 3. This act is effective when it becomes law.



**North Carolina General Assembly  
Legislative Services Office**

George R. Hall, Legislative Services Officer  
(919) 733-7044

Elaine W. Robinson, Director  
Administrative Division  
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Raleigh, NC 27603-5925  
(919) 733-6834

Terrence D. Sullivan, Director  
Research Division  
Suite 545, LOB  
300 N. Salisbury St.  
Raleigh, NC 27603-5925  
(919) 733-2578

July 1, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: Senate Bill 1478 - Forsyth County Investments

Senate Bill 1478 allows Forsyth County or any governing body, person, or corporation that contracts with the county for investment, care, or administration of monies held by the county in its Community Health Special Revenue Fund may invest and reinvest the fund in one or more types of securities or other investments authorized in G.S. 147-69.2. This act applies only to the monies designated by the resolution adopted by the county commissioners on October 13, 1997.

This act is effective when it becomes law.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL GOVERNMENT II**.

---

☐ Committee Substitute for

S.B. 1479 A BILL TO BE ENTITLED AN ACT RELATING TO INVESTMENTS MADE BY THE CITY OF WINSTON-SALEM.

☐ With a favorable report.

☒ **With a favorable report and recommendation that the bill be re-referred to the Committee on Finance.**

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on ☐ Appropriations ☐ Finance ☐

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title, unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation that the committee substitute bill # ) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

1

SENATE BILL 1479

Short Title: Winston-Salem Investments.

(Local)

---

Sponsors: Senators Horton; Cochrane and McDaniel.

---

Referred to: Finance.

---

May 28, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT RELATING TO INVESTMENTS MADE BY THE CITY OF WINSTON-  
3 SALEM.

4 The General Assembly of North Carolina enacts:

5 Section 1. The final paragraph of Section 5 of Chapter 296 of the Public-  
6 Local Laws of 1939, as amended by Chapter 721 of the Session Laws of 1959,  
7 Chapter 565 of the Session Laws of 1965, Chapter 397 of the Session Laws of 1969,  
8 Chapter 1026 of the Session Laws of 1989, and Chapter 951 of the 1991 Session  
9 Laws, reads as rewritten:

10 "The City of Winston-Salem, or any governing body, agency, insurance company,  
11 person or other corporation contracting with the City of Winston-Salem for the  
12 investment, care or administration of said fund may invest and reinvest the funds  
13 constituting the said fund in one or more of the types of securities or other  
14 investments authorized by State law for the State Treasurer in G.S. 147-69.2.  
15 Additionally, the City of Winston-Salem or any agency, insurance company, person  
16 or other corporation contracting with the City of Winston-Salem for the investment,  
17 care or administration of funds may invest and reinvest any of the City's employee  
18 benefits ~~funds and funds~~, risk reserve ~~funds funds~~, City of Winston-Salem Cemetery  
19 Perpetual Care Fund, and capital reserves, as designated from time to time by the  
20 Board of Aldermen, in one or more of the types of securities or other investments  
21 authorized by State law for the State Treasurer in G.S. 147-69.2."

22 Section 2. Section 1.1 of Chapter 951 of the 1991 Session Laws reads as  
23 rewritten:

1 "Sec. 1.1. This act, insofar as it authorizes certain investments, amends G.S. 159-  
2 30 with regard to the investment of the Winston-Salem Police Officers Retirement  
3 Fund, employee benefits ~~funds and funds~~, risk reserve ~~funds funds~~, City of Winston-  
4 Salem Cemetery Perpetual Care Fund, and capital reserves, as designated from time  
5 to time by the Board of Aldermen, of the City of Winston-Salem only."

6 Section 3. This act is effective when it becomes law.



# North Carolina General Assembly Legislative Services Office

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Terrence D. Sullivan, Director  
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Suite 545, LOB  
300 N. Salisbury St.  
Raleigh, NC 27603-5925  
(919) 733-2578

July 1, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: Senate Bill 1479 - Winston-Salem Investments

Senate Bill 1479 allows the City of Winston-Salem to invest and reinvest the Cemetery Perpetual Care Fund and capital reserves designated by the board of aldermen in securities or other investments authorized by G.S. 147-69.2. Current law allows the City to do this for any of the city's employee benefits funds and risk reserve funds.

This act is effective when it becomes law.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL GOVERNMENT II**.

---

☐ Committee Substitute for

S.B. 1103 A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF FRANKLIN.

☐ With a favorable report.

☒ **With a favorable report and recommendation that the bill be re-referred to the Committee on Finance.**

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on ☐ Appropriations ☐ Finance ☐

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title, unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation that the committee substitute bill # ) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

1

SENATE BILL 1103

Short Title: Franklin Annexation.

(Local)

---

Sponsors: Senators Carpenter and Jenkins. (By request)

---

Referred to: State Government, Local Government and Personnel.

---

May 13, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE  
3 LIMITS OF THE TOWN OF FRANKLIN.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. The following described property is added to the corporate  
6 limits of the Town of Franklin:  
7 BEGINNING at a point on the Existing Primary Corporate Limit, Town of Franklin,  
8 N.C., said point also being on the western property line of parcel 2662 as shown on  
9 Macon County property map 6584.12; thence running from said point with said  
10 property line in a southern direction 160' to the southwestern property corner of said  
11 parcel 2662; thence running from said southwestern property corner with the  
12 southern property line of said parcel 2662 in a southeast direction 80' to a point in  
13 the western right-of-way of US Hwy. 23/441, said point also being the southeast  
14 property corner of said parcel 2662; thence running from said point with said western  
15 right-of-way in a southwest direction 400' to a point; thence leaving said western  
16 right-of-way line and continuing on the same course in a straight line 840' to a point  
17 where the straight line again intersects the western right-of-way line of said US Hwy.  
18 23/441, said straight line also crossing US Hwy. 64, said point also being the  
19 northernmost corner of parcel 6840 and also being on the Existing Satellite Corporate  
20 Limit, Town of Franklin, N.C., as shown on Macon County property map 6584.16;  
21 thence running from said northernmost property corner with the western property  
22 line of said parcel 6840 and the Existing Satellite Corporate Limit, Town of Franklin,  
23 N.C., said line and said limit being one in the same, and running in a southwestern  
24 direction to a point in the western right-of-way of Dryman Road (SR 1156), said

1 point also being the southernmost property corner of said parcel 6840 as shown on  
2 Macon County property map 6584.15; thence running from said property corner with  
3 the same course 35' to a point in the center of Dryman Road (SR 1156); thence  
4 running with the center of Dryman Road (SR 1156) in a northeast direction 225' to a  
5 point, said center of Dryman Road (SR 1156) also being the Existing Satellite  
6 Corporate Limit, Town of Franklin, N.C.; thence continuing from said point in a  
7 southern direction 30' to a point in the eastern right-of-way of Dryman Road (SR  
8 1156), said point also being the northwest property corner of parcel 6068 as shown on  
9 Macon County property map 6584.16; thence running from said northwest property  
10 corner with the western property line of said parcel 6068 in a southern direction to  
11 the southwest property corner, said western property line also being the Existing  
12 Satellite Corporate Limit, Town of Franklin, N.C., and said southwest property  
13 corner also being on the northern property line of parcel 6835; thence leaving the  
14 Existing Satellite Corporate Limit, Town of Franklin, N.C., and running from said  
15 southwest property corner with said northern property line in a northwest direction  
16 45' to the northwest property corner of said parcel 6835; thence running from said  
17 northwest property corner with the western property line of parcels 6835 and 6623 in  
18 a southeast direction 495' to a property corner, said property corner being the  
19 northwest property corner of parcel 5495 as shown on Macon county property map  
20 6584.20, said parcel 5495 also being the Existing Satellite Corporate Limit, Town of  
21 Franklin, N.C.; thence running from said northwest property corner with the western  
22 property line of said parcel 5495 in a southern direction 100' to the southwest  
23 property corner of said parcel 5495, said southwest property corner also being in the  
24 northern property line of parcel 5333; thence leaving the Existing Satellite Corporate  
25 Limit, Town of Franklin, N.C., and running with a portion of said northern property  
26 line and the western property line of said parcel 5333 in a southern direction 130' to  
27 the southwest property corner of said parcel 5333; thence running from said  
28 southwest property corner with the southern property line of parcels 5333 and 6303  
29 in an easterly direction 130' to the southeast property corner of said parcel 6303, said  
30 southeast property corner being in the western right-of-way of Old Georgia Road (SR  
31 1152); thence running from said southeast property corner with said western right-of-  
32 way in a southern, western and southern direction 1,000'  $\pm$  to a point in the center of  
33 Cartoogechaye Creek; thence running from said point with the center of  
34 Cartoogechaye Creek in a southeast direction 800' downstream to a point, said point  
35 being the intersection of the center of Cartoogechaye Creek and the eastern right-of-  
36 way of US Highway 23/441, said point being shown on Macon County property map  
37 6584.20; thence running from said point of intersection with the eastern right-of-way  
38 of US Hwy. 23/441 in a northeast direction 515' to a point, said point also being the  
39 southwest property corner of parcel 3201 as shown on Macon County property map  
40 6584.20; thence running from said property corner with the southern property line of  
41 said parcel 3201 in a southeast direction to a point in the western right-of-way of  
42 Allman Drive (SR 1687); thence continuing on the same course 30' to a point in the  
43 center of Allman Drive (SR 1687); thence running from said point with the center of  
44 Allman Drive (SR 1687) in a northwest direction 975'  $\pm$  to a point, said point being

1 the beginning of a portion of the Existing Satellite Corporate Limit, Franklin, N.C.;  
2 thence continuing with the center of Allman Drive (SR 1687) and the Existing  
3 Satellite Corporate Limit, Franklin, N.C., 675'  $\pm$  to a point, said point being  
4 perpendicular to the southeast property corner of parcel 9087 as shown on Macon  
5 County property map 6584.16; thence leaving said Existing Satellite Corporate Limit,  
6 Franklin, N.C., and running from said point in a northern direction 30' to said  
7 southeast property corner of parcel 9087; thence running from said southeast property  
8 corner with the eastern property line of parcel 9087 in a northern direction 185' to  
9 the northeast property corner of parcel 9087; thence running from said northeast  
10 property corner with the northern property line of parcel 9087 in a western direction  
11 170' to a property corner, said property corner also being in the eastern right-of-way  
12 of US Hwy. 23/441; thence running from said property corner with said eastern right-  
13 of-way in a northeast direction 470' to the southeast property corner of parcel 0657,  
14 said property corner also being in the northern right-of-way of Siler Road (SR 1660);  
15 thence running from said southeast corner with the eastern property line and the  
16 northern right-of-way of Siler Road (SR 1660), both being one and the same, and  
17 running in a northeast direction 180' to the eastern property corner of parcel 0657;  
18 thence running from said eastern property corner with the northern property line of  
19 parcel 0657 in a northwest direction 200' to a property corner in the eastern right-of-  
20 way of US Hwy. 23/441; thence running from said property corner with the said right-  
21 of-way of US Hwy. 23/441 in a northeast direction 50' to a point; thence running  
22 from said point and leaving said eastern right-of-way line and running a straight line  
23 in a northeast direction 1,300'  $\pm$  to a point where the straight line again intersects  
24 the eastern right-of-way of said US Hwy. 23/441, said straight line also crossing US  
25 Hwy. 23/441/64, and said point also being shown on Macon County property map  
26 6584.12; thence running from said point with the said eastern right-of-way of US  
27 Hwy. 23/441 in a northeast direction 440'  $\pm$  to the Existing Primary Corporate Limit,  
28 Town of Franklin, N.C.; thence running with said Existing Primary Corporate Limit  
29 in a northwest direction to point of BEGINNING.

30           Section 2. This act is effective when it becomes law.



## Town of Franklin

188 West Main Street  
Franklin, North Carolina 28734  
(704) 524-2516

Attachment #1  
S 1103

### RESOLUTION REQUESTING ANNEXATION FOR THE TOWN OF FRANKLIN BY SPECIAL ACT OF THE N.C. GENERAL ASSEMBLY

WHEREAS, the Town of Franklin provides the Town's municipal services to an area along US 441 and immediately south of the present primary corporate limits; and

WHEREAS, this area is fully developed with all lots developed for commercial and industrial purposes, and adjacent to satellite annexations conducted by the Town in recent years; and

WHEREAS, this area is accurately presented and described by a written description and accurately depicted on maps provided by the Town of Franklin; and


WHEREAS, the benefit of annexation of this area to the Town is to provide for the efficient delivery of municipal services to urbanized areas and provide for the orderly growth and development of the community; and

WHEREAS, this area does not qualify for annexation by the involuntary or standards and services method of annexation; and

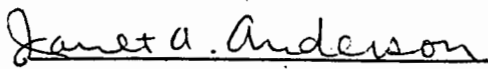
WHEREAS, the North Carolina General Assembly may enlarge the boundaries of a municipality by a special act of the legislature.

NOW, THEREFORE, BE IT RESOLVED by the Board of Alderman of the Town of Franklin that The Town of Franklin hereby respectfully requests the General Assembly's assistance with this annexation by passing a special act to incorporate the area delineated in the attached written description and map into the corporate limits of the Town of Franklin, N.C.

Adopted this the 6th day of April, 1998.

  
Thomas B. Woodlee, Mayor

Attest:

  
Janet A. Anderson, Town Clerk



ROBERT C. CARPENTER  
NORTH CAROLINA SENATE  
42ND DISTRICT

LEGISLATIVE OFFICE BUILDING  
ROOM 517  
RALEIGH, N.C. 27601-2808  
919-733-5875

29 ADMIRAL DRIVE  
FRANKLIN, N.C. 28734  
704-524-5009

**REQUEST FOR ANNEXATION BY SPECIAL ACT OF THE NORTH  
CAROLINA GENERAL ASSEMBLY**

**SUBMITTED BY THE TOWN OF FRANKLIN, NORTH CAROLINA**

The North Carolina General Assembly may enlarge the boundaries of a municipality by a special act of the legislature. This method of annexation is especially useful in annexing territory that cannot be annexed under one of the general law procedures provided for municipalities in the N.C. General Statutes.

The Town of Franklin requests the General Assembly assist the Town by passing a special act to annex into the corporate limits of Franklin an area along highway U.S. 441 South and immediately south of the present primary corporate limits of the Town. This area is described by an attached written description and shown on an attached map. This area is adjacent to the Town and is completely developed. ~~There are a total number of nine lots in this area.~~ All these lots are developed for commercial and industrial purposes. These lots are adjacent to or in close proximity to satellite annexations conducted by the Town in recent years.

This ~~area~~ does not qualify for annexation by the involuntary or standards and services method of annexation provided to municipalities in ~~G.S. 160A-36~~. Specifically, the area cannot meet the required one-eighth contiguity requirement, i.e., at least one-eighth of the aggregate external boundaries of the area must coincide with the existing primary corporate limit. Also, large tracts of undeveloped property contiguous to the existing primary corporate boundary prohibit involuntary annexation. Therefore, the Town respectfully requests the General Assembly's assistance with this annexation.

The ~~proposed~~ annexation area is currently provided with Town of Franklin municipal services. Town of Franklin water and sewer services are currently available to all these lots. The Town Police and Fire services are currently available to this area. Routine patrol of the areas contained in the satellite annexation areas requires officers to pass by most of these unincorporated lots. The only municipal services not provided to these lots at this time is municipal garbage collection services and street lighting.

~~The described area is urban~~ in character, fully developed, adjacent to the Town and currently receives most of the Town's municipal services. The benefit of annexation of this area to the Town is to provide for the efficient delivery of municipal services to urbanized areas and provide for orderly growth and development of the community. ~~The benefit to the property owners will be the opportunity to receive complete municipal services for a modest increase in property taxes.~~ This increase in property taxes will be offset to some degree by a reduction in water and sewer rates for inside corporate customers. Presently, outside city customers pay a higher rate for water and sewer services.

The area described herein is a logical extension of the Town of Franklin corporate limits. The annexation of these lots combined with the satellite annexations that already occurred in this area will provide a uniform and serviceable corporate boundary for the Town of Franklin.



# North Carolina General Assembly Legislative Services Office

George R. Hall, Legislative Services Officer  
(919) 733-7044

Elaine W. Robinson, Director  
Administrative Division  
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300 N. Salisbury St.  
Raleigh, NC 27603-5925  
(919) 733-2578

July 1, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: Senate Bill 1103 - Franklin Annexation

Senate Bill adds certain property, as described in the bill, to the corporate limits of the Town of Franklin. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

3

SENATE BILL 1312

Finance Committee Substitute Adopted 6/10/98

Third Edition Engrossed 6/16/98

Short Title: Certain Counties School Acquisition.

(Local)

---

Sponsors:

---

Referred to:

---

May 27, 1998

1 A BILL TO BE ENTITLED

2 AN ACT TO ALLOW ALAMANCE, CATAWBA, CUMBERLAND, DAVIDSON,  
3 DAVIE, DURHAM, HOKE, LINCOLN, ROBESON, AND WAYNE COUNTIES  
4 TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF  
5 EDUCATION.

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 153A-158.1 reads as rewritten:

8 "**§ 153A-158.1. Acquisition and improvement of school property in certain counties.**

9 (a) Acquisition by County. -- A county may acquire, by any lawful method, any  
10 interest in real or personal property for use by a school administrative unit within the  
11 county. In exercising the power of eminent domain a county shall use the procedures  
12 of Chapter 40A. The county shall use its authority under this subsection to acquire  
13 property for use by a school administrative unit within the county only upon the  
14 request of the board of education of that school administrative unit and after a public  
15 hearing.

16 (b) Construction or Improvement by County. -- A county may construct, equip,  
17 expand, improve, renovate, or otherwise make available property for use by a school  
18 administrative unit within the county. The local board of education shall be involved  
19 in the design, construction, equipping, expansion, improvement, or renovation of the  
20 property to the same extent as if the local board owned the property.

21 (c) Lease or Sale by Board of Education. -- Notwithstanding the provisions of G.S.  
22 115C-518 and G.S. 160A-274, a local board of education may, in connection with

1 additions, improvements, renovations, or repairs to all or part of any of its property,  
2 lease or sell the property to the board of commissioners of the county in which the  
3 property is located for any price negotiated between the two boards.

4 (d) Board of Education May Contract for Construction. -- Notwithstanding the  
5 provisions of G.S. 115C-40 and G.S. 115C-521, a local board of education may enter  
6 into contracts for the erection of school buildings upon sites owned in fee simple by  
7 one or more counties in which the local school administrative unit is located.

8 (e) Scope. -- This section applies to Alamance, Alleghany, Ashe, Avery, Bladen,  
9 Brunswick, Burke, Cabarrus, Camden, Carteret, Catawba, Cherokee, Chowan,  
10 Columbus, Cumberland, Currituck, Dare, Davidson, Davie, Duplin, Durham,  
11 Edgecombe, Forsyth, Franklin, Gates, Graham, Greene, Guilford, Halifax, Harnett,  
12 Haywood, Hoke, Hyde, Iredell, Jackson, Johnston, Jones, Lee, Lincoln, Macon,  
13 Madison, Martin, Moore, Nash, New Hanover, Onslow, Orange, Pasquotank, Pender,  
14 Perquimans, Person, Pitt, Randolph, Richmond, Robeson, Rockingham, Rowan,  
15 Sampson, Scotland, Stanly, Stokes, Surry, Union, Vance, Wake, ~~Wilson, and Watauga~~  
16 Watauga, Wayne, and Wilson Counties."

17 Section 2. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

D

SENATE BILL 1312

Finance Committee Substitute Adopted 6/10/98

Third Edition Engrossed 6/16/98

Proposed House Committee Substitute S1312-PCS4696-SA001

Short Title: Certain Counties School Acquisition.

(Local)

Sponsors:

Referred to:

May 27, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW CERTAIN COUNTIES TO ACQUIRE PROPERTY FOR  
3 USE BY THEIR COUNTY BOARDS OF EDUCATION.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 153A-158.1 reads as rewritten:

6 "**§ 153A-158.1. Acquisition and improvement of school property in certain counties.**

7 (a) Acquisition by County. -- A county may acquire, by any lawful method, any  
8 interest in real or personal property for use by a school administrative unit within the  
9 county. In exercising the power of eminent domain a county shall use the procedures  
10 of Chapter 40A. The county shall use its authority under this subsection to acquire  
11 property for use by a school administrative unit within the county only upon the  
12 request of the board of education of that school administrative unit and after a public  
13 hearing.

14 (b) Construction or Improvement by County. -- A county may construct, equip,  
15 expand, improve, renovate, or otherwise make available property for use by a school  
16 administrative unit within the county. The local board of education shall be involved  
17 in the design, construction, equipping, expansion, improvement, or renovation of the  
18 property to the same extent as if the local board owned the property.

19 (c) Lease or Sale by Board of Education. -- Notwithstanding the provisions of G.S.  
20 115C-518 and G.S. 160A-274, a local board of education may, in connection with  
21 additions, improvements, renovations, or repairs to all or part of any of its property,

1 lease or sell the property to the board of commissioners of the county in which the  
2 property is located for any price negotiated between the two boards.

3 (d) Board of Education May Contract for Construction. -- Notwithstanding the  
4 provisions of G.S. 115C-40 and G.S. 115C-521, a local board of education may enter  
5 into contracts for the erection of school buildings upon sites owned in fee simple by  
6 one or more counties in which the local school administrative unit is located.

7 (e) Scope. -- This section applies to Alamance, Alleghany, Ashe, Avery, Bladen,  
8 Brunswick, Burke, Cabarrus, Camden, Carteret, Catawba, Cherokee, Chowan,  
9 Columbus, Cumberland, Currituck, Dare, Davidson, Davie, Duplin, Durham,  
10 Edgecombe, Forsyth, Franklin, Gaston, Gates, Graham, Greene, Guilford, Halifax,  
11 Harnett, Haywood, Hoke, Hyde, Iredell, Jackson, Johnston, Jones, Lee, Lincoln,  
12 Macon, Madison, Martin, Moore, Nash, New Hanover, Onslow, Orange, Pasquotank,  
13 Pender, Perquimans, Person, Pitt, Randolph, Richmond, Robeson, Rockingham,  
14 Rowan, Sampson, Scotland, Stanly, Stokes, Surry, Union, Vance, Wake, ~~Wilson~~, and  
15 ~~Watauga~~ Watauga, Wayne, and Wilson Counties."

16 Section 2. This act is effective when it becomes law.



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1312

AMENDMENT NO. \_\_\_\_\_  
(to be filled in by  
Principal Clerk)  
Page 1 of \_\_\_\_\_

S1312-ASA-077

Date \_\_\_\_\_, 1998

Comm. Sub. [☐  
Amends Title [YES]  
Third Edition

Representative Barbee

- 1 moves to amend the bill on page 1, lines 2-3,  
2 by  
3 rewriting the lines to read:  
4 "AN ACT TO ALLOW CERTAIN COUNTIES"  
5  
6  
7 and on page 2, line 11  
8 by inserting "Gaston," between "Franklin," and "Gates,".  
9  
10

SIGNED Bobby H. Barbee Jr  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_



**North Carolina General Assembly  
Legislative Services Office**

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July 1, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: Senate Bill 1312 - Certain Counties School Acquisition

This bill amends G.S. 153A-158.1 to include Alamance, Catawba, Cumberland, Davidson, Davie, Durham, Hoke, Lincoln, Robeson, and Wayne Counties.

G.S. 153A-158.1 allows a county to:

- 1) acquire property for use by a school administrative unit;
- 2) construct, equip, expand, improve, renovate or otherwise make available property for use by a school administrative unit;
- 3) allows a local board of education to sell or lease property to the county board of commissioners in connection with additions, improvements, renovations or repairs to the property;
- 4) allows a local board of education to contract for the construction or repair of school buildings on sites owned by the county.

This bill is effective when it becomes law.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL  
GOVERNMENT II**.

---

☐ Committee Substitute for

S.B. 1333 A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN DESCRIBED  
PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF LANDIS.

☐ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐

☐ With a favorable report as to committee substitute bill, unfavorable as to original bill and  
recommendation that the committee substitute bill be re-referred to the Committee on  
Finance.

**X With a favorable report as to House committee substitute bill, unfavorable as to  
original Senate bill and recommendation that the House committee substitute bill be re-  
referred to the Committee on Finance.**

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

1

SENATE BILL 1333

Short Title: Landis Annexation.

(Local)

---

Sponsors: Senator Hartsell.

---

Referred to: State Government, Local Government, and Personnel.

---

May 27, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE  
3 LIMITS OF THE TOWN OF LANDIS.

4 The General Assembly of North Carolina enacts:

5 Section 1. The following described property is added to the corporate  
6 limits of the Town of Landis:

7 BEGINNING at a point in the western margin of Chapel Street, the southeastern  
8 corner of Roy Sadruddin (Deed Book 652, page 858, Rowan County Registry) and  
9 runs thence a line North 88 deg. 30 min. West 928.20 feet to a point in the eastern  
10 margin of the right-of-way of the Norfolk-Southern Railroad; thence with the eastern  
11 margin of said right-of-way and the western margin of Troy L. Day in a northerly  
12 direction 2600 feet to a point in the current Town Limits of the Town of Landis;  
13 thence a line with the Town Limits of the Town of Landis in a southeasterly  
14 direction 1180 feet to a point in the western margin of Chapel Street, Georgia  
15 Whitaker's eastern boundary; thence a line with the western margin of Chapel Street  
16 and the eastern margin of Georgia Whitaker and Troy Day in a southerly direction  
17 840 feet to a point, the northeastern corner of James Earl McGee; thence a line with  
18 the western margin of Chapel Street and the eastern margin of McGee, Janice Evans  
19 and others, Troy Day, David Simpson, Brenda Baxter, Keith Williams, Johnsie Baxter  
20 and Roy Sadruddin 1020 feet to a point, Roy Sadruddin's southeastern corner, the  
21 point of BEGINNING.

22 Section 2. This act is effective June 30, 1998.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

D

SENATE BILL 1333

Proposed House Committee Substitute S1333-PCSA882-SA001

Short Title: Landis Annexation.

(Local)

---

Sponsors:

---

Referred to:

---

May 27, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE  
3 LIMITS OF THE TOWN OF LANDIS.

4 The General Assembly of North Carolina enacts:

5 Section 1. The following described property is added to the corporate  
6 limits of the Town of Landis:

7 BEGINNING at a point in the western margin of Chapel Street, the southeastern  
8 corner of Roy Sadrudin (Deed Book 652, page 858, Rowan County Registry) and  
9 runs thence a line North 88 deg. 30 min. West 928.20 feet to a point in the eastern  
10 margin of the right-of-way of the Norfolk-Southern Railroad; thence with the eastern  
11 margin of said right-of-way and the western margin of Troy L. Day in a northerly  
12 direction 2600 feet to a point in the current Town Limits of the Town of Landis;  
13 thence a line with the Town Limits of the Town of Landis in a southeasterly  
14 direction 1180 feet to a point in the western margin of Chapel Street, Georgia  
15 Whitaker's eastern boundary; thence a line with the western margin of Chapel Street  
16 and the eastern margin of Georgia Whitaker and Troy Day in a southerly direction  
17 840 feet to a point, the northeastern corner of James Earl McGee; thence a line with  
18 the western margin of Chapel Street and the eastern margin of McGee, Janice Evans  
19 and others, Troy Day, David Simpson, Brenda Baxter, Keith Williams, Johnsie Baxter  
20 and Roy Sadrudin 1020 feet to a point, Roy Sadrudin's southeastern corner, the  
21 point of BEGINNING.

22 Section 2. This act is effective when it becomes law.



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1333

AMENDMENT NO. \_\_\_\_\_  
(to be filled in by  
Principal Clerk)  
Page 1 of \_\_\_\_

S1333-ASA-078

Date \_\_\_\_\_, 1998

Comm. Sub. []  
Amends Title []

1 moves to amend the bill on page 1, line 22,  
2 by rewriting the line to read:  
3 "Section 2. This act is effective when it becomes law.  
4  
5

SIGNED *Robert D. Bullock*  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_



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July 1, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: Senate Bill 1333 - Landis Annexation

Senate Bill 1333 adds certain property, as described in the bill, to the corporate limits of the Town of Landis. This act is effective June 30, 1998.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL GOVERNMENT II**.

---

☐ Committee Substitute for

H.B. 1546 A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENVILLE TO CHARGE A FEE NOT TO EXCEED TEN DOLLARS FOR UNCERTIFIED COPIES OF POLICE INCIDENT OR ACCIDENT REPORTS AND TO AUTHORIZE THE CITY TO GIVE ANNUAL NOTICE OF VIOLATION TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE.

☐ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on ☐ Appropriations ☐ Finance ☐

**X With a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.**

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 1997**

**H**

**1**

**HOUSE BILL 1546**

Short Title: Greenville Fees/Weedy Lots.

(Local)

---

Sponsors: Representatives Tolson; and Rogers.

---

Referred to: Local and Regional Government I, if favorable, Finance.

---

May 27, 1998

A BILL TO BE ENTITLED

1  
2 AN ACT TO AUTHORIZE THE CITY OF GREENVILLE TO CHARGE A FEE  
3 NOT TO EXCEED TEN DOLLARS FOR UNCERTIFIED COPIES OF POLICE  
4 INCIDENT OR ACCIDENT REPORTS AND TO AUTHORIZE THE CITY TO  
5 GIVE ANNUAL NOTICE OF VIOLATION TO CHRONIC VIOLATORS OF  
6 THE CITY'S OVERGROWN VEGETATION ORDINANCE.

7 The General Assembly of North Carolina enacts:

8           Section 1. The City may charge a fee not to exceed ten dollars (\$10.00)  
9 for an uncertified copy of a police incident or accident report, except that a  
10 representative of a newspaper, wire service, radio station, or television station shall  
11 not be charged a fee that exceeds the City's actual cost of making the uncertified  
12 copy. The fees collected shall be used for law enforcement purposes only.

13           Section 2. The City may notify a chronic violator of the City's overgrown  
14 vegetation ordinance that, if the violator's property is found to be in violation of the  
15 ordinance, the City shall, without further notice in the calendar year in which notice  
16 is given, take action to remedy the violation and the expense of the action shall  
17 become a lien upon the property and shall be collected as unpaid taxes. The notice  
18 shall be served by registered or certified mail. A chronic violator is a person who  
19 owns property whereupon, in the previous calendar year, the City took remedial  
20 action at least three times under the overgrown vegetation ordinance.

21           Section 3. This act applies to the City of Greenville only.

22           Section 4. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

D

HOUSE BILL 1546  
Proposed Committee Substitute H1546-PCS1584-SA001

Short Title: Greenville Fees/Weedy Lots.

(Local)

---

Sponsors:

---

Referred to:

---

May 27, 1998

1 A BILL TO BE ENTITLED

2 AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO CHARGE A FEE  
3 NOT TO EXCEED TEN DOLLARS FOR UNCERTIFIED COPIES OF POLICE  
4 INCIDENT OR ACCIDENT REPORTS AND TO AUTHORIZE THE CITY TO  
5 GIVE ANNUAL NOTICE OF VIOLATION TO CHRONIC VIOLATORS OF  
6 THE CITY'S OVERGROWN VEGETATION ORDINANCE.

7 The General Assembly of North Carolina enacts:

8 Section 1. A municipality may charge a fee not to exceed ten dollars  
9 (\$10.00) for an uncertified copy of a police incident or accident report, except that a  
10 representative of a newspaper, wire service, radio station, or television station shall  
11 not be charged a fee that exceeds the municipality's actual cost of making the  
12 uncertified copy. The fees collected shall be used for law enforcement purposes only.

13 Section 2. A municipality may notify a chronic violator of the  
14 municipality's overgrown vegetation ordinance that, if the violator's property is found  
15 to be in violation of the ordinance, the municipality shall, without further notice in  
16 the calendar year in which notice is given, take action to remedy the violation and  
17 the expense of the action shall become a lien upon the property and shall be  
18 collected as unpaid taxes. The notice shall be served by registered or certified mail.  
19 A chronic violator is a person who owns property whereupon, in the previous  
20 calendar year, the municipality took remedial action at least three times under the  
21 overgrown vegetation ordinance.

22 Section 3. This act applies to the Town of Denton and the City of  
23 Greenville only.

1           Section 4. This act is effective when it becomes law.



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 1546

AMENDMENT NO. \_\_\_\_\_  
(to be filled in by  
Principal Clerk)  
Page 1 of \_\_\_\_

H1546-ASA-076

Date \_\_\_\_\_, 1998

Comm. Sub. [☐  
Amends Title [YES]

Representative Dockham

1 moves to amend the bill on page 1, line 2,  
2 by  
3  
4 by deleting "THE CITY OF GREENVILLE" and inserting "CERTAIN  
5 MUNICIPALITIES";  
6  
7  
8 and on page 1, line 8  
9 by deleting "The City" and inserting "A municipality";  
10  
11  
12 and on page 1, line 11  
13 by deleting "City's" and inserting "municipality's";  
14  
15  
16 and on page 1, line 13  
17 by rewriting the line to read:  
18 "Section 2. A municipality may notify a chronic violator of the  
19 municipality's overgrown";  
20  
21  
22 and on page 1, line 15  
23 by deleting "City" and inserting "municipality";  
24  
25  
26 and on page 1, line 19  
27 by deleting "City" and inserting "municipality";  
28



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 1546

AMENDMENT NO. \_\_\_\_\_  
(to be filled in by \_\_\_\_\_  
Principal Clerk)  
Page 2 of \_\_\_\_\_

H1546-ASA-076

1 and on page 1, line 21  
2 by rewriting the line to read:  
3 "Section 3. This act applies to the Town of Denton and the City  
4 of Greenville only.  
5  
6

SIGNED Jerry C. Dockham  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_



**North Carolina General Assembly  
Legislative Services Office**

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July 1, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: House Bill 1546 - Greenville Fees/Weedy Lots

House Bill 1546 allows the City of Greenville to charge a fee of up to \$10 for uncertified copies of a police incident or accident report, except that news media representatives may not be charged more than actual cost.

This bill also allows the City to notify chronic violators of overgrown vegetation ordinances once a year that the City will act to remedy a violation, with the expense becoming a lien on the property. A "chronic violator" is defined as a person owning property upon which the City, in the previous calendar year, took remedial action under the ordinance at least three times.

This act applies only to the City of Greenville and is effective when it becomes law.

MINUTES

HOUSE COMMITTEE ON

LOCAL AND REGIONAL GOVERNMENT II

WEDNESDAY, JULY 15, 1998

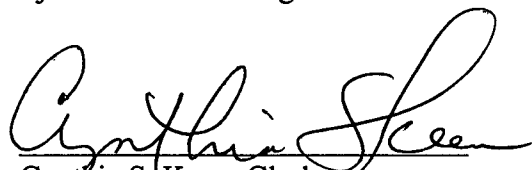
The House Committee on LOCAL AND REGIONAL GOVERNMENT II met on Wednesday, July 15, 1998, in Room 1425 of the Legislative Building at 11:00 AM. The following members were present: Chairman Michael Decker, Representatives Capps, Jarrell, Jeffus, Owens, Tolson, and G. Wilson. Susan Hayes, Staff Counselor was in attendance. No visitors were present.

Chairman Decker called the meeting to order.

Upon motion made by Representative Wilson, the Committee voted to reconsider SENATE BILL 1312, A BILL TO BE ENTITLED AN ACT TO ALLOW ALAMANCE, CATAWBA, CUMBERLAND, DAVIDSON, DAVIE, DURHAM, HOKE, LINCOLN, ROBERSON, AND WAYNE COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION. Upon motion by Representative Owens, the Committee voted to send forward an amendment to be rolled into a committee substitute, for purposes of discussion. Upon motion made by Representative Tolson, the Committee voted for a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

With no further business, Chairman Decker adjourned the meeting.

  
Michael P. Decker, Chairman

  
Cynthia S. Keen, Clerk

**HOUSE COMMITTEE ON  
LOCAL AND REGIONAL GOVERNMENT II**

July 15, 1998

Room 1425 Legislative Building

11:00 AM

**OPENING REMARKS**

Representative Decker, Chairman

**BILLS TO BE CONSIDERED:**

**SB 1312 - CERTAIN COUNTIES SCHOOL ACQUISITION    SENATOR ALLRAN**

**ADJOURNMENT**

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL  
GOVERNMENT II**.

---

☒ Committee Substitute for

S.B. 1312 A BILL TO BE ENTITLED AN ACT TO ALLOW ALAMANCE, CATAWBA, CUMBERLAND, DAVIDSON, DAVIE, DURHAM, HOKE, LINCOLN, ROBESON, AND WAYNE COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION.

☐ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on ☐ Appropriations ☐ Finance ☐

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title, unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation that the committee substitute bill # ) be re-referred to the Committee on .)

☒ With a favorable report as to House committee substitute bill which changes the title, unfavorable as to Senate committee substitute bill and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

3

SENATE BILL 1312

Finance Committee Substitute Adopted 6/10/98

Third Edition Engrossed 6/16/98

Short Title: Certain Counties School Acquisition.

(Local)

Sponsors:

Referred to:

May 27, 1998

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW ALAMANCE, CATAWBA, CUMBERLAND, DAVIDSON,  
2 DAVIE, DURHAM, HOKE, LINCOLN, ROBESON, AND WAYNE COUNTIES  
3 TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF  
4 EDUCATION.  
5

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 153A-158.1 reads as rewritten:

8 **"§ 153A-158.1. Acquisition and improvement of school property in certain counties.**

9 (a) Acquisition by County. -- A county may acquire, by any lawful method, any  
10 interest in real or personal property for use by a school administrative unit within the  
11 county. In exercising the power of eminent domain a county shall use the procedures  
12 of Chapter 40A. The county shall use its authority under this subsection to acquire  
13 property for use by a school administrative unit within the county only upon the  
14 request of the board of education of that school administrative unit and after a public  
15 hearing.

16 (b) Construction or Improvement by County. -- A county may construct, equip,  
17 expand, improve, renovate, or otherwise make available property for use by a school  
18 administrative unit within the county. The local board of education shall be involved  
19 in the design, construction, equipping, expansion, improvement, or renovation of the  
20 property to the same extent as if the local board owned the property.

21 (c) Lease or Sale by Board of Education. -- Notwithstanding the provisions of G.S.  
22 115C-518 and G.S. 160A-274, a local board of education may, in connection with

1 additions, improvements, renovations, or repairs to all or part of any of its property,  
2 lease or sell the property to the board of commissioners of the county in which the  
3 property is located for any price negotiated between the two boards.

4 (d) Board of Education May Contract for Construction. -- Notwithstanding the  
5 provisions of G.S. 115C-40 and G.S. 115C-521, a local board of education may enter  
6 into contracts for the erection of school buildings upon sites owned in fee simple by  
7 one or more counties in which the local school administrative unit is located.

8 (e) Scope. -- This section applies to Alamance, Alleghany, Ashe, Avery, Bladen,  
9 Brunswick, Burke, Cabarrus, Camden, Carteret, Catawba, Cherokee, Chowan,  
10 Columbus, Cumberland, Currituck, Dare, Davidson, Davie, Duplin, Durham,  
11 Edgecombe, Forsyth, Franklin, Gates, Graham, Greene, Guilford, Halifax, Harnett,  
12 Haywood, Hoke, Hyde, Iredell, Jackson, Johnston, Jones, Lee, Lincoln, Macon,  
13 Madison, Martin, Moore, Nash, New Hanover, Onslow, Orange, Pasquotank, Pender,  
14 Perquimans, Person, Pitt, Randolph, Richmond, Robeson, Rockingham, Rowan,  
15 Sampson, Scotland, Stanly, Stokes, Surry, Union, Vance, Wake, ~~Wilson, and Watauga~~  
16 Watauga, Wayne, and Wilson Counties."

17 Section 2. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

D

SENATE BILL 1312

Finance Committee Substitute Adopted 6/10/98

Third Edition Engrossed 6/16/98

Proposed House Committee Substitute S1312-PCS4696-SA001

Short Title: Certain Counties School Acquisition.

(Local)

Sponsors:

Referred to:

May 27, 1998

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW CERTAIN COUNTIES TO ACQUIRE PROPERTY FOR  
2 USE BY THEIR COUNTY BOARDS OF EDUCATION.

3 The General Assembly of North Carolina enacts:

4 Section 1. G.S. 153A-158.1 reads as rewritten:

5 "**§ 153A-158.1. Acquisition and improvement of school property in certain counties.**

6 (a) Acquisition by County. -- A county may acquire, by any lawful method, any  
7 interest in real or personal property for use by a school administrative unit within the  
8 county. In exercising the power of eminent domain a county shall use the procedures  
9 of Chapter 40A. The county shall use its authority under this subsection to acquire  
10 property for use by a school administrative unit within the county only upon the  
11 request of the board of education of that school administrative unit and after a public  
12 hearing.

13 (b) Construction or Improvement by County. -- A county may construct, equip,  
14 expand, improve, renovate, or otherwise make available property for use by a school  
15 administrative unit within the county. The local board of education shall be involved  
16 in the design, construction, equipping, expansion, improvement, or renovation of the  
17 property to the same extent as if the local board owned the property.

18 (c) Lease or Sale by Board of Education. -- Notwithstanding the provisions of G.S.  
19 115C-518 and G.S. 160A-274, a local board of education may, in connection with  
20 additions, improvements, renovations, or repairs to all or part of any of its property,  
21

1 lease or sell the property to the board of commissioners of the county in which the  
2 property is located for any price negotiated between the two boards.

3 (d) Board of Education May Contract for Construction. -- Notwithstanding the  
4 provisions of G.S. 115C-40 and G.S. 115C-521, a local board of education may enter  
5 into contracts for the erection of school buildings upon sites owned in fee simple by  
6 one or more counties in which the local school administrative unit is located.

7 (e) Scope. -- This section applies to Alamance, Alleghany, Ashe, Avery, Bladen,  
8 Brunswick, Burke, Cabarrus, Camden, Carteret, Catawba, Cherokee, Chowan,  
9 Columbus, Cumberland, Currituck, Dare, Davidson, Davie, Duplin, Durham,  
10 Edgecombe, Forsyth, Franklin, Gaston, Gates, Graham, Greene, Guilford, Halifax,  
11 Harnett, Haywood, Hoke, Hyde, Iredell, Jackson, Johnston, Jones, Lee, Lincoln,  
12 Macon, Madison, Martin, Moore, Nash, New Hanover, Onslow, Orange, Pasquotank,  
13 Pender, Perquimans, Person, Pitt, Randolph, Richmond, Robeson, Rockingham,  
14 Rowan, Sampson, Scotland, Stanly, Stokes, Surry, Union, Vance, Wake, ~~Wilson~~, and  
15 ~~Watauga~~ Watauga, Wayne, and Wilson Counties."

16 Section 2. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

D

SENATE BILL 1312

Finance Committee Substitute Adopted 6/10/98

Third Edition Engrossed 6/16/98

Proposed House Committee Substitute S1312-PCS9604-SA002

Short Title: Certain Counties School Acquisition.

(Local)

---

Sponsors:

---

Referred to:

---

May 27, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW CERTAIN COUNTIES TO ACQUIRE PROPERTY FOR  
3 USE BY THEIR COUNTY BOARDS OF EDUCATION.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 153A-158.1 as rewritten by S.L. 1998-33 and House Bill  
6 1284 as enacted by the 1997 General Assembly reads as rewritten:

7 "**§ 153A-158.1. Acquisition and improvement of school property in certain counties.**

8 (a) Acquisition by County. -- A county may acquire, by any lawful method, any  
9 interest in real or personal property for use by a school administrative unit within the  
10 county. In exercising the power of eminent domain a county shall use the procedures  
11 of Chapter 40A. The county shall use its authority under this subsection to acquire  
12 property for use by a school administrative unit within the county only upon the  
13 request of the board of education of that school administrative unit and after a public  
14 hearing.

15 (b) Construction or Improvement by County. -- A county may construct, equip,  
16 expand, improve, renovate, or otherwise make available property for use by a school  
17 administrative unit within the county. The local board of education shall be involved  
18 in the design, construction, equipping, expansion, improvement, or renovation of the  
19 property to the same extent as if the local board owned the property.

20 (c) Lease or Sale by Board of Education. -- Notwithstanding the provisions of G.S.  
21 115C-518 and G.S. 160A-274, a local board of education may, in connection with

1 additions, improvements, renovations, or repairs to all or part of any of its property,  
2 lease or sell the property to the board of commissioners of the county in which the  
3 property is located for any price negotiated between the two boards.

4 (d) Board of Education May Contract for Construction. -- Notwithstanding the  
5 provisions of G.S. 115C-40 and G.S. 115C-521, a local board of education may enter  
6 into contracts for the erection of school buildings upon sites owned in fee simple by  
7 one or more counties in which the local school administrative unit is located.

8 (e) Scope. -- This section applies to Alamance, Alexander, Alleghany, Ashe,  
9 Avery, Bladen, Brunswick, Burke, Cabarrus, Caldwell, Camden, Carteret, Caswell,  
10 Catawba, Cherokee, Chowan, Columbus, Cumberland, Currituck, Dare, Davidson,  
11 Davie, Duplin, Durham, Edgecombe, Forsyth, Franklin, Gaston, Gates, Graham,  
12 Greene, Guilford, Halifax, Harnett, Haywood, Hoke, Hyde, Iredell, Jackson,  
13 Johnston, Jones, Lee, Lincoln, Lenoir, Macon, Madison, Martin, Mitchell, Moore,  
14 Nash, New Hanover, Onslow, Orange, Pasquotank, Pender, Perquimans, Person, Pitt,  
15 Randolph, Richmond, Robeson, Rockingham, Rowan, Sampson, Scotland, Stanly,  
16 Stokes, Surry, Union, Vance, Wake, Wilkes, Wilson, Watauga, and Wayne Counties."

17 Section 2. This act is effective when it becomes law.



North Carolina General Assembly  
Legislative Services Office

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(919) 733-7044

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Research Division  
Suite 545, LOB  
300 N. Salisbury St.  
Raleigh, NC 27603-5925  
(919) 733-2578

July 1, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: Senate Bill 1312 - Certain Counties School Acquisition

This bill amends G.S. 153A-158.1 to include Alamance, Catawba, Cumberland, Davidson, Davie, Durham, Hoke, Lincoln, Robeson, and Wayne Counties.

G.S. 153A-158.1 allows a county to:

- 1) acquire property for use by a school administrative unit;
- 2) construct, equip, expand, improve, renovate or otherwise make available property for use by a school administrative unit;
- 3) allows a local board of education to sell or lease property to the county board of commissioners in connection with additions, improvements, renovations or repairs to the property;
- 4) allows a local board of education to contract for the construction or repair of school buildings on sites owned by the county.

This bill is effective when it becomes law.

MINUTES  
HOUSE COMMITTEE ON  
LOCAL AND REGIONAL GOVERNMENT II

WEDNESDAY, AUGUST 5, 1998


The House Committee on LOCAL AND REGIONAL GOVERNMENT II met on Wednesday, August 5, 1998, in Room 1425 of the Legislative Building at 11:00 AM. The following members were present: Chairman Michael Decker, Representatives Barbee, Capps, Dockham, Jarrell, Jeffus, Owens, Tolson, and G. Wilson. Susan Hayes, Staff Counselor was in attendance. No visitors were present.

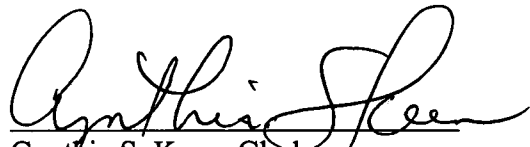
Chairman Decker called the meeting to order.

Chairman Decker recognized Representative Luebke, bill sponsor, to explain **HOUSE BILL 1615, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE COUNTY OF DURHAM TO FUND THE ESTABLISHMENT OF BIKEWAYS AND TRIALS THROUGHOUT THE COUNTY.** Upon motion made by Representative Capps, the Committee voted for a favorable report.

**HOUSE BILL 1587, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF STANFIELD AND THE CITY OF LOCUST TO COLLECT UTILITY BILLS AS IF THEY WERE TAXES DUE THE TOWN AND THE CITY,** was next on the agenda. Representative Barbee was recognized to explain the bill. Upon motion made by Representative Tolson, the Committee voted for the recommendation that the House concur with the Senate amendment.

With no further business, Chairman Decker adjourned the meeting.

  
Michael P. Decker, Chairman

  
Cynthia S. Keen, Clerk

**HOUSE COMMITTEE ON  
LOCAL AND REGIONAL GOVERNMENT II**

August 5, 1998

Room 1425 Legislative Building

11:00 AM

**OPENING REMARKS**

Representative Decker, Chairman

**BILLS TO BE CONSIDERED:**

**HB 1587 - STANLY/LOCUST UTILITY BILLS - Rep. Barbee**

**HB 1615 - DURHAM COUNTY BIKEWAYS FUNDS - Rep. Luebke**

**ADJOURNMENT**

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **Decker** for the Committee on **LOCAL AND REGIONAL  
GOVERNMENT II**.

---

☐ Committee Substitute for

H.B. 1615 A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF  
THE COUNTY OF DURHAM TO FUND THE ESTABLISHMENT OF BIKEWAYS AND  
TRAILS THROUGHOUT THE COUNTY.

**X With a favorable report.**

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title,  
unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation  
that the committee substitute bill # ) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes  
the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1615

Short Title: Durham County Bikeways Funds.

(Local)

---

Sponsors: Representatives Luebke; Capps, Michaux, Miller, and Mosley.

---

Referred to: Rules Calendar and Operations of the House.

---

May 28, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY THE AUTHORITY OF THE COUNTY OF DURHAM TO  
3 FUND THE ESTABLISHMENT OF BIKEWAYS AND TRAILS  
4 THROUGHOUT THE COUNTY.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 136-71.12 reads as rewritten:

7 "**§ 136-71.12. Funds.**

8 The General Assembly hereby authorizes the Department to include needed funds  
9 for the program in its annual budgets for fiscal years after June 30, 1975, subject to  
10 the approval of the General Assembly.

11 The Department is authorized to spend any federal, State, local or private funds  
12 available to the Department and designated for the accomplishment of this Article.  
13 ~~Cities and towns~~ Cities, towns, and counties may use any funds available."

14 Section 2. This act applies to the County of Durham only.

15 Section 3. This act is effective when it becomes law.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **Decker** for the Committee on **LOCAL AND REGIONAL  
GOVERNMENT II**.

---

☐ Committee Substitute for

H.B. 1587 A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF  
STANFIELD AND THE CITY OF LOCUST TO COLLECT UTILITY BILLS AS IF THEY  
WERE TAXES DUE THE TOWN AND THE CITY.

☐ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title,  
unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation  
that the committee substitute bill # ) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes  
the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

**X With recommendation that the House concur.**

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 1997

H

1

HOUSE BILL 1587

Short Title: Stanfield/Locust Utility Bills.

(Local)

---

Sponsors: Representatives Barbee and Hightower.

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Referred to: Local and Regional Government II, if favorable, Finance.

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May 28, 1998

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW THE TOWN OF STANFIELD AND THE CITY OF  
3 LOCUST TO COLLECT UTILITY BILLS AS IF THEY WERE TAXES DUE  
4 THE TOWN AND THE CITY.  
5 Section 1. Section 2 of Chapter 1070 of the 1989 Session Laws reads as  
6 rewritten:  
7 "Sec. 2. This act applies to the ~~Town~~ Towns of Richfield and Stanfield and the  
8 City of Locust only."  
9 Section 2. This act is effective when it becomes law.



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 1587

AMENDMENT NO. 1  
(to be filled in by  
Principal Clerk)  
Page 1 of 1

H1587-ALM-1

Date 7/16, 1998

Comm. Sub. ☐  
Amends Title ☐

Senator Plyler

1 moves to amend the bill on page 1, lines 4 and 5,  
2 by inserting between those lines the phrase "The General Assembly of  
3 North Carolina enacts:".  
4  
5

SIGNED *[Signature]*  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED ✓ 46-0 FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

*J. Pruitt*  
*7/16/98*

MINUTES

HOUSE COMMITTEE ON

LOCAL AND REGIONAL GOVERNMENT II

WEDNESDAY, AUGUST 12, 1998


The House Committee on LOCAL AND REGIONAL GOVERNMENT II met on Wednesday, August 12, 1998, in Room 1425 of the Legislative Building at 11:00 AM. The following members were present: Chairman Michael Decker, Representatives Jarrell, Jeffus, Tolson, and G. Wilson. Susan Hayes, Staff Counselor was in attendance. No visitors were present.

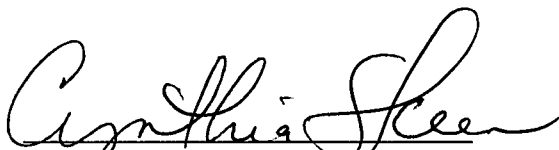
Chairman Decker called the meeting to order.

Chairman Decker recognized Senator Horton, bill sponsor, to explain **SENATE BILL 1238, A BILL TO BE ENTITLED AN ACT TO EXEMPT FORSYTH COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION OF FORMER TOBACCO FACTORIES FOR COUNTY GOVERNMENT OFFICES, PARKING, AND RELATED FACILITY NEEDS.** Upon motion made by Representative Wilson, the Committee voted for a favorable report.

**SENATE BILL 1273, A BILL TO BE ENTITLED AN ACT TO CONFORM TO GENERAL LAW THE MANNER OF APPOINTMENT OF THE TOWN ATTORNEY OF KERNERSVILLE,** was next on the agenda. Senator Horton was recognized to explain the bill. Upon motion made by Representative Tolson, the Committee voted for a favorable report.

With no further business, Chairman Decker adjourned the meeting.

  
Michael P. Decker, Chairman

  
Cynthia S. Keen, Clerk

**HOUSE COMMITTEE ON  
LOCAL AND REGIONAL GOVERNMENT II**

August 12, 1998  
Room 1425 Legislative Building  
11:00 AM

**OPENING REMARKS**

Representative Decker, Chairman

**BILLS TO BE CONSIDERED:**

SB 1238 - FORSYTH BID EXEMPTION

SB 1273 - KERNERSVILLE ATTORNEY APPOINTMENT

Senator Horton, Sponsor

**ADJOURNMENT**

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL GOVERNMENT II**.

---

☐ Committee Substitute for

S.B. 1238 A BILL TO BE ENTITLED AN ACT TO EXEMPT FORSYTH COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION OF FORMER TOBACCO FACTORIES FOR COUNTY GOVERNMENT OFFICES, PARKING, AND RELATED FACILITY NEEDS.

**X With a favorable report.**

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on ☐ Appropriations ☐ Finance ☐

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on ☐ Appropriations ☐ Finance ☐

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title, unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation that the committee substitute bill # ) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

2

SENATE BILL 1238

State Government, Local Government, and Personnel Committee Substitute Adopted  
7/30/98

Short Title: Forsyth Bid Exemption.

(Local)

---

Sponsors:

---

Referred to:

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May 21, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO EXEMPT FORSYTH COUNTY FROM CERTAIN STATUTORY  
3 REQUIREMENTS IN THE RENOVATION OF FORMER TOBACCO  
4 FACTORIES FOR COUNTY GOVERNMENT OFFICES, PARKING, AND  
5 RELATED FACILITY NEEDS.

6 The General Assembly of North Carolina enacts:

7 Section 1. Notwithstanding the provisions of G.S. 143-128, 143-129, 143-  
8 131, and 143-132, Forsyth County may enter into contracts for the renovation of  
9 former RJ Reynolds tobacco factory building number 12 for county government  
10 offices, parking, and related facility needs in the manner and upon the terms and  
11 conditions Forsyth County considers appropriate.

12 Section 2. This act is effective when it becomes law and expires June 30,  
13 2001.



**North Carolina General Assembly  
Legislative Services Office**

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Research Division  
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300 N. Salisbury St.  
Raleigh, NC 27603-5925  
(919) 733-2578

Aug 12, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: Senate Bill 1238 - Forsyth Bid Exemption

Senate Bill 1238 exempts Forsyth County from certain statutory requirements in the renovation of former RJ Reynolds tobacco factory building number 12 for county government offices, parking, and related facility needs.

This bill is effective when it becomes law and expires on June 30, 2001.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL GOVERNMENT II**.

---

☐ Committee Substitute for

S.B. 1273 A BILL TO BE ENTITLED AN ACT TO CONFORM TO GENERAL LAW  
THE MANNER OF APPOINTMENT OF THE TOWN ATTORNEY OF KERNERSVILLE.

**X With a favorable report.**

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title,  
unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation  
that the committee substitute bill # ) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes  
the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

1

SENATE BILL 1273

Short Title: Kernersville Attorney Appointment.

(Local)

---

Sponsors: Senators Horton; Cochrane and McDaniel.

---

Referred to: State Government/Local Government and Personnel.

---

May 27, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO CONFORM TO GENERAL LAW THE MANNER OF  
3 APPOINTMENT OF THE TOWN ATTORNEY OF KERNERSVILLE.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. Section 14 of the Charter of the Town of Kernersville, being  
6 Chapter 381 of the Session Laws of 1989, reads as rewritten:  
7 "Sec. 14. **Town Attorney.** The Board of Aldermen ~~at their first meeting after each~~  
8 ~~election,~~ shall appoint a Town Attorney who shall be an Attorney at Law licensed to  
9 practice in the State of North Carolina and who need not be a resident of the Town  
10 of Kernersville at the time of his appointment or thereafter. The Town Attorney  
11 shall be the chief legal advisor of and Attorney for the Town and he shall perform  
12 such duties as are imposed upon the chief legal officers of municipalities by law and  
13 perform such other duties of a legal nature as the Board of Aldermen may require.  
14 He shall receive such compensation as the Board of Aldermen may from time to time  
15 determine."  
16 Section 2. This act is effective when it becomes law.



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Raleigh, NC 27603-5925  
(919) 733-2578

Aug 12, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: Senate Bill 1273 - Kernersville Attorney Appointment

Senate Bill 1273 amends the Charter of the Town of Kernersville to provide that the Town Attorney serves at the pleasure of the Board of Alderman & does not have to be appointed after each election.

This bill is effective when it becomes law.

MINUTES  
HOUSE COMMITTEE ON  
LOCAL AND REGIONAL GOVERNMENT II

WEDNESDAY, AUGUST 19, 1998


The House Committee on LOCAL AND REGIONAL GOVERNMENT II met on Wednesday, August 19, 1998, in Room 1425 of the Legislative Building at 11:00 AM. The following members were present: Chairman Michael Decker, Representatives Barbee, Capps, Jarrell, Jeffus, Owens, Sexton, Tolson, and G. Wilson. Susan Hayes, Staff Counselor was in attendance. A Visitor Registration List is attached and made part of these minutes.

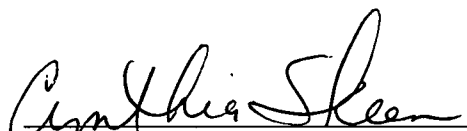
Chairman Decker called the meeting to order.

**SENATE BILL 1202, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTY CONVEYANCE OF SURPLUS AUTOMOBILES TO A NOT-FOR-PROFIT RECIPIENT FOR SUBSEQUENT CONVEYANCE TO WORK FIRST PARTICIPANTS.** Upon motion made by Representative Wilson, the Committee voted to send forward a committee substitute for purposes of discussion. Upon motion made by Representative Tolson, the Committee voted to send forward an amendment to be rolled into a committee substitute. Upon motion made by Representative Sexton, the Committee voted for a favorable report as to House Committee Substitute bill #2, unfavorable as to House Committee Substitute Bill #1. Ruth Sappie, Legislative Liaison for the Department of Transportation, stated that DOT supports this bill.

**HOUSE BILL 1607, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WEDDINGTON TO EXERCISE ITS STATUTORY POWER TO EXTEND ITS EXTRATERRITORIAL PLANNING AND ZONING JURISDICTION UPON APPROVAL OF THE RESIDENTS IN THE AREA AFFECTED,** was next on the agenda. Chairman Decker appointed the following subcommittee: Representative Barbee, Chair, and Representative Sexton and Capps.

With no further business, Chairman Decker adjourned the meeting.

  
Michael P. Decker, Chairman

  
Cynthia S. Keen, Clerk

**HOUSE COMMITTEE ON  
LOCAL AND REGIONAL GOVERNMENT II**

August 19, 1998  
Room 1425 Legislative Building  
11:00 AM

**OPENING REMARKS**

Representative Decker, Chairman

**BILLS TO BE CONSIDERED:**

HB 1607 - WEDDINGTON ETJ

Representative Shubert, Tallent

SB 1202 - CONVEYANCE SURPLUS AUTOMOBILES

Senator Dannelly

**ADJOURNMENT**

## VISITOR REGISTRATION SHEET

## LOCAL AND REGIONAL GOVERNMENT II

**August 19, 1998**

Name of Committee

Date

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

**NAME**

**FIRM OR AGENCY AND ADDRESS**[illegible]

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL GOVERNMENT II**.

---

☒ House Committee Substitute for

S.B. 1202 A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTY  
CONVEYANCE OF SURPLUS AUTOMOBILES TO A NOT-FOR-PROFIT RECIPIENT  
FOR SUBSEQUENT CONVEYANCE TO WORK FIRST PARTICIPANTS.

- ☐ With a favorable report.
- ☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐
- ☐ With a favorable report, as amended.
- ☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐
- ☒ **With a favorable report as to House Committee Substitute bill # 2, unfavorable as to  
House Committee Substitute Bill # 1.**
- ☐ With a favorable report as to House committee substitute bill (#           ), ☐ which changes  
the title, unfavorable as to Senate committee substitute bill.
- ☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)
- ☐ With an unfavorable report.
- ☐ With recommendation that the House concur.
- ☐ With recommendation that the House do not concur.
- ☐ With recommendation that the House do not concur; request conferees.
- ☐ With recommendation that the House concur; committee believes bill to be material.
- ☐ With an unfavorable report, with a Minority Report attached.
- ☐ Without prejudice.
- ☐ With an indefinite postponement report.
- ☐ With an indefinite postponement report, with a Minority Report attached.
- ☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

4

SENATE BILL 1202

Children & Human Resources Committee Substitute Adopted 6/24/98

Third Edition Engrossed 6/25/98

House Committee Substitute Favorable 8/5/98

Short Title: Conveyance Surplus Automobiles.

(Local)

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Sponsors:

---

Referred to:

---

May 21, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE COUNTY CONVEYANCE OF SURPLUS  
3 AUTOMOBILES TO A NOT-FOR-PROFIT RECIPIENT FOR SUBSEQUENT  
4 CONVEYANCE TO WORK FIRST PARTICIPANTS.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. G.S. 160A-279(a) reads as rewritten:  
7 "(a) Whenever a city or county is authorized to appropriate funds to any public or  
8 private entity which carries out a public purpose, the city or county may, in lieu of or  
9 in addition to the appropriation of funds, convey by private sale to such an entity any  
10 real or personal property which it owns; provided no property acquired by the  
11 exercise of eminent domain may be conveyed under this section; provided that no  
12 such conveyance may be made to a for-profit corporation. The city or county shall  
13 attach to any such conveyance covenants or conditions which assure that the property  
14 will be put to a public use by the recipient entity. The procedural provisions of G.S.  
15 160A-267 shall apply. Provided, however, that a city or county may convey to any  
16 public or private entity, which is authorized to receive appropriations from a city or  
17 county, surplus automobiles without compensation or without the requirement that  
18 the automobiles be used for a public purpose. Provided, however, this conveyance is  
19 conditioned upon conveyance by the public or private entity to Work First  
20 participants selected by the county department of social services under the rules  
21 adopted by the local department of social services. When the public or private entity

1 to whom the city or county conveys the surplus automobile conveys the vehicle to a  
2 Work First participant, it shall place a lien on the vehicle until such time as the Work  
3 First participant satisfactorily completes the requirements of the Work First program.  
4 This subsequent conveyance by the public or private entity to the Work First  
5 participant shall be without compensation, except that the participant may be  
6 required to pay for license, tag, and/or title."

7           Section 2. This act applies to Caldwell, Catawba, Davidson, Davie,  
8 Forsyth, Iredell, Mecklenburg, Moore, New Hanover, Polk, Randolph, Stokes, Surrey,  
9 and Wilkes Counties only.

10           Section 3. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

D

SENATE BILL 1202

Children & Human Resources Committee Substitute Adopted 6/24/98

Third Edition Engrossed 6/25/98

House Committee Substitute Favorable 8/5/98

Proposed House Committee Substitute S1202-CSSA-001

Short Title: Conveyance Surplus Automobiles.

(Local)

---

Sponsors:

---

Referred to:

---

May 21, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE COUNTY CONVEYANCE OF SURPLUS AUTOMOBILES TO A  
3 NOT-FOR-PROFIT RECIPIENT FOR SUBSEQUENT CONVEYANCE TO WORK  
4 FIRST PARTICIPANTS.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. G.S. 160A-279(a) reads as rewritten:  
7 "(a) Whenever a city or county is authorized to appropriate  
8 funds to any public or private entity which carries out a public  
9 purpose, the city or county may, in lieu of or in addition to the  
10 appropriation of funds, convey by private sale to such an entity  
11 any real or personal property which it owns; provided no property  
12 acquired by the exercise of eminent domain may be conveyed under  
13 this section; provided that no such conveyance may be made to a  
14 for-profit corporation. The city or county shall attach to any  
15 such conveyance covenants or conditions which assure that the  
16 property will be put to a public use by the recipient entity.  
17 The procedural provisions of G.S. 160A-267 shall apply.  
18 Provided, however, that a city or county may convey to any public  
19 or private entity, which is authorized to receive appropriations  
20 from a city or county, surplus automobiles without compensation

1 or without the requirement that the automobiles be used for a  
2 public purpose. Provided, however, this conveyance is  
3 conditioned upon conveyance by the public or private entity to  
4 Work First participants selected by the county department of  
5 social services under the rules adopted by the local department  
6 of social services. When the public or private entity to whom  
7 the city or county conveys the surplus automobile conveys the  
8 vehicle to a Work First participant, it shall place a lien on the  
9 vehicle until such time as the Work First participant  
10 satisfactorily completes the requirements of the Work First  
11 program. This subsequent conveyance by the public or private  
12 entity to the Work First participant shall be without  
13 compensation, except that the participant may be required to pay  
14 for license, tag, and/or title."

15           Section 2. This act applies to Caldwell, Catawba,  
16 Davidson, Davie, Iredell, Mecklenburg, Moore, New Hanover, Polk,  
17 Randolph, Stokes, Surrey, and Wilkes Counties only.

18           Section 3. This act is effective when it becomes law.

# NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. \_\_\_\_\_

H. B. No. \_\_\_\_\_

DATE \_\_\_\_\_

S. B. No. 1202

Amendment No. \_\_\_\_\_

(to be filled in by  
Principal Clerk)

COMMITTEE SUBSTITUTE \_\_\_\_\_

Rep. TOLSON  
Sen. )

1 moves to amend the bill on page 2, line 16

2 ( ) WHICH CHANGES THE TITLE

3 by inserting "Edgecombe" ~~and~~ between "Davie," and  
4 "Iredell,"

5 \_\_\_\_\_

6 and on page 2, line 17

7 by rewriting the line to read:

"Randolph, Stokes, Surrey, Wilkes, and Wilson Counties only."

9 \_\_\_\_\_

10 \_\_\_\_\_

11 \_\_\_\_\_

12 \_\_\_\_\_

13 \_\_\_\_\_

14 \_\_\_\_\_

15 \_\_\_\_\_

16 \_\_\_\_\_

17 \_\_\_\_\_

18 \_\_\_\_\_

19 \_\_\_\_\_

SIGNED \_\_\_\_\_

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

D

SENATE BILL 1202

Children & Human Resources Committee Substitute Adopted 6/24/98

Third Edition Engrossed 6/25/98

House Committee Substitute Favorable 8/5/98

Proposed House Committee Substitute S1202-PCSA893-SA001

Short Title: Conveyance Surplus Automobiles.

(Local)

Sponsors:

Referred to:

May 21, 1998

1 A BILL TO BE ENTITLED

2 AN ACT TO AUTHORIZE COUNTY CONVEYANCE OF SURPLUS  
3 AUTOMOBILES TO A NOT-FOR-PROFIT RECIPIENT FOR SUBSEQUENT  
4 CONVEYANCE TO WORK FIRST PARTICIPANTS.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 160A-279(a) reads as rewritten:

7 "(a) Whenever a city or county is authorized to appropriate funds to any public or  
8 private entity which carries out a public purpose, the city or county may, in lieu of or  
9 in addition to the appropriation of funds, convey by private sale to such an entity any  
10 real or personal property which it owns; provided no property acquired by the  
11 exercise of eminent domain may be conveyed under this section; provided that no  
12 such conveyance may be made to a for-profit corporation. The city or county shall  
13 attach to any such conveyance covenants or conditions which assure that the property  
14 will be put to a public use by the recipient entity. The procedural provisions of G.S.  
15 160A-267 shall apply. Provided, however, that a city or county may convey to any  
16 public or private entity, which is authorized to receive appropriations from a city or  
17 county, surplus automobiles without compensation or without the requirement that  
18 the automobiles be used for a public purpose. Provided, however, this conveyance is  
19 conditioned upon conveyance by the public or private entity to Work First  
20 participants selected by the county department of social services under the rules  
21 adopted by the local department of social services. When the public or private entity

1 to whom the city or county conveys the surplus automobile conveys the vehicle to a  
2 Work First participant, it shall place a lien on the vehicle until such time as the Work  
3 First participant satisfactorily completes the requirements of the Work First program.  
4 This subsequent conveyance by the public or private entity to the Work First  
5 participant shall be without compensation, except that the participant may be  
6 required to pay for license, tag, and/or title."

7           Section 2. This act applies to Caldwell, Catawba, Davidson, Davie,  
8 Edgecombe, Iredell, Mecklenburg, Moore, New Hanover, Polk, Randolph, Stokes,  
9 Surrey, Wilkes, and Wilson Counties only.

10           Section 3. This act is effective when it becomes law.



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Aug 19, 1998

TO: Michael P. Decker, Chairman  
House Local and Regional Government II Committee

FROM: Susan L. Hayes, Committee Counsel

RE: Senate Bill 1202 - Conveyance Surplus Automobiles  
**Proposed House Committee Substitute**

The Proposed House Committee Substitute for Senate Bill 1202 authorizes certain counties to convey surplus automobiles to not-for-profit recipients for subsequent conveyance to Work First participants. Work First participants to whom automobiles are given will be selected by the county department of social services under rules adopted by the local department of social services. When a vehicle is conveyed to a Work First participant, the entity to which the city or county conveys the automobile must place a lien on the vehicle until the recipient satisfactorily completes the requirements of the Work First program. The Work First participant cannot be required to pay compensation for the vehicle, except for license, tag and/or title.

This act applies to Caldwell, Catawba, Davidson, Davie, Iredell, Mecklenburg, Moore, New Hanover, Polk, Randolph, Stokes, Surrey, and Wilkes Counties and is effective when it becomes law.

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **DECKER** for the Committee on **LOCAL AND REGIONAL GOVERNMENT II**.

---

☐ Committee Substitute for

H.B. 1607 A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WEDDINGTON TO EXERCISE ITS STATUTORY POWER TO EXTEND ITS EXTRATERRITORIAL PLANNING AND ZONING JURISDICTION UPON APPROVAL OF THE RESIDENTS IN THE AREA AFFECTED.

☐ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on ☐ Appropriations ☐ Finance ☐

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title, unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation that the committee substitute bill # ) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

2

HOUSE BILL 1607  
Committee Substitute Favorable 8/13/98

Short Title: Weddington ETJ.

(Local)

---

Sponsors:

---

Referred to:

---

May 28, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW THE TOWN OF WEDDINGTON TO EXERCISE ITS  
3 STATUTORY POWER TO EXTEND ITS EXTRATERRITORIAL PLANNING  
4 AND ZONING JURISDICTION UPON APPROVAL OF THE RESIDENTS IN  
5 THE AREA AFFECTED.

6 Whereas, the Town of Weddington is located in a rapidly growing area of  
7 the State; and

8 Whereas, the Town wishes to protect the beauty it is known for in the  
9 region; and

10 Whereas, reasonable planning and zoning regulations lead to better living  
11 conditions for all residents; and

12 Whereas, the Town is considering extending its extraterritorial planning  
13 and zoning jurisdiction to promote appropriate development around the Town; Now,  
14 therefore,

15 The General Assembly of North Carolina enacts:

16 Section 1. The Town of Weddington may extend its extraterritorial  
17 planning and zoning jurisdiction in accordance with G.S. 160A-360 upon approval of  
18 a majority of the qualified resident voters in the area to be added to the jurisdiction.  
19 Any cost incurred by the County for an election held pursuant to this act shall be  
20 reimbursed by the Town of Weddington.

21 Section 2. This act applies only to the Town of Weddington.

1           Section 3. This act becomes effective when it becomes law, and applies to  
2 ordinances extending the Town of Weddington's extraterritorial planning and zoning  
3 jurisdiction enacted on or after the effective date of this act.

MINUTES

HOUSE COMMITTEE ON

LOCAL AND REGIONAL GOVERNMENT II


WEDNESDAY, SEPTEMBER 23, 1998

The House Committee on LOCAL AND REGIONAL GOVERNMENT II met on Wednesday, September 23, 1998, around the chamber desk of Chairman Michael Decker. The following members were present: Chairman Decker, Representatives Barbee, Jarrell, Owens, Tolson, G. Wilson and Daughtry.

Chairman Decker called the meeting to order.

The Committee considered **SENATE BILL 672, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE TO CONVEY CERTAIN DESCRIBED PROPERTY AT PRIVATE SALE**, sponsored by Senator Odom. Upon motion made by Representative Barbee, the Committee voted to send forward a committee substitute. Upon motion made by Representative Daughtry, the Committee voted for a favorable report as to House Committee Substitute bill which changes the title, unfavorable as to Senate Committee Substitute bill and recommendation that the House Committee Substitute bill be re-referred to the Committee on Finance.

With no further business, Chairman Decker adjourned the meeting.

  
Michael P. Decker, Chairman

  
Cynthia S. Keen, Clerk

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **Decker** for the Committee on **LOCAL AND REGIONAL  
GOVERNMENT II**.

---

☒ Committee Substitute for

S.B. 672 A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE  
TO CONVEY CERTAIN DESCRIBED PROPERTY AT PRIVATE SALE.

☐ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐.

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐.

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title,  
unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation  
that the committee substitute bill # ) be re-referred to the Committee on .)

☒ **With a favorable report as to House committee substitute bill which changes the title,  
unfavorable as to Senate committee substitute bill and recommendation that the House  
committee substitute bill be re-referred to the Committee on Finance.**

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

3/25/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

D

SENATE BILL 672

State Government, Local Government, and Personnel Committee Substitute Adopted  
4/24/97

Proposed Committee Substitute S672-PCS4719-RN001

Short Title: Charlotte-Douglas Construction Exemption.

(Local)

Sponsors:

Referred to:

April 2, 1997

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW THE CITY OF CHARLOTTE TO CONTRACT WITH  
3 PRIVATE PARTIES FOR THE DEVELOPMENT, CONSTRUCTION, AND  
4 OCCUPANCY OF CHARLOTTE-DOUGLAS INTERNATIONAL AIRPORT  
5 SPECIAL USER PROJECTS WITHOUT COMPLYING WITH ARTICLE 8 OF  
6 CHAPTER 143 OF THE GENERAL STATUTES.

7 The General Assembly of North Carolina enacts:

8 Section 1. For purposes of this act, "special user projects" are Charlotte-  
9 Douglas International Airport projects that are undertaken for the use and benefit of  
10 one or more private entities who will lease the facilities from the City of Charlotte  
11 upon terms and conditions that will make the private entities solely responsible for  
12 the repayment of all notes, bonds, debts, or other costs incurred in the financing,  
13 acquisition, development, or construction of the project.

14 A special user project shall include all of the following:

- 15 a. The acquisition of equipment, the development of land belonging  
16 to the City of Charlotte, and the construction of buildings or other  
17 structures belonging to the City of Charlotte on land belonging to  
18 the Authority.  
19 b. The issuance of the City of Charlotte's special facility revenue  
20 bonds or other debt instruments, as authorized in Article 5 of  
21 Chapter 159 of the General Statutes, in an amount not less than

1 four million dollars (\$4,000,000) by the Local Government  
2 Commission, the proceeds of which shall be used to pay the costs  
3 of the special user project and which bonds or other debt  
4 instruments shall be repayable solely from the rents, fees, charges,  
5 payments, or other revenues payable to the City of Charlotte by  
6 the special user or from the funds, collateral, and undertakings of  
7 private parties that are either assigned or pledged by those parties.

- 8 c. The use of the property acquired, developed, or constructed shall  
9 be limited to airline, aircraft, aviation support, air passenger,  
10 aircraft maintenance and repair, and other airport related  
11 purposes, but may include appurtenances and incidental facilities  
12 such as driveways, sidewalks, parking facilities, utilities,  
13 warehouses, loading facilities, administrative and other office  
14 facilities, and other improvements necessary or convenient for the  
15 operation of these facilities.

16 Notwithstanding any other provision of law, the City of Charlotte  
17 may agree that all contracts relating to the acquisition, design,  
18 construction, installation, or equipping of the special user project shall be  
19 solicited, negotiated, awarded, and executed by the private parties for  
20 which the City of Charlotte is financing the special user project or any  
21 agents of the private parties subject only to approval by the City of  
22 Charlotte as the City of Charlotte may require. The City of Charlotte  
23 may, out of the proceeds of bonds or other debt instruments, make  
24 advances to or reimburse the private parties or their agents for all or a  
25 portion of the costs incurred in connection with the contracts. For all  
26 contracts related to special user projects, the City of Charlotte shall be  
27 exempt from the requirements of Article 8 of Chapter 143 of the General  
28 Statutes.

29 Section 2. This act is effective when it becomes law and expires on  
30 January 1, 2003. All contracts executed under the authority of this act and any bonds  
31 or other debt instruments issued pursuant to this act prior to the expiration date of  
32 this act shall remain effective until the contracts are completed or the bonds or other  
33 debt instruments are retired.

MINUTES

HOUSE COMMITTEE ON

LOCAL AND REGIONAL GOVERNMENT II

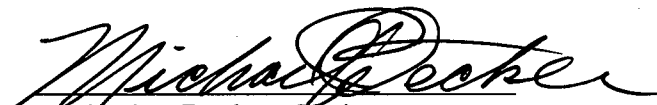
WEDNESDAY, OCTOBER 28, 1998

The House Committee on LOCAL AND REGIONAL GOVERNMENT II met on Wednesday, October 28, 1998, around the chamber desk of Chairman Michael Decker. The following members were present: Chairman Decker, Representatives Barbee, Dockham, Owens, Tolson, and G. Wilson.

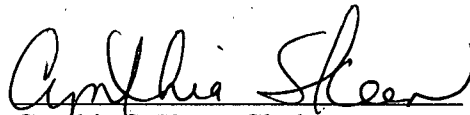
Chairman Decker called the meeting to order.

The Committee considered **HOUSE BILL 1607, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WEDDINGTON TO EXERCISE ITS STATUTORY POWER TO EXTEND ITS EXTRATERRITORIAL PLANNING AND ZONING JURISDICTION UPON APPROVAL OF THE RESIDENTS IN THE AREA AFFECTED**, sponsored by Representative Shubert. Upon motion made by Representative Barbee, the Committee voted for an indefinite postponement report.

With no further business, Chairman Decker adjourned the meeting.



Michael P. Decker, Chairman



Cynthia S. Keen, Clerk

**1998 COMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **Decker** for the Committee on **LOCAL AND REGIONAL  
GOVERNMENT II**.

---

☐ Committee Substitute for

H.B. 1607 A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF  
WEDDINGTON TO EXERCISE ITS STATUTORY POWER TO EXTEND ITS  
EXTRATERRITORIAL PLANNING AND ZONING JURISDICTION UPON APPROVAL  
OF THE RESIDENTS IN THE AREA AFFECTED.

☐ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on  
☐ Appropriations ☐ Finance ☐.

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the  
Committee on ☐ Appropriations ☐ Finance ☐.

☐ With a favorable report as to committee substitute bill (# ), ☐ which changes the title,  
unfavorable as to original bill (Committee Substitute Bill # ), (and recommendation  
that the committee substitute bill # ) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (# ), ☐ which changes  
the title, unfavorable as to Senate committee substitute bill.

☐ And having received a unanimous vote in committee, is placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☒ **With an indefinite postponement report.**

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1997**

**H**

**2**

**HOUSE BILL 1607**  
**Committee Substitute Favorable 8/13/98**

**Short Title: Weddington ETJ.**

**(Local)**

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**Sponsors:**

---

**Referred to:**

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**May 28, 1998**

1 **A BILL TO BE ENTITLED**

2 **AN ACT TO ALLOW THE TOWN OF WEDDINGTON TO EXERCISE ITS**  
3 **STATUTORY POWER TO EXTEND ITS EXTRATERRITORIAL PLANNING**  
4 **AND ZONING JURISDICTION UPON APPROVAL OF THE RESIDENTS IN**  
5 **THE AREA AFFECTED.**

6 **Whereas, the Town of Weddington is located in a rapidly growing area of**  
7 **the State; and**

8 **Whereas, the Town wishes to protect the beauty it is known for in the**  
9 **region; and**

10 **Whereas, reasonable planning and zoning regulations lead to better living**  
11 **conditions for all residents; and**

12 **Whereas, the Town is considering extending its extraterritorial planning**  
13 **and zoning jurisdiction to promote appropriate development around the Town; Now,**  
14 **therefore,**

15 **The General Assembly of North Carolina enacts:**

16 **Section 1. The Town of Weddington may extend its extraterritorial**  
17 **planning and zoning jurisdiction in accordance with G.S. 160A-360 upon approval of**  
18 **a majority of the qualified resident voters in the area to be added to the jurisdiction.**  
19 **Any cost incurred by the County for an election held pursuant to this act shall be**  
20 **reimbursed by the Town of Weddington.**

21 **Section 2. This act applies only to the Town of Weddington.**

1           Section 3. This act becomes effective when it becomes law, and applies to  
2 ordinances extending the Town of Weddington's extraterritorial planning and zoning  
3 jurisdiction enacted on or after the effective date of this act.

MEMORANDUM

TO: Representative McMahan

FROM: Representative Decker

DATE: July 30, 1998

SUBJECT: HB 177 - PINEVILLE TELEPHONE SYSTEMS  
HB 1341 - CHARLOTTE STORMWATER FEES

House Rule 36 speaks to reporting bills out of standing committee or permanent subcommittee by adjournment of the 1997-98 legislative session. -- "All House bills and resolutions **shall be reported from** the standing committee or permanent subcommittee to which referred .....**except** in the case where the principal introducer requests in writing to the Chair of the standing committee or permanent subcommittee that the bill not be considered."

If it is your intent that the bills listed above not be considered by the LOCAL AND REGIONAL GOVERNMENT II Committee this legislative session, please complete the form below and return a **signed, hard copy** to the Committee Clerk, Cindy Keen for the Committee on LOCAL AND REGIONAL GOVERNMENT II in Room 2121, Legislative Building.

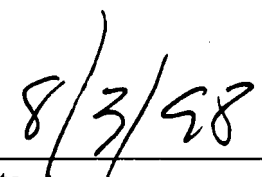
\*\*\*\*\*

Mr. Chairman:

I request that House Bill 177 and House Bill 1341, for which I am the principal introducer, not be considered by the House Committee on LOCAL AND REGIONAL GOVERNMENT II this legislative session.

PINEVILLE TELEPHONE SYSTEMS  
CHARLOTTE STORMWATER FEES

  
\_\_\_\_\_  
Representative

  
\_\_\_\_\_  
Date

MEMORANDUM

TO: Representative Saunders

FROM: Representative Decker

DATE: July 30, 1998

SUBJECT: HB 412 - HUNTERSVILLE ANNEXATION AGREEMENT

House Rule 36 speaks to reporting bills out of standing committee or permanent subcommittee by adjournment of the 1997-98 legislative session. -- "All House bills and resolutions **shall be reported from** the standing committee or permanent subcommittee to which referred .....**except** in the case where the principal introducer requests in writing to the Chair of the standing committee or permanent subcommittee that the bill not be considered."


If it is your intent that the bill listed above not be considered by the LOCAL AND REGIONAL GOVERNMENT II Committee this legislative session, please complete the form below and return a **signed, hard copy** to the Committee Clerk, Cindy Keen for the Committee on LOCAL AND REGIONAL GOVERNMENT II in Room 2121, Legislative Building.

\*\*\*\*\*

Mr. Chairman:

I request that House Bill 412, for which I am the principal introducer, not be considered by the House Committee on LOCAL AND REGIONAL GOVERNMENT II this legislative session.

HUNTERSVILLE ANNEXATION AGREEMENT

  
\_\_\_\_\_  
Representative

  
\_\_\_\_\_  
Date



North Carolina General Assembly  
House of Representatives  
State Legislative Building  
Raleigh 27601-1096

REPRESENTATIVE EUGENE ROGERS  
6TH DISTRICT

HOME ADDRESS: 908 WOODLAND DRIVE  
WILLAMSTON, N.C. 27892  
(919) 792-4245

OFFICE ADDRESS: LEGISLATIVE OFFICE BUILDING  
OFFICE 416-A  
(919) 715-3023  
FAX #: (919) 733-3113

COMMITTEES:

AGRICULTURE  
APPROPRIATIONS  
SUBCOMMITTEE ON EDUCATION  
LOCAL & REGIONAL GOVERNMENT I  
RANKING MINORITY MEMBER  
PUBLIC UTILITIES

**MEMO TO:** Representative Michael Decker, Chairman  
Local and Regional Government II

**FROM:** Representative Gene Rogers

**DATE:** April 8, 1997

**SUBJECT:** *HB 627 - Bertie School Elections*

I respectfully request that *HB 627 - Bertie School Elections* be taken off the agenda for Wednesday, April 9, 1997.

I further request that this bill will not be considered at all during this term, and placed on the unfavorable calendar.

Thank you.



MEMORANDUM

TO: Representative Ives

FROM: Representative Decker

DATE: July 30, 1998

SUBJECT: HB 684 - SPECIAL ABC AREA PROCEDURES

House Rule 36 speaks to reporting bills out of standing committee or permanent subcommittee by adjournment of the 1997-98 legislative session. -- "All House bills and resolutions **shall be reported from** the standing committee or permanent subcommittee to which referred .....**except** in the case where the principal introducer requests in writing to the Chair of the standing committee or permanent subcommittee that the bill not be considered."

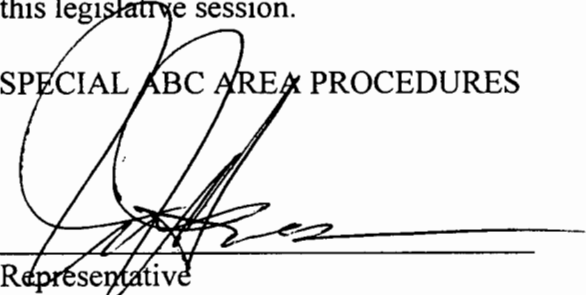
If it is your intent that the bill listed above not be considered by the LOCAL AND REGIONAL GOVERNMENT II Committee this legislative session, please complete the form below and return a **signed, hard copy** to the Committee Clerk, Cindy Keen for the Committee on LOCAL AND REGIONAL GOVERNMENT II in Room 2121, Legislative Building.

\*\*\*\*\*

Mr. Chairman:

I request that House Bill 684, for which I am the principal introducer, not be considered by the House Committee on LOCAL AND REGIONAL GOVERNMENT II this legislative session.

SPECIAL ABC AREA PROCEDURES

  
\_\_\_\_\_  
Representative

  
\_\_\_\_\_  
Date

MEMORANDUM

TO: Representative Alexander

FROM: Representative Decker

DATE: July 30, 1998

SUBJECT: HB 708 - LOCAL SPRINKLER SYSTEMS  
HB 1439 - MODIFY MECKLENBURG TAX PENALTY

House Rule 36 speaks to reporting bills out of standing committee or permanent subcommittee by adjournment of the 1997-98 legislative session. -- "All House bills and resolutions **shall be reported from** the standing committee or permanent subcommittee to which referred .....**except** in the case where the principal introducer requests in writing to the Chair of the standing committee or permanent subcommittee that the bill not be considered."

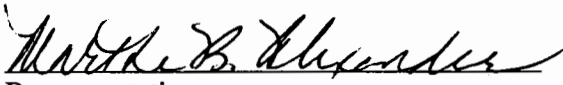
If it is your intent that the bills listed above not be considered by the LOCAL AND REGIONAL GOVERNMENT II Committee this legislative session, please complete the form below and return a **signed, hard copy** to the Committee Clerk, Cindy Keen for the Committee on LOCAL AND REGIONAL GOVERNMENT II in Room 2121, Legislative Building.

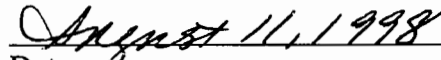
\*\*\*\*\*

Mr. Chairman:

I request that House Bill 708 and House Bill 1439, for which I am the principal introducer, not be considered by the House Committee on LOCAL AND REGIONAL GOVERNMENT II this legislative session.

LOCAL SPRINKLER SYSTEMS  
MODIFY MECKLENBURG TAX PENALTY

  
Representative

  
Date

MEMORANDUM

TO: Representative Mitchell

FROM: Representative Decker

DATE: July 30, 1998

SUBJECT: HB 1555 - MODIFY STATESVILLE OCCUPANCY TAX

House Rule 36 speaks to reporting bills out of standing committee or permanent subcommittee by adjournment of the 1997-98 legislative session. -- "All House bills and resolutions **shall be reported from** the standing committee or permanent subcommittee to which referred .....**except** in the case where the principal introducer requests in writing to the Chair of the standing committee or permanent subcommittee that the bill not be considered."

If it is your intent that the bill listed above not be considered by the LOCAL AND REGIONAL GOVERNMENT II Committee this legislative session, please complete the form below and return a **signed, hard copy** to the Committee Clerk, Cindy Keen for the Committee on LOCAL AND REGIONAL GOVERNMENT II in Room 2121, Legislative Building.

\*\*\*\*\*

Mr. Chairman:

I request that House Bill 1555, for which I am the principal introducer, not be considered by the House Committee on LOCAL AND REGIONAL GOVERNMENT II this legislative session.

MODIFY STATESVILLE OCCUPANCY TAX

W. F. Mitchell  
Representative

8/4/98  
Date

MEMORANDUM

TO: Senator Odom

FROM: Representative Decker

DATE: July 30, 1998

SUBJECT: SB 672 - MECKLENBURG LOCAL BILL

*"Charlotte Coliseum Sale"*

House Rule 36 speaks to reporting bills out of standing committee or permanent subcommittee by adjournment of the 1997-98 legislative session. -- "All House bills and resolutions **shall be reported from** the standing committee or permanent subcommittee to which referred .....**except** in the case where the principal introducer requests in writing to the Chair of the standing committee or permanent subcommittee that the bill not be considered."


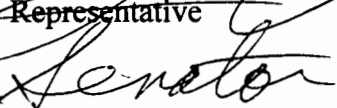
If it is your intent that the bill listed above not be considered by the LOCAL AND REGIONAL GOVERNMENT II Committee this legislative session, please complete the form below and return a **signed, hard copy** to the Committee Clerk, Cindy Keen for the Committee on LOCAL AND REGIONAL GOVERNMENT II in Room 2121, Legislative Building.


\*\*\*\*\*

Mr. Chairman:

I request that Senate Bill 672, for which I am the principal introducer, not be considered by the House Committee on LOCAL AND REGIONAL GOVERNMENT II this legislative session.

MECKLENBURG LOCAL BILL

  
\_\_\_\_\_  
Representative  
  
\_\_\_\_\_  
Senator

  
\_\_\_\_\_  
Date