

2011

**HOUSE
ETHICS**

MINUTES

HOUSE COMMITTEE ON ETHICS

<u>MEMBER</u>	<u>ASSISTANT</u>	<u>PHONE</u>	<u>OFFICE</u>	<u>SEAT</u>
Rep. Hackney, Chair	Emily Reynolds Freeman	733-0057	612	69
Rep. Howard, Chair	Ernie Parker	733-5904	1104	2
Rep. Adams	Sandra Brown	733-5902	604	45
Rep. Avila	Susan Lewis	733-5530	2217	37
Rep. Barnhart	Joanna Hogg	715-2009	304	18
Rep. Current	Wendy Miller	733-5809	418B	41
Rep. Farmer-Butterfield	Sherrie Burnette	733-5898	631D	94
Rep. Justice	Vivian Sherrell	715-9664	420	16
Rep. Lucas	Thelma Utley	733-5775	607	72
Rep. Michaux	Anita Wilder	715-2528	1220	11
Rep. Parmon	Pat Christmas	733-5829	509	95
Rep. Rhyne	Susan Beaupied	733-5782	2208	19
Rep. Ross	Margie Penven	733-5773	1023	96
Rep. Setzer	Margaret Herring	733-4948	1206	13

Staff: Kory Goldsmith, Tim Hovis and Denise Huntley Adams
Committee Clerk: Renee Weaver

NORTH CAROLINA GENERAL ASSEMBLY

ETHICS COMMITTEE 2011-2012 SESSION



**Representative Hackney
Chair**



**Representative Howard
Chair**



Representative Adams



Representative Avila



Representative Barnhart



Representative Current



**Representative Farmer-
Butterfield**



Representative Justice



Representative Lucas



Representative Michaux



Representative Parmon



Representative Rhyne



Representative Ross



Representative Setzer

House Committee on Ethics

2011-2012

ATTENDANCE

[illegible]

North Carolina General Assembly
Through House Committee on
Ethics

Date: 06/27/2011
Time: 16:38
Page: 001 of 001
Leg. Day: H-087/S-087

2011-2012 Biennium

Bill	Introducer	Short Title		Latest Action	In Date	Out Date
H0436	R. Brown	ECONOMIC DISCLOSURES FOR SANITARY DISTRICTS.	*H	Ref To Com On State and Local Government	04-11-11	04-14-11

'\$' indicates the bill is an appropriation bill.

A bold line indicates the bill is an appropriation bill.

'*' indicates that the text of the original bill was changed by some action.

'=' indicates that the original bill is identical to another bill.

**2011 COMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

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

By Representative Hackney, Howard (Chairs) for the Committee on ETHICS.

☐ Committee Substitute for

HB 436 A BILL TO BE ENTITLED AN ACT TO REQUIRE MEMBERS OF SANITARY DISTRICTS ESTABLISHED UNDER PART 2 OF ARTICLE 2 OF CHAPTER 130A OF THE GENERAL STATUTES TO FILE A STATEMENT OF ECONOMIC INTEREST.

☒ With a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

(FOR JOURNAL USE ONLY)

_____ Pursuant to Rule 32(a), the bill/resolution is re-referred to the Committee on _____.

_____ Pursuant to Rule 36(b), the (House/Senate) committee substitute bill/(joint) resolution (No. _____) is placed on the Calendar of _____. (The original bill resolution No. _____) is placed on the Unfavorable Calendar.

_____ The (House) committee substitute bill/(joint) resolution (No. _____) is re-referred to the Committee on _____. (The original bill/resolution) (House/Senate Committee Substitute Bill/(Joint) resolution No. _____) is placed on the Unfavorable Calendar.



North Carolina General Assembly
House Committee on Ethics

Minutes

April 13, 2011

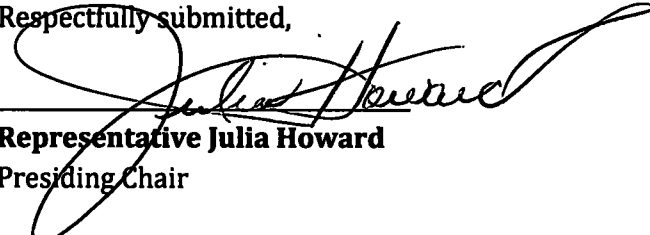
The House Committee on Ethics met on Wednesday, April 13, 2011 at 4:10 pm in Room 425 of the Legislative Office Building. The following members were present: Chairperson Howard; and Representatives Current, Avila, Current, Farmer-Butterfield, Ross and Setzer. Also present were Sergeant-at-Arms Bill Bass and Billy Jones. Staff person present was Tim Hovis. The Agenda and Visitor Registration Sheets are attached and incorporated into these minutes as **attachments 1 and 2**.

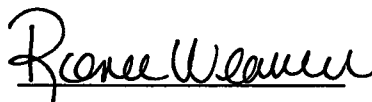
Chairperson Howard called the meeting to order at 4:10 pm and recognized the two (2) pages present: (1) Rose Goyette of Clay County sponsored by Representative West and (2) Tiaja Smalls of Cumberland County sponsored by Representative Parmon.

The bill heard by the Committee was **HB 436 Economic Disclosures for Sanitary Districts** (see **attachment 3**). The Chair recognized Representative Setzer who moved to adopt the proposed committee substitute for the purpose of discussion. Chairperson Howard recognized Representative Brown to explain the proposed committee substitute. Representative Setzer was recognized for a motion to give HB 436 a favorable to report to the proposed committee substitute, unfavorable report to the original bill. The motion was held for discussion on the bill. The Chair recognized Representative Ross who sent forth amendment 1 that moved to amend the bill on page 1, line 10 (see **attachment 4**). Being no further discussion or debate, the Chair called for the ayes and noes on amendment 1. The motion to adopt amendment 1 passed. The Chair recognized Representative Setzer who restated the motion that HB 436 be given a favorable report to the proposed committee substitute as amended, unfavorable report to the original bill. The motion carried.

There being no further business presently before the Committee, Chairperson Howard adjourned the meeting at 4:16 pm.

Respectfully submitted,


Representative Julia Howard
Presiding Chair


Renee Weaver
Clerk, House Committee on
Ethics

AGENDA
House Ethics Committee

Wednesday, April 13, 2011
15 Minutes After Session Ends
Room 1228 LB

Chaired by: Representative Julia C. Howard

Call to Order

Introduction of Pages

Bills:

HB 436 Economic Disclosures for Sanitary Districts
Representatives R. Brown, Dockham

Adjournment
//

House Committee Pages / Sergeants at ArmsNAME OF COMMITTEE ETHICSDATE: 4-13-11Room: 4258*Name: Rose GoyetteCounty: ClaySponsor: WEST*Name: Tiaja Smalls

Tyjay

Ty-shayCounty: CumberlandSponsor: Earline Parmon

*Name: _____

County: _____

Sponsor: _____

*Name: _____

County: _____

Sponsor: _____

*Name: _____

County: _____

Sponsor: _____

House Sgt-At Arms:Name: BILL BASS

4. Name: _____

2. Name: ~~WAYNE BASS~~

5. Name: _____

3. Name: BILLY JONES

6. Name: _____

VISITOR REGISTRATION SHEET

ETHICS

Name of Committee

4-13-11

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Teresa Peel	NC State Ethics Commission
Ryan Brown	NC House District 11

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

H

D

HOUSE BILL 436
PROPOSED COMMITTEE SUBSTITUTE H436-CSRG-6 [v.1]

4/13/2011 2:36:05 PM

Short Title: Economic Disclosures for Sanitary Districts.

(Public)

Sponsors:

Referred to:

March 24, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE MEMBERS OF SANITARY DISTRICT BOARDS ESTABLISHED
3 UNDER PART 2 OF ARTICLE 2 OF CHAPTER 130A OF THE GENERAL STATUTES
4 TO FILE A STATEMENT OF ECONOMIC INTEREST.

5 The General Assembly of North Carolina enacts:

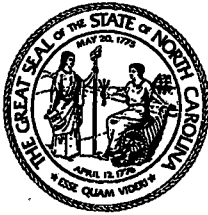
6 SECTION 1. Part 2 of Article 2 of Chapter 130A of the General Statutes is
7 amended by adding a new section to read:

8 "**§ 130A-49.5. Sanitary district board members to file SEI.**

9 All members of each sanitary district board shall file a statement of economic interest with
10 the clerk of superior court. The statement of economic interest shall be filed in accordance with
11 the provisions of Article 3 of Chapter 138A of the General Statutes and on the form prescribed
12 by the State Ethics Commission."

13 SECTION 2. This act becomes effective July 1, 2011.





HOUSE BILL 436: Economic Disclosures for Sanitary Districts

2011-2012 General Assembly

Committee: House Ethics
Introduced by: Reps. R. Brown, Dockham
Analysis of: First Edition

Date: April 12, 2011
Prepared by: Tim Hovis
Committee Counsel

SUMMARY: *House Bill 436 would require members of sanitary districts to file a statement of economic interest (SEI) with the clerk of superior. The SEI is to be filed in accordance with the provisions of Article 2 of Chapter 138A on a form prescribed by the State Ethics Commission.*

EFFECTIVE DATE: House Bill 436 becomes effective July 1, 2011.

BACKGROUND:

Sanitary Districts

Sanitary Districts are created by the Commission for Public Health for the purpose of preserving and promoting the public health and welfare. No municipality may be included in a sanitary district except at the request of the governing board of the city. A sanitary district may be incorporated upon the petition of 51% of the resident freeholders or 51% of the freeholders to the county board of commissioners of the county in which all or the largest portion of the land in the proposed district is located.

The sanitary district board is composed of 3 to 5 members and is appointed by the county board of commissioners until the next regular election for municipal officers occurring more than 90 days after appointment. The board members are then elected. If the General Assembly incorporates a town that includes 50% or more of the sanitary district, the city council may serve as the sanitary district board with the approval by resolution of the sanitary district board.

Sanitary district boards have broad powers, including the power to levy taxes, compel connection to water and sewer lines, establish fire departments, establish zoning, and assess and condemn property.

Board members may be removed for malfeasance or nonfeasance upon a petition to the county board of commissioners by 25% or more of the voters in a district for an election on the questions of removal.

Ethics and Statements of Economic Interest

Pursuant to Article 2 of Chapter 138A, a statement of economic interest must be filed no later April 15 of every year and shall be current as of the last day of the year preceding the date the statement of economic interest is due.

G.S. 160A-86 requires certain governing boards of local governments, including sanitary district boards, to adopt a resolution or policy containing a code of ethics. In addition, G.S. 160A-87 requires members of these governing boards to receive a minimum of two hours of ethics education within 12 months after initial election or appointment and thereafter within 12 months of every subsequent election.

H436-SMRG-11(e1) v2

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. 436DATE 4/13/2011

S. B. No. _____

Amendment No. _____

COMMITTEE SUBSTITUTE _____

(to be filled in by
Principal Clerk)Rep.) Ross
Sen.) _____1 moves to amend the bill on page 1, line 10

2 () WHICH CHANGES THE TITLE

3 by deleting "clerk of superior court" and4 substituting "local board of elections."

5 _____

6 _____

7 _____

8 _____

9 _____

10 _____

11 _____

12 _____

13 _____

14 _____

15 _____

16 _____

17 _____

18 _____

19 _____

SIGNED 

ADOPTED _____ FAILED _____ TABLED _____

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

H

D.

HOUSE BILL 436
PROPOSED COMMITTEE SUBSTITUTE H436-PCS90093-RG-6

Short Title: Economic Disclosures for Sanitary Districts.

(Public)

Sponsors:

Referred to:

March 24, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE MEMBERS OF SANITARY DISTRICT BOARDS ESTABLISHED
3 UNDER PART 2 OF ARTICLE 2 OF CHAPTER 130A OF THE GENERAL STATUTES
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