

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 1372
HOUSE BILL 1599

AN ACT CONCERNING A STUDY ON THE STATE'S INTERESTS IN RAILROAD PROPERTIES.

The General Assembly of North Carolina enacts:

Section 1. The Legislative Research Commission, in its study of the State's interests in railroad companies and railroad operations, as authorized in Section 2 of Resolution 61, Session Laws of 1981 is authorized to:

- (1) Obtain an independent expert evaluation of the State's interests in the North Carolina Railroad Company and the Atlantic and North Carolina Railroad Company;
- (2) Receive proposals to maximize the benefits to all stockholders of investments in these railroad companies and carry on negotiations toward those ends; such negotiations may be carried on by such person or persons designated by the commission (or its subcommittee) after consultation with the boards of directors of the North Carolina Railroad and the Atlantic and North Carolina Railroad; and
- (3) Report to the 1983 Session of the General Assembly on such evaluation, including, if any action is recommended, any and all necessary legislation.

Sec. 2. In carrying out Section 1 of this act, the negotiations, in the discretion of the commission (or its subcommittee), may be held in private. Any discussion by the commission (or its subcommittee) of the negotiations shall be a permitted purpose for an executive session under G.S. 143-318.11. Any agreement finally reached shall be made public upon its recommendation by the commission (or its subcommittee).

Sec. 3. Notwithstanding the provisions of G.S. 105-259, the commission (or its subcommittee, or staff, or the person making the evaluation) shall have access to any return or record filed under Article 23 of Chapter 105 of the General Statutes or any return or record used by the Department of Revenue in computing valuation under Article 23, concerning property owned by the North Carolina Railroad Company or the Atlantic and North Carolina Railroad Company; provided, however, that such person obtaining access shall not divulge the contents of such return or record and shall be subject to the penalties of G.S. 105-259 if such record or return is divulged.

Sec. 4. Chapter 1046, Session Laws of 1951, is amended by adding a new section to read:

"Sec. 1.1. No stock owned by the State of North Carolina in the Atlantic and North Carolina Railroad Company shall be sold except with the prior consent of the General Assembly."

Sec. 5. G.S. 124-5 is amended by adding at the end thereof the following new sentence: "Prior to taking any action under this section between July 1, 1982, and June 1, 1983, concerning the Atlantic and North Carolina Railroad or the North Carolina Railroad, the Governor and Council of State shall give at least 20 days' notice to the Legislative Research Commission. No extension of any lease to expire December 31, 1994, may be granted to the lessee or the operating company of the railroad during that 11-month period."

Sec. 6. There is appropriated from the General Fund to the Legislative Research Commission the sum of two hundred fifty-six thousand dollars (\$256,000) for fiscal year 1982-83 for studies authorized by the Commission.

Sec. 7. There is appropriated from the General Fund to the General Assembly the sum of one thousand dollars (\$1,000) for fiscal year 1982-83 to provide funds to the Committee on Employee Hospital and Medical Benefits to reimburse consultant expenses already incurred.

Sec. 8. There is appropriated from the General Fund to the Legislative Services Commission the sum of two hundred thousand dollars (\$200,000) for fiscal year 1982-83 to improve information management and to monitor the implementation of the State employees' health benefits contract.

Sec. 9. Sections 1 through 5 of this act are effective upon ratification; Sections 6 through 8 shall become effective July 1, 1982.

In the General Assembly read three times and ratified, this the 23rd day of June, 1982.