GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2001

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HOUSE BILL 1439 Committee Substitute Favorable 7/26/01

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(Public)

Short Title: Water and Sewer Authorities.

Sponsors:

28

Referred to:

May 10, 2001

A BILL TO BE ENTITLED

1	A BILL TO BE ENTITLED
2	AN ACT TO PROVIDE FOR THE CREATION OF WATER AND SEWER
3	AUTHORITIES IN CERTAIN URBAN COUNTIES AND TO INCREASE THE
4	MAXIMUM ANNUAL PER DIEM OF MEMBERS OF WATER AND SEWER
5	AUTHORITIES.
6	The General Assembly of North Carolina enacts:
7	SECTION 1. Article 1 of Chapter 162A of the General Statutes is amended
8	by adding a new section to read:
9	" <u>§ 162A-3.2. Creation of authorities in certain urban counties.</u>
10	(a) Two or more units of local government, at least one of which has fifty-one
11	percent (51%) or more of its land area within a county with a population of 500,000 or
12	over according to the most recent decennial federal census, and whose wastewater
13	discharge flows downstream solely within this State, may organize an authority only
14	under this section. Except as modified by this section, the remainder of this Article
15	applies to any authority organized under this section.
16	(b) Any authority organized under this section shall be governed by a board
17	consisting of one member appointed by the governing board of each of the participating
18	political subdivisions. Each member so appointed shall have one vote.
19	(c) An authority organized under this section may issue revenue bonds under
20	G.S. 162A-6(6) and revenue refunding bonds under G.S. 162A-6(7); may collect rates,
21	fees, and other charges as provided by G.S. 162A-6(9); and may make special
22	assessments against benefited property as provided by G.S. 162A-6(14a).
23	(d) Any authority organized under this section shall ensure that any water that is
24	withdrawn from a river basin, as defined in G.S. 143-215.22G, by the authority is
25	discharged into the same river basin."
26	SECTION 2. G.S. 162A-5(c) reads as rewritten:
27	"(c) Each member of the authority before entering upon his duties shall take and

subscribe an oath or affirmation to support the Constitution of the United States and of

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this State and to discharge faithfully the duties of his office, and a record of each suchoath shall be filed with the secretary of the authority.

3 (c1) The authority shall select one of its members as chairman and another as 4 vice-chairman and shall also select a secretary and a treasurer who may but need not be 5 members of the authority. The offices of secretary and treasurer may be combined. The 6 terms of office of the chairman, vice-chairman, secretary and treasurer shall be as 7 provided in the bylaws of the authority.

8 (c2)A majority of the members of the authority shall constitute a quorum and the 9 affirmative vote of a majority of all of the members of the authority shall be necessary 10 for any action taken by the authority. No vacancy in the membership of the authority 11 shall impair the right of a quorum to exercise all the rights and perform all of the duties 12 of the authority. The members of the authority may be paid a per diem compensation set 13 by the authority which per diem may not exceed the total amount of two-four thousand 14 dollars (\$2,000) (\$4,000) annually, and shall be reimbursed for the amount of actual 15 expenses incurred by them in the performance of their duties." 16 **SECTION 3.** This act is effective when it becomes law. For each water and 17 sewer authority organized under Article 1 of Chapter 162A of the General Statutes,

18 Section 2 of this act applies on the first day of the fiscal year of the authority that begins

19 on or after the date this act becomes effective.