

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 1162

Short Title: Infrastructure Needs Study Commission.

(Public)

Sponsors: Senator Basnight.

Referred to: Rules and Operations of the Senate.

May 4, 1989

A BILL TO BE ENTITLED

AN ACT TO CREATE THE STATE INFRASTRUCTURE NEEDS AND FINANCING STUDY COMMISSION.

Whereas, the economic growth and development of the State of North Carolina is a desirable public good for the citizens of the State of North Carolina; and

Whereas, such economic growth and development results in the need for expanded, new, or improved community service facilities; and

Whereas, various local governmental units have addressed the questions of the infrastructure needs of their jurisdictions caused by growth and development and of the means of funding those needs by enacting or causing to be enacted laws and ordinances relating to needs and the funding of these needs; and

Whereas, it is in the public interest that a comprehensive, statewide study of the community service needs caused by desired economic growth and development be performed; and

Whereas, it is in the public interest that an equitable and sustainable system of obtaining funds to provide these community service needs be established and be uniform throughout the State; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. The State Infrastructure Needs and Financing Study Commission is created. The Commission shall:

- (1) Undertake a comprehensive review and analysis of the impact upon community service facilities of any new development, construction, or installation that requires any permit, certification, or other governmental or quasi-governmental action allowing real property

1 development and that generates or tends to generate the need for new,
2 expanded, or improved community service facilities. For purposes of
3 this study, the term "community service facilities" means public
4 facilities or improvements provided or established by a local
5 government, including those provided or established by a local
6 government jointly with other units of government or government
7 agencies, whether local, State, or federal. The term includes utility
8 facilities, transportation facilities, parks and recreation facilities,
9 drainage and water quality facilities, streets and sidewalks, open
10 spaces, emergency and public safety facilities, sewer treatment
11 facilities, and waste disposal facilities, but does not include public
12 educational facilities such as schools, technical institutions,
13 community colleges, and similar facilities.

14 (2) Undertake a comprehensive review and analysis of the various
15 methods by which local governments both within North Carolina and
16 within other states, as deemed appropriate by the Commission, fund
17 the costs of expanded, new, or improved community service facilities.

18 (3) Determine the most equitable and appropriate means for local
19 governments to obtain funds to provide the new, expanded, or
20 improved community service facilities needed because of the real
21 property development described in subdivision (1). The Commission
22 shall, in making this determination, consider and analyze all practical,
23 legal funding means which are, or which constitutionally could be,
24 available to local governments.

25 Sec. 2. The Commission shall consist of 16 members to be appointed as
26 follows:

27 (1) Four members of the Senate appointed by the President Pro Tempore
28 of the Senate, one of whom shall be designated cochair;

29 (2) Four public members appointed by the President Pro Tempore of the
30 Senate, one of whom shall be an elected city government official, one
31 of whom shall be from the land use planning department or agency of
32 a city, and two of whom shall be persons who are involved with or
33 have had extensive experience in land development;

34 (3) Four members of the House of Representatives appointed by the
35 Speaker of the House of Representatives, one of whom shall be
36 designated cochair; and

37 (4) Four public members appointed by the Speaker of the House of
38 Representatives, one of whom shall be an elected county government
39 official, one of whom shall be from the land use planning department
40 or agency of a county, and two of whom shall be persons who are
41 involved with or who have had extensive experience in land
42 development.

1 Sec. 3. Members appointed to the Commission shall serve until the
2 Commission makes its final report. Vacancies on the Commission shall be filled in the
3 same manner as the original appointments were made.

4 Sec. 4. Upon request of the Commission or its staff, all State departments
5 and agencies and all local government departments and agencies shall furnish to the
6 Commission or its staff any information in their possession or available to them.

7 Sec. 5. The Commission may submit an interim report of its findings and
8 recommendations and the status of its review and analyses to the General Assembly on
9 or before the first day of the 1990 Regular Session of the 1989 General Assembly. The
10 Commission shall submit the final report of its findings and recommendations to the
11 General Assembly on or before January 15, 1991. All reports shall be submitted by
12 filing the report with the Speaker of the House of Representatives and the President Pro
13 Tempore of the Senate. The Commission shall terminate upon filing its final report.

14 Sec. 6. The Commission shall have its initial meeting on or before October 1,
15 1989. The Commission shall meet upon the call of the cochairs.

16 Sec. 7. Upon approval of the Legislative Services Commission, the
17 Legislative Services Officer shall assign professional and clerical staff to assist in the
18 work of the Commission. Clerical staff shall be furnished to the Commission through
19 the Offices of House and Senate Supervisors of Clerks. The expenses of employment of
20 the clerical staff shall be borne by the Commission. The Commission may meet in the
21 Legislative Building or the Legislative Office Building upon the approval of the
22 Legislative Service Commission.

23 Sec. 8. Members of the Commission shall be paid per diem, subsistence, and
24 travel allowances as follows:

- 25 (1) Commission members who are also members of the General
26 Assembly, at the rate established in G.S. 120-3.1.
- 27 (2) Commission members who are officials or employees of the State or
28 local government agencies, at the rate established in G.S. 138-6.
- 29 (3) All other Commission members at the rate established in G.S. 138-5.

30 Sec. 9. There is appropriated from the General Fund to the General
31 Assembly \$50,000 for the 1989-90 fiscal year and \$25,000 for the 1990-91 fiscal year to
32 fund the Commission created by this act. Funds appropriated for the Commission for
33 the 1989-90 fiscal year but not expended may be expended for the Commission during
34 the 1990-91 fiscal year.

35 Sec. 10. This act shall become effective July 1, 1989.